



## FOURTH ITEM ON THE AGENDA

**Consolidation of rules applicable  
to the Governing Body**

1. At its 289th and 291st Sessions,<sup>1</sup> the Governing Body considered a series of proposals relating to the functioning of the Governing Body, including the consolidation in a single document of the different rules and practices that regulate its functioning. The Governing Body decided to consolidate the above regulations in the form of a compendium containing, in particular, the current Standing Orders and other sets of rules (subject to amendments if necessary), and prefaced with an explanatory note in which certain practices could be reflected without being fixed as a legal rule. To this end, it asked the Office to prepare an initial draft compendium consolidating the rules, practices and arrangements applicable to the Governing Body.
2. At this stage, and with a view to obtaining the views of the Governing Body, the Office is in a position to propose a detailed draft plan of the compendium, which would be presented as: Introductory note and Standing Orders, followed by appendices.

**Introductory note**

3. Following a short historical recapitulation of the reasons for this consolidation of the rules, practices and arrangements applicable to the Governing Body, the Introductory note would reiterate a number of the elements contained in the guide “Introduction to the Governing Body”, in particular, the number, make-up and mandate of its committees and working parties. It would give information on the practice of rotating the Chairpersonship of the Governing Body and its committees, including the effects on regional rotation of the election of an Employer or Worker member to the position of Chairperson, and on practices relevant to certain Chairpersonships (working parties, the Committee on Freedom of Association). It would detail the normal method of decision-making in the Governing Body and its committees (consensus) and the role of regional groups in the work of the Governing Body. Lastly, the Introductory note would indicate the procedures for preparing and adopting the reports of committees.

<sup>1</sup> GB.289/3/2(Rev.); GB.291/LILS/3; and GB.291/9(Rev.), paras. 33-42.

## Standing Orders of the Governing Body

4. Given the Governing Body's choice, no substantial modifications should be made to the current provisions of the Standing Orders. Nevertheless, the presentation of the Standing Orders in the form of a compendium could be an opportunity to organize them more coherently, with thematic subdivisions and new numbering that would avoid "bis" articles. It would also be possible to introduce certain helpful provisions that already feature either in the Constitution of the ILO or in the Standing Orders of the Conference but which, for the sake of convenience for Governing Body members, might usefully feature in the Standing Orders themselves. This technique has been used before in the Standing Orders, notably in article 4, and borrowing has taken place in the opposite direction to create articles 34 and beyond of the Standing Orders of the Conference.<sup>2</sup> Such provisions borrowed from the Constitution or the Standing Orders of the Conference could be indicated by marginal notes referring to the original texts.

### Composition and participation

5. This section would consist of the current articles 3 (*Deputy members*), 4 (*Substitutes*), 5 (*Filling vacancies*), 5bis (*Representation of States which are not members of the Governing Body*), 6 (*Representation of official international organizations*), 7 (*Representation of non-governmental international organizations*) and 13 (*Selection of Members of chief industrial importance*), and could be supplemented by a provision concerning the composition of the Governing Body (based on article 7(3) of the Constitution and articles 49(2) and (4) and 50(2) of the Standing Orders of the Conference) and a provision concerning the periodicity of elections (the current article 48 of the Standing Orders of the Conference). Finally, it seems necessary to refer to the geographical distribution of Governing Body seats among representatives of the four regions.

### Officers of the Governing Body

6. This section would include articles 1 (*Officers*) and 2 (*Duties of the Chairman*) of the Standing Orders. It could be supplemented by a provision concerning certain functions delegated to the Officers by the Governing Body (paragraph 18 of the "Guide to the reforms in the procedure and functioning of the Governing Body").

### Agenda and sessions

7. This section would consolidate articles 8 (*Admission to meetings*), 9 (*Agenda of the Governing Body*), 20 (*Times of meeting*) and 21 (*Place of meeting*), and would present them in a more logical order (9, 20, 21, 8).

