



Governing Body

311th Session, Geneva, June 2011

GB.311/7/1

SEVENTH ITEM ON THE AGENDA

Amendments to the Compendium of rules applicable to the Governing Body and to decisions attributing functions to committee structures or Officers

1. In March 2011, when the Governing Body of the International Labour Office¹ adopted a reform package² proposed by its Working Party on the Functioning of the Governing Body and the International Labour Conference, it also requested the Office: “to prepare proposals for the amendments of the Standing Orders of the Governing Body, the Introductory note to the Compendium of rules applicable to the Governing Body and any other complementary text of the Organization for the consideration of the 311th Session of the Governing Body (June 2011) in order to give effect to the reform package”; and “to organize timely tripartite consultations in developing the proposals in question”.
2. During the months of April and May 2011, the Office prepared proposals for amendments to the Standing Orders of the Governing Body and the Introductory note to the Compendium of rules applicable to the Governing Body. These proposals were presented in writing to the designated representatives of the Government, Employers’ and Workers’ groups in the Governing Body. As a result of those tripartite consultations, the Office prepared, pursuant to article 5.5.5 of the Standing Orders, final proposals that are contained in Appendices I and II to the present document and presented in tracked-changes mode to facilitate their identification.
3. The proposed modifications reflect the discussions held during the consultation process and are based on the points below.

¹ This is how the ILO Constitution expressly refers to the Governing Body in article 11 of the Constitution. This is because Article 388 of the Treaty of Versailles originally referred to only two ILO organs, the first being “a General Conference of Representatives of the Members” and the second “an International Labour Office controlled by the Governing Body described in Article 393”. As a consequence, Articles 393 and 397 of the Versailles Treaty specifically mention the “Governing Body of the International Labour Office”. The Governing Body was added as a separate organ in article 2 by the 1946 amendments to the ILO Constitution, but with the clear indication that it controls the Office and keeping the formulation of Article 397 of the Treaty of Versailles unchanged in new article 11 of the ILO Constitution. The formulation “The Governing Body of the International Labour Office” does not imply that it is not an organ of the Organization, but rather reflects its special controlling role in relation to the Office.

² Document GB.310/9/1.

4. Firstly, it is important to keep in mind that the Compendium of rules applicable to the Governing Body contains the Standing Orders and other rules adopted by the Governing Body along with an Introductory note. These texts together constitute an overview of the rules and practices applicable to the Governing Body. While the Standing Orders represent a traditional and fixed set of rules, the Introductory note reflects certain practices that are not fixed as legal rules and allow for more flexible application. The Introductory note is, however, a document adopted by the Governing Body. Accordingly, modifications have been proposed to the Introductory note to give effect to certain aspects of the reform package. These proposals concern, in particular, orientations and instructions given by the Governing Body to a newly proposed Screening Group to provide guidance with regard to the Governing Body agenda and the allocation of time for each session, a new process of chairing segments within the Legal Issues and International Labour Standards Section and the Policy Development Section, and the need to provide more details of the groups' representatives. In addition, the Office proposes formal amendments to the Standing Orders as appropriate to this type of document and in keeping with the neutrality of the rules and the role of the three groups in the Governing Body. For example, a common assumption that the Chairperson of the Governing Body always belongs to the Government group does not correspond to the ILO Constitution, the Governing Body Standing Orders or the practice referred to in paragraph 15 of the Introductory note. Consequently, the new rules dealing with the chairing of the segments must provide for the possibility of the Governing Body being chaired by either an Employer or Worker member.
5. Secondly, it seemed important that the groups communicate officially the names of their representatives, who will acquire a new role pursuant to the reform package. Some of the group functions, such as Chairperson of the Government group, regional coordinators or secretaries of the Employers' and Workers' groups, will now acquire a formal status within the Governing Body rules, and the proposed modifications seek to introduce a degree of legal stability and certainty in those designations.
6. Thirdly, although one of the essential elements of the reform package is the Governing Body's determination to organize its work in continuous plenary and not use the current system of committees, the Office proposes not to delete all the rules relating to the committees and working parties, as these rules will remain useful for some purposes including the continuing operation of the Committee on Freedom of Association and the Working Party on the Social Dimension of Globalization, or for committees set up to examine representations under articles 24 and 25 of the ILO Constitution.
7. Fourthly, it should be kept in mind that a text resulting from political negotiations is not always easy to transform into a text using legal terms. That is why some adjustments were made to the text by which the Governing Body adopted the reform package. As the quality of a legal text is best measured by its usefulness in meeting the needs of those whom it is intended to serve, the appropriateness of some formulations will need to be tested in their practical implementation during the period until November 2013, when the Governing Body has undertaken to review the situation in order to introduce the necessary adaptations.

Previous decisions of the Governing Body attributing functions to committee structures or Officers

8. A number of previous decisions of the Governing Body have attributed functions to Governing Body committees or to Governing Body committee officers. These identified roles will cease to exist as a consequence of adopting the 2011 reform. It is therefore proposed that the roles that were so attributed will be performed by the relevant section or

segment in the case of committee assigned roles; in the case of roles assigned to specific committee officers, it is proposed that those roles will be performed by the Officers of the Governing Body or by members of the Governing Body specifically designated by the Officers to carry out those functions. It is further proposed that any such designations will be reported to the Governing Body.

9. *In the light of the above, the Governing Body may wish:*

- (a) to adopt modifications to the Introductory note to the Compendium of rules applicable to the Governing Body as proposed in Appendix I;***
- (b) to adopt amendments to the Standing Orders and Annex VII, as proposed in Appendix II;***
- (c) to decide that, where previous decisions of the Governing Body have attributed functions to Governing Body committees or to Governing Body committee officers, the functions will be performed respectively by the relevant section or segment of the Governing Body, and the Officers of the Governing Body or members of the Governing Body specifically designated by the Officers to carry out those functions; any such designations will be reported to the Governing Body;***
- (d) to review the practical implementation of the reform package at its 318th Session (November 2013), in order to introduce the necessary adaptations, and request the Screening Group to introduce this item on the agenda of the said session.***

Geneva, 9 June 2011

Appendix I

Introductory note to the Compendium of rules applicable to the Governing Body of the International Labour Office

1. ~~4.—~~[The Governing Body of the International Labour Office is established pursuant to articles 2 and 7 of the Constitution of the International Labour Organisation.](#) The functioning of the Governing Body ~~of the International Labour Office~~ is governed by a set of rules dispersed among different texts and publications, as well as a number of practices and arrangements developed over the years since its First Session on 27 November 1919 in Washington, DC. At its 289th Session (March 2004), the Governing Body agreed on the principle of the consolidation in a single document of the different rules and practices that regulate its composition, structure and procedures.³ At its 291st Session (November 2004), it opted for the consolidation of these rules in the form of a compendium, which would include the current Standing Orders and the other sets of rules adopted by the Governing Body, subject to amendments as necessary, prefaced by an introductory note reflecting certain practices without fixing them as a legal rule.⁴ ~~At its 292nd Session (March 2005), the Governing Body adopted the detailed plan of this compendium~~[The Compendium](#) of rules applicable to the Governing Body³, ~~which~~ was first published in 2006. At its 306th Session (November 2009), the Governing Body decided to include further sets of rules and decisions relevant to its functioning and to revise its Standing Orders and the Introductory note in the context of its efforts to promote gender equality.

2. [In March 2011, at its 310th Session, the Governing Body adopted a reform package⁵ arising out of the work of the Working Party on the Functioning of the Governing Body and the International Labour Conference. This reform package required modifications of the Standing Orders and some other related rules and decisions.](#)

3. The consolidation of the rules applicable to the Governing Body should provide members with an overview of the rules and practices governing its work. It contains not only texts, but also practical solutions that have either served to deal with situations not covered in specific written provisions and which have not occurred again since, or, through repetition, have become precedents that the Governing Body follows, as in the case of the “rule” of geographical rotation of the office of Chairperson of the Governing Body. A number of these practices, in particular those in regular use, are described in the introductory note. This also applies to points on which the Governing Body has not seen fit to adopt rules so as to maintain the necessary flexibility for it to adjust to new issues the Organization has to address.

³ GB.289/3/2(Rev.).

⁴ GB.291/LILS/3; GB.291/9(Rev.), paras 33–42.

⁵ [GB.310/9/1](#) ~~GB.292/LILS/4; GB.292/10(Rev.), paras 40–53.~~

Roles and functions of the Governing Body of the International Labour Office

34. The Governing Body is one of the three organs of the International Labour Organization; the others are the General Conference and the International Labour Office. Article 7 of the Constitution of the International Labour ~~Organization~~ Organisation contains specific provisions concerning the composition of the Governing Body, its Officers and the procedure for appointing and replacing its members. The same article provides that certain matters (method of filling vacancies and of appointing substitutes “and other similar questions”) may be decided by the Governing Body “subject to the approval of the Conference” and that the Governing Body “shall regulate its own procedure” – which it has done continuously since the adoption of its Standing Orders, as can be seen from the many amendments made to them to keep pace with changes in the Organization.

45. The Constitution contains many provisions referring to the role and functions of the Governing Body. It has two types of functions: on the one hand, those of control over the International Labour Office and, on the other, a number of functions of its own concerning the functioning of the Organization and matters relating to international labour standards. The two types of functions are listed below, referring to the relevant articles of the Constitution.

