



## SECOND ITEM ON THE AGENDA

**Revision of the Rules for Regional Meetings**

1. The Governing Body decided at its 264th Session (November 1995) to replace Regional Conferences with shorter Regional Meetings having a single agenda item.<sup>1</sup> The version of the Rules for Regional Meetings now in force was adopted by the Governing Body at its 283rd Session (March 2002), and confirmed by the 90th Session (June 2002) of the International Labour Conference.
2. Experience gained in relation to the five Regional Meetings held since June 2002 suggests that certain aspects of the Rules could be better suited to the needs of the Organization and its tripartite constituents.
3. It has been necessary to seek ad hoc derogations from certain Rules for each Meeting. This has been time-consuming. The Office is therefore suggesting several amendments to the Rules for Regional Meetings (see Appendix I). They are intended to permit Regional Meetings to function in a flexible manner while strengthening tripartism and the Organization's pursuit of cooperation with regional institutions. While the term used in the Rules ("official international organization") legally encompasses public regional and subregional organizations, it is proposed in the interest of transparency to make explicit references to regional as well as universal organizations in the Rules.
4. In the five most recent Regional Meetings, derogations from the Rules have primarily involved invitations, permission to speak and deadlines for objections to credentials. Invitations have been extended<sup>2</sup> and statements made, for instance by a Vice-Chairperson of the Governing Body who was included in the list of an international non-governmental organization (whose representatives do not have the right to speak). Amendments are

<sup>1</sup> Article 38 of the ILO Constitution provides that: "1. The International Labour Organisation may convene such regional conferences ... as may be desirable to promote the aims and purposes of the Organisation. 2. The powers, functions and procedure of regional conferences shall be governed by rules drawn up by the Governing Body and submitted to the General Conference for confirmation."

<sup>2</sup> These concerned invitations to representatives of intergovernmental subregional organizations and an invitation to a liberation movement as foreseen by art. 1, para. 5, of the Rules for Regional Meetings, because the Governing Body's attention had not been drawn at the opportune time to the need to extend such an invitation.

proposed to article 10 of the Rules to permit such speakers, while bearing in mind that priority should be given to delegates.

5. In addition, the current rules do not foresee the participation of an eminent public figure such as a President or Prime Minister.<sup>3</sup> Officers of the Governing Body have also been invited to recent Regional Meetings, at their own expense unless they are delegates; a new provision is being proposed in this sense. To permit delegation by the Governing Body to its Officers to issue invitations to such Meetings, a change to article 2.3.1 of the Standing Orders of the Governing Body would also be necessary.<sup>4</sup> A proposal in this regard is set out in Appendix II.
6. As events for which member States submit credentials of tripartite delegations, Regional Meetings are an expression of tripartism that is safeguarded by mechanisms for lodging objections and complaints. Regional Meetings may be held for four days, and recent ones have been shorter. Constituents have little time to examine the list of delegations, and for a Credentials Committee of the Regional Meeting to be elected and carry out its work. To provide greater flexibility in relation to Meeting schedules, a proposal is made to express the deadline for objections and complaints in terms of a number of hours, rather than at a specified time of day (e.g. 11 a.m.), and to permit consideration of later submissions where this is justified and time permits. Another is made to recognize that the Credentials Committee of a Regional Meeting may also be called upon to examine communications. Finally, the wording of paragraph 4 of article 9 has been revised to include complaints and to make it somewhat more readable.
7. The Office would continue to facilitate the deposit of credentials for Regional Meetings by member States by the deadline of 15 days before the opening day. With this in mind, the Office has suggested moving the reference to this deadline to article 1 of the Rules, which concerns the composition of the Meetings, and having a more logical order of the paragraphs in that article. In terms of practice, the Office would provide an up to date electronic list of the credentials of delegations on the morning of the opening day of the Meeting, and another electronic list reflecting the names of persons who had actually registered by the morning of the last day of the Meeting.
8. Moreover, under the current Rules, the report on objections and complaints which the Credentials Committee presents to the Meeting is only brought to the Governing Body's attention if the Meeting so decides. Given that the last few Regional Meetings have so decided, and the information provided is relevant to constituents for purposes of preparing for the International Labour Conference, it is suggested that this submission to the Governing Body be automatic. This would be a means of reinforcing the representative character of such Meetings.
9. The provision regarding arrangements for interpretation and translation of documents into and from languages other than the working languages of the Meeting set by the Governing Body can create expectations that are unrealistic in current financial circumstances (article 13, paragraph 2). A proposed amendment would specify the need for financial resources to permit the use of additional languages.

