



THIRD ITEM ON THE AGENDA

**Amendments to the Standing Orders
of the International Labour Conference**

1. The Governing Body's endorsement of the proposals made by the Working Group on the International Labour Conference¹ implies the need to amend certain provisions of the Standing Orders of the Conference. On the basis of already agreed proposals, this paper proposes amendments that can be submitted to the Standing Orders Committee of the 97th Session of the Conference.
2. During the 300th Session of the Governing Body (November 2007), the Working Group also decided to continue its discussion on several pending issues. Preliminary discussions on those issues indicated that some of the solutions proposed may trigger amendments to the Standing Orders. This paper presents some possible amendments in that regard.
3. Even if adopted by the Conference in 2008, amendments to the Standing Orders cannot become effective until the 98th Session (2009) of the Conference. It may therefore be useful to specify which provisions of the Standing Orders may need to be suspended in 2008 in accordance with article 76 of the Standing Orders to enable the Conference to function in line with the proposals accepted by the Governing Body.
4. Finally, this document presents some proposals for amendments to the Standing Orders aimed at promoting gender equality within the ILO in line with the ILO Action Plan for Gender Equality. It also proposes correcting some editorial errors.

**Amendments relating to already
adopted proposals****Appointment of the members of the
Credentials Committee**

5. The Working Group "agreed on the opportunity to bring forward the discussion on candidates for the Credentials Committee to a date before the beginning of the Conference, and thereby enable the Conference, through its provisional Officers (that is, the Officers of

¹ GB.300/11.

the Governing Body), to establish the Credentials Committee immediately after the opening of the Conference, either by amending the International Labour Conference Standing Orders or by suspending specific provisions thereof”.²

6. The opening of the Conference is governed by article 25 of the Standing Orders. Paragraph 2 of that article states that “the first business of the Conference shall be the election of the President”. In case the Conference wishes to appoint the Credentials Committee before the President, this text should be modified to read “the first business of the Conference shall be the election of the Credentials Committee and of the President”. However, consultations subsequent to the conclusion of the 300th Session of the Governing Body led to the consideration that it may not be opportune to start the Conference with the election of one of the committees. What could be done is to maintain the existing text of the Standing Orders as far as the election of the President is concerned and put the nomination of the Credentials Committee as the third (separate) item of the agenda. This, combined with the amendment suggested below, would allow the Chairperson to move to the third item in case of a problem with the election of the President, appoint the Credentials Committee, establish a new quorum, and then come back again to the elections of the President and Vice-Presidents.
7. The current wording of paragraph 1 of article 5 of the Standing Orders provides that “the Conference shall, on the nomination of the Selection Committee, appoint a Credentials Committee ...”. Since the new Governing Body proposal foresees the appointment of the Credentials Committee before the Selection Committee, the text “on the nomination of the Selection Committee” needs to be deleted.
8. Consequently, the amendment to be proposed to the Standing Orders Committee on this topic should read as follows:
 - Article 5, paragraph 1: “The Conference shall, ~~on the nomination of the Selection Committee,~~ appoint a Credentials Committee consisting of one Government delegate, one Employers’ delegate and one Workers’ delegate.”³
9. In order to speed up the establishment of the Credentials Committee in 2008, it will be useful to suspend the following text from article 5, paragraph 1, of the Standing Orders: “on the nomination of the Selection Committee”. As soon as the decision on the proposed suspension is taken, the Conference can appoint the three members of the Credentials Committee.

² GB.300/11, para. 7.

³ In order to follow entirely the recommendation of the Working Party, article 25, paragraph 2, of the Conference Standing Orders should also be amended, as follows: “The first business of the Conference shall be the election of the Credentials Committee and of the President. The Conference shall then receive the nominations made by the groups and shall proceed to elect the three Vice-Presidents and to set up the various committees and appoint their members on the basis of proposals from the groups.”

Amendments that may result from the discussions at the 301st Session of the Governing Body (March 2008)

Governing Body session in the course of the Conference

10. The Working Group discussed the possibility of organizing a Governing Body session in the course of the Conference. While such a proposal should not have consequences on the Standing Orders for the Conferences held during the period of office of the Governing Body members, some adjustments to the Standing Orders may be needed for the sessions of the Conference during which Governing Body elections are held. This will be the case in 2008.
11. The current text of the second sentence of article 48 of the Standing Orders provides that “the period of office of the Governing Body shall commence at the close of the session of the Conference in the course of which elections were held”. If the Governing Body elections are to be held at the beginning of the second week of the Conference and the newly elected members wish to meet in the course of that session of the Conference, the second sentence of article 48 would need to be suspended at the 2008 session or deleted by means of an amendment to the Standing Orders. However, consultations subsequent to the conclusion of the 300th Session of the Governing Body led to the consideration that there may be a need to maintain continuity for certain issues that the Governing Body may be asked to consider at the June session and the need for newly elected members to prepare themselves for the items on the agenda. It may therefore be more practical to keep the current members for the session during the Conference. This, however, means that there should be – in electoral years – two separate sessions and not two parts of the same session in June, as there will be a different Governing Body membership.

Languages in which *Provisional Records* are issued

12. The question of reconciling the obligation of issuing the *Provisional Records* in English, French and Spanish with available financial resources resulted in the recent past in the need to suspend or amend some provisions of the Standing Orders.
13. The obligation of issuing the *Provisional Records* in the three languages applies to the verbatim report printed at the conclusion of each sitting of the Conference (paragraph 1 of article 23 of the Standing Orders) and to all documents relating to speeches in the Plenary (paragraph 5 of article 24 of the Standing Orders). The latter provision was suspended by the Conference in 2006 and 2007.