Functions of control over the International Labour Office (in the Constitution)

Approval of regulations governing the staff (article 9(1))
 Directions concerning the Office's activities (article 10)
 Control over expenditure of funds (article 13(5))
 Adoption of rules concerning preparation by the Office for the work of the Conference (article 14(2)), including time limits for the despatch of reports for the Conference (article 15(2))

Functions concerning the functioning of the Organization (in the Constitution)

Election of the Director-General (article 8(1))
 Place of meetings of the Conference (article 5)
 Agenda of the Conference (article 14(1))
 Requesting reports on unratified Conventions and Recommendations under article 19(5)(e), (6)(d) and (7)(b)(iv) and (v)
 Form of reports presented under article 22
 Examination of representations (articles 24 and 25)
 Filing of a complaint against a Member (article 26(4))
 Communication of a complaint to the government in question (article 26(2))
 Appointment of a Commission of Inquiry (article 26(3))
 Recommendations to the Conference to secure compliance with the conclusions of a Commission of Inquiry (articles 33 and 34)
 Make and submit to the Conference rules providing for the appointment of a tribunal for the interpretation of a Convention (article 37(2))
 Draw up rules for regional conferences (article 38(2))

56. The Conference has assigned a number of functions to the Governing Body; these are set forth either in the Standing Orders of the Conference (SO) or in the Financial Regulations (FR). They are as follows:

- Decisions concerning representation of non-governmental international organizations at the Conference (SO, article 2(4)).
- Communication of its opinion on proposals involving expenditure submitted to the Conference (SO, article 18).
- Reduction of the interval for the preparation of international labour standards (SO, articles 38(3) and 39(5) and (8)).
- Examination and approval of the budget estimates presented by the Director-General for submission to the Conference (FR, articles 5 and 6).
- Consideration of the contribution rates for each Member of the Organization (FR, article 9).
- Authorization of the use of the Building and Accommodation Fund (FR, article 11(3)) and the Special Programme Account (FR, article 11(9)).
- Approval of expenditure charged against an appropriation without specification of the purpose for which it is to be applied (FR, article 15).
- Authorization of transfers from one item to another in the same part of the budget (FR, article 16).
- Authorization of payment of obligations in respect of a preceding financial period (FR, article 17(2)).
- Authorization of expenditure from the Working Capital Fund to finance contingencies and emergencies (FR, article 21(1)(a)) or to contract loans or advances (FR, article 21(1)(b)).
- Recommendation for an additional assessment on member States for the Working Capital Fund (FR, article 21(3)).
- Appointment of the External Auditor (FR, article 35).
- Approval of the Financial Rules (FR, article 40).
- Approval of temporary provisions where urgently required (FR, article 41).

This list is not limitative and does not include the functions assigned directly to the Officers of the Governing Body by the Standing Orders, e.g. consultation on draft resolutions submitted to the Conference (SO, article 17(1)).

Composition and membership of the Governing Body

~~67.~~ The composition of the Governing Body, a decision-making and oversight body, is limited to members appointed in accordance with the provisions of the Constitution and the Standing Orders of the International Labour Conference, and those of the Governing Body. ~~It is~~

8. The initial composition of 24 members (12 representing Governments, six representing the Employers and six representing the Workers) determined by Article 393 of the Treaty of Versailles was increased as follows: to 32 (16+8+8) by the 1922 Amendment to the Constitution; to 40 (20+10+10) by the 1953 Amendment to the

[Constitution; to 48 \(24+12+12\) by the 1962 Amendment to the Constitution, and finally to 56 \(28+14+14\) by the 1972 Amendment to the Constitution.](#)

[9. The Governing Body is currently](#) composed of 56 regular members and 66 deputy members- [\(28+19+19\)](#). This composition is the result of an amendment to [Articles 49 and 50 of](#) the Standing Orders of the Conference adopted by the International Labour Conference at its 82nd Session (1995) following the examination of interim proposals concerning the composition of the Governing Body pending the entry into force of the Instrument for the Amendment of the Constitution of the ILO, 1986. The purpose of the amendment was to provide for a more representative Governing Body to reflect the increase in membership of the ILO. It reflects as far as possible the 1986 amendment as regards the composition of the Government group by distributing the 56 Government seats as fairly as possible among the four regions – Asia, Africa, the Americas and Europe. The following table shows the regional distribution of seats.

Regional distribution of Government seats [for 2011–14](#)

Regions	Regular		Deputy	Total
	Non-elective	Elective		
Africa*	0	6	7	13
Americas*	2	5	6	13
Asia	3	4	8	15
Europe	5	3	7	15
Total	10	18	28	56

* Africa and the Americas share a floating deputy member seat, which alternates between the two groups for each term of office of the Governing Body. This seat was assigned to the Africa group for the period 2008–11 and will be held by the Americas group for the 2011–14 term.

[710.](#) The members of the Governing Body are elected for a three-year term. If a member resigns, the resulting vacancy is subject to the provisions of article 1.7 of the Standing Orders of the Governing Body. If a regular member is absent or unable to attend, he or she may be replaced by a substitute, who shall enjoy all the rights of the regular member. The number of persons accompanying regular or deputy Government members, whether as substitutes or advisers, should not exceed 15, except in exceptional circumstances.

[811.](#) Except where otherwise provided by the Standing Orders, only regular and deputy members of the Governing Body, as well as a substitute for a regular member who is absent or unable to attend, may take the floor, with the Chairperson's authorization. The exceptions laid down in the Standing Orders concern member States of the Organization that are not members of the Governing Body, on the one hand, and observers of official international organizations and non-governmental international organizations, on the other.

[912.](#) The situation of States which are not represented on the Governing Body is governed by the provisions of articles 1.8 and 4.3 of the Standing Orders, which allow representatives of such States ~~to take part~~, without the right to vote,

- [to express views on matters concerning the State's own situation if a decision point may affect its interests, or if that State, or the situation of that State, has been specifically referred to in the discussion,](#)
- [to take part](#) in proceedings concerning representations under articles 24 and 25 of the Constitution, complaints under article 26 of the Constitution, cases under

consideration by the Committee on Freedom of Association or a Fact-Finding and Conciliation Commission on Freedom of Association, or,

- in a committee of the whole, to express their views with respect to matters concerning their own situation-₂

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13. While representatives of official international organizations (United Nations, World Bank, International Monetary Fund, Food and Agriculture Organization of the United Nations, etc.) can participate without vote in discussions, under the same conditions as members of the Governing Body, representatives of non-governmental international organizations may make or circulate statements, with the agreement of the Officers ~~or the committee in which they wish to express or circulate their opinions~~ (paragraph 1.10.1).

~~14~~14. While participation in the discussions of the Governing Body is restricted, as pointed out above, its sittings are public, as a general rule. The Governing Body may, however, decide to sit in private; it is required to do so, under article 7.3 of the Standing Orders concerning the procedure for the examination of representations under articles 24 and 25 of the Constitution, when it considers the report of the tripartite committee set up for the examination of the representation.⁶ The persons authorized to remain present are the members of the Governing Body, the representatives of the State concerned and ILO officials necessary for the conduct of the sitting. ~~The increase in the number of members of the Governing Body may have an impact on the time available for speeches both in plenary and in the committees. While it does not seem advisable to introduce a rule setting a time limit on speeches by Governing Body members in plenary, much less in the committees, it should nonetheless be recalled that the Chairperson of the Governing Body or of the committee concerned is responsible for conducting the deliberations, in particular by giving and withdrawing the right to take the floor. It is for the Chairperson to decide, preferably in consultation with the other Officers, to set a time limit on speeches so that all the members can express their views (paragraph 2.2.1).~~

Chairpersonship of the Governing Body

~~15~~15. The principle of fair geographical rotation of the office of Chairperson of the Governing Body was recommended by the Working Party on Structure⁷ and implemented as of June 1968 according to the following four-year cycle: Americas, Africa, Asia and Europe. In practice, when a Worker or Employer member is elected as Chairperson of the Governing Body, geographical rotation is suspended for the duration of that member's term of office. Rotation is then resumed, beginning with the region that would have presented a candidate if the Worker or Employer member had not been elected.

In June 2002, the Asian region could have presented a candidate under the geographical rotation rule. As the nomination of the Worker Vice-Chairperson of the Governing Body received the support of the Government group, and Asia agreed to defer its turn to the following year, the candidate was elected Chairperson for the period 2002–03. The following year, the Government group nominated Ambassador Chung (Republic of Korea) as Chairperson of the Governing Body for the period 2003–04.

⁶ See Standing Orders of the Governing Body, Annex I.

⁷ GB.171/7/19, annex: Fifth report, 21 Feb. 1968, para. 48.

Election of the Chairperson of the Governing Body

~~13~~16. The appointment of the Chairperson of the Governing Body is governed by the provisions of paragraph 2.1.2 of the Standing Orders of the Governing Body. The Chairperson, who must be a regular member of the Governing Body, is elected for a one-year term. In the event of the Chairperson's resignation, the Governing Body should hold another election to fill the vacancy for the unexpired portion of the term of office. For many years now, the Chairperson has been appointed by consensus among the three groups, after in-depth consultations, without holding a ballot vote as provided in the texts.

1417. Nonetheless, it is still possible to hold a ballot vote, in particular where a group does not reach agreement on the appointment of a single candidate. The regular members of the Governing Body, representing governments, employers and workers, would then elect the Chairperson in accordance with the Standing Orders by simple majority vote.

