

**Proposed suspension of provisions of the Standing Orders of the International Labour Conference and other proposed decisions regarding formalities to be taken at the opening sitting**

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## Introduction

1. Under article 76 of its Standing Orders, the Conference may decide to suspend provisions of the Standing Orders, under certain conditions. At each of its sessions for many years, the Conference has had to suspend certain provisions of its Standing Orders to be able to implement the format of discussions and other arrangements proposed by the Governing Body to improve the functioning of the Conference. This year, the Governing Body has also proposed suspensions considered necessary having regard to the special format of the Centenary Session of the Conference.
2. At the last four sessions of the Conference, the proposed suspensions were set out in a *Provisional Record* published before the opening of the Conference for its decision at its first sitting. This document contains the suspensions proposed by the Governing Body at its 335th Session (March 2019)<sup>1</sup> for the 108th Session of the Conference in 2019. It also contains proposals made by the Governing Body to concentrate the approval of all formalities necessary to set the Conference in motion during the opening sitting of the Conference, including some of the formalities normally carried out by the Selection Committee, such as the setting of the closing date for the registration of speakers in plenary, suggestions to facilitate the work of the Conference and its committees, or invitations to international non-governmental organizations to participate in committees. In this respect, the Governing Body proposed that the Conference appoints the Selection Committee in accordance with article 4(1) of the Standing Orders but convenes it only if the need arises as, at the 108th Session, there are no substantive matters requiring submission to the Selection Committee for its initial consideration.

## Proposed suspension of various provisions of the Standing Orders of the International Labour Conference

### Decisions concerning the programme of the Conference (article 4(2))

3. It is proposed that the plenary adopt certain decisions regarding formalities, which include the adoption of the tentative plan of work of the Conference and its committees and the setting of the closing date for the registration of speakers in plenary. Under article 4(2) of the Standing Orders, it is the duty of the Selection Committee to arrange the programme of the Conference and to fix the time and agenda for the plenary sittings. It is, therefore, proposed to suspend article 4(2) to the extent necessary to allow for such decisions to be taken directly in plenary at the opening sitting. For the remainder of the session, the Selection Committee will be convened only if a need arises.

<sup>1</sup> [GB.335/INS/PV/Draft](#), para. 82; [GB.335/INS/2/2](#).

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## **Discussion of the Reports of the Chairperson of the Governing Body and the Director-General (article 12(3) and article 14(6))**

4. In order to allow for a greater number of governments to contribute to the discussion of the reports of the Chairperson of the Governing Body and of the Director-General, it is proposed, during the Centenary Session, to limit the statements by Government representatives to one per member State. It is, therefore, proposed to suspend article 12(3) insofar as it permits a visiting minister to speak in addition to the Government delegate, it being understood that a government's right to speak could be exercised by either a delegate or a visiting minister. However, a second statement would remain possible if delivered on behalf of a regional group of states or by a Head of State or Government.
5. In order to allow Heads of State or Government to make statements of up to 20 minutes as proposed by the Governing Body, it is proposed to suspend, for the duration of the high-level section, the provisions regarding time limits of speeches and, to that extent, article 14, paragraph 6.

## **Records of the Conference (article 23(1) and (3))**

6. As regards the records of the Conference, it is proposed to continue suspending certain provisions of article 23, namely:
  - (a) paragraph 1, to the extent necessary to permit the publication of the *Provisional Records* of all the sittings of the plenary after the Conference; and
  - (b) paragraph 3, with respect to the deadline for receiving proposed corrections to the *Provisional Records*, to permit that all records be reviewed together within the same time period following the Conference.

## **Time limits for filing objections and complaints with the Credentials Committee (articles 26bis(1)(a) and 26ter(3)(a))**

7. 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) and to reduce the time limit for complaints from seven to five days. In addition to suspending articles 26bis(1)(a) and 26ter(3)(a) to the extent that they provide for the current, longer time limits, this also requires adopting amended provisions to replace them, which provide for the new, shorter, time limits. For the duration of the 108th Session (2019) of the Conference only, the relevant provisions would thus read as follows (proposed changes appear in bold):

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## 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;

...

## ARTICLE 26TER

### *Complaints*

...

