



Governing Body

312th Session, Geneva, November 2011

GB.312/INS/16/3

Institutional Section

INS

SIXTEENTH ITEM ON THE AGENDA

Reports of the Officers of the Governing Body

Action to be taken regarding the appointment of the Director-General

1. By letter dated 30 September 2011, Mr Juan Somavia informed the Officers of the Governing Body that he would advance the date of his departure as Director-General of the ILO to 30 September 2012 (see Appendix I). In accordance with past practice, the Officers to the Governing Body submit the following proposals for action regarding the appointment of a new Director-General.

Modalities of the appointment process

2. The report adopted in 2009 by the Joint Inspection Unit of the United Nations on the process for selection of the executive heads in the United Nations system,¹ provides a number of observations intended to ensure fairness, transparency and impartiality of the electoral process. The lessons learned may prove useful to the considerations of the Governing Body in adapting its own procedures concerning the election of the Director-General.
3. For that purpose, the following actions and associated rules changes are **recommended**:
 - (a) The Governing Body request the Chairperson of the Governing Body to call for candidates for appointment to the Office of Director-General of the ILO through communication to Governing Body members and ILO member States.
 - (b) The Governing Body should remind the candidates that any appointment to the post of Director-General will require the divestment of any earning of any income, gift or allowance, and any financial involvement or interest, where such could have, or be perceived to have, an impact on the objectivity or independence of the person

¹ JIU/REP/2009/8.

appointed; furthermore, the appointed candidate will be required to comply with the procedure for financial disclosure laid down in the ILO's internal rules.

- (c) The Governing Body should explicitly prohibit unethical practices such as promises, favours, gifts, etc., provided by, or in support of, candidates for the post of Director-General.
- (d) The Governing Body should note that the Director-General has informed the Officers that he will remind the staff of the Office of the rules and standards of conduct aimed at ensuring the Office's neutrality with respect to the electoral process, as well as the sanctions that can be imposed on staff in the event these rules are not respected.
- (e) The Governing Body should further note that the Director-General has informed the Officers that he will issue a directive to ILO staff prohibiting the use of ILO resources for the purposes of campaigning for, or supporting, any candidate. Such directive will also regulate the conduct of ILO staff presenting as candidates for the appointment as Director-General.

Modalities of election

4. The rules governing the election of the Director-General are laid down in Annex III of the *Compendium of rules applicable to the Governing Body* (see Appendix II of the present paper). These rules were adopted by the Governing Body at its 240th Session (June 1988). It is proposed to supplement the rules to ensure an open and interactive procedure allowing the Governing Body to make an informed choice.
5. To this end, it is **recommended** to amend the current rules with the following provisions:
 - (a) Candidatures for election must be submitted by an ILO member State or by a Governing Body member to the Chairperson of the Governing Body and be received on, or before, a date to be determined by the Governing Body, which shall be at least two months prior to the date of the election.
 - (b) Each candidate shall annex to their candidature a curriculum vitae.
 - (c) Each candidate shall also annex a certificate of good health signed by a recognized medical facility.
 - (d) Candidates shall be invited to provide, together with their candidature, a statement of no more than 2,000 words describing their vision for the Organization and the strategic direction they would pursue in the event they are appointed. The statement should also address the candidate's commitment to the values and work of the ILO and its tripartite structure; their experience in economic, social and labour issues, international affairs, leadership and organizational management; and their appreciation of cultural, social and political diversity. Candidates should also indicate their language proficiency with regard to the official languages of the ILO.
 - (e) The documents mentioned in (a), (b) and (d) above shall be submitted by the candidates in English, French and Spanish.
 - (f) To be valid, candidatures must meet the conditions specified in (a), (b), (c) and (e) above.