In June 1972, the regional Government group that was due to present a candidate under the geographical rotation did not reach agreement and preferred to waive its turn. The question then arose the following year as to which region should present a candidate. Candidates were presented by two regions – the one that had waived its turn the previous year and the one whose turn had come up under the established practice. Without taking a position on the matter, the Governing Body held a ballot vote, which was won by the candidate presented by the region whose turn it was that year.*

* Minutes of the Governing Body, 190th Session, 20th item on the agenda, pp. VI/10–15.

Chairing of the sittings

18. In the absence of the Chairperson, the two Vice-Chairpersons shall preside at alternate sittings pursuant to paragraph 2.2.4 of the Standing Orders. Notwithstanding this, the Chairperson may assign a regular or deputy Government member the functions necessary for chairing a particular segment: a provision was introduced with the 2011 reform in order to allow governments members to chair segments within the Legal Issues and International Labour Standards Section and the Policy Development Section, in keeping with prior practice. This can occur even if the Chairperson is not absent.

Role of the groups

~~15~~19. Reflecting the tripartism that is the foundation of the Organization, three groups sit on the Governing Body, with the necessary facilities for their participation: officers, a secretariat and regional coordinators. In line with the principle of autonomy of the groups, there are no provisions referring to their structures in the Standing Orders of the Governing Body. The three groups nevertheless play an important role in the work of the Governing Body, ~~in particular in preparatory work for discussions and decisions.~~ In particular, the regional coordinators and the Employers' and Workers' secretariats play a key role in preparatory work for discussions and decisions. In order to enhance participation by all groups, the Office ensures that any consultation to be held or any information to be submitted involves simultaneously the Secretaries of the Employers' and the Workers' groups, the Government group Chairperson and the regional coordinators.

The Government group

~~16~~²⁰. The Government group has a practice of designating its own Chairperson and Vice-Chairperson who are, ~~as a rule~~ in principle, elected each year by the group. Furthermore, this group coordinates its work through several regional coordinators. The traditional role of the Government group consists essentially of appointing the Government members of the ~~different~~ committees and working parties ~~established by~~ the Governing Body, nominating the Government candidate for the position of Chairperson of the Governing Body, and, on an ad hoc basis, the Government members of tripartite meetings. In addition to this traditional role, the group also serves as a forum for governments to seek convergence on certain issues and arbitrate between the demands and expectations of regional government groups or subgroups, through the regional and ~~subregional coordinators~~ subregional coordinators. With the 2011 reform package, the role of the Chairperson of the Government group and the regional coordinators comprises furthermore their participation in consultative procedures and, in particular, in a tripartite screening group entrusted with determining the agenda of the Governing Body. The nominations to any function within the Government group (such as its Chairperson, Vice-Chairperson or regional coordinators) is to be communicated in writing to the Chairperson of the Governing Body at the beginning of each new period of office of the Governing Body, or at the occasion of any change during that period.

21. When the Officers discuss an item of the business of the Governing Body in the course of a session, the Officer representing a government ensures consultation with the Government group.

22. To facilitate and promote by all possible means the full participation of the Government group, a dedicated facility within the Office ensures effective and early consultations of government representatives, provide timely access to documentation and information requested by them, organize briefings and contacts when requested, ensure technical and logistical support to the Government group Chairperson and regional coordinators and facilitate consultations with the two other groups.

The Employers' and Workers' groups

~~17.~~²³. It has been a constant practice that the Employer and Worker Vice-Chairpersons of the Governing Body chair their respective groups. ~~The group secretariats~~ Each group may also designate other spokespersons for various sections and segments of the Governing Body. The group Secretaries are designated by the groups and traditionally provided by the International Organisation of Employers (IOE) for the Employers and the International Trade Union Confederation (ITUC) for the Workers. These nominations are to be communicated to the Chairperson of the Governing Body at the beginning of each new period of office of the Governing Body, or at the occasion of any change during that period.

Report of the Chairperson of the Governing Body to the Conference

~~18~~²⁴. The Chairperson of the Governing Body, after consulting the Vice-Chairpersons, reports directly to the International Labour Conference on the work of the Governing Body over the previous year.

Procedure and functioning of Governing Body sessions

Frequency and timing of sessions

~~19~~²⁵. Since 1995 the Governing Body's work has been distributed between a full ~~autumn~~ session (~~in~~ November) and another in ~~the spring~~ (March), as well as a ~~one~~^{half}-day session in June immediately after the International Labour Conference.

~~20.—In principle,~~ ^{26.} From November 2011, the Governing Body holds its sessions in continuous plenary, with the exception of the ~~June session,~~ Working Party on the plenary sessions of the Governing Body last up to three and a half days, and are preceded by a half day of group meetings. The committees meet during the previous one and a half weeks at ordinary sessions, and during the previous two and a half weeks at the spring sessions when the programme and budget proposals are examined.

Governing Body committees and working parties

~~21.—The Governing Body, having established up to ten committees, now has six:~~

~~—The Social Dimension of Globalization and the Committee on Freedom of Association (CFA), which meets. This functioning will avoid having more than one meeting at any time, meetings of other bodies excepted, in order to allow the participation of Governing Body members in all discussions.~~

~~27. The length of sessions held in is determined by its agenda. The plan of work of the March and November and just sessions provides for group meetings before the Conference in June. The procedure for the examination of complaints is reproduced in Annex II of the Standing Orders of the Governing Body. The Committee consists of nine regular members (three representing governments, three for employers and three for workers), nine deputy members and a Chairperson, who is an independent personality appointed by the Governing Body.~~

~~—The Programme, Financial and Administrative Committee (PFA), which meets at the spring and autumn sessions, and as required by the Standing Orders and during the proceedings of the Governing Body. It is chaired by the Chairperson The June session of the Governing Body. The PFA Committee is responsible for examining budgetary estimates and Office expenditure, as well as all financial and administrative matters referred to it by the Governing Body or submitted by the Director General. It includes two Subcommittees with a restricted membership: the Building Subcommittee (PFA/BS), which examines matters concerning the ILO premises, and the Information and Communication Technology Subcommittee (PFA/ICTS), which examines matters relating to information and communication technology that have a direct impact on the budget, in order to submit recommendations to the Committee. In addition, the Government members a short meeting of the PFA Committee on Allocations Matters (PFA/GMA) is responsible for establishing the scale of assessment of contributions. It meets in private sitting and its recommendations are submitted directly to the Governing Body.~~

~~—The Committee on Legal Issues and International Labour Standards (LILS) normally meets at the spring and autumn sessions. It considers, and advises the Governing Body on, matters relating to the ILO Constitution; the different Standing Orders (its Programme, Finance and Administrative Section during the Conference and a half day meeting after the Conference, Governing Body, Regional Meetings, sectoral committees); the ILO's standards-related activities, including the approval of report~~

~~forms for ILO Conventions and Recommendations and the selection of instruments for article 19 reporting; action relating to the protection of human rights, with particular reference to the elimination of discrimination on the basis of race and sex; international legal instruments and judicial decisions affecting the ILO's standards-related work; and legal agreements concluded by the ILO with other international organizations, except in the area of technical cooperation, which fall within the scope of the relevant Committee.~~

~~The Committee on Employment and Social Policy (ESP) considers, and advises the Governing Body on,~~ **Agenda of each session**

28. The agenda of each session is determined by a tripartite screening group composed of the Officers of the Governing Body, the Chairperson of the Government group, the regional coordinators representing the governments, and the Secretaries of the Employers' and the Workers' groups. The decisions of the tripartite screening group are made, to the extent possible, by consensus. If there is no consensus, the issue will be referred to the Officers.

29. The Director-General or persons designated by the Director-General, such as Executive Directors, the Legal Adviser and the Treasurer, attend all meetings of the tripartite screening group.

30. The Office draws a draft provisional agenda for the consideration of the tripartite screening group. This is done, in principle, at the beginning of the second week of each Governing Body session for the next session. In any case, the draft provisional agenda has to be circulated no later than two working days before the closing of a given session. The draft provisional agenda includes, as annexes, an indicative plan of work with a clear indication of time frames for each section and a list of the documents prepared by the Office for information only. No more than one meeting should be held at the same time.

31. The tripartite screening group establishes the draft agenda of the next session in the course of a given Governing Body session.

32. The provisional agenda may be updated by the Officers following consultations with the other members of the tripartite screening group for any urgent matter arising between sessions.

33. The agenda of each Governing Body session is to be circulated to all members so as to reach them not less than 15 working days before the opening day of the session. It is published at the same time on the ILO web site.

34. Matters of urgent importance arising during the session may be added to the agenda of any session by the Officers following consultations with the other members of the tripartite screening group.

Governing Body sections and segments

35. The Governing Body holds its sittings in sections, which are composed of segments.

36. The programme, order and allocation of time for each section and segment are determined through the agenda setting procedure, affording flexibility and taking into account the issues to be discussed, as well as the coordination and participation needs of all groups. The time allocated and order of the sections and segments may therefore vary from session to session. With the possible exception of the strategic policy segment, segments

are treated at least once a year. However, there is no requirement to treat all segments of a section at every Governing Body session.

