



## Governing Body

322nd Session, Geneva, 30 October–13 November 2014

GB.322/LILS/1

Legal Issues and International Labour Standards Section  
*Legal Issues Segment*

LILS

Date: 9 September 2014

Original: English

### FIRST ITEM ON THE AGENDA

## Privileges and immunities of the International Labour Organization: Identification document for Employer and Worker members of the Governing Body

#### Purpose of the document

In response to a decision of the Governing Body at its 320th Session (October 2013), the present document sets out a detailed proposal for the issuance of an identification document for Employer and Worker members of the Governing Body.

**Relevant strategic objective:** Cross-cutting.

**Policy implications:** None.

**Legal implications:** None.

**Financial implications:** The minimal cost of printing the identification document is to be absorbed by the Office budget.

**Follow-up action required:** Issuance of an identification document for Employer and Worker members of the Governing Body, if so decided by the Governing Body.

**Author unit:** Office of the Legal Adviser (JUR).

**Related documents:** GB.317/LILS/1(Rev.), paras 12, 13 and 14; GB.317/PV, para. 495(f); GB.319/LILS/2/2; GB.319/PV, para. 547; GB.320/LILS/2; GB.320/PV, para. 570.



## Background

1. In March 2013, the Governing Body considered the possibility of issuing an identification document for Employer and Worker members of the Governing Body to facilitate their attendance at ILO official meetings and their access to the legal protection of the ILO and its representatives.<sup>1</sup> The Governing Body found merit in examining this possibility and requested the Office to prepare a proposal.<sup>2</sup> The Governing Body discussed the proposal at its October 2013 session and requested more time to study the matter.<sup>3</sup> Additional clarifications were provided at the March 2014 session, in the light of which the Governing Body decided to request the Office to prepare a detailed proposal for the issuance of an identification document taking into account the discussions at its 319th and 320th Sessions.<sup>4</sup>
2. As noted during the previous discussions of the item, the identification document would merely provide confirmation of the holder's status as a member of the Governing Body, would be produced in credit card format to make it user-friendly, and would have a purely declaratory value. It would neither affect or modify the existing rights and obligations of member States, nor constitute a travel or identity document. The document would neither create any new privileges nor immunities nor extend existing ones.

## The document

3. For reasons of convenience, it is proposed that the document have a simple credit card format. The card would be electronically enabled to allow entry into the ILO headquarters building in Geneva. Since the card would not constitute an identity or travel document, it would not include biometric features other than the photograph. The identity of the holder could be further verified with their national passport or other identity or travel documents.
4. The card's front side would bear the following elements, with the text in the three ILO official languages (English, French and Spanish): the ILO logo and name; the title of the document; the name of the holder, which shall be identical to the name on their national passport; a photograph of the holder; the group (Employer or Worker); the nationality(ies) of the holder; the expiry date; and a serial number.
5. The back of the document would bear the following text in the three ILO official languages: "The holder of this document is a member of the Governing Body of the ILO and enjoys privileges and immunities in accordance with Annex I of the Convention on the Privileges and Immunities of the Specialized Agencies (1947) in States that have accepted its provisions by accession or otherwise". It would also bear an ILO contact telephone number for any questions regarding the document, to enable national authorities to verify its authenticity and validity and the status of its holder, and to facilitate the reporting of lost cards.
6. For illustration purposes, a sample of the proposed card is shown in the Appendix.

<sup>1</sup> See GB.317/LILS/1(Rev.).

<sup>2</sup> See GB.317/LILS/1(Rev.), paras 12, 13 and 14; GB.317/PV, para. 495(f); and GB.319/LILS/2/2.

<sup>3</sup> See GB.319/LILS/2/2 and GB.319/PV, para. 547.

<sup>4</sup> See GB.320/LILS/2; GB.320/PV, para. 570.

## Validity

7. The document would be valid for the period of office of the Governing Body, that is three years (article 7, paragraph 5, of the ILO Constitution). Once the term expires, or in the event of early termination of the mandate, the Governing Body member would have the obligation to return the card to the ILO. In the event of a member's re-election, a new card would be issued. In the case of vacancies, new members would be issued with a card for the remainder of the term, until the following Governing Body elections.
8. The documents would normally be issued and delivered directly after the Governing Body elections. As the most recent elections were in June 2014, cards could be distributed for the remainder of the term with a validity period until June 2017. The Governing Body could, after that period or at any other time, conduct an assessment of the practical usefulness of the identification document.

## Costs

9. The document would normally be issued to some 120–130 holders every three years. In order to minimize costs, the Office could itself print the photograph and details of each member on commercially pre-prepared cards. Costs would be minimal and could be absorbed within the budget of the Office.

## Safeguards

10. The following safeguards would be provided concerning the use, validity and safekeeping of the identification document:
  - The Office will be responsible for confirming the validity of an identification document and for attesting to when Governing Body members exercise their functions or travel to and from an official meeting. To this effect, a contact telephone number for the Office will be provided on the card.
  - A file will be created for each document issued, with the record of the elections, a copy of the national passport and the contact details of the holder.
  - Blank documents will be kept in a secure facility, such as a safe, with access limited to authorized individuals.
  - Documents will not belong to the holder but will remain the property of the ILO, and holders will need to exercise adequate care to prevent their loss or theft.
  - Holders will have the obligation to report lost or stolen documents and return the cards to the Office at the end of their tenure as members of the Governing Body.
  - Lost or stolen documents will be declared invalid. No duplicates will be produced and new documents will need to be issued under a new serial number. The Office will keep a record of any documents lost, stolen or otherwise invalidated.

**Draft decision**

11. *The Governing Body requests the Director-General to issue an identification document for Employer and Worker members of the Governing Body as described in this document and to evaluate its usefulness at the end of the current term of the Governing Body.*



## Appendix

### Sample identification document

validity . validité . validez > 25.06.2017

**ILO Governing Body Member Card**  
 Carte de membre du Conseil d'Administration du BIT  
 Tarjeta de miembro del Consejo de Administración de la OIT



International Labour Office  
 Bureau international du Travail  
 Oficina Internacional del Trabajo

Surname . Nom . Apellidos  
**Mantilla**

Given names . Prénoms . Nombres  
**Elena**

Nationality . Nationalité . Nacionalidad  
**Spain . Espagne . España**



Title . Titre . Título  
**Employer member . Membre employeur.  
 Miembro empleador**

**N° 00075**

**ILO CONTACT: +41 22 799 8015**

*The holder of this document is a member of the Governing Body of the ILO and enjoys privileges and immunities in accordance with Annex I of the Convention on the Privileges and Immunities of the Specialized Agencies (1947) in States that have accepted its provisions by accession or otherwise.*

*El titular de este documento es miembro del Consejo de Administración de la Oficina Internacional del Trabajo y goza de privilegios e inmunidades en virtud del Anexo I de la Convención sobre los privilegios e inmunidades de los organismos especializados (1947) en los Estados que han aceptado sus disposiciones por adhesión o de otro modo.*

*Le titulaire du présent document est membre du Conseil d'administration du Bureau international du Travail et jouit de privilèges et immunités en vertu de l'annexe I à la Convention sur les privilèges et immunités des institutions spécialisées (1947) dans les États qui ont accepté ses dispositions par adhésion ou autrement.*