<sup>3</sup> The rules do not regulate the issue of the presence of guests (including parliamentarians or diplomatic representatives) invited by the host government on the occasion of a particular event within the Meeting. Given that these guests cannot address the Meeting, there seems to be no need to amend the rules on this point.

<sup>4</sup> Art. 2.3.1(b) of the Standing Orders of the Governing Body concerns delegation of authority by the Governing Body to its Officers for purposes, inter alia, of invitations to "official international organizations". An amendment would insert "or regional" after "international".

10. The choice to locate a Regional Meeting in a country that has not ratified the 1947 Convention on Privileges and Immunities of the Specialized Agencies or does not provide an equivalent level of protection entails legal risk and requires lengthy negotiations between the Office and the government (the United Nations permits regional or global Meetings only in countries where the necessary privileges and immunities are guaranteed). To ensure that the necessary guarantees for staff and constituents are in place,<sup>5</sup> while retaining flexibility as to the choice of venue, a new provision has been proposed for inclusion in article 2 of the Rules. The Introductory note to the current Rules states that such Meetings are “in principle held in the country where the relevant ILO regional office is located”. (Introductory note, paragraph 2). While this is not a legal matter, consideration might be given to extending this to subregional offices.
11. Anticipating the spirit of the gender action plan reviewed by the Governing Body at its 300th Session (November 2007)<sup>6</sup> the English text of the existing Rules already use the term “Chairperson” and “Vice-Chairpersons” in a number of provisions. However, the present text of article 7 refers to the Director-General as “him”, and the current text of article 11, paragraph 3(1), refers to “his” only when referring to a speaker. The English text proposed in Appendix I aligns these two provisions to the rest of the text.
12. Adjustments in the French and Spanish texts would need to be made to make them gender-inclusive, in the same manner proposed in relation to the revision of the Standing Orders of the International Labour Conference.<sup>7</sup> The provisions that could be affected are:
- French text: article 1, paragraphs 1, 2, 3, 4, 5 and 7; article 5, paragraphs 1 and 5; article 6, paragraphs 1 to 4; article 7; article 9, paragraphs 1, 2 and 3; article 10, paragraphs 1, 2, 3, 4 and 5; article 11, paragraphs 1, 3(1), 5(2), 6 and 7; and article 12, paragraphs 1, 2, 3 and 6.
  - Spanish text: article 1, paragraphs 1, 2, 3, 4 and 7; article 5, paragraphs 1 and 2; article 6, paragraphs 1 to 4; article 7; article 9, paragraphs 1, 2 and 3; article 10, paragraphs 1, 2, 3, 4 and 5; article 11, paragraphs 1, 3(1), 5(2), 6 and 7; article 12, paragraphs 1, 2, 3 and 6.
13. If the Governing Body approves amendments to the Rules for Regional Meetings at its current session, they can be submitted for confirmation by the International Labour Conference at its 97th Session, which will have a Standing Orders Committee. This would permit use of updated rules for the European Regional Meeting (Lisbon, 2009). If, however, the Governing Body chooses to examine the proposals for amendment at more than one session, derogations from the existing Rules may still be sought when necessary.
14. The Introductory note would be revised by the Office in line with decisions taken by the Governing Body on any new Rules, following their confirmation by the Conference.
15. ***In the light of the above, the Committee on Legal Issues and International Labour Standards may wish to recommend to the Governing Body to:***
- (i) approve the amendments proposed to the Rules for Regional Meetings, as indicated in Appendix I to this document;***

<sup>5</sup> The importance of privileges and immunities in relation to meetings is explored in GB.301/LILS/1.

<sup>6</sup> GB.300/5.

<sup>7</sup> GB.301/LILS/3.

- (ii) request the Office to make the additional adaptations needed to reflect gender-inclusiveness in the French and Spanish versions of the amended Rules;*
- (iii) recommend that under article 38, paragraph 2, of the Constitution of the International Labour Organization, the Conference confirm the revised Rules for Regional Meetings at its 97th Session;*
- (iv) approve the amendment to article 2.3.1 of the Standing Orders of the Governing Body, as indicated in Appendix II to this document; and*
- (v) request the Director-General subsequently to prepare a revised Introductory note reflecting the above amendments.*

Geneva, 29 February 2008.