37. The Governing Body currently structures its work through the following sections and segments:

- The Policy Development Section (POL), which is organized in four segments:

- The employment and social protection segment considers ILO policies and activities in the fields of employment, training, enterprise development and cooperatives, ~~industrial relations and labour administration, working~~working and employment conditions and environment, social security and promotion of equality between men and women in employment.
- The ~~Committee on Technical Cooperation (TC)~~multinational enterprises segment examines the effect given to the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, considers, and advises the Governing Body on, requests for interpretation of the Declaration, and monitors activities of the ILO and other organizations regarding multinational enterprises, it being understood that other aspects of the activities of multinational enterprises may if necessary be examined by other segments.
- The social dialogue and industrial relations segment considers two sets of issues: social dialogue and industrial relations, such as appertaining to labour law, labour administration and labour inspection; and the planning, preparation and follow-up of ILO's sectoral committees and meetings, the preparation and follow-up of ILO technical meetings provided for in the programme and budget, the review of the ILO's Sectoral Activities Programme and other policy issues relating to ILO sectoral and technical meetings.
- The technical cooperation segment considers matters relating to ILO technical cooperation programmes ~~under all sources of funding.~~ In particular, ~~it~~the segment reviews ILO technical cooperation programmes and evaluates selected projects; ~~recommends~~considers strategies, priorities and policies for technical cooperation and provides guidance for the ILO's technical cooperation activities; promotes the active participation of employers' and workers' organizations in the preparation, implementation and evaluation of technical cooperation programmes and projects; examines action to be taken on Conference decisions concerning technical cooperation matters; and monitors ILO technical cooperation activities in the different regions.

~~— The Committee on Sectoral and Technical Meetings and Related Issues (STM) considers, and advises the Governing Body on, planning, preparation and follow-up concerning the ILO's sectoral committees and meetings; preparation and follow-up concerning ILO technical meetings provided for in the programme and budget; review of the ILO's Sectoral Activities Programme and other policy issues relating to ILO sectoral and technical meetings.~~

~~22. In addition, the Governing Body has established a Subcommittee on Multinational Enterprises (MNE) which, while originally part of the LLS Committee, reports directly to the Governing Body. Composed of 24 members (eight Government, eight Employer and eight Worker members), it examines the effect given to the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, considers requests for interpretation of the Declaration, and monitors activities of the ILO and other organizations regarding multinational enterprises, it being understood that other~~

~~aspects of the activities of multinational enterprises may if necessary be examined by other committees.~~

~~23. Lastly, at its 260th Session (June 1994), Discussions in the POL Section integrate the standards dimension of the above matters.~~

- The Legal Issues and International Labour Standards Section (LILS), which is organized in two segments:
 - The legal issues segment considers matters relating to the ILO Constitution; the different Standing Orders (Conference, Governing Body, Regional Meetings, sectoral meetings); the status of the ILO in member States; legal agreements concluded by the ILO with other international organizations involving reciprocal invitations to official meetings; and any legal aspects of institutional issues.
 - The international labour standards and human rights segment considers matters relating to the ILO's standards-related activities, including the approval of report forms for ILO Conventions and Recommendations and the selection of instruments for article 19 reporting; action relating to the protection of human rights, with particular reference to the ~~Governing Body decided to set up a working party open to all of its members, elimination of discrimination on the Working Party on the Social Dimensions of the Liberalization of International Trade, to follow up on the debate held at the 81st Session of the International Labour Conference (1994)~~ basis of race and gender; and international legal instruments and judicial decisions affecting the ILO's standards-related work⁸.
- The Programme, Financial and Administrative Section (PFA), which is organized in three segments:
 - The programme, financial and administrative segment makes recommendations on the Director-General's ~~Report, Defending values, promoting change. At its 277th Session (November 2000), the Governing Body decided to broaden the mandate~~ biennial Programme and Budget proposals; it examines other budgetary estimates and Office expenditure; it reviews decent work country programmes and financial and administrative matters, including the financial dimensions and implications of matters discussed in other sections such as technical cooperation; and it also examines matters concerning the ILO premises and matters relating to information and communication technology.
 - The personnel segment, which examines human resources matters and issues relating to the ILO Administrative Tribunal.
 - The audit and oversight segment.

The Government members of the Governing Body meet in private sitting to establish the scale of assessment of contributions. Its recommendations are submitted to the PFA section.

⁸ The agenda setting for a particular session determines whether specific legal matters – such as the report of the Committee on Freedom of Association, complaints and representations under article 24 of the Constitution and complaints under article 26 of the Constitution – should be placed in LILS or in INS.

- The **Institutional Section** (INS) handles matters related to the functioning of the ~~Working Party and consequently renamed it~~ Office and of the Organization, including constitutional obligations. It encompasses standing items such as:
 - reporting, including minutes of the previous session, report(s) of the Director-General, report(s) of the Officers, reports of the CFA, reports of the Working Party on the Social Dimension of Globalization~~It~~, reports of the Boards of the Turin Centre and the ILS, reports and conclusions of regional meetings;
 - constitutional obligations, including the annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, the agenda of the International Labour Conference, representations under article 24 of the Constitution, and complaints under article 26 of the Constitution⁹;
 - institutional issues relating to ILO organized meetings; and
 - urgent matters arising between or during sessions tabled by the Officers following consultations with the other members of the tripartite screening group referred to in paragraph 3.1.1. of the Standing Orders of the Governing Body.
- The **High-level Section**, which meets on a need basis as a strategy policy segment focused on cross-cutting relevant topics or recent trends considered of strategic importance for the future of the Decent Work Agenda. It may be expected that ministers and senior employers' and workers' representatives participate in its work.

Governing Body committees and working parties

38. The Governing Body still has the possibility to organize some of its work through committees or working parties. For example, the Committee on Freedom of Association (CFA) is established under this authority. The CFA meets at the Governing Body sessions held in March and November and just before the Conference in June. The Committee consists of nine regular members (three representing governments, three for employers and three for workers), nine deputy members and a Chairperson, who is an independent personality appointed by the Governing Body. The procedure for the examination of complaints is reproduced in Annex II of the Standing Orders of the Governing Body. ~~as a committee of the whole~~

39. The Governing Body may also appoint committees in the context of the procedure for the examination of representations under articles 24 and 25 of the Constitution of the Organization, whose Standing Orders are reproduced in Annex I to this Compendium.

40. When creating new committees or working parties the Governing Body establishes their composition in accordance with the rules of article 4.2 of the Standing Orders. Owing to the particular regional structure of the Government group, the number of its representatives in those bodies should be eight or any other multiple of four.

41. The Governing Body may also decide to meet as a Committee of the Whole, in accordance with article 4.3 of the Standing Orders of the Governing Body, to provide representatives of Governments that are not represented on the Governing Body with an opportunity to express their views on matters concerning the situation in their own countries. For example, the Working Party on the Social Dimension of Globalization meets

⁹ See footnote 6.

as a committee of the whole. Its current mandate focuses on issues directly linked with the social dimension of globalization.¹⁰

Side events

42. All meetings or initiatives organized or supported by either the Office or the groups, not intrinsic to the business of the session, but involving the participation of Governing Body members, should be an exception and kept to a minimum. They should not in any way coincide with Governing Body meetings. Such side events should be approved by the tripartite screening group.

Functioning of the Governing Body

Time management during discussions

43. Each section determines its own time management procedure so that all the members can express their views. Some sections might wish to use a standard default procedure – such as a time limit or lists of speakers – whose criteria would be set in advance. It should nonetheless be recalled that the person chairing the sitting is responsible for conducting the deliberations, in particular by giving and withdrawing the right to address the Governing Body.

Adoption of decisions

~~24~~ 44. In order to prepare the debates of the Governing Body, the Office submits specific documents, including a supplementary report outlining follow-up action taken by the Office on past decisions requiring it. In particular circumstances a document might be replaced by a slide presentation, the text of which must be provided in advance to the Governing Body members. Documents identified as “for information only” are published on the Governing Body website and do not call for a discussion, unless the tripartite screening group decides otherwise upon request by a member of the Governing Body, which has to be made at the latest five working days before the opening of the session.

45. To give effect to paragraph 5.4.3 of the Standing Orders, the documents prepared by the Office specify the financial implications, if any, of the decisions under consideration. For other proposals involving expenditure arising during a session, the Governing Body concludes consideration following the submission by the Office of the financial information required under said paragraph.

46. The Governing Body, whether meeting in plenary or in committees, takes decisions usually by consensus. The term “consensus” refers to an established practice under which every effort is made to reach without vote an agreement that is generally accepted. Those dissenting from the general trend are prepared simply to make their position or reservations known and placed on the record.¹¹ Consensus is characterized by the absence of any objection presented by a Governing Body member as an impediment to the adoption of the decision in question. It is for the ~~Chairperson~~ person chairing the sitting,

¹⁰ At its 260th Session (June 1994), the Governing Body decided to set up a working party open to all of its members, the Working Party on the Social Dimensions of the Liberalization of International Trade, to follow up on the debate held at the 81st Session of the International Labour Conference (1994) on the Director-General’s Report, *Defending values, promoting change*. At its 277th Session (November 2000), the Governing Body decided to broaden the mandate of the Working Party and consequently renamed it the Working Party on the Social Dimension of Globalization.

¹¹ See *United Nations Juridical Yearbook*, 1974, pp. 163–164.

in agreement with the ~~Vice-Chairpersons,~~spokespersons of the respective groups to note the existence of a consensus.

~~25~~47. However, there may be cases in which certain decisions can only be adopted by a vote. In this case, each regular member of the Governing Body or, where the regular member is absent or unable to attend, his or her substitute has one vote. In committees, where a vote is necessary – or unavoidable – the votes available for each registered member need to be weighted to ensure that representatives of governments, employers and workers have an equal number of votes.

