



Governing Body

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Institutional Section

INS

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Rules concerning the Director-General

Draft rules governing situations in which a Director-General is unable to exercise her or his functions

Purpose of the document

This document contains proposals for draft rules governing the replacement of a Director-General who is unable to exercise their functions, for the Governing Body's consideration (see the draft decision in paragraph 13).

Relevant strategic objective: All.

Main relevant outcome: Enabling outcome B: Improved governance and oversight.

Policy implications: None.

Legal implications: Depending on the decision of the Governing Body, possible approval of rules for inclusion in a new annex to the Compendium of rules applicable to the Governing Body of the International Labour Office.

Financial implications: None.

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

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

Related document: GB.356/INS/9/1.

► Introduction

1. At its 355th Session (November 2025), during the discussion of amendments to the Staff Regulations concerning the filling of vacancies in the top-level management of the Office,¹ the question of rules governing the replacement of a Director-General who is unable to exercise the functions of the office, whether temporarily or permanently, arose. A Director-General may be temporarily incapacitated, for example, due to serious illness or, as envisaged under the draft rules governing the handling of allegations of misconduct against a Director-General submitted to the Governing Body at the 356th Session (March–April 2026), the imposition of administrative leave in the case of allegations of misconduct against them. Permanent incapacity on the part of a Director-General could be due to their death or resignation.
2. As can be seen from Appendix II, procedures governing the situation in which an executive head is unable to exercise the functions of the office vary across the United Nations system. In some organizations, there are no specific written rules. In others, simple rules exist which may provide for the automatic assumption of responsibilities in cases of incapacity or may require a decision by the governing organ.
3. The matter has been placed on the agenda of the Governing Body at this current session given its connection with the item concerning the draft rules governing the handling of allegations of misconduct against a Director-General. The imposition of administrative leave in the case of allegations of misconduct against a Director-General would render that Director-General unable to exercise the functions of the office and accordingly require the application of procedures to govern such situations: this situation is covered by the issue considered in this draft document.

► ILO legal framework and practice

4. Pursuant to article 8 of the ILO Constitution, the ILO Director-General shall be appointed by the Governing Body. Rules governing the procedure for the appointment of the Director-General are set out in Annex III of the [Compendium of rules applicable to the Governing Body of the International Labour Office](#). No written rules exist in the ILO Constitution, the Compendium or elsewhere to regulate the procedure to temporarily replace an ILO Director-General who becomes incapacitated.
5. In the past, in circumstances in which a Director-General became unable to exercise the functions of the office and it was necessary to replace them, the matter was referred as soon as possible to the Governing Body to be addressed within its oversight role. In a case of temporary incapacity, the procedure involved an automatic assumption of functions by the most senior highest-ranking official – understood as the longest serving official of the highest grade – that was reported to the Officers of the Governing Body without delay. In the three past cases of permanent incapacity, the situation was reviewed by the Governing Body with the aim of taking a decision pending the election of a new Director-General.

¹ GB.355/PFA/9 and GB.355/PFA/PV, paras 94–125.

6. Thus, in 1932, upon the death of the ILO Director,² the Governing Body discussed the question of formally entrusting “the functions of Director” to his Deputy until an election was held but instead proceeded directly with his election as new Director.³ In 1941, upon the resignation of the Director, the Deputy Director became “Acting Director, with all the powers and responsibilities of the Director” pursuant to a Governing Body resolution.⁴ In 1950, when the Director-General was ill, the Assistant Directors-General informed the Officers of the Governing Body of their arrangements to continue the business of the Office, indicating that “the senior Assistant Director-General, should be their spokesman and should do everything possible to ensure that the work of the Organisation should go on as usual”.⁵ This was to the Officers’ satisfaction.
7. In 1973, when the Director-General died in office, the more senior of the two Deputy Directors-General at the time undertook the responsibility of running the Office until the next session of the Governing Body, when he requested to be relieved of these duties. The Chairperson of the Governing Body noted that the Governing Body had to determine who should take charge of the Office until the new Director-General took up his duties and concluded that “it seemed appropriate to invite the next highest-ranking official to take charge of the day-to-day administration of the Office until the new Director-General should take office”.⁶ The Governing Body accordingly requested the other Deputy Director-General at the time “to take charge of the International Labour Office with full authority until the Director-General to be elected at the next session should take office”.⁷
8. Past practice indicates that the Governing Body’s constitutional authority regarding the appointment of the Director-General entails that the authority to provide for the Director-General’s temporary replacement likewise rests with the Governing Body. It also indicates that, given the Director-General’s constitutional responsibility for “the efficient conduct” of the Office, ensuring the continuous and efficient functioning of the Office has been a paramount consideration.

► Overview of proposed rules

9. Mindful of the key essential elements of past practice, the Office has prepared for the Governing Body’s consideration the following draft rules for the procedure to be followed in the case that an ILO Director-General becomes unable to exercise the functions of the office. In light of their link to the rules governing the appointment of the Director-General, it is proposed that the future rules be included as a new annex to the Compendium of rules applicable to the Governing Body of the International Labour Office.
10. Taking full account of the applicable legal framework, the Office proposes rules that codify the procedure followed by the Governing Body in past instances of incapacity. In line with past practice, the proposed rules would have two principal aims: to consolidate the Governing

² At this time, the Office was headed by the “Director”. The 1946 amendment to the ILO Constitution replaced the term “Director” with “Director-General”.