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

...

### **Conference Drafting Committee (articles 6(3) and 40(7))**

- 8.** In accordance with articles 6(3) and 40(7) 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 instrument to be put to the vote of the Conference. However, under the proposed arrangements for the two-week Conference, there will be no time for a full review by the Conference Drafting Committee. Under normal circumstances, the main task of the Conference Drafting Committee consists in merely double checking the legal consistency of the texts and the concordance between the English and French versions of the proposed instruments, which have already been fully reviewed by the drafting committee of the competent technical committee (article 59(1) of the Standing Orders). In addition, in the case of a Convention, the Conference Drafting Committee inserts the standard final provisions.
- 9.** It is, therefore, proposed to suspend articles 6(3) and 40(7) of the Standing Orders to the extent necessary to omit the review of the proposed instruments by the Conference Drafting Committee. 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, including as regards the standard final provisions in case of a draft Convention possibly adopted by the Standard-Setting Committee. If the Conference were to introduce any amendments to the text proposed by the Committee Drafting Committee, a short meeting of the Conference Drafting Committee – which should still be appointed – could take place to review such amendment and its possible consequences on the rest of the text.

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## **Timing of the discussion and adoption by the Conference of the draft instruments (article 40(4))**

10. The draft instruments should be ready in principle before midnight on Thursday, 20 June. In the case that the draft instruments would be ready for circulation only shortly after midnight, it is proposed to suspend as a precautionary measure, article 40(4), which provides that the discussion by the Conference of the proposed instruments shall not take place before the day following that on which copies of the report of the Standard-Setting Committee have been circulated to delegates.

## **Appointment of Government representatives in committees (article 56(2))**

11. As was done in the framework of the 107th Session (2018), it is proposed to continue a simplified system of government representation in all committees to which section H of the Standing Orders applies, whereby governments would no longer have to communicate to the secretariat of the Conference the name of their representatives in the committee, but only the name of the country registered as regular or deputy Government member of the committee. Once registered as a member of a committee, a government would be validly represented by any of its delegates or advisers accredited to the Conference. It is, therefore, proposed that the Conference suspend article 56(2) of the Standing Orders.

## **Adoption of committee reports (article 67)**

12. Since 2014, technical committees have delegated to their officers the authority to approve the report to avoid the holding of an additional committee sitting to adopt the report before its submission to the plenary. This does not in itself require the suspension of any provision of the Standing Orders. However, with respect to standard-setting committees, whose reports contain a proposed instrument or proposed conclusions, it would be necessary 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 avoid that the committee has to hold an additional sitting for the adoption of the report containing the proposed instrument. It is therefore proposed to suspend article 67.

## **Thematic forums**

13. In light of the arrangements proposed for the thematic forums and notably the wide range of formats that will be used to encourage participation and debate, it is proposed that the Standing Orders will not apply to these thematic forums.

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## Other decisions and procedural formalities

### Discussion of the Reports of the Chairperson of the Governing Body and of the Director-General: Opening date for the discussion and closing date for the list of speakers

14. It is proposed that the discussion of the Reports of the Chairperson of the Governing Body and of the Director-General will begin on Wednesday, 12 June, at 3.15 p.m., and that the list of speakers will be closed on Thursday, 13 June at 6 p.m., under the usual conditions.

### Tentative plan of work

15. Appendix I sets the tentative plan of work for the 108th Session of the Conference, including the proposed timing of the regular plenary and its high-level section, the thematic forums, the committees and the record votes concerning the budget of the Organization for 2020–21 and the international labour instruments that may be proposed by the Standard-Setting Committee: Violence and Harassment in the World of Work.
16. A detailed draft plan of work for the Committee on the Application of Standards, the Standard-Setting Committee and the Committee of the Whole is available on each committee's dedicated web page. These plans of work have been prepared in consultation with the officers nominated by the groups for each committee. In the case of the Standard-Setting Committee, the plan of work provides for the submission of amendments after the appointment of the Committee but before the first sitting of the committee scheduled for Monday, 10 June at 6 p.m. in an effort to optimize the time available.