Reporting

48. The draft minutes of the sections having concluded their work will be published on the Governing Body website during the following week.

49. Governing Body members have the possibility of making corrections to the summary of their statements contained in the draft minutes, by presenting these directly to the secretariat, without the need to announce them in the Governing Body. The Office may introduce corrections to the statements of its representatives. A compilation of these corrections is published on the ILO's Governing Body website.

50. The draft minutes of each section, once corrected, are incorporated into the consolidated draft minutes of the Governing Body session. These minutes, covering the entire proceedings of a given Governing Body session, are adopted at the opening of the following session of the Governing Body.

Adoption of the reports of committees

~~26.—~~51. Draft reports of committees are prepared ~~by the officials servicing the committee in question,~~ under the responsibility of the ~~reporter or the committee Chairperson, where there is no reporter.~~ The draft report is communicated to the Governing Body Chairperson and the Employer and Worker ~~Vice-Chairperson~~Chairpersons, who must approve it before it is reproduced and submitted to the relevant section of the Governing Body for adoption.

~~27.—~~52. With the exception of the reports of the Committee on Freedom of Association, tripartite committees set up by the Governing Body to examine representations under article 24 of the ILO Constitution and working parties, the reports of the committees are adopted by the Governing Body without introduction or other discussion. The ~~Chairperson of person chairing~~ the Governing Body ~~sitting~~ submits for adoption each point for decision and proposes that the Governing Body take note of the report in its entirety.

~~28.— Nevertheless, members of the Governing Body still have the possibility of making amendments to their own statements as reflected in the report and to submit, in accordance with the Standing Orders of the Governing Body (article 5.6), proposals for amendments to the points for decision.~~

~~29.— The Chairperson may permit individual interventions and allow a discussion in the following cases:~~

~~(i) — where the committee concerned is unable to reach a consensus on a particular point or has to take a decision by a majority vote, in which case the point concerned may need to be further discussed by the Governing Body;~~

- ~~(ii) where the Officers of the Governing Body unanimously consider that an issue raised in a committee report is sufficiently important to warrant discussion by the Governing Body;~~
- ~~(iii) if a formal request is made by a group spokesperson or by at least 14 members of the Governing Body for discussion on a particular item in the report.~~

Adoption of the reports of Regional Meetings and reports of other ILO meetings

~~3053.~~ The reports of Regional Meetings ~~are submitted directly to the Governing Body. The reports and~~ of other meetings, such as meetings of experts, tripartite meetings and sectoral committees, are ~~submitted to~~ considered by the competent Governing Body ~~committee.~~¹² section, as determined through the agenda setting procedure.

Procedure for determining the agenda of the International Labour Conference

~~3154.~~ The items to be placed on the agenda of the Conference are considered at two successive sessions of the Governing Body, so that the decision is taken two years prior to the opening of the session of the Conference in question.

~~3255.~~ The first stage of the discussion, which takes place at the ~~autumn~~ November session, consists in identifying the subjects from which a choice could be made. For this purpose the Governing Body bases its discussion on a paper containing all the information necessary on the items proposed by the Director-General.

~~3356.~~ The second stage, which takes place at the March session, consists in adopting a definitive decision. The paper serving as the basis for this discussion covers any additional items proposed by the Governing Body during the first stage of the discussion. If a decision cannot be taken at the March session, it is still possible to adopt a definitive decision at the following November session. However, to allow for full preparation by the Office, such a third discussion should remain an exceptional practice.

Effect to be given to resolutions adopted by the Conference

~~3457.~~ Each resolution adopted by the Conference is submitted to the Governing Body ~~committee competent for its subject matter. Only resolutions not falling within the competence of any committee are submitted directly to the Governing Body.~~

Purely formal matters

~~3558.~~ When the Governing Body has before it a purely formal or ceremonial matter, the Chairperson may decide to speak alone on behalf of the Governing Body or, following appropriate consultations, appoint another regular or deputy member for this purpose (paragraph 2.2.3).

~~¹² Where the meetings are held after the March session of the Governing Body and where the reports are prepared for the June session, the Governing Body can nevertheless examine the reports directly during the June session.~~

Appendix II

Standing Orders of the Governing Body and Annex VII

Adopted by the Governing Body on 23 March 1920. Amended by the Governing Body on 12 and 13 October 1922; 2 February, 12 April and 18 October 1923; 13 June 1924; 10 January and 4 April 1925; 27 and 28 April 1928; 5 June 1930; 21 and 22 April and 17 October 1931; 6 April and 26 October 1932; 24 January, 27 April, 1 June and 28 September 1934; 2 February 1935; 2 June 1936; 5 February 1938; 20 June 1947; 19 March, 14 June and 11 December 1948; 4 June 1949; 3 January, 11 March, 16 June and 21 November 1950; 2 June 1951; 12 March 1952; 29 May 1953, 9 March 1954; 2 March 1955; 6 March 1956; 8 March and 14 November 1963; 1 June 1973; 15 November 1974; 5 March and 19 November 1976; 2 March and 27 May 1977; 3 March 1978; 1 June 1979; 18 November 1982; 28 February 1985; 14 November 1989; 3 March and 16 November 1993; 20 November 1997; 27 March 1998; 18 November 1999; 17 November 2005; 20 March 2008; ~~and~~ 19 November 2009; [and \[\]](#).

Section 1 – Composition and participation

1.1. *Composition*

1.1.1. The Governing Body shall consist of fifty-six regular members, twenty-eight representing governments, fourteen representing the employers, and fourteen representing the workers; and sixty-six deputy members, twenty-eight representing governments, nineteen representing employers and nineteen representing workers.

1.2. *Members of chief industrial importance*

1.2.1. Of the twenty-eight regular members representing governments, ten shall be appointed by the Members of chief industrial importance.

1.3. *Selection of Members of chief industrial importance*

1.3.1. The Governing Body shall not decide any question relating to the selection of the Members of chief industrial importance unless the question of modification of the list of such Members has been included in the agenda of the session as a specific item and the Governing Body has before it a report by its Officers on the question to be decided.

1.3.2. The Officers of the Governing Body shall, before recommending to the Governing Body any modification of the list of Members of chief industrial importance, take the advice of a committee appointed by the Governing Body and including experts qualified to advise on the most appropriate criteria of industrial importance and on the relative industrial importance of States assessed on the basis of such criteria.

1.4. Period of office of the Governing Body

1.4.1. The period of office of the Governing Body shall be three years, in accordance with article 7 of the Constitution and the provisions of section G of the Standing Orders of the Conference.

1.4.2. Except for the representatives referred to in article 1.2 above, the members of the Governing Body shall be elected by electoral colleges of their respective groups in accordance with the provisions of section G of the Standing Orders of the Conference.

1.4.3. Each member of the Government group electoral college shall appoint, in a secret ballot, eighteen regular members and twenty-eight deputy members.

1.4.4. Each member of the electoral college of the Employers' group and of the electoral college of the Workers' group shall appoint, in a secret ballot, fourteen regular members and nineteen deputy members representing, respectively, the employers and the workers.

1.4.5. The electoral process shall be governed by the Standing Orders of the Conference.

1.5. Deputy members

1.5.1. Deputy members appointed in accordance with paragraph 4 of article 49 and paragraph 2 of article 50 of the Standing Orders of the Conference shall take part in the work of the Governing Body on the conditions laid down in this article.

1.5.2. Deputy members have the right to be present at the sittings of the Governing Body and to speak with the permission of the Chairperson.

1.5.3. Deputy members may vote only on the following conditions:

- (a) A Government deputy member may vote:
 - (i) when so authorized by written notification to the Chairperson from a Government regular member who is not voting and has not been replaced by a substitute;
 - (ii) when authorized by the Government group of the Governing Body to vote in the place of a Government regular member who is not voting, who has not been replaced by a substitute and who has not appointed another deputy member to act in accordance with subsection (i) above;
- (b) Employers' and Workers' deputy members may vote in place of a regular Employers' or Workers' member on the conditions defined by their respective groups; the groups shall inform the Chairperson of all decisions taken in this connection.

1.5.4. Deputy members may be appointed by the Governing Body as titular members of committees of the Governing Body.

1.5.5. The travelling and subsistence expenses of the Employers' and Workers' deputy members shall be paid out of the funds of the International Labour Organization.

1.6. Substitutes

1.6.1. Each government represented on the Governing Body may furthermore appoint for its regular delegate a substitute of the same nationality, who will replace the regular delegate should the latter be absent or unable to attend.

1.6.2. The substitute may accompany the regular delegate during the meetings of the Governing Body, but shall not have the right to speak.

1.6.3. In the absence of the regular delegate the substitute shall enjoy all the rights of the regular delegate.

1.6.4. In the case of the Employers' group and of the Workers' group, full freedom is left to the groups as to the manner of appointing substitutes.

1.6.5. Any substitute is required to submit to the Chairperson credentials of appointment in writing.

1.7. Filling vacancies

1.7.1. If a State ceases, at a time when the Conference is meeting in ordinary session, to occupy one of the seats on the Governing Body reserved for the eighteen States selected by the Government electoral college, the Government electoral college shall meet during the course of the session to appoint, in accordance with section G of the Standing Orders of the Conference, another State to take its place.