³ GB.59/PV (Private), p. 12.

⁴ GB.90/PV, p. 24.

⁵ GB.112/PV, p. 13.

⁶ GB.191/PV (private), pp. VI/5–6.

⁷ GB.191/PV, p. VII/8.

Body's authority in relation to the appointment of the Director-General and the exercise of their functions; and to ensure in a transparent manner the continuous efficient conduct of the Office and business continuity of the Organization.

11. Accordingly, the Office proposes that, in the event that a Director-General becomes incapacitated, authority shall be assumed immediately and automatically by the highest-ranking official of the Office. This automatic assumption would be prior to any decision by the Governing Body to designate an Acting Director-General or, in the case of permanent incapacity, to appoint a new Director-General. A decision to designate an Acting Director-General – whether the highest-ranking official who has automatically assumed authority or another of the highest-ranking officials of the Office – will be taken within the Governing Body's authority depending on the circumstances and, most especially, the expected duration of the incapacity.
12. In the case that the Governing Body chooses not to adopt specific rules in this regard, the situation would remain under the purview of the Governing Body.

► Draft decision

13. **The Governing Body approved the rules governing the replacement of a Director-General who is unable to exercise the functions of the office, set out in Appendix I to document GB.356/INS/9/2, and decided that these rules should be included in a new annex to the Compendium of rules applicable to the Governing Body of the International Labour Office.**

OR

The Governing Body, having considered the information in document GB.356/INS/9/2, decided not to adopt at the present stage specific rules governing the replacement of a Director-General who is unable to exercise the functions of the office, which would remain under the authority of the Governing Body and be addressed as the circumstances require.

► Appendix I

Draft rules governing the replacement of a Director-General who is unable to exercise the functions of the office

1. These rules provide the framework for guaranteeing the continuing efficient conduct of the International Labour Office in situations in which a Director-General is incapacitated.
2. For the purposes of these rules the terms “incapacity” and “incapacitated” are understood to cover situations in which a Director-General is unable to exercise their functions, whether temporarily or permanently and for any reason, including suspension.
3. In the event that a Director-General becomes incapacitated, the highest-ranking official of the Office by grade and seniority shall ensure the uninterrupted efficient conduct of the Office. The highest-ranking official shall, without delay, ensure that the Chairperson and Vice-Chairpersons of the Governing Body are informed of the arrangements in place to ensure the uninterrupted efficient conduct of the Office. The Officers of the Governing Body shall ensure that the members of the Governing Body are informed of the Director-General's incapacity and the measures immediately taken, including the identity of the highest-ranking official who has assumed responsibility for the uninterrupted efficient conduct of the Office.
4. The Governing Body, on the recommendation of the Officers of the Governing Body, shall consider measures to be taken in respect of the Director-General's incapacity to ensure the continuous efficient conduct of the Office and business continuity of the Organization, notably taking into account the likely length of the incapacity. The Governing Body shall consider the matter in a private sitting at the first session of the Governing Body following the beginning of the incapacity or at a special session of the Governing Body convened for that purpose.
5. Such measures may include the designation by the Governing Body of an official as Acting Director-General, with all the powers and responsibilities of the Director-General, on a temporary basis and for a period of time to be determined by the Governing Body.
6. In cases of permanent incapacity, including in the case of a Director-General's resignation or death, the Governing Body shall initiate the process to appoint a Director-General, during which time it may decide that an Acting Director-General designated under rule 5 of these rules shall carry out the functions of the role.
7. These rules are without prejudice to the inherent authority of a Director-General to designate an Officer-in-Charge in case of routine, short-term or foreseeable absences, such as annual leave, sick leave or official travel.

► Appendix II

Procedures in place in other specialized agencies

This appendix presents summaries of the procedures in place in other international organizations within the United Nations system in relation to the process to be followed in the case that an executive head becomes unable to exercise the functions of the office.

Organization	Procedures
Food and Agriculture Organization of the United Nations (FAO)	The Deputy Director-General with greater seniority automatically acts as Director-General in case of inability to act or vacancy.
International Fund for Agricultural Development (IFAD)	The Vice-President, or the Associate Vice-President with longer seniority, automatically exercises the authority and performs the functions of the President in case of incapacity or vacancy, but may not appoint a Vice-President.
International Telecommunication Union (ITU)	The Deputy Secretary-General automatically performs the duties of the Secretary-General in case of absences.
United Nations Educational, Scientific and Cultural Organization (UNESCO)	An Acting Director-General is appointed by the Executive Board in case of death, resignation, incapacity and suspension.
United Nations Industrial Development Organization (UNIDO)	An Acting Director General is appointed by the Industrial Development Board in case of vacancy.
Universal Postal Union (UPU)	The Deputy Director General automatically exercises the functions of the Director General in case of absence, being prevented from discharging the duties or vacancy.
World Health Organization (WHO)	The senior officer of the Secretariat automatically serves as Acting Director-General, subject to any decision by the Executive Board, in case of inability to perform the function or vacancy.
World Intellectual Property Organization (WIPO)	An Acting Director General is appointed by the Coordination Committee in case of vacancy.
World Meteorological Organization (WMO)	An Acting Secretary-General may be appointed by the Executive Council in case of vacancy.