- (g) The documents received with the candidature, other than the certificate of good health, shall be distributed in the official languages in which they are submitted to the members of the Governing Body, and to member States not represented in the Governing Body for information, as soon as practical after the candidature has been received. Only statements received at the same time as the candidatures shall be receivable and distributed.
- (h) Hearings should be conducted with the candidates at a special private sitting of the Governing Body held prior to the election. The order of appearance in the hearings would be drawn randomly by the Governing Body Chairperson and candidates would be informed of the date and approximate time of their hearing at least one week prior to the hearing. Each candidate would be heard individually and would be invited to make a presentation to the Governing Body. Following the presentation the candidate will receive and respond to questions from the Governing Body. The time allocated to candidates for making their presentation and receiving and responding to questions shall be determined by the Officers. Equal time will be allocated for all candidates.
6. As the hearings would be conducted in a special private sitting of the Governing Body, only regular and deputy members, and their substitutes, would be entitled to participate. In accordance with article 1.6.2 of the Standing Orders of the Governing Body, only one substitute may accompany each Government regular delegate. However, the Office will be requested to provide a separate facility with video link for observation of the proceedings.

Date of the election

7. It is **recommended** that the process for the appointment of the next Director-General be conducted over two sittings of the Governing Body. The first sitting will be held on 30 March 2012, being the last day of the 313th Session of the Governing Body, and dedicated to the conduct of the hearings. The second sitting shall be conducted as a specially convened meeting of the Governing Body for the purpose of conducting the ballot for the election of the Director-General, to be held on 28 May prior to the commencement of the 101st Session of the Conference (May–June 2012). To facilitate this process, it is proposed that candidatures must be received in the office of the Chairperson of the Governing Body by 9 March 2012.

Conditions of appointment of the Director-General

8. The Governing Body will be required to determine the remuneration and other conditions and benefits of appointment of the Director-General.
9. To facilitate this, it is **recommended** that the Officers be requested to propose to the Governing Body, for adoption, the remuneration, other benefits and conditions of appointment of the Director-General not covered by the rules, having regard to the current arrangements, and provisions for similar appointments in other United Nations specialized agencies.

Financial implications

10. The Programme and Budget for 2012–13 contains no provision for the election process set out in this document. The costs would include travel arrangements for candidates to attend the hearings, travel costs of Governing Body members not part of their national delegation

to the Conference, subsistence allowance for the non-governmental members of the Governing Body attending the meeting on 28 May and miscellaneous meeting costs. At this stage, it is not possible to determine how many Governing Body members would not be included in their national delegations nor how many candidates would be invited to the Governing Body hearings.

11. Should all Governing Body members be part of their respective national delegations to the 101st International Labour Conference, only the travel costs of the candidates, the cost of an extra day's subsistence allowance for non-governmental members of the Governing Body on 28 May, the cost of interpretation services for the meeting on 28 May and the miscellaneous meeting costs would require financing. Under the scenario where ten candidates would be invited to the hearings, the estimated cost would be some US\$132,900.
12. Should no Governing Body member be part of their respective national delegations, financing would also be required for the travel costs of all Employer and Worker members of the Governing Body. Under this scenario the total estimated cost would be some US\$747,900.
13. *The Officers of the Governing Body recommend that the Governing Body:*
 - (a) *approve the recommendations for the modalities of the appointment process as expressed in paragraphs 3(a)–(e) and 5(a)–(h) above;*
 - (b) *amend, accordingly, the rules governing the appointment of the Director-General as proposed in Appendix III to the present document;*
 - (c) *determine that candidatures must be received in the office of the Chairperson of the Governing Body by 9 March 2012;*
 - (d) *determine that the Governing Body will conduct hearings of candidates for appointment to the Office of Director-General on 30 March 2012;*
 - (e) *request the Office to provide a separate facility with video link for observation of the hearings;*
 - (f) *convene a meeting of the Governing Body to be held on 28 May 2012, prior to the commencement of the 101st Session of the Conference, for the purpose of conducting the ballot for the appointment of the Director-General. For the purposes of the rules, the date set for the election shall be taken to be 28 May 2012;*
 - (g) *request the Officers to propose to the Governing Body, for adoption, the remuneration, other benefits and conditions of appointment of the Director-General not covered by the rules, having regard to the current arrangements, and provisions for similar appointments in other United Nations specialized agencies;*

- (h) decide that the costs associated with the election of the next Director-General, estimated at a maximum of US\$747,900, be financed in the first instance from savings under Part I of the Programme and Budget for 2012–13 or, failing that, through the use of the Provision for Unforeseen Expenditure, Part II. Should this subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the biennium.*

