



Suspension of various provisions of the Standing Orders of the Conference

Introduction

1. At its 323rd Session (March 2015), the Governing Body decided to propose that the Conference implement, on a trial basis, a series of arrangements for a two-week session of the International Labour Conference in June 2015, as set out in the document presented by the Office.¹ As specified in the same document, the implementation of those arrangements requires the suspension of a number of provisions of the Standing Orders of the Conference.

2. Article 76 of the Standing Orders, which governs the suspension of Standing Orders provisions, reads as follows:

Subject to the provisions of the Constitution, the Conference, on the unanimous recommendation of the President and three Vice-Presidents, may exceptionally decide to suspend any provision of the Standing Orders, for the purpose of dealing with a specific non-controversial question before it when this will contribute to the orderly and expeditious functioning of the Conference. A decision may not be taken until the sitting following that at which a proposal to suspend the Standing Orders has been submitted to the Conference.

3. This article would normally require the President of the Conference to present the proposed suspensions of Standing Orders provisions in detail at the opening sitting of the Conference and to interrupt the work of the Conference to allow for consultations before the proposals can be adopted at a subsequent sitting of the Conference. As a contribution to the shortening and streamlining of the Conference, the publication of the present *Provisional Record* is intended to replace the presentation of the proposed suspensions to the opening Plenary, so that, unless the Officers of the Conference decide otherwise, the Conference may approve them at its first sitting.
4. The first set of proposals to suspend Standing Orders provisions simply repeats suspensions that have been adopted at the last session of the Conference (and some of them also at earlier sessions), while the second set of proposals, which are rendered necessary by the reduction of the duration of the Conference to two weeks, is entirely new.

¹ GB.323/WP/GBC/1(Rev.1). For the decision, please see GB.323/PV/Draft, para. 177.

Proposals which were already implemented at the 103rd Session (2014) of the Conference

World of Work Summit

5. For the ILO World of Work Summit, to the extent necessary to enable statements of Heads of State and Government, Prime Ministers and Vice-Presidents, and interactive panel-style sessions, it is proposed to suspend:
 - (a) the limitation concerning the number of statements by each member State in plenary and, to that extent, article 12, paragraph 3;
 - (b) the provisions regarding time limits of speeches and, to that extent, article 14, paragraph 6;
 - (c) the sequence in which the speakers are given the floor, in order to facilitate an exchange of views and, to that extent, the provisions of article 14, paragraph 2; and
 - (d) the rules on moving the closure of the discussion provided in article 16.

Records of the Conference

6. As regards the records of the Conference, it is proposed to suspend several provisions of article 23, namely:
 - (a) paragraph 1 to the extent necessary to permit the publication only after the Conference of the *Provisional Records* of speeches made during the plenary discussion of the reports of the Chairperson of the Governing Body and of the Director-General;
 - (b) paragraph 2 solely for the purpose of permitting the Director-General to present only in writing his reply to points raised in the discussion in plenary of his Report to the Conference; and
 - (c) paragraph 3 with respect to the deadline for receiving proposed corrections to the *Provisional Records*, to permit that all records – those published during the session as well as those published afterwards – be reviewed together within the same time period following the Conference.

Adoption of committee reports

7. It is proposed to suspend article 67 – which concerns the possibility for a standard-setting committee to consider amendments to the text of a proposed instrument submitted by its drafting committee – to the extent necessary to avoid that the committee may have to hold an additional sitting for the adoption of its report containing the proposed instrument. This permits the committee to delegate to its Officers the authority to approve the report including the proposed instrument.

New proposals due to the reduced duration of the Conference

Time limits for filing objections and complaints with the Credentials Committee

8. To enable the Committee to examine all objections and complaints in time, it is proposed to reduce the time limit for lodging objections from 72 to 48 hours from the opening of the Conference (and from 48 to 24 hours from the publication of a revised list of delegations) (with the possibility for the Committee to make exceptions)² and to reduce the time limit for complaints from seven to five days. In addition to suspending article 26bis(1)(a) and article 26ter(3)(a) to the extent that they provide for the current, longer time limits, this would also require adopting amended provisions to replace them, which provide for the new, shorter, time limits. For the duration of the 104th Session of the Conference only, the relevant provisions would thus read as follows (emphasis added):

Article 26bis

Objections

1. An objection in pursuance of article 5, paragraph 2(a), shall not be receivable in the following cases:
- (a) if the objection is not lodged with the Secretary-General within **48** hours from 10 a.m. of the first day of the Conference, the date of publication in the *Provisional Record* of the official list of delegations, on the basis of the presence of a person's name or functions on this list, or its absence. If the objection is based on a revised list, the time limit shall be reduced to **24** hours. The Credentials Committee may in justified exceptional cases extend these time limits by up to 24 hours;

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Article 26ter

Complaints

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3. A complaint shall be receivable if:
- (a) it is lodged with the Secretary-General of the Conference before 10 a.m. on the **fifth** day following the opening of the Conference or, thereafter, in the case of a complaint referred to in paragraph 2, it is lodged within 48 hours of the alleged act or omission preventing attendance of the delegate or adviser concerned, and if the Committee considers that there is sufficient time to deal with it properly; and

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Conference Drafting Committee

9. In accordance with article 40(7) and article 6(3) of the Standing Orders, once adopted by the plenary of the Conference, a draft Convention or Recommendation has to be reviewed by the Drafting Committee of the Conference, which prepares the final text of the

² Owing to the procedure provided for in article 26bis(2) of the Standing Orders, such exceptions will in practice require a unanimous decision by the Committee.

instrument to be put to the vote of the Conference. However, since under the proposed arrangements for the two-week Conference the adoption of the committee report containing the proposed instrument and the final vote on the instrument are scheduled to take place on the same morning, there would be no time for a full review by the Conference Drafting Committee. In the case of a Recommendation, under normal circumstances, the task of the Conference Committee is limited to merely double-checking the legal consistency of the text and the concordance between the English and French versions, as the proposed instrument has already been fully reviewed by the drafting committee of the competent technical committee (article 59(1) of the Standing Orders) and no further amendments to the text are normally adopted by the committee or the plenary. As at this session of the Conference only a Recommendation will be discussed, it is therefore proposed to omit this additional check in the interest of time.

- 10.** It is accordingly proposed to suspend article 40(7) and article 6(3) of the Standing Orders to the extent necessary to omit the review of the proposed Recommendation on the transition from the informal to the formal economy by the Conference Drafting Committee, provided that the text is adopted by the plenary as proposed by the drafting committee of the Committee on the Informal Economy. The general responsibilities of the Conference Drafting Committee as set out in article 6(3) of the Standing Orders will be assumed by the committee drafting committee. In the unlikely event that the Conference amends the text proposed by the committee drafting committee, a short meeting of the Conference Drafting Committee could take place to review such amendment and its possible consequences on the rest of the text. It is therefore proposed that a Conference Drafting Committee be appointed in accordance with article 6(1) of the Standing Orders even if it will probably not meet.

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