Resolutions relating to matters not included in an item placed on the agenda

14. The Working Group concluded the following in November 2007: “In the absence of a Resolutions Committee, the Working Group considered that a discussion on the steps to establish an ad hoc solution to the problem of dealing with resolutions needed to be undertaken. It was important to avoid the discussion of political issues in the technical committees. In the meantime, the emergency procedure, which involved referring to the Selection Committee any draft resolution not related to an item on the agenda after a

favourable decision adopted by the Conference at the proposal of its Officers, continued to be applied.”

15. Article 17 of the Standing Orders establishes the conditions of receivability of non-urgent resolutions that are not related to an item on the agenda, outlines the procedure for dealing with late resolutions and provides for a procedure before the Resolutions Committee.⁴ Given that the Resolutions Committee will not be established, paragraphs 3 to 10 of article 17 of the Standing Orders need to be suspended.
16. In the absence of the Resolutions Committee, the practice of referring these resolutions to the Selection Committee could be continued pending a systemic modification of the applicable procedures. Resolutions arising in other Committees would continue to be governed by article 63 of the Standing Orders.

Discussion on the Global Report under the follow-up to the Declaration on Fundamental Principles and Rights at Work

17. The Working Group expressed its confidence in the Office’s ability to find a solution that would make this discussion genuinely interactive. In the previous sessions of the Conference, the following provisions of the Standing Orders were suspended – on the basis of a standing proposal of the Governing Body⁵ – in order to facilitate an exchange of views during the discussion on the Global Report: article 12, paragraph 3, concerning the limitation on the number of interventions of each delegate; article 14, paragraph 2, on the sequence in which the floor is given to speakers; and article 14, paragraph 6, regarding time limits to speeches.

Amendments promoting gender equality

18. One of the measures contemplated by the ILO Action Plan for Gender Equality⁶ is the use of gender-sensitive language in ILO rules, regulations and directives. The way the Standing Orders have been drafted does not correspond today to ILO policies relating to gender equality. The International Labour Conference may be called upon to set an example of gender-sensitive drafting of its own rules of procedure.
19. Two different techniques need to be applied to amend the current text of the Standing Orders to this effect. The first technique is to simply delete a text that is not relevant any more. This would be the case with paragraph 1 of article 3 of the Standing Orders, which now provides as follows: “The Conference shall elect as Officers a President and three Vice-Presidents, who shall all be of different nationalities *and any of whom may be women.*” (emphasis added) The nomination of women among the Officers of the Conference should not be seen as an exception, and it is suggested to simply delete the italicized text.
20. The second technique would consist in redrafting all gender-specific provisions to recognize that the delegates to the Conference, the President, the chairpersons of the

⁴ See GB.297/LILS/4/1, GB.297/12(Rev.), GB.298/LILS/1 and GB.298/9(Rev.).

⁵ See GB.292/PV, p. 36, and GB.295/PV, p. 41.

⁶ GB.300/5.

Conference committees, the members of the Governing Body and the Director-General of the International Labour Office may be either men or women. The current text assumes that they are men.

21. Furthermore, certain functions within the ILO organs, such as the “Chairman of the Governing Body”, the “Chairman” and “Vice-Chairmen” of a Conference Committee, and the “Chairman of a group”, should be referred to in more neutral terms, such as the “Chairperson”.
22. An indicative list of provisions of the Standing Orders that may be affected by the proposed modifications is provided in the appendix. Specific proposals on the wording of those provisions in the three languages are still under consideration within the Office in line with the methods suggested in the *Manual for drafting ILO instruments*,⁷ developed by a tripartite committee of experts. If the Committee agrees, the final proposals for the amendments can be submitted directly to the Standing Orders Committee of the Conference, following consultations with the Officers of the Committee.

Amendments aimed at harmonizing different language versions

23. In the English text of paragraph 4 of article 63, one word is simply missing. It is proposed to amend the text by adding a comma and the word which is underlined: “Resolutions and amendments must be handed in to the secretariat of the Committee before 5 p.m. to enable the resolution or amendment to be discussed at a meeting to be held on the following morning, or before 11 a.m. to enable the resolution or amendment to be discussed at the meeting to be held in the afternoon of the same day.”
24. *The Committee may wish to recommend to the Governing Body that it invite the Conference, at its 97th Session, to adopt the amendment described in paragraphs 8, 19, 20, 22 and 23 above.*

Geneva, 22 January 2008.

Point for decision: Paragraph 24.

⁷ The Manual is available at <http://www.ilo.org/public/english/bureau/leg/man.pdf> . The Manual was presented to the Governing Body at its 292nd Session (March 2005), see document GB.292/LILS/3.

Appendix

Indicative list of the provisions of the Standing Orders of the International Labour Conference, in the English version, that may be affected by the modifications described in paragraphs 19 and 20 of the document:

- article 9, paragraph (b);
- article 13, paragraphs 1, 2 and 3;
- article 16, paragraph 2;
- article 17, paragraph 5(a)(i);
- article 20, paragraph 2(2);
- article 23 paragraph 2 ;
- article 21, paragraph 1;
- article 35, paragraph 2 ;
- article 52, paragraph 4;
- article 56, paragraph 6;
- article 61, paragraphs 1 and 3;
- article 62, paragraph 1,
- article 64, paragraph 2;
- article 66, paragraph 2;
- article 72, paragraph 3; and
- article 73.