Geneva, 15 November 2011

Point for decision: Paragraph 13

Appendix I

Director-General's letter to the Officers of the Governing Body



International Labour Office

The Director-General

30 September 2011

Mr Greg Vines, Chairperson of the Governing Body
Mr Daniel Funes de Rioja, Employer Vice-Chairperson of the Governing Body
Mr Luc Cortebeek, Worker Vice-Chairperson of the Governing Body

Dear Friends,

I want to share with you a decision that has been maturing in my heart and my mind for some time now. After 9 years as Ambassador of Chile to the United Nations in New York and nearing 13 years as Director-General of the ILO, I have been living through a strong and growing feeling that the time has come to go back home for important family reasons.

Consequently I hereby inform you that I have decided to advance my departure from my post as Director-General of the International Labour Office, from March 2014 to 30 September 2012. That is to say, in a year's time. This gives the organization sufficient time to organize well the election of my successor.

I believe that the widely acknowledged successful celebration of the 100th Session of the International Labour Conference, once again expressed the vitality, energy and decision-making capacity that ILO's tripartism has shown for many years now, on key standards and policymaking issues in our mandate. It also confirmed the solid knowledge base and servicing capacity of ILO staff at all levels, at headquarters and in the regions.

Over the last decade, this has nurtured an increasing political support for the ILO and its tripartite constituency of governments, employers and workers, with growing expectations on the role we must play, from the global to the local scene.

This was stated repeatedly by a wide array of participants in the ILC, from Heads of State and Government who came to address us this year, to leaders of the domestic workers' organizations who honoured us with their presence.

All of this gives me the certainty that ILO's constituents and the Office are today on a very strong footing moving into the future, fully capable and empowered to confront the serious challenges ahead for the world of work.

The Officers of the Governing Body
of the International Labour Office

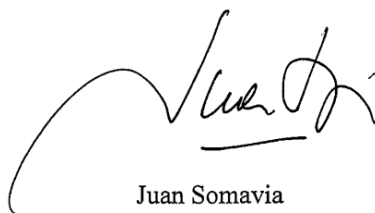
2.

This is not a goodbye letter. The time will come for that. Until then, I will continue to fully exercise all my responsibilities as Director-General of the International Labour Office till the day I leave. When the time comes, I will organize appropriately the hand over to my successor.

From then on, I will continue to be active on national issues and international affairs but at a more paced rhythm. And always and forever, I shall be at the service of the International Labour Organization and its values, which I so deeply respect. I have come to love our organization in so many ways I would never have imagined when you elected me for the first time. Lifelong friendships and relationships have been born. Thank you for the confidence, the honour and the privilege.

Thank you for your understanding and support at this important moment in my life.

Yours sincerely,



Juan Somavia

Appendix II

Annex III to the *Compendium of rules applicable to the Governing Body of the International Labour Office* (current version)

Rules governing the election of the Director-General¹

Adopted by the Governing Body at its 240th Session (May–June 1988).

Candidatures

1. Candidatures for the post of Director-General shall be sent to the Chairman of the Governing Body of the ILO at the latest one month prior to the date set by the Governing Body for the election.
2. In order to be considered these candidatures must be submitted by a member State of the Organization or by a member of the Governing Body.
3. Candidatures submitted in accordance with the abovementioned conditions shall be made known to the members of the Governing Body by the Chairman immediately after they have been received.

Majority

4. To be elected, a candidate must receive the votes of more than one half of the members of the Governing Body entitled to vote.

Election procedure

5. On the date set for the election, as many ballots shall be held as are necessary to determine which of the candidates has obtained the majority required by Rule (4) above.
6. (i) After each ballot the candidate who has obtained the lowest number of votes shall be eliminated.
(ii) If two or more candidates obtain simultaneously the lowest number of votes, they shall be eliminated together.
7. If in the ballot between the remaining candidates they receive the same number of votes and a further ballot still does not produce a majority for one of them, or if one candidate remains but does not obtain the majority required by Rule (4) above in a further ballot in which his or her name is submitted to the Governing Body for a final vote, the Governing Body may postpone the election and freely set a new deadline for the submission of candidatures.

