

STATUTE OF THE ADMINISTRATIVE TRIBUNAL

Article I

Establishment and General Principles

The Administrative Tribunal of the Organization of American States, established by resolution AG/RES. 35 (I-O/71), adopted by the General Assembly on April 22, 1971, shall be governed by the following principles and the other provisions of this Statute:

- i. As the supreme organ of the Organization of American States, the General Assembly has the final authority to determine the scope and meaning of its own resolutions as it applies them;
- ii. The Tribunal, like all other organs of the Organization, is subordinate to the General Assembly;
- iii. The function of the Tribunal is to adjudicate disputes between the Secretary General and the staff members of the General Secretariat arising out of the employment relationship;
- iv. Determining the general salary policy for the personnel of the General Secretariat is the exclusive responsibility of the General Assembly, and the General Assembly has not delegated that authority to any other organ;
- v. For the adjudication of any disputes involving the personnel of the General Secretariat, the internal legislation of the Organization shall take precedence over general principles of labor law and the laws of any member State; and, within that internal legislation, the Charter is the instrument of the highest legal order, followed by the resolutions of the General Assembly, and then by the resolutions of the Permanent Council, and finally by the norms adopted by the other organs under the Charter - each acting within its respective sphere of competence;
- vi. Any decision of an organ subordinate to the General Assembly which violates the basic principles set out in the foregoing provisions is ultra vires and not binding on the Organization, the General Secretariat, its personnel, or the member States.