### Suggestions to facilitate the work of the Conference

17. It is proposed that the Conference confirm the following principles established in previous years by the Selection Committee:

**(a) Quorum**

- (i) The quorum will be fixed provisionally, on the basis of the credentials received, in the brief report of the Chairperson of the Governing Body on the day before the opening of the Conference; the said report is published as *Provisional Record* No. 3A. This provisional quorum will remain unchanged until the Credentials Committee determines the quorum on the basis of registrations, it being understood that, if an important vote were to take place in the initial stages of the Conference (once the Credentials Committee has been appointed), the Conference might request the Credentials Committee to determine the quorum in an urgent report.
- (ii) Thereafter, the quorum will be adjusted, under the authority of the Credentials Committee, so as to take into account new registrations and notices of departure from delegates leaving the Conference.
- (iii) Delegates should register personally, immediately on arrival, as the quorum is calculated on the basis of the number of delegates registered.

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- (iv) Acceptance of appointment as a delegate implies an obligation to be available in Geneva personally, or through an adviser authorized to act as a substitute for the work of the Conference until its end, as important votes often take place on the last day.
  - (v) Delegates who are nevertheless obliged to leave the Conference before it finishes should give notice of their forthcoming departure to the secretariat of the Conference. The form utilized<sup>2</sup> to indicate their date of departure also enables them to authorize an adviser to act and to vote in their place. At group meetings held during the second half of the Conference, the attention of members of the groups will be drawn to the importance of completing and handing in this form.
  - (vi) In addition, one Government delegate of a country may report the departure of the other Government delegate, and the secretaries of the Employers' and Workers' groups may also give notice of the final departure of members of their groups, who have not authorized advisers to act in their place.
  - (vii) When the record votes are taken, while committees are sitting, delegates are both entitled and expected to leave committees to vote unless they are replaced by a substitute in plenary. Announcements are made in the committees to ensure that all delegates are aware that record votes are taking place. Appropriate arrangements will be made for delegates attending committee meetings in the ILO building.

**(b) Punctuality**

Committee chairpersons are strongly encouraged to start proceedings punctually, irrespective of the number of persons present, but on condition that votes will not be taken unless a quorum is clearly present. This is particularly important in view of the two-week format of the Conference.

**(c) Negotiations**

In order to facilitate more continuous negotiation in committees among delegates, representatives of each group should meet with the chairperson and reporter of the committee and with the representative of the Secretary-General, whenever this is desirable, to ensure that the leaders of each group know fully the minds of the delegates in the other groups. The function of these informal meetings is to afford opportunities for a fuller understanding of differences of view before definite positions have crystallized.

**Participation in Conference committees  
by Members having lost the right to vote**

- 18.** At its 239th Session (February–March 1988), the Governing Body considered the implications of the appointment, as regular members of Conference committees, of representatives of a member State which had lost the right to vote under article 13, paragraph 4, of the Constitution of the ILO. It noted that, while the appointment of Employer and Worker representatives from such a State had no practical implications, because the Employers' and Workers' groups operated an effective system under article 56, paragraph 5(b), of the Conference Standing Orders for ensuring that deputy members of a committee voted in the place of regular members deprived of the right to vote, the same was not true of the Government group. As a result, if a government that has lost the right to vote

<sup>2</sup> Available at: [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meeting\\_document/wcms\\_371633.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meeting_document/wcms_371633.pdf).



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is appointed as a regular member of a committee, the distribution of votes between the three groups is distorted because the weighting of votes is based on the full regular membership and in practice the Government regular members of committees who are unable to vote do not make use of the possibility afforded by article 56, paragraph 5(a), of appointing a deputy member to vote in their place.

19. The Governing Body accordingly recommended that, in order to avoid such distortions, members of the Government group should not apply for regular membership of committees if they were not at the time in question entitled to vote. Should this practice, which has been maintained at all sessions of the Conference since 1987, for any reason not be fully respected, the weighting coefficients in committees should be calculated on the basis of the number of Government members entitled to vote.
20. The Conference is invited to confirm that the calculation of weighting coefficients for votes in committees should be based on the number of regular Government members entitled to vote.