*Point for decision:* Paragraph 15.

## Appendix I

RM/20082/SO

INTERNATIONAL LABOUR ORGANIZATION

[PROPOSED AMENDMENTS TO]  
**Rules for Regional Meetings**  
**(2008)**



Geneva  
International Labour Office

2002

Introductory note [to be revised following amendments and inserted]

## **Rules for Regional Meetings**

### ARTICLE 1

#### *Composition of Regional Meetings*

1. Each Regional Meeting shall be composed of two Government delegates, one Employers' delegate, and one Workers' delegate for each State or territory invited by the Governing Body of the International Labour Office to be represented at it. Acceptance by a State or territory of an invitation to be represented at a Regional Meeting implies that it assumes responsibility for the travel and subsistence expenses of its tripartite delegation.

2. Employers' and Workers' delegates and advisers shall be chosen in agreement with the industrial organizations, if such organizations exist, which are most representative of the employers or workers as the case may be in the State or territory concerned.

3. The credentials of delegates and their advisers at Regional Meetings shall be deposited with the International Labour Office at least fifteen (15) days before the date fixed for the opening of the Meeting.

4. ~~2.~~(1) Delegates may be accompanied by advisers and by such additional advisers as may be appointed by a State as representatives of non-metropolitan territories for whose international relations the State is responsible.

(2) Any delegate may by notice in writing addressed to the Chairperson appoint one of his or her advisers to act as his or her substitute.

(3) An adviser who is acting as substitute for his/her delegate may speak and vote under the same conditions as the delegate who is being replaced.

5. ~~3.~~ Eminent public figures, including ministers from States or territories represented at the Meeting or from constituent States or provinces thereof whose departments deal with the questions discussed by the Meeting and who are not delegates or advisers may also attend the Meeting.

~~4.~~ ~~Employers' and Workers' delegates and advisers shall be chosen in agreement with the industrial organizations, if such organizations exist, which are most representative of the employers or workers as the case may be in the State or territory concerned.~~

6. ~~5.~~ Any Member of the International Labour Organization from a different region and any State which is not a Member of the International Labour Organization which has been invited by the Governing Body of the International Labour Office may be represented at the Meeting by an observer delegation.

7. ~~6.~~ Liberation movements recognized by the Organization of African Unity or the League of Arab States which have been invited by the Governing Body may be represented at the Meeting by an observer delegation.

8. ~~7.~~ Representatives of official universal or regional international organizations and of non-governmental universal or regional international organizations which have been

invited by the Governing Body, either individually or as a result of a standing arrangement, to be represented at the Meeting may attend it as observers.

9. Officers of the Governing Body who are not delegates accredited to the Regional Meeting may attend at their own expense.

## ARTICLE 2

### *Agenda and venue of Regional Meetings*

1. The Governing Body shall establish the agenda for ~~a~~ the Regional Meetings.

2. The Governing Body shall decide upon the venue of a Regional Meeting. A Member State which offers to host a Regional Meeting shall guarantee at least the level of protection afforded under the Convention on the Privileges and Immunities of the Specialized Agencies, 1947, including its Annex I concerning the International Labour Organization.

## ARTICLE 3

### *Form of decisions of Regional Meetings*

Subject to any specific indication by the Governing Body to the contrary, the decisions of Regional Meetings shall take the form of resolutions on matters relating to the item(s) on the agenda, conclusions or reports addressed to the Governing Body.

## ARTICLE 4

### *Reports for Regional Meetings*

1. The International Labour Office shall prepare a report on the item(s) on the agenda designed to facilitate an exchange of views on the issues referred to the Meeting.

2. The report shall be dispatched by the Office so as to reach governments at least two months before the opening of the Meeting. The Officers of the Governing Body may approve shorter intervals if exceptional circumstances so require.

## ARTICLE 5

### *Officers of the Meeting*

1. Each Regional Meeting shall elect as Officers a Chairperson and three Vice-Chairpersons. For the election of the Chairperson, account should be taken of the need to afford all Members and groups the opportunity to hold office.

