

# ***Provisional Record***

107th Session, Geneva, May–June 2018

# **1B**



Date: Monday, 21 May 2018

## ***Confirmation of the Rules for Regional Meetings***

### *Contents*

	<i>Page</i>
Introduction.....	1
Revised <i>Rules for Regional Meetings</i> (2018).....	3

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## Introduction

1. At its 332nd Session (March 2018), the Governing Body based on the recommendations of the Working Party on the Functioning of the Governing Body and the International Labour Conference approved a number of amendments to the *Rules for Regional Meetings*<sup>1</sup> and decided to submit the revised *Rules for Regional Meetings* to the Conference for confirmation at its 107th Session (May–June 2018) in accordance with article 38, paragraph 2, of the Constitution.<sup>2</sup> In this connection, the Governing Body proposed that the revised Rules be referred in the first instance to the Selection Committee of the Conference for examination.<sup>3</sup> In addition, the Governing Body requested the Office to prepare for its 334th Session (October–November 2018) a revised version of the Introductory note taking into account the discussions in the Working Party.<sup>4</sup>
2. As regards the composition of Regional Meetings, the amendments clarify that the composition of Regional Meetings is based on a list of member States by region drawn up by the Governing Body using the coverage of the ILO's Regional Offices as the basic criterion. They also reflect the order in which Regional Meetings are normally held on a rotation basis and confirm the flexibility as regards the frequency of Regional Meetings maintained under the overall authority of the Governing Body. The amendments to paragraphs 2 and 3 of article 1 give effect to the principle adopted by the Governing Body at its 331st Session (October–November 2017) that each Member shall be invited as a full member to the Regional Meetings of only one region with the Governing Body having the discretion of inviting, as an observer, on a case-by-case basis, any member State from another region. Moreover, the amendments to paragraph 1 of article 5, paragraph 1 of article 9, paragraph 1 of article 11 and paragraph 1 of article 12 clarify that only Members attending a Regional Meeting as full members can stand for office, move motions and amendments, and vote.
3. With regard to gender equality, a new paragraph 6 was added to article 1 based on the ILO's commitment to promote gender equality as set forth in the Conference resolutions concerning the participation of women in ILO meetings and the United Nations Economic and Social Council Resolution 1990/15 of 24 May 1990.
4. Concerning participation rights, the amendment to paragraph 8(a) of article 1 clarifies the right of advisers to speak in plenary. In addition, the amendment to paragraph 3 of article 10 clarifies the speaking rights of a Member invited by the Governing Body to attend a Regional Meeting as an observer. Moreover, a new paragraph 8 was introduced in article 10 to allow the flexibility needed to permit interventions of invited external participants, such as experts or panel moderators who are not members of national delegations or entities invited as observers.

<sup>1</sup> [GB.332/WP/GBC/4](#), [GB.332/INS/12](#).

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

<sup>3</sup> [GB.332/WP/GBC/2](#), para. 20 and [GB.332/INS/12](#), para.16.

<sup>4</sup> [GB.332/INS/12](#), para. 36.

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5. With regard to credentials, the amendment to paragraph 7 of article 1 advances the deadline for the deposit of credentials from 15 to 21 days before the opening of the meeting aligning it with that of the Conference. As for the amendment to paragraph 3(c) of article 9, it replicates a similar provision of the Standing Orders of the Conference to prevent a person who has accepted to serve as adviser to a delegate from contesting the validity of that delegate's appointment.
  6. With reference to hosting a Regional Meeting, paragraph 2 of article 2 was amended to provide that any State wishing to host a Regional Meeting must conclude with the Office a standard agreement offering the appropriate level of protection prior to the Governing Body deciding on the venue. While affording some flexibility to the host State, the revised Rules require a number of standard clauses to be included in every agreement for hosting a Regional Meeting. These standard clauses appear in a new annex to the Rules.
  7. Finally, with relation to the outcome of Regional Meetings, the amendment to article 3 of the Rules clarifies the form decisions of Regional Meetings may take and how they are submitted to the Governing Body. In addition, the amendment to article 4 of the Rules further clarifies that the report to be prepared by the Office should be on the single agenda item decided upon by the Governing Body.
  8. The Conference is called upon to consider, with a view to their confirmation, the revised *Rules for Regional Meetings*.

