



Governing Body

353rd Session, Geneva, 10–20 March 2025

Institutional Section

INS

Date: 11 February 2025

Original: English

Sixth item on the agenda

Democratization in the ILO's governance and update on the status of ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO

Purpose of the document

Further to the decision of the Governing Body at its 352nd Session (October–November 2024), this document provides an update concerning the ratification of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986 ("the 1986 Amendment") and recent action to promote its ratification. The Governing Body is invited to request the Director-General to continue to use all means within his authority for bringing about the entry into force of the 1986 Amendment and to provide guidance on alternative options to advance the democratization in ILO's governance (see draft decision in paragraph 11).

Relevant strategic objective: All.

Main relevant outcome: Enabling outcome B: Effective and efficient governance of the Organization.

Policy implications: None.

Legal implications: Will depend on the decision of the Governing Body.

Financial implications: Will depend on the decision of the Governing Body.

Follow-up action required: Will depend on the decision of the Governing Body.

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Related documents: [GB.352/INS/7](#), [GB.352/PV](#).

► Introduction

1. At its 352nd Session (October–November 2024), the Governing Body had before it a document ¹ that provided an update on the status of ratification of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986 (“the 1986 Amendment”) and recent action taken to promote its ratification, and addressed possible alternative options pending the entry into force of the 1986 Amendment to advance the democratic, fair and equal representation of constituents in the ILO’s governance.
2. At that session, the Governing Body took the following decision:
 The Governing Body:
 - (a) requested the Director-General to continue to use all means within his authority for bringing about the entry into force of the 1986 Instrument for the Amendment of the Constitution of the International Labour Organisation;
 - (b) decided to defer its decision on alternative options pending the entry into force of the 1986 Amendment to its 353rd Session (March 2025) and requested the Director-General to facilitate any consultations that might be requested to that end. ²
3. In this context, this document provides an update concerning the ratification of the 1986 Amendment and recent action to promote its ratification. At the time of preparing this document, no request to facilitate consultations on alternative options had been received. It is recalled that, in November 2024, it was generally felt that the information on the alternative options submitted to the Governing Body was sufficient and that therefore there was no need for the Office to prepare another document. ³In the light of this, members of the Governing Body are invited to refer to document GB.352/INS/7 and the minutes of the 352nd Session. ⁴

► Update on the status of ratification and measures to accelerate ratification of the 1986 Amendment

4. At the 352nd Session (October–November 2024) of the Governing Body, the Office provided updated information on the status of ratification of the 1986 Amendment. ⁵ Since then, no new ratification has been registered. As of 28 January 2025, the 1986 Amendment had been ratified by 127 Member States – more than two thirds, or 68 per cent, of ILO Member States. The

¹ GB.352/INS/7.

² GB.352/PV, para. 319. Further to a request made at the 352nd Session of the Governing Body to explain the bases used to determine the Members of chief industrial importance and the allocation of the 18 Government seats reserved for other Members, the Office circulated a note concerning the allocation of Government seats in the Governing Body on 13 January 2025.

³ GB.352/PV, para. 292.

⁴ GB.352/PV, paras 244–319. Members of the Governing Body may also wish to refer to the documents prepared for the tripartite consultations on 3 May and 3 July 2024, which have been available since October 2024 at: <https://www.ilo.org/informal-papers-prepared-office-concerning-democratization-ilos-governance>.

⁵ GB.352/INS/7, paras 5–7. At its 332nd Session (March 2018), the Governing Body decided that the update on the status of ratification of the 1986 Amendment should become a standing item on the agenda of its March and November sessions until the amendment entered into force, GB.332/PV, para. 294(a).

ratifications include two from the ten Members of chief industrial importance (India and Italy). Thus, there has been no change in the figures concerning the evolution of the number of ratifications or the number of ratifications per region included in the document submitted to the Governing Body in October 2024.⁶ Accordingly, Africa continues to be the only region where all ILO Member States have ratified the 1986 Amendment. The ratification rate is 65 per cent in Europe (33 ratifications among 51 Member States), 43 per cent in the Americas (15 ratifications among 35 Member States), and 53 per cent in Asia and the Pacific (25 ratifications among 47 Member States).

5. Only three ratifications from the remaining eight Members of chief industrial importance (Brazil, China, France, Germany, Japan, Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America) are needed for the 1986 Amendment to take effect.
6. As indicated in the document submitted to the Governing Body in October 2024,⁷ during the 112th Session (2024) of the International Labour Conference, the Director-General held a high-level meeting with representatives of all ten Members of chief industrial importance and discussed the ratification of the 1986 Amendment in high-level bilateral meetings. Further, the Director-General instructed the relevant regional offices and liaison offices to continue to promote ratification. The following information was provided by the field offices in relation to the regions concerned.
7. In the Americas, the Office has been informed that internal procedures are under way in Brazil with a view to ratifying the 1986 Amendment, and country office directors have been requested to follow up with the countries that have not yet ratified the Amendment.
8. In Europe and Central Asia, the question of ratification is raised with the ministry for foreign affairs when a mission is conducted to a country that has not yet ratified the 1986 Amendment, and country office directors have been requested to further consider promotional activities in consultation with constituents.
9. In the Asia and the Pacific region, one country initiated internal procedures to consider possible ratification, and another country's instrument of ratification is pending signature by the competent authorities. In addition, the Regional Director promoted ratification among the countries that have not yet done so at an Asia and Pacific group meeting during the 352nd Session of the Governing Body, and country office directors are taking appropriate steps to promote ratification in their respective countries.
10. While one Member of chief industrial importance indicated that it was not planning to ratify the 1986 Amendment, in another Member of chief industrial importance, the tripartite constituents who had attended the 352nd Session briefed parliamentarians on the ongoing discussions in the Governing Body.

⁶ GB.352/INS/7, p. 5.

⁷ GB.352/INS/7, para. 9.

► Draft decision

11. The Governing Body:

- (a) requested the Director-General to continue to use all means within his authority for bringing about the entry into force of the 1986 Instrument for the Amendment of the Constitution of the International Labour Organisation;**
- (b) provided guidance on alternative options pending the entry into force of the 1986 Amendment.**