2. The three Vice-Chairpersons shall be elected by the Meeting on the nomination of the Government, Employers' and Workers' delegates respectively.

## ARTICLE 6

### *Duties of the Officers*

1. It shall be the duty of the Chairperson to declare the opening and closing of the sittings, to bring before the Meeting any communication which may concern it, direct the debates, maintain order, ensure the observance of the present Rules, put questions for decision and announce the results of any voting.
2. The Chairperson shall not take part in the debates and shall not vote, but may appoint a substitute in accordance with article 1, paragraph 2(2), of these Rules.
3. If the Chairperson is absent during any sitting or part of a sitting he or she shall be replaced by one of the Vice-Chairpersons, who shall act in rotation.
4. A Vice-Chairperson acting as Chairperson shall have the same rights and duties as the Chairperson.
5. The Officers of the Meeting shall arrange its programme of work, organize the discussions, determine, where appropriate, a time limit for speeches and fix the date and time of the sittings of the Meeting and of its subsidiary bodies, if any; they shall report to the Meeting on any controversial matter requiring a decision for the proper conduct of its business.

## ARTICLE 7

### *Secretariat*

The Director-General of the International Labour Office, being charged with the organization of the Meeting, is responsible for the secretariat-general of the Meeting and the secretariat services under its control, either directly or through a deputy appointed by him or her.

## ARTICLE 8

### *Committees*

Each Regional Meeting shall appoint a Credentials Committee and any other subsidiary body as the Meeting may consider appropriate. Any such subsidiary body shall operate mutatis mutandis under the Rules applicable to the Meeting, unless the Meeting decides otherwise.

## ARTICLE 9

### *Credentials*

~~1. The credentials of delegates and their advisers at Regional Meetings shall be deposited with the International Labour Office at least fifteen (15) days before the date fixed for the opening of the Meeting.~~

1. ~~2.~~ The Credentials Committee shall consist of one Government delegate, one Employers' delegate and one Workers' delegate.

~~2. 3.~~—The Credentials Committee shall examine the credentials of delegates and their advisers and any objection alleging that an Employers' or Workers' delegate or adviser has not been nominated in accordance with the provisions of paragraph 4 of article 1 of these Rules. The Committee may also, time permitting, consider any complaint alleging that a Member has failed to carry out its responsibility in accordance with article 1, paragraph 1, to pay travel and subsistence expenses of the tripartite delegation. The Committee may also receive and examine communications.

~~3. 4.~~—An objection or a complaint shall ~~not~~ be receivable in the following cases:

- (a) it has been ~~if the objection is not~~ lodged with the secretariat of the Meeting within two hours after the scheduled time for the by opening of 11 a.m. on the first day of the Meeting, unless the Committee considers that there were valid reasons why the time limit could not be respected;
- (b) ~~if~~ the authors of the objection or the complaint do not remain anonymous;
- (c) ~~if~~ the objection or the complaint is not based upon facts or allegations identical to those which the International Labour Conference or an earlier Regional Meeting has already discussed and recognized to be irrelevant or devoid of substance.

~~4. 5.~~—The Credentials Committee shall promptly submit its report ~~on each objection~~ to the Meeting, which shall ~~may~~ request the Office to bring the report(s) to the attention of the Governing Body.

## ARTICLE 10

### *Right to address the Meeting*

1. No person ~~delegate shall~~ may address the Meeting without having asked and obtained the permission of the Chairperson, who shall normally call upon speakers in the order in which they have signified their desire to speak, while bearing in mind that priority should be given to delegates.

2. The Director-General of the International Labour Office or his or her representative may, with the permission of the Chairperson, address the Meeting.

3. Persons entitled to take part in the Meeting in accordance with paragraphs 3, 5 or 6 of article 1, and representatives of official universal or regional international organizations may, with the permission of the Chairperson, address the Meeting during any discussion in plenary.

4. Representatives of non-governmental universal or regional international organizations entitled to take part in the Meeting ~~[as observers]~~ in virtue of paragraph 7 of article 1 may, with the permission of the Chairperson and Vice-Chairpersons, speak and make or circulate statements for information of the Meeting on matters included in its agenda. If agreement cannot be reached, the Chairperson shall refer the matter to the Meeting for decision without discussion.