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## Revised Rules for Regional Meetings (2018)

### *Rules for Regional Meetings*<sup>1</sup>

#### ARTICLE 1

##### *Composition of Regional Meetings*

1. Regional Meetings shall be convened from time to time in each of the regions: Asia and the Pacific, the Americas, Africa and Europe. For the purposes of these Rules, the Governing Body shall establish the list of Members of each region.

~~1-2.~~ Each member State shall be invited by the Governing Body as a full member to the Regional Meetings of only one region. Each Regional Meeting shall be composed of two Government delegates, one Employers' delegate, and one Workers' delegate for each State or territory full member of the Regional Meeting.

3. The Governing Body may invite any Member from another region to attend the Regional Meeting as an observer.

4. Acceptance by a State or territory Member of an invitation to be represented at a Regional Meeting implies that it assumes responsibility for the travel and subsistence expenses of its tripartite delegation.

~~2-5.~~ Employers' and Workers' delegates and advisers shall be chosen in agreement with the industrial organizations, if such organizations exist, which are most representative of the employers or workers<sup>2</sup> as the case may be in the Member State or territory concerned.

6. Members shall make every effort to promote the equal representation of women and men in their delegations.

~~3-7.~~ The credentials of delegates and their advisers at Regional Meetings shall be deposited with the International Labour Office at least fifteen (15) twenty one (21) days before the date fixed for the opening of the Meeting.

~~4-(1)8.~~ Delegates may be accompanied by advisers who can participate in the Meeting in the following conditions: and by such additional advisers as may be appointed by a State as representatives of non-metropolitan territories for whose international relations the State is responsible.

(a) Advisers may speak only on a request made by the delegate whom they accompany and may not vote.

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

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

~~5-9.~~ Eminent public figures, including ministers from Members attending the Regional Meeting as full members States or territories represented at the Meeting or from constituent States or provinces thereof whose departments deal with the questions discussed by the Meeting and who are not delegates or advisers may also attend the Meeting.

<sup>1</sup>~~The ILO is committed to promoting gender equality. Amendments to this effect were adopted at the 97th Session of the International Labour Conference (Geneva, 2008).~~

<sup>2</sup>~~As used in these Rules, the term "workers" is interpreted consistently with the meaning of "workpeople" in article 3 of the Constitution of the International Labour Organization.~~

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~~6.10.~~ Any ~~Member of the International Labour Organization from a different region and any~~ State which is not a Member of the International Labour Organization which has been invited by the Governing Body of the International Labour Office may be represented at the Meeting by an observer delegation.

~~7.11.~~ Liberation movements recognized by the African Union or the League of Arab States which have been invited by the Governing Body may be represented at the Meeting by an observer delegation.

~~8.12.~~ Representatives of official universal or regional international organizations and of non-governmental universal or regional international organizations which have been invited by the Governing Body, either individually or as a result of a standing arrangement, to be represented at the Meeting may attend it as observers.

~~9.13.~~ Officers of the Governing Body who are not delegates accredited to the Regional Meeting may attend the Meeting.

## ARTICLE 2

### *Agenda and venue of Regional Meetings*

1. The Governing Body shall establish the agenda for a Regional Meeting.
2. The Governing Body shall decide upon the date and the venue of a Regional Meeting. A member State which offers to host a Regional Meeting shall guarantee – prior to the Governing Body deciding on the venue – at least the level of protection afforded under the Convention on the Privileges and Immunities of the Specialized Agencies, 1947, including its Annex I concerning the International Labour Organization. It shall conclude an agreement with the International Labour Office incorporating the standard clauses set out in the annex to these Rules.

## ARTICLE 3

### *Form of decisions of Regional Meetings*

Subject to any specific indication by the Governing Body to the contrary, the decisions of Regional Meetings shall take the form of ~~resolutions~~conclusions on matters relating to the item(s) on the agenda, ~~conclusions or resolutions or reports~~ addressed to the Governing Body. These decisions are recorded in a report of the meeting submitted to the Governing Body.

## ARTICLE 4

### *Reports for Regional Meetings*

1. The International Labour Office shall prepare a report on the item(s) on the agenda ~~designed to facilitate an exchange of views on the issues referred to the Meeting.~~
2. The report shall be dispatched by the Office so as to reach governments at least two months before the opening of the Meeting. The Officers of the Governing Body may approve shorter intervals if exceptional circumstances so require.