¹ Source: GB.240/205, para. 79.

Appendix III

Annex III to the *Compendium of rules applicable to the Governing Body of the International Labour Office* (revised version)

***Rules governing the appointment of the Director-General*¹**

Adopted by the Governing Body at its 240th Session (May–June 1988) and amended at its 312th Session (November 2011).

Candidatures

1. Candidatures for the post of Director-General shall be received in the office of the Governing Body Chairperson on or before a date to be determined by the Governing Body which shall be at least two months prior to the date of the election.
2. In order to be considered these candidatures must be submitted by a member State of the Organization or by a member of the Governing Body.
3. Each candidate shall annex to their candidature a curriculum vitae and a certificate of good health signed by a recognized medical facility.
4. Candidates shall be invited to provide together with their candidature, a statement of no more than 2,000 words describing their vision for the Organization and the strategic direction they would pursue in the event they are appointed. The statement should also address the candidate's commitment to the values and work of the ILO and its tripartite structure; their experience in economic, social and labour issues, international affairs, leadership and organizational management, and their appreciation of cultural, social and political diversities. Candidates should also indicate their language proficiency with regard to the official languages of the ILO.
5. All of the documents mentioned in 2, 3 and 4 above shall be submitted by the candidates in English, French and Spanish, with the exception of the certificate of good health that can be submitted in only one of these three languages or accompanied by an authenticated translation in one of these languages.
6. To be valid, candidatures shall meet the conditions specified in 1, 2, 3 and 5 above.
7. Candidatures submitted in accordance with the abovementioned conditions shall be distributed together with curricula vitae and statements, in the official languages in which they are submitted, to the members of the Governing Body and to the member States not represented on the Governing Body for information, by the Chairperson as soon as practical after the candidature has been received. Only statements received at the same time as the candidatures shall be receivable and distributed.

Fairness and transparency of the appointment process

8. Unethical practices such as promises, favours, gifts, etc., provided by, or in support of, candidates for the post of Director-General are prohibited.
9. Appropriate measures shall be taken by the Director-General to remind the staff of the Office of the rules and standards of conduct aimed at ensuring the Office's neutrality with

¹ Source: GB.240/205, para. 79.

respect to the electoral process, as well as the sanctions that can be imposed on staff in the event these rules are not respected. Appropriate measures shall also be taken by the Director-General to prohibit the use of ILO resources for the purposes of campaigning for, or supporting, any candidate and to regulate the conduct of ILO staff presenting as candidates for the appointment as Director-General.

10. On accepting appointment, the candidate appointed to the post of Director-General shall divest of any earning of any income, gift or allowance, and any financial involvement or interest, where such could have an impact on, or could be perceived to have an impact on, the objectivity or independence of the person appointed; furthermore the appointed candidate shall be required to comply with the procedure for financial disclosure laid down in the ILO's internal rules.

Majority

11. To be elected, a candidate must receive the votes of more than one half of the members of the Governing Body entitled to vote.

Election procedure

12. Hearings shall be conducted with the candidates at a private sitting of the Governing Body held prior to the election. The order of appearance in the hearings shall be drawn randomly by the Governing Body Chairperson and candidates shall be informed of the date and approximate time of their hearing at least one week prior to the hearing. Each candidate shall be heard individually and shall be invited to make a presentation to the Governing Body. Following the presentation the candidate shall receive and respond to questions from the Governing Body. The time allocated to candidates for making their presentation and receiving and responding to questions shall be determined by the Officers. Equal time will be allocated for all candidates.
13. On the date set for the election, as many ballots shall be held as are necessary to determine which of the candidates has obtained the majority required by Rule (11) above.
14. (i) After each ballot the candidate who has obtained the lowest number of votes shall be eliminated.
(ii) If two or more candidates obtain simultaneously the lowest number of votes, they shall be eliminated together.
15. If in the ballot between the remaining candidates they receive the same number of votes and a further ballot still does not produce a majority for one of them, or if one candidate remains but does not obtain the majority required by Rule (11) above in a further ballot in which his or her name is submitted to the Governing Body for a final vote, the Governing Body may postpone the election and freely set a new deadline for the submission of candidatures.