1.7.2. If a State ceases, during an interval between sessions of the Conference, to occupy one of the seats on the Governing Body reserved for the eighteen States selected by the Government electoral college, the Government group of the Governing Body shall proceed to replace it. The appointment thus made must be confirmed by the Government electoral college at the next session of the Conference and communicated by it to the Conference. If such appointment is not confirmed by the electoral college in question, a new election shall immediately be held in accordance with the relevant provisions of section G of the Standing Orders of the Conference.

1.7.3. If a vacancy occurs, at any time whatsoever, owing to the death or resignation of a Government representative, but the State concerned retains its seat on the Governing Body, the seat in question shall be occupied by the person appointed by the government to fill the vacancy.

1.7.4. If a vacancy occurs among the Employers' or Workers' members of the Governing Body at a time when the Conference is meeting in ordinary session, the electoral college concerned shall assemble during the course of the session to fill the vacancy, in accordance with the procedure laid down in section G of the Standing Orders of the Conference.

1.7.5. If a vacancy occurs among the Employers' or Workers' members of the Governing Body during an interval between sessions of the Conference, the Governing Body group concerned shall proceed freely to fill the vacancy, without being required to appoint the new member from among the deputy members of the Governing Body. The appointment thus made must be confirmed by the electoral college concerned at the next session of the Conference and communicated by it to the Conference. If such an appointment is not confirmed by the electoral college in question, a new election shall be held immediately, in accordance with the provisions of section G of the Standing Orders of the Conference.

1.8. Representation of States which are not members of the Governing Body

1.8.1. When the Governing Body considers any matter arising out of a representation under article 24 or a complaint under article 26 of the Constitution, the government concerned shall, if not already represented on the Governing Body, be entitled to send a representative to take part, without the right to vote, in its proceedings while the matter is under consideration. Adequate notice of the date on which the matter will be considered shall be given to the government.

1.8.2. When the Governing Body considers a report of the Committee on Freedom of Association or of the Fact-Finding and Conciliation Commission on Freedom of Association containing conclusions on a case relating to a government which is not represented on the Governing Body, that government shall be entitled to send a representative to take part, without the right to vote, in the proceedings of the Governing Body while the conclusions on the case in question are under consideration.

1.8.3. A representative of a State that is not member of the Governing Body will also be able to speak, with the authorization of the Officers, to express views on matters concerning the State's own situation if a decision point may affect its interests, or if that State, or the situation of that State, has been specifically referred to in the discussion.

1.9. Representation of official international organizations

1.9.1. Representatives of official international organizations which have been invited by the Governing Body to be represented at its meetings shall be entitled to be present at the meetings and may participate without vote in the discussions.

1.10. Representation of non-governmental international organizations

1.10.1. Non-governmental international organizations may be invited by the Governing Body to be represented at any meeting during the discussion of matters of interest to them. The Chairperson may, in agreement with the Vice-Chairpersons, permit such representatives to make or circulate statements for the information of the Governing Body upon matters included in its agenda. If agreement cannot be reached, the matter shall be referred to the meeting for decision without discussion.

1.10.2. This article does not apply to meetings dealing with administrative or financial matters.

Section 2 – Officers of the Governing Body

2.1. Officers

2.1.1. The Officers shall consist of a Chairperson and two Vice-Chairpersons chosen one from each of the three groups. Only regular members of the Governing Body may be elected Officers.

2.1.1bis The Officers shall be responsible for the proper conduct of work of the Governing Body.

2.1.2. The Officers shall be elected at a sitting of the Governing Body held at the close of the annual session of the International Labour Conference and shall hold office from their election until the election of their successors.

2.1.3. The Chairperson shall not become re-eligible until three years after ceasing to hold office.

2.1.4. A member elected to fill a vacancy caused by the death or resignation of an Officer shall sit for the unexpired portion of the term of office of the previous incumbent.

2.1.5. The Director-General of the International Labour Office shall undertake the formation of a secretariat for the Governing Body.

2.2. Duties of the Chairperson

2.2.1. The Chairperson shall declare the opening and closure of the ~~sitting-session~~. Before proceeding with the agenda the Chairperson shall bring before the Governing Body any communications which may concern it.

2.2.1bis The Chairperson shall direct the debates, maintain order, ensure observance of the Standing Orders, accord or withdraw the right to address the Governing Body, put questions to the vote and announce the result of the vote.

2.2.2. The Chairperson shall have the right to take part in the discussions and to vote, but shall not have a casting vote.

2.2.3. When the Governing Body has before it a matter of a purely ceremonial nature, the Chairperson may decide to speak alone on behalf of the Governing Body or to appoint, following appropriate consultations, another member or deputy member for this purpose.

2.2.4. The Chairperson shall normally preside all sittings. In the absence of the Chairperson, the two Vice-Chairpersons shall preside at alternate sittings. Notwithstanding this, the Chairperson may assign a regular or deputy member the functions necessary for chairing a particular segment, acting on behalf of and under the authority of the Chairperson. In so doing, the designated member may exercise only the functions listed in paragraph 2.2.1bis. Intended designations will be communicated to the other two Officers in advance and their validity will be limited to one Governing Body session, with the possibility of a renewal for future sessions.

2.2.5. The functions conferred on the Director-General by the Constitution of the Organization being reserved, the Chairperson shall supervise the observance of the provisions of the Constitution and the execution of the decisions of the Governing Body.

2.2.6. For the purpose provided in paragraph 2.2.5, the Chairperson shall, during the interval between the sessions, be invested with such functions as the Governing Body may deem fit to delegate for the joint signature or the visa of certain documents, for the preliminary approval of inquiries, or for the despatch of official representatives of the Office to meetings, conferences or congresses.

2.2.7. The Chairperson shall be informed without delay by the Director-General of significant events in the work of the Office and of any events which may require intervention, in order to take, within the limits of the power granted to the Chairperson, any steps which may be necessary. The Chairperson may consult the Vice-Chairpersons upon any matter submitted for decision under this paragraph.

2.2.8. The Chairperson shall examine the working of the various services of the Office, and shall convoke the ~~Programme, Financial and Administrative Committee~~Governing Body when necessary.

2.3. Delegation of authority to the Officers

2.3.1. The Governing Body may delegate to its Officers the authority:

- (a) to approve the programme of meetings and the dates of symposia, seminars and similar meetings;
- (b) to invite member States or States which are not Members of the Organization;
- (c) to invite official international organizations;
- (d) to invite non-governmental international organizations;
- (e) to carry out the responsibilities of the Governing Body under article 18 of the Standing Orders of the International Labour Conference; any such delegation shall be made only for one specific session of the Conference, and relate only to proposals involving expenditure during a financial period for which a budget has already been adopted.

2.3.2. The decisions of the Officers of the Governing Body shall be communicated to the Governing Body for information. If there is no agreement among the Officers, the question shall be referred to the Governing Body for decision.

~~2.3.3. The Governing Body may delegate to its Officers the authority to carry out its responsibilities under article 18 of the Standing Orders of the International Labour Conference. Any such delegation shall be made only for one specific session of the Conference, and relate only to proposals involving expenditure during a financial period for which a budget has already been adopted.~~

Section 3 – Agenda and sessions

3.1. Agenda of the Governing Body

3.1.1. The agenda for each session shall be drawn up by the a tripartite screening group composed of the Officers of the Governing Body ~~with~~and of representatives designated by the ~~assistance of three groups. This group will be assisted by~~ the Director-General ~~and any other officials of the Office selected by the Director-General.~~

3.1.2. Any subject which the Governing Body shall have decided at its last session to include in the agenda shall be included in the agenda for the next session by the tripartite screening group.

3.1.3.— A provisional draft agenda, including an indicative plan of work, will be established in the course of each session for one or more future sessions. The provisional agenda may be updated for any urgent matter arising between sessions by the Officers of the Governing Body following consultations with the others members of the tripartite screening group referred to in paragraph 3.1.1 above.

3.1.4. The agenda shall be circulated to the members of the Governing Body so as to reach them not less than ~~14~~working 15 days before the ~~date of the meeting. With the consent of the Officers of the Governing Body,~~ matters opening day of the session.

3.1.5. Matters of urgent importance arising during the session may be added to the agenda of any session— in the manner set forth in the second sentence of paragraph 3.1.3 above.

3.2. Times of meeting

3.2.1. The Governing Body shall normally hold three ordinary sessions in each year.

3.2.2. Without prejudice to the provisions of article 7 of the Constitution of the Organization, the Chairperson may also summon a special meeting should it appear necessary to do so, and shall be bound to summon a special meeting on receipt of a written request to that effect signed by sixteen members of the Government group, or twelve members of the Employers' group, or twelve members of the Workers' group.

3.2.3. At each session the Governing Body shall decide on the date of the following session. In the event of it becoming necessary in the interval between two sessions to alter the date decided on, the Chairperson may, after consultation with the ~~Vice-Chairpersons,~~ tripartite screening group referred to in paragraph 3.1.1., make the necessary alteration.

3.3. Place of meeting

3.3.1. The meetings of the Governing Body shall be held at the International Labour Office, unless the Governing Body shall otherwise expressly determine.

3.4. Admission to meetings

3.4.1. As a general rule the sittings are public. Nevertheless, at the request of one Government delegate or of the majority of the Employers' or the Workers' group, the Governing Body shall sit in private.

3.4.2. The Director-General and the members of the staff of the International Labour Office who form the secretariat of the Governing Body shall be present at the sittings.