## ARTICLE 5

### *Officers of the Meeting*

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

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

## ARTICLE 6

### *Duties of the Officers*

1. It shall be the duty of the Chairperson to declare the opening and closing of the sittings, to bring before the Meeting any communication which may concern it, direct the debates, maintain order, ensure the observance of the present Rules, put questions for decision and announce the results of any voting.

2. The Chairperson shall not take part in the debates and shall not vote, but may appoint a substitute in accordance with article 1, paragraph ~~8(b)4(2)~~, of these Rules.

3. If the Chairperson is absent during any sitting or part of a sitting he or she shall be replaced by one of the Vice-Chairpersons, who shall act in rotation.

4. A Vice-Chairperson acting as Chairperson shall have the same rights and duties as the Chairperson.

5. The Officers of the Meeting shall arrange its programme of work, organize the discussions, determine, where appropriate, a time limit for speeches and fix the date and time of the sittings of the Meeting and of its subsidiary bodies, if any; they shall report to the Meeting on any controversial matter requiring a decision for the proper conduct of its business.

## ARTICLE 7

### *Secretariat*

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

## ARTICLE 8

### *Committees*

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

## ARTICLE 9

### *Credentials*

1. The Credentials Committee shall consist of one Government delegate, one Employers' delegate and one Workers' delegate, all from Members attending the Regional Meeting as full members.

2. The Credentials Committee shall examine the credentials of delegates and their advisers and any objection alleging that an Employers' or Workers' delegate or adviser has not been nominated in accordance with the provisions of ~~paragraph 2 of article 1, paragraph 5,~~ of these Rules. The Committee may also, time permitting, consider any complaint alleging that a Member has failed to carry out its responsibility in accordance with article 1, paragraph ~~4 1~~, to pay travel and subsistence expenses of the tripartite delegation. The Committee may also receive and examine communications.

3. An objection or a complaint shall be receivable in the following cases:

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

4. The Credentials Committee shall promptly submit its report to the Meeting, which shall request the Office to bring the report to the attention of the Governing Body.

## ARTICLE 10

### *Right to address the Meeting*

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

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

3. Persons entitled to take part in the Meeting in accordance with article 1, paragraphs 3, 9, 10, 11 or 135, 6, 7 or 9 of article 1, and representatives of official universal or regional international organizations may, with the permission of the Chairperson, address the Meeting during any discussion in plenary.

4. Representatives of non-governmental universal or regional international organizations entitled to take part in the Meeting in virtue of paragraph 128 of article 1 may, with the permission of the Chairperson and Vice-Chairpersons, speak and make or circulate statements for information of the Meeting on matters included in its agenda. If agreement cannot be reached, the Chairperson shall refer the matter to the Meeting for decision without discussion.

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

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

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

8. When the meeting conducts discussions in the form of interactive debates, invited persons not belonging to one of the categories of persons listed in paragraphs 3 and 4 shall be allowed to participate in the discussion and the Chairperson may delegate to such persons the authority to direct the debates. Article 10, paragraph 7, does not apply to such debates.

## ARTICLE 11

### *Motions, resolutions and amendments*

1. Subject to the following rules, any delegate from a Member attending the Regional Meeting as a full member may move any motion, resolution or amendment.

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

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

(2) Motions as to procedure include the following:

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

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

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

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

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

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

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

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

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

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## ARTICLE 12

### *Voting and quorum*

1. Subject to the provisions of article 13, paragraph 4, of the Constitution of the International Labour Organization,<sup>31</sup> every delegate from a Member attending the Regional Meeting as a full member shall be entitled to vote individually on all matters which are under consideration by the Meeting.

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

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

4. Voting shall normally be by show of hands.

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

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

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

## ARTICLE 13

### *Languages*

The Governing Body shall determine the working languages of the Meeting and may request the secretariat to make arrangements for interpretation and for translation of documents into and from other languages, taking into account the financial resources available.

## ARTICLE 14

### *Autonomy of groups*

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

<sup>31</sup> Article 13, paragraph 4, reads as follows: “A Member of the Organization which is in arrears in the payment of its financial contribution to the Organization shall have no vote in the Conference, in the Governing Body, in any committee, or in the elections of members of the Governing Body, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years: Provided that the Conference may by a two-thirds majority of the votes cast by the delegates present permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.”

