

The process of the determination of the Members of chief industrial importance (GB.356/INS/5)

Additional information

1. This document has been prepared by the Office to provide additional information in follow-up to briefings it held in advance of the Governing Body's discussion on the process of the determination of the Members of chief industrial importance.

How does this discussion link with the tripartite discussions on democratization in the ILO's governance?

2. As indicated in paragraph 1 of document [GB.356/INS/5](#), the question of the process of the determination of the Members of chief industrial importance has been raised in the context of the Governing Body discussions held in 2024 on democratization in the ILO's governance and the update on the status of ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO (1986 Amendment).¹
3. The broader context for document GB.356/INS/5 is, therefore, the longstanding tripartite discussions on representativeness and the existence of non-elective seats in the Governing Body (see appendix). Since the adoption of the 1986 Amendment, the Governing Body has regularly reviewed progress towards the Amendment's entry into force and has examined – and in some case adopted – specific measures pending the entry into force of the Amendment. In 2019, at its 108th Session, the International Labour Conference adopted the ILO Centenary Declaration for the Future of Work (2019), affirming the objective of democratizing ILO governance. It also adopted an accompanying [resolution](#), calling for the completion, at the earliest opportunity, of the process of ratification of the 1986 Amendment, in order to definitively democratize the functioning and composition of the ILO's governing bodies.
4. During its consideration of the matter at its 353rd Session (March 2025), the Governing Body requested the Director-General to continue to use all means within his authority to promote the ratification of the 1986 Amendment. While the entry into force of the 1986 Amendment must remain the priority, it also placed on the agenda of its 356th Session (March 2026) an item on the process of determination of the Members of chief industrial importance, given the time that has elapsed since the process was last carried out.²

What are the implications of the concept of “chief industrial importance” for the compilation of the list of Members of chief industrial importance?

What is meant by “industrial importance”?

5. As set out in paragraphs 7 and 8 of, and Appendix I to, document GB.356/INS/5, the determination of “industrial importance” has, to date, always been understood as examining relative economic importance at the global level.
6. In the early years of the ILO, the criteria used to determine the meaning of “industrial importance” were focused on industrial development and manufacturing, including

¹ [GB.352/INS/7](#); [GB.352/PV](#), paras 244–319.

² [GB.353/INS/6](#); [GB.353/PV](#), paras 129–218.

measures such as the size of the industrial population and industrial horsepower used. After 1944, the criteria were expanded to reflect broader economic importance, in view of the increasing weight of services in the economy and technological changes in the manufacturing and agriculture sectors. Criteria such as national income levels, the size of the economically active population, and external trade levels, capturing the overall scale of economic activity across all sectors of the economy, were thus included.

7. Past impartial committees of experts clarified that the criteria used should reflect “economic importance” rather than “economic welfare”, a term that referred to the extent to which economic activity improves living conditions. In the discussions leading to the Constitutional amendment of 1946, which codified the previously followed process of the determination of the Members of chief industrial importance, proposals that would have resulted in the Governing Body being composed of representatives of States that were the “most advanced socially, but not necessarily of chief industrial importance”, were not taken up.³

Are all criteria of equal importance?

8. As set out in paragraph 12 of, and Appendix I to, document GB.356/INS/5, until 1983 the committees of experts chose to use weighted combinations of several criteria to determine chief industrial importance.
9. At the time the Members of chief industrial importance were last determined, in 1983, the impartial committee of experts considered that a single criterion – gross domestic product (GDP) – was sufficient to indicate the economic importance of a country. Since then, the United Nations [High-Level Expert Group on Beyond GDP](#) has explored how GDP can be complemented by additional criteria to measure overall development. Its work includes the ongoing consideration of the measurement of environmental and well-being dimensions, as well as the measurement of informality and unpaid work, as incorporated in the 2025 revision of the System of National Accounts which is not yet universally implemented.
10. It will be for the next impartial committee of experts that is appointed to advise on the relevant criteria to be specifically addressed, as well as on whether or not it wishes to use a weighted application and, if so, how that would be defined.⁴

What is the meaning of the word “chief” in the term “Members of chief industrial importance”?

11. The word “chief” in the term “Members of chief industrial importance” is not defined in the ILO Constitution. According to general principles of treaty interpretation, terms must be interpreted in good faith in accordance with their ordinary meaning, in their context and in the light of the object and purpose of the instrument.⁵ The ordinary meaning of the term “chief” in English means something of the highest rank or importance; the French term “*la plus considérable*” and the Spanish term “*mayor*” equally denote the most significant. Accordingly, the legal interpretation of the term can be understood as the Members that possess the greatest level of industrial importance compared to other Members, necessarily implying a ranking of Member States by

³ ILO, [Record of Proceedings](#), Report of the Constitutional Committee, International Labour Conference, 27th Session, 1945, p. 395; see also p. 284.

⁴ Article 1.3.2 of the Standing Orders of the Governing Body.

⁵ [Vienna Convention on the Law of Treaties](#), 1969, Article 31(1).

relative importance. This has been the approach taken by past impartial committees of experts.

How are the impartial committees of experts composed?