3.4.3. Members of the Governing Body who do not speak French, English or Spanish are authorized to bring into the Governing Body room interpreters to assist them, on their own responsibility and at their own expense.

Section 4 – Committees and working parties

~~4.1. Programme, Financial and Administrative Committee~~

~~4.1.1. A Programme, Financial and Administrative Committee shall be appointed consisting of the Chairperson of the Governing Body, who shall be Chairperson of the Committee, and such other members as the Governing Body shall appoint, with the representatives of the Governments, Employers and Workers having an equal number of votes.~~

~~4.1.2. The Programme, Financial and Administrative Committee shall examine the estimates and the expenditure of the International Labour Office, study any financial and administrative questions which may be referred to it by the Governing Body or submitted to it by the Director General and undertake such duties as may be assigned to it by the Governing Body.~~

~~4.1.3. The Governing Body shall take no decision regarding any proposal involving expenditure until that proposal has been referred in the first instance to the Programme, Financial and Administrative Committee. The Programme, Financial and Administrative Committee shall make a report, including an estimate of the cost, and a suggestion as to the manner in which provision should be made for the necessary expenditure.~~

~~4.1.4. The Programme, Financial and Administrative Committee may delegate to its Officers the authority to carry out its responsibilities under article 18 of the Standing Orders of the International Labour Conference. Any such delegation shall be made only for one specific session of the Conference, and relate only to proposals involving expenditure during a financial period for which a budget has already been adopted.~~

~~4.2. Other~~3.5. Right to reply

3.5.1. Any member whose government or group has been specifically referred to in the discussions may exercise the right to reply at the time decided by the person chairing the sitting.

Section 4 – Sections, segments, committees and working parties

4.1. Sections and segments

4.1.1. The Governing Body will structure its plenary sessions in sections, which will be composed of segments. The holding of particular sections or segments at a given session, as well as their program and schedule, will be determined through the agenda setting procedure set out in article 3.1 above.

4.2. Committees and working parties

4.2.1. The Governing Body may appoint a committee, subcommittee or working party to consider any matter which in its view requires examination, ~~subject to the provisions of paragraph 4.1.3 above.~~

4.2.2. Subject to specific provisions, each committee, [subcommittee or working party](#) shall elect officers comprising a Chairperson, an Employer Vice-Chairperson and a Worker Vice-Chairperson.

4.2.3. The representatives of governments, employers and workers in the committees shall have an equal number of votes, unless the Governing Body shall otherwise expressly determine.

4.3. Committee of the Whole

4.3.1. The Governing Body may decide to meet as a Committee of the Whole in order to hold an exchange of views, in which representatives of governments that are not represented on the Governing Body may, in the manner determined by it, be given an opportunity to express their views with respect to matters concerning their own situation. The Committee of the Whole shall report to the Governing Body.

Section 5 – Procedures

5.1. Procedure for placing an item on the agenda of the International Labour Conference

5.1.1. When a proposal to place an item on the agenda of the Conference is discussed for the first time by the Governing Body, the Governing Body cannot, without the unanimous consent of the members present, take a decision until the following session.

5.1.2. When it is proposed to place on the agenda of the International Labour Conference an item which implies a knowledge of the laws in force in the various countries, the Office shall place before the Governing Body a concise statement of the existing laws and practice in the various countries relative to that item. This statement shall be submitted to the Governing Body before it takes its decision.

5.1.3. When considering the desirability of placing a question on the agenda of the International Labour Conference, the Governing Body may, if there are special circumstances which make this desirable, decide to refer the question to a preparatory technical conference with a view to such a conference making a report to the Governing Body before the question is placed on the agenda. The Governing Body may, in similar circumstances, decide to convene a preparatory technical conference when placing a question on the agenda of the Conference.

5.1.4. Unless the Governing Body has otherwise decided, a question placed on the agenda of the Conference shall be regarded as having been referred to the Conference with a view to a double discussion.

5.1.5. In cases of special urgency or where other special circumstances exist, the Governing Body may, by a majority of three-fifths of the votes cast, decide to refer a question to the Conference with a view to a single discussion.

5.1.6. When the Governing Body decides that a question shall be referred to a preparatory technical conference it shall determine the date, composition and terms of reference of the said preparatory conference.

5.1.7. The Governing Body shall be represented at such technical conferences which, as a general rule, shall be of a tripartite character.

5.1.8. Each delegate to such conferences may be accompanied by one or more advisers.

5.1.9. For each preparatory conference convened by the Governing Body, the Office shall prepare a report adequate to facilitate an exchange of views on all the issues referred to the said preparatory conference and, in particular, setting out the law and practice in the different countries.

5.2. Procedure for placing on the agenda of the Conference the question of revising a Convention in whole or in part

5.2.1. When the Governing Body, in accordance with the provisions of a Convention, considers it necessary to present to the Conference a report on the working of the Convention and to examine if it is desirable to place the question of its revision in whole or in part on the agenda of the Conference, the Office shall submit to the Governing Body all the information available to it, particularly on the legislation and practice relating to the Convention in those countries which have ratified it and on the legislation relating to the subject of the Convention and its application in those which have not ratified it. The draft report of the Office shall be communicated to all Members of the Organization for their observations.

5.2.2. After a lapse of six months from the date of circulation to members of the Governing Body and to governments of the draft report of the Office referred to in paragraph 5.2.1, the Governing Body shall fix the terms of the report and shall consider the question of placing the revision, in whole or in part, of the Convention on the agenda of the Conference.

5.2.3. If the Governing Body takes the view that it is not desirable to place the revision in whole or in part of the Convention on the agenda, the Office shall communicate the above-mentioned report to the Conference.

5.2.4. If the Governing Body takes the view that it is desirable that the question of placing the revision in whole or in part of the Convention on the agenda of the Conference should be further pursued, the Office shall send the report to the governments of the Members and shall ask them for their observations, drawing attention to the points which the Governing Body has considered specially worthy of attention.

5.2.5. The Governing Body shall, on the expiry of four months from the date of the despatch of the report to the governments, taking into account the replies of the governments, adopt the final report and define exactly the question or questions which it places on the agenda of the Conference.

5.2.6. If at any time other than a time at which the Governing Body, in accordance with the provisions of a Convention, considers it necessary to present to the Conference a report on the working of the Convention in question, the Governing Body should decide that it is desirable to consider placing on the agenda of the Conference the revision in whole or in part of any Convention, the Office shall notify this decision to the governments of the Members and shall ask them for their observations, drawing attention to the points which the Governing Body has considered specially worthy of attention.

5.2.7. The Governing Body shall, on the expiry of four months from the date of the despatch of this notification to the governments, taking into account the replies of the governments, define exactly the question or questions which it places on the agenda of the Conference.

5.3. Procedure for placing on the agenda of the Conference the question of revising a Recommendation in whole or in part

5.3.1. If the Governing Body considers it to be desirable to consider placing on the agenda of the Conference the revision in whole or in part of any Recommendation, the Office shall notify this decision to the governments of the Members and shall ask them for their observations, drawing attention to the points which the Governing Body has considered especially worthy of attention.

5.3.2. The Governing Body shall, on the expiry of four months from the date of the despatch of this notification to the governments, taking into account the replies of the governments, define exactly the question or questions which it places on the agenda of the Conference.

5.4. Procedure concerning the placing on the Conference agenda of the abrogation of a Convention in force, or the withdrawal of a Convention which is not in force or of a Recommendation

5.4.1. When an item to be placed on the agenda of the Conference concerns the abrogation of a Convention in force or the withdrawal of a Convention that is not in force or of a Recommendation, the Office shall place before the Governing Body a report containing all relevant information which the Office possesses on this subject.

5.4.2. The provisions of article 6.2 concerning the fixing of the Conference agenda shall not apply to the decision to place on the agenda of a given session of the Conference an item on such an abrogation or withdrawal. Such a decision shall as far as possible be reached by consensus or, if such a consensus cannot be reached in two successive sessions of the Governing Body, by a four-fifths majority of members of the Governing Body with a right to vote during the second of these sessions.

5.4bis Procedure concerning decisions involving expenditure

5.4bis 1. The Governing Body shall take no decision regarding any proposal involving expenditure without considering its estimated cost and making provision for the necessary expenditure.

5.5. Reports, records, minutes ~~and~~ communiqués and Office documents

5.5.1. The Chairperson shall submit a report to each session of the International Labour Conference on the work of the Governing Body during the preceding year. The Chairperson shall consult the Vice-Chairpersons on the matters to be covered in the report.

5.5.2. A stenographic record of the sittings of the Governing Body shall be kept. It shall not be published or distributed.

5.5.3. The Secretariat of the Governing Body shall ~~keep~~ publish the draft minutes of the meetings. ~~They shall not be published, on the website of the Organization.~~

beginning of each session the minutes of the previous session shall be approved and made public.

~~5.5.4. When the minutes have been approved by the Governing Body, they shall be circulated to the governments of the States Members and may be made public.~~ 5.5.4. The minutes of the private sittings mentioned in paragraph 3.4.1, shall, however, not be made public; they shall be regarded as confidential. There shall be no release of confidential Governing Body minutes for a minimum period of ten years; after the lapse of ten years the Director-General, in consultation with the Officers of the Governing Body or, in cases of doubt, with the Governing Body itself, may make confidential minutes available on request in appropriate cases.