### Committees of the Governing Body

8. This section would comprise articles 22 (*Programme, Financial and Administrative Committee*), and 9bis (*Committee of the Whole*) and could be supplemented by a provision allowing a degree of flexibility with regard to the creation of committees or working

<sup>2</sup> Article 4 of the Standing Orders of the Governing Body is a direct copy of article 54 of the Standing Orders of the Conference.

parties as required to achieve the mandate of the Governing Body.<sup>3</sup> An article could also be added concerning voting in the committees, extending to all committees the principle, mentioned in the first paragraph of article 22 of the Standing Orders in respect of the Programme, Financial and Administrative Committee, of equal numbers of votes for Government, Employer and Worker representatives.

## Conduct of work

9. This section would include articles 10 (*Procedure for placing an item on the agenda of the Conference*), 11 (*Procedure for placing on the agenda of the Conference the question of revising a Convention in whole or in part*), 12 (*Procedure for placing on the agenda of the Conference the question of revising a Recommendation in whole or in part*), 12bis (*Procedure for placing on the agenda of the Conference the question of the abrogation of a Convention in force or the withdrawal of a Convention which is not in force or of a Recommendation*), 14 (*Records, reports, minutes and communiqués*), 15 (*Resolutions, amendments and motions*) and 16 (*Prior consultation in respect of proposals for new activities relating to matters of direct concern to the United Nations or other specialized agencies*). In addition, a provision concerning the procedure for adopting committees' reports by the Governing Body based on paragraphs 7, 8 and 9 of the aforementioned "Guide to the reforms in the procedure and functioning of the Governing Body" could prove useful.

## Voting

10. This section would comprise articles 17 (*Voting*), 18 (*Method of voting in order to fix the agenda of the Conference*) and 19 (*Quorum*).

## General provisions

11. Finally, this reorganization of the Standing Orders would provide an opportunity to consider the possibility of including a provision on the autonomy of groups (similar to article 70 of the Standing Orders of the Conference) and one similar to article 76 of the Standing Orders of the Conference, allowing the temporary suspension of a particular provision of the Standing Orders subject to conditions including a time limit and the consent of the Officers of the Governing Body.

## Appendices

12. The Standing Orders of the Governing Body would be supplemented by texts adopted by the Governing Body relating to a number of specific functions. The title of each of these texts must be followed by the date of its adoption by the Governing Body and of any amendments.

<sup>3</sup> This provision could be worded as follows: "The Governing Body may create such committees or working parties as it deems necessary. The Officers of any committee shall be a Chairperson and two Vice-Chairpersons, one from each of the three groups, chosen from the members of the committee."

**Appendix I – Standing Orders for the procedure for the examination of representations under articles 24 and 25 of the Constitution of the International Labour Organization**

Adopted by the Governing Body in 1932, amended by the Governing Body in 1980 and 2004.

**Appendix II – Procedure for the examination of complaints alleging infringements of trade union rights**

Adopted by the Governing Body in 1951, amended in 1953, 1956, 1958, 1960, 1969, 1971, 1977 and 1979.

**Appendix III – Rules governing the election of the Director-General**

Adopted by the Governing Body at its 240th Session (June 1988).

**Appendix IV – Rules for the payment of travel expenses of members of the Governing Body and of certain committees and other bodies**

Adopted by the Governing Body in 1965, amended in 1977 and 1980.

**Appendix V – Note concerning arrangements applicable to relations between the ILO and international non-governmental organizations enjoying general or regional consultative status**

Decisions of the Governing Body adopted at its 105th Session (June 1948) and 160th Session (November 1964).

**Appendix VI – Note concerning arrangements applicable to international non-governmental organizations registered on the Special List**

Decision adopted by the Governing Body at its 132nd Session (June 1956).

**Appendix VII – Procedure for the examination of periodic reports concerning failure to send a delegation or a complete tripartite delegation to the Conference, regional meetings or other tripartite meetings.**

Decision adopted by the Governing Body in 1971.

- 13. *The Committee may wish to recommend that the Governing Body approve the detailed plan of the compendium of rules that govern it, with a view to the submission by the Officers of a draft compendium at the 294th Session of the Governing Body (November 2005).***

Geneva, 18 January 2005.

*Point for decision:* Paragraph 13.