12. Under the Constitution, all questions relating to the selection of the Members of chief industrial importance are considered by “an impartial committee”. The Standing Orders of the Governing Body refer to “experts qualified to advise on the most appropriate criteria of industrial importance and on the relative industrial importance of States assessed on the basis of such criteria”.⁶ It is thus clear that impartiality and expert authority are the key factors to be considered when appointing the members of such committees. As set out in paragraphs 16 and 17 of document GB.356/INS/5, this has been the approach taken by the Governing Body when appointing successive impartial committees of experts. This was explained by the Governing Body in 1947, when it agreed that the committee should consist of six persons selected from States with “no direct interest in the matter in order to ensure its impartiality” and have “an international composition”, including at least one expert from each of the regional groups.⁷
13. With the intention of avoiding the perception of any conflict of interest affecting their impartiality, past committees have not included experts from States that were expected to fall either just above or just below a line of demarcation between the Members of chief industrial importance and the other countries. While ILO records do not set out how the line of demarcation was established, it appears to have been based on the previous determination of the Members of chief industrial importance. The impartiality of committees of experts could continue to be ensured through the selection of members with a high level of expert authority, as evidenced by their career records, and by securing representation from all ILO regions.

What are the implications of a determination of the Members of chief industrial importance on Governing Body elections and the regional distribution of Government seats?

14. Further to paragraph 29 of document GB.356/INS/5, and according to the ILO Constitution and the Standing Orders of the Conference, the ten Members of chief industrial importance are excluded from the Government electoral college and are not eligible for elective Governing Body membership. Accordingly, in the event that the list of Members of chief industrial importance is changed, the Government of any Member that is removed from the list could participate in the electoral college and would become eligible for an elective seat, while the Government of any newly appointed Member of chief industrial importance would be excluded from the electoral process and no longer eligible for an elective seat.
15. Within the framework of paragraph 9 of the Introductory Note to the [Compendium of rules applicable to the Governing Body of the International Labour Office](#),⁸ modifications to the list of Members of chief industrial importance will not affect the overall regional distribution of the 56 government seats – which covers both elective and non-elective seats – but only the distribution between elective and non-elective

⁶ Article 1.3.2.

⁷ ILO, *Minutes of the 101st Session (March 1947) of the Governing Body*, 1947, p.15.

⁸ It is recalled that, since 1995, the distribution of seats in the Governing Body has reflected as far as possible the 1986 Amendment as regards the composition of the Government group by distributing the 56 Government seats as fairly as possible among the four regions – Africa, the Americas, Asia and Europe; further details can be found in a [note circulated on 13 January 2025](#) to the Members of the Governing Body.

seats for regular members within a region. That is, if a region loses a non-elective seat for a Member of chief industrial importance in a new determination, it would gain one elective seat for a regular member in the next election, to maintain the same proportions in line with the 1986 Amendment. Conversely, if a region gains a non-elective seat for a Member of chief industrial importance, it would lose one elective seat for a regular member in the next election.

16. As set out in paragraph 30 of document GB.356/INS/5, when deciding on the list of Members of chief industrial importance, the Governing Body will take any additional decisions required, including on the effective date of the change and possible interim arrangements. In 1983, the Governing Body adopted interim arrangements for States that ceased to occupy a seat reserved for the Members of chief industrial importance, allowing them the opportunity to participate in Governing Body discussions without voting rights until the next elections.⁹

What is the estimated cost and broader financial impact of establishing an impartial committee of experts?

17. As set out in paragraph 20 of document GB.356/INS/5, it is anticipated that the establishment of an impartial committee of experts would require an estimated budget of US\$156,000, should the Governing Body decide to appoint nine experts who would meet once in person and four times online. Should it decide to appoint five experts, the total cost would be reduced to US\$116,000.
18. The necessary financial and human resources for an impartial committee of experts were not budgeted for in the Programme and Budget for 2026–27. As in other such situations, this would require the Office to identify available resources under Part I of the budget for the current biennium or, failing that, through the use of the provision for unforeseen expenditure under Part II. Given the current financial liquidity position of the Office, doing so might affect its ability to deliver other activities already approved by the Governing Body.

How does the representativeness of Government seats in the Governing Body compare with other international organizations?

19. Some international organizations provide that the special interest, importance or advancement of some Member States should be taken into account in determining the composition of their executive bodies. While, for the most part, these seats remain elective, the Board of Governors of the International Atomic Energy Agency has non-elective seats designated for the “most advanced in the technology of atomic energy”.¹⁰

Are any procedural options other than the two options proposed in document GB.356/INS/5, such as preparatory technical studies or phased approaches, possible?

20. The Governing Body may, within its general authority, defer a decision on whether to undertake a determination of the Members of chief industrial importance. The

⁹ See resolution adopted by the Governing Body at its 223rd Session (May–June 1983) [GB.223/10/12](#), p. 2. See also [GB.223/SC/1/1](#).

¹⁰ See Paul C. Szasz, *The Law and Practices of the International Atomic Energy Agency* (International Atomic Energy Agency, 1970), pp. 144 et seq.

Governing Body has not previously requested further studies or considered phased approaches to the determination of the Members of chief industrial importance.

Appendix: Broader context concerning the composition of the Governing Body