5. With the permission of the Chairperson, an Officer of the Governing Body may address the Meeting.

~~6. 5.~~—The Chairperson may withdraw the right to speak from any speaker whose remarks are not relevant to the subject under discussion.

~~7. 6.~~—Except with the unanimous consent of the Officers of the Meeting, no speech shall exceed five minutes.

## ARTICLE 11

### *Motions, resolutions and amendments*

1. Subject to the following rules, any delegate may move any motion, resolution or amendment.

2. No motion, resolution or amendment shall be discussed unless and until it has been seconded.

3. (1) Motions as to procedure may be moved without previous notice and without the handing of a copy to the secretariat of the Meeting. They may be moved at any time except after the Chairperson has called upon a speaker and before the speaker has terminated his or her speech.

(2) Motions as to procedure include the following:

- (a) a motion to refer the matter back;
- (b) a motion to postpone consideration of the question;
- (c) a motion to adjourn the sitting;
- (d) a motion to adjourn the debate on a particular question;
- (e) a motion for the closure of the discussion.

4. (1) No resolution shall be moved at any sitting of the Meeting unless a copy has been handed in to the secretariat of the Meeting on the previous day.

(2) Any resolution thus handed in shall be translated and circulated by the secretariat not later than during the sitting preceding that at which it is to be discussed.

(3) Amendments to a resolution may be moved without previous notice if a copy of the text of the amendment is handed in to the secretariat of the Meeting before the amendment is moved.

5. (1) Amendments shall be voted on before the resolution to which they refer.

(2) If there are several amendments to a motion or resolution, the Chairperson shall determine the order in which they shall be discussed and put to the vote, subject to the following provisions:

- (a) every motion, resolution or amendment shall be put to the vote;
- (b) amendments may be voted on either individually or against other amendments as the Chairperson may decide, but if amendments are voted on against other amendments, the motion or resolution shall be deemed to be amended only after the amendment receiving the largest number of affirmative votes has been voted on individually and adopted;

(c) if a motion or resolution is amended as the result of a vote, that motion or resolution as amended shall be put to the Meeting for a final vote.

6. Any amendment may be withdrawn by the person who moved it unless an amendment to it is under discussion or has been adopted. Any amendment so withdrawn may be moved without previous notice by any other delegate.

7. Any delegate may at any time draw attention to the fact that the rules are not being observed, and the Chairperson shall give an immediate ruling on any question so raised.

## ARTICLE 12

### *Voting and quorum*

1. Subject to the provisions of article 13, paragraph 4, of the Constitution of the International Labour Organization, every delegate shall be entitled to vote individually on all matters which are under consideration by the Meeting.

2. If one of the Members represented fails to nominate one of the non-government delegates whom it is entitled to nominate, the other non-government delegate shall be allowed to sit and speak at the Meeting, but not to vote.

3. Decisions shall, whenever practicable, be taken by consensus. In the absence of consensus duly ascertained and announced by the Chairperson, decisions shall be taken by a simple majority of the votes cast by the delegates who are present at the sitting and entitled to vote.

4. Voting shall normally be by show of hands.

5. A vote is not valid if the total number of votes cast for and against is less than half the total number of delegates at the Meeting entitled to vote.

6. The vote shall be recorded by the secretariat and announced by the Chairperson.

7. No resolution, conclusion, report, amendment or motion shall be adopted if the number of votes cast for and the number of votes cast against it are equal.

## ARTICLE 13

### *Languages*

1. The Governing Body shall determine the working languages of the Meeting.

2. The secretariat ~~shall~~ may be requested by the Governing Body to make arrangements for interpretation and for translation of documents into and from other languages, taking into account the composition of the Meeting and the facilities, and staff and financial resources available for this purpose.

## ARTICLE 14

### *Autonomy of groups*

Subject to these Rules each group shall control its own procedure.

## Appendix II

### **Proposed amendment of article 2.3 of the Standing Orders of the Governing Body of the International Labour Office**

In accordance with the authority granted to the Governing Body under article 7, paragraph 8, of the ILO Constitution, it is proposed that article 2.3 (Delegation of authority to the Officers) be amended by adding a new clause (b), to read as follows:

- (b) to invite member States or States which are not Members of the Organization;

Clause (b) of this provision would then become (c) and clause (c) would become (d).