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## **Annex**

### **Standard clauses of agreement for hosting a Regional Meeting**

#### **Organization**

1. Except as specifically provided herein, the ILO shall have the full responsibility for organizing and conducting the Meeting in accordance with the ILO Rules for Regional Meetings and other applicable ILO regulations, rules and practices.
2. Without limitation to the preceding paragraph, the ILO shall in particular be solely responsible for:
  - (i) granting accreditation to participants in the Meeting under the applicable rules and practices of the ILO;
  - (ii) governing the preparation for, and conduct of, the Meeting in accordance with the ILO's Rules for Regional Meetings; and
  - (iii) preparing the Meeting programme.
3. The Government shall provide support to the ILO in protocol and security matters, including as regards the reception and due treatment of Heads of State, Heads of Government and Government Ministers attending the Meeting.

#### **Privileges, immunities and facilities**

4. The venue of the Meeting will be considered as premises of the ILO for the purpose of Article III, section 5, of the Convention on the Privileges and Immunities of the Specialized Agencies.
5. The Government shall apply to the ILO, its property, funds and assets, to its officials and experts, and to all representatives of member States, observers and eminent public figures invited to the Meeting, the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies and Annex I relating to the ILO.
6. The Government shall ensure expeditious procedures to facilitate the travel to and from, and stay in [name of host country], for all persons enumerated in the preceding paragraph, as well as members of their families, throughout the duration of their functions, mission(s) or stay(s) in connection with, or incidental to, the Meeting.
7. All persons enumerated in paragraph [x] shall have the right to entry into and exit from [name of host country] and no impediment shall be imposed on their transit to and from the Meeting venue.
8. Government consular representatives abroad shall be given instruction to grant visas to ILO officials and representatives of member States invited to the Meeting without delay or waiting period, without requiring the personal attendance of the applicant or the payment of charges. The ILO shall make

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the names of the ILO officials and eminent public figures available to the Government, as well as the official list of delegations published by the ILO which can serve as the basis for verification of delegations of member States. All other persons enumerated in paragraph [x] shall be issued visas in an expeditious procedure.

9. The Government shall take every necessary and appropriate measure towards providing adequate security throughout the Meeting in close cooperation with the ILO and, in particular, in full respect of the privileges and immunities of the ILO.
10. The Government shall make appropriate administrative arrangements for the remission or return of the amount of consumption tax or other tax or duty which may be chargeable on the purchase by the ILO of goods or services for official use in connection with the Meeting.

### **Logo and name**

11. The Parties agree that the sole logo of the Meeting shall be the logo created by the ILO. The ILO owns all intellectual property rights contained in the logo.
12. The ILO grants to the Government, and the Government accepts, an exclusive worldwide non-transferable licence to use the Meeting logo only for purposes relating to the hosting and successful accomplishment of the Meeting.
13. Except as expressly provided in this Agreement, neither the Government, nor any other entity acting on its behalf, shall use the name or the emblem of the ILO, in any form or for any purpose, without the prior written authorization of the ILO.
14. Except as expressly provided herein, neither the Government, nor any other entity acting on its behalf, shall use the title of the Meeting, namely "...” or any acronym thereof, without the prior written approval of the ILO.

### **Liability**

15. The Government shall indemnify and hold harmless the ILO in respect of any action, claim or demand for any injury or damage that might occur to the persons or facilities provided by the Government except where such injury or damage is caused by the gross negligence or wilful misconduct of the ILO or its officials.

### **Amendment**

16. The Parties may modify any of the terms of this Agreement, except the provisions concerning the privileges and immunities of the ILO and its intellectual property, by mutual written agreement signed by their authorized representatives.

### **Settlement of disputes**

17. The Parties shall use their best efforts to settle amicably all disputes, controversies or claims arising out of, or in connection with, this Agreement

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or the interpretation thereof. Any disputes, controversy or claim arising out of or relating to this Agreement shall be resolved through direct negotiations between the Parties.

### **Cancellation, postponement or termination**

18. The ILO, as an intergovernmental organization, may be called upon by its Governing Body to postpone, cancel or move the Meeting. In such an event, the ILO will accordingly inform the Government of such a decision. The Agreement shall immediately terminate and each Party shall be responsible for its own costs.
19. If the Meeting is cancelled or postponed by mutual decision of the Government and the ILO, including in the event of force majeure, this Agreement shall immediately terminate and each Party shall be responsible for its own costs.
20. In the event of cancellation, interruption, postponement or change of venue of the Meeting by either Party, the other Party shall have the right to terminate this Agreement. The Parties shall consult each other at least thirty (30) days prior to such termination. In case of any such termination, each Party shall be responsible for its own costs.