5.5.5. Documents prepared by the International Labour Office and dealing with the items on the agenda of the Governing Body shall be ~~circulated~~made available electronically to members of the Governing Body, in English, French and Spanish at least 15 working days before the opening of each session. ~~They~~ In the case of the discussion on the Programme and Budget, a period of 30 working days is required.

5.5.5bis If the above-mentioned period of 15 working days is not respected, the item concerned will be postponed to the following Governing Body session. Derogations to this rule will require prior agreement from the Officers after consulting the three groups.

5.5.5ter The rule in paragraph 5.5.5. will not apply to documents arising from meetings, missions and initiatives taking place immediately before or during the Governing Body session. In any case, oral presentation can be used for urgent matters.

5.5.5quater The documents prepared may be made public unless the Director-General decides, after consultation with the Officers of the Governing Body, to make them available only after the question with which they deal has been discussed by the Governing Body, and subject to any relevant directions by the latter. The Director-General shall, however, have authority to circulate to the Press those documents which he had decided not to make available prior to discussion by the Governing Body, subject to an embargo date before which they should not be published or used. In fixing this date the Director-General shall endeavour to ensure, as far as may be practicable, that the publication of such documents does not take place before the members of the Governing Body have received them. Documents marked “confidential” by their author when communicating them to the Office, or by the Office when communicating them to the members of the Governing Body, shall not be made public ~~or circulated to the Press.~~ Documents relating to private sittings shall be confidential and shall ~~neither~~not be made public ~~nor circulated to the Press.~~

5.5.6. The *Official Bulletin* of the Office will publish an account intended particularly for governments and public administrations and containing at least the full texts of resolutions and clear indications as to the conditions in which these resolutions were adopted.

5.6. Resolutions, amendments and motions

5.6.1. Any regular member of the Governing Body, and any substitute or deputy member occupying the seat of a regular member, may move resolutions, amendments or motions in accordance with the following rules.

5.6.2. The text of any resolution, amendment or motion shall be submitted in writing and handed to the Chairperson. Whenever possible, this text shall be distributed

before being put to the vote. Distribution shall be compulsory if 14 members of the Governing Body so request.

5.6.3. If there are several amendments to a motion or resolution, the ~~Chairperson~~[person chairing the sitting](#) shall determine the order in which they shall be discussed and put to the vote, subject to the following provisions:

- (a) every motion, resolution and amendment shall be put to the vote;
- (b) amendments may be voted on either individually or against other amendments, as the ~~Chairperson~~[person chairing the sitting](#) 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.

5.6.4. A member may withdraw an amendment after moving it, unless an amendment to it is under discussion or has been adopted.

5.6.5. An amendment withdrawn by its author may be moved again by another member. In that case it shall be discussed and put to the vote.

5.6.6. In the case of motions as to procedure, no notice in writing needs to be made available to the ~~Chairperson~~[person chairing the sitting](#) or distributed. Motions as to procedure include the following: a motion to refer a matter back, a motion to postpone consideration of a question, a motion to adjourn the sitting, a motion to adjourn a debate on a particular question or incident, a motion that the Governing Body should proceed with another item on the agenda of the sitting.

5.6.7. No resolution, motion or amendment shall be discussed unless it has been seconded.

5.7. *Prior consultation in respect of proposals for new activities relating to matters of direct concern to the United Nations or other specialized agencies*

5.7.1. Where a proposal submitted to the Governing Body involves new activities to be undertaken by the International Labour Organization relating to matters of direct concern to the United Nations or one or more specialized agencies other than the International Labour Organization, the Director-General shall enter into consultation with the organizations concerned and report to the Governing Body on the means of achieving coordinated use of the resources of the respective organizations. Where a proposal put forward in the course of a meeting for new activities to be undertaken by the International Labour Organization relates to matters of direct concern to the United Nations or one or more specialized agencies other than the International Labour Organization, the Director-General shall, after such consultation as may be possible with the representatives at the meeting of the other organization or organizations concerned attending the meeting, draw the attention of the meeting to these implications of the proposal.

5.7.2. Before deciding on proposals referred to in paragraph 5.7.1 of the present article, the Governing Body shall satisfy itself that adequate consultations have taken place with the organizations concerned.

Section 6 – Voting and quorum

6.1. Voting

6.1.1. Voting shall be by show of hands except in cases where a ballot is required by these Standing Orders.

6.1.2. In case of doubt as to the result of a vote by show of hands, the ~~Chairperson~~person chairing the sitting may retake the vote by calling the roll of members entitled to vote.

6.1.3. A ballot vote is required in the case of the election of the Chairperson and of the Director-General of the International Labour Office, and in any other case where it may be demanded by twenty-three of the members present.

6.1.4. If the Governing Body has been notified by the Director-General that the amount of the arrears due from a Member of the Organization represented on the Governing Body equals or exceeds the contribution due from that Member for the preceding two years, the representative of that Member and any deputy member of the Governing Body appointed by that Member shall, unless the Conference has decided to permit the Member to vote, in accordance with article 13, paragraph 4, of the Constitution, be disqualified from voting in the Governing Body and its committees until the Governing Body has been notified by the Director-General that the right to vote of the Member concerned is no longer suspended.

6.1.5. Any decision by the Conference permitting a Member in arrears in the payment of its contributions to vote shall be valid for the session of the Conference at which the decision is taken. Any such decision shall be operative in regard to the Governing Body and committees until the opening of the general session of the Conference immediately following that at which it was taken.

6.1.6. Notwithstanding the provisions of paragraph 6.1.5 of this article, after the Conference has approved an arrangement under which the arrears of a Member are consolidated and are payable in annual instalments over a period of years, the representative of the Member concerned and any deputy member of the Governing Body appointed by that Member shall be permitted to vote provided that, at the time of the vote concerned, the Member has fully paid all instalments due under the arrangement as well as all financial contributions under article 13 of the Constitution that were due before the end of the previous year. For any Member which, at the close of a session of the Conference, has not fully paid all such instalments and contributions due before the end of the previous year, the permission to vote shall lapse.

6.2. *Method of voting in order to fix the agenda of the Conference*

6.2.1. When agreement on the agenda of the Conference has not been reached without vote, the Governing Body shall decide by a first vote whether it will place all the questions proposed on the agenda. If it decides to include all the questions proposed, the agenda of the Conference is considered fixed. If it does not so decide, the procedure shall be as follows:

6.2.2. Each member of the Governing Body entitled to vote shall receive a voting paper with a list of all the questions proposed, and shall indicate a preferred order for inclusion in the agenda by marking a first preference “1”, a second “2”, and so forth; a voting paper which does not indicate the order of preference for all the questions proposed

shall be void. Members shall place their voting papers in the ballot box as their names are called.

6.2.3. Whenever a question is indicated as a first preference, it shall be allotted one point, whenever it is indicated as a second preference, two points and so forth. The questions shall then be listed on the basis of the total points obtained, the question with the lowest total being regarded as the first in order of preference. If the voting results in an equal number of points for each of two or more questions, a vote by show of hands shall be taken. If the voting is still equal, the order of preference shall be decided by lot.

6.2.4. The Governing Body shall then decide the number of questions to be placed on the agenda, in the order of priority established in accordance with paragraphs 6.2.2 and 6.2.3. For that purpose, it shall vote first on the total number of questions proposed minus one, second on the total number of questions proposed minus two, and so forth, until a majority is obtained.

6.3. Quorum

6.3.1. No vote shall be valid unless at least thirty-three members are present at the sitting.

Section 7 – General provisions

7.1. Autonomy of groups

7.1.1. Subject to the provisions of these Standing Orders, each group shall control its own procedure.

[7.1.2. Any nominations to functions within the group shall be communicated in writing to the Chairperson.](#)

7.2. Suspension of a provision of the Standing Orders

7.2.1. The Governing Body, on the unanimous recommendation of its Officers, may exceptionally, in the interests of its own orderly and expeditious functioning, decide to suspend any provision of these Standing Orders for the purpose of dealing with a specific non-controversial question before it. A decision may not be taken until the sitting following that at which a proposal to suspend a provision of the Standing Orders has been submitted to the Governing Body.

Annex VII

Procedures for the selection and appointment of the ILO External Auditor¹

Adopted by the Governing Body at its 285th Session (March 2002).

Invitation

All member States, including the member State of the serving External Auditor, will be invited to submit nominations from Auditors-General (or officers holding the equivalent titles) or other persons of high competence to act as the External Auditor of the ILO for a period of four years. This term of office may be extended for a further period of four years.

The information to be provided by member States when making nominations will include:

- (1) details of the national and international activities of the Auditor, including the range of audit specialities;
- (2) a description of the audit approach, procedures and standards that the Auditor would apply;
- (3) an estimate of the total time and grade-mix of staff that would be required to conduct the audit for a full financial period; and
- (4) the amount of the all-inclusive audit fee.

Receipt and opening of proposals

The receipt and opening of proposals will be performed in accordance with ILO tender receipt and opening procedures.

Once opened, a summary of all proposals will be prepared by the Office for submission to the ~~Programme, Financial and Administrative Committee~~ [Governing Body](#) for evaluation.

Evaluation of proposals

~~The Programme, Financial and Administrative Committee will evaluate the proposals and make its recommendation to the Governing Body.~~

Appointment

The Governing Body will decide on the appointment ~~on the basis of the Programme, Financial and Administrative Committee's recommendation.~~

¹ Source: GB.285/205, para. 22; GB.285/10/1, para. 44.