### **Requests for representation in Conference committees submitted by non-governmental international organizations**

21. In accordance with article 2, paragraph 3(j), of the Standing Orders of the Conference, the Governing Body has invited certain international non-governmental organizations to be represented at the present session of the Conference, it being understood that it would be for the Conference to consider their requests to be present at the committees dealing with items on the agenda in which they have expressed a particular interest.
22. In accordance with article 56, paragraph 9, of the Standing Orders, the Conference may wish to invite the organizations listed in Appendix II to be represented in the committees stated.

### **Electronic voting system**

23. The electronic system, to be used in principle for all votes in plenary in accordance with article 19, paragraph 15, of the Standing Orders, consists of “voting stations” (tablets) that are made available to all delegates or persons empowered to vote on their behalf.
24. Where the electronic system is used during a plenary sitting, the subject and question to be voted on will be displayed and the President will announce the beginning of the vote. After the President has made sure that all delegates have been given sufficient opportunity to record their vote in one of the voting stations available to them, the President will announce the closure of the vote.
25. Where the electronic system is used outside the time when the plenary is in sitting, the President will announce the time at which the vote will be opened and closed. The results of such vote will be announced by the President in the Assembly Hall at a time announced in advance.
26. Where the method of vote is by show of hands, once all votes have been registered the final voting figures will be immediately displayed and subsequently published with the following indications: total number of votes in favour, total number of votes against, total number of abstentions and the quorum as well as the majority required.

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- 27.** Where a record vote is taken, once all votes have been registered the final voting figures will be immediately displayed with the following indications: total number of votes in favour, total number of votes against, total number of abstentions and the quorum as well as the majority required. These indications will subsequently be published together with a list of the delegates who have voted, showing how each has voted.
- 28.** In the case of a secret ballot, once all votes have been registered, the final voting figures will be immediately displayed and subsequently published with the following indications: total number of votes in favour, total number of votes against, total number of abstentions and the quorum as well as the majority required. There will be absolutely no access possible to individual votes nor will there be any record of how each delegate has voted.
- 29.** It is important that each delegate should already have decided whether he or she or another member of their delegation will exercise the right to vote in a given case. Where more than one vote is nevertheless cast on behalf of a delegate at two different moments, or from two different places, only the first vote will be recognized, whether made by a delegate, by a substitute delegate or by an adviser who has received a specific written authorization to that end. Such specific authorizations must reach the secretariat sufficiently before the opening of voting is announced, so as to be duly recorded.

## Appendix I

### Tentative plan of work of the 108th Session of the International Labour Conference

	Mon 10		Tue 11		Wed 12		Thu 13		Fri 14		Sat 15		Mon 17		Tue 18		Wed 19		Thu 20		Fri 21		Sat 22	
	a.m.	p.m.	a.m.	p.m.	a.m.	p.m.	a.m.	p.m.	a.m.	p.m.	a.m.	p.m.	a.m.	p.m.	a.m.	p.m.	a.m.	p.m.	a.m.	p.m.	a.m.	p.m.		
<b>Plenary sittings</b>																								
Opening sitting	•																							
High-level section <i>(number of sittings to be finalized)</i>		•	•	•	•												•	•	•	•				
Discussion of the reports of the Director-General and the Chairperson of the Governing Body						•	•	•	•	•				•	•	•	•							
Adoption of committee outcomes and votes (V)																								
Finance Committee – vote on P&B for 2020–21														•	V									
Committee on the Application of Standards																							•	
Credentials Committee																						•		
Standard-Setting Committee																						•	V	
Committee of the Whole																							•	
Closing ceremony																							•	
<b>Conference committees and thematic forums</b>																								
Finance Committee						•	•	•		•														
Committee on the Application of Standards		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•			•			
Credentials Committee	As required																							
Standard-Setting Committee		•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•			
Committee of the Whole (Centenary outcome document)			•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•			
Thematic forums							•	•	•	•				•		•	•							
<b>Other official events</b>																								
World Day against Child Labour							•																	
Reception hosted by the President of the Conference																•								
Governing Body sessions		335bis/ PFA																						336/INS

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## Appendix II

### Requests for representation in Conference committees submitted by non-governmental international organizations

#### *Committee on the Application of Standards*

Public Services International  
General Confederation of Trade Unions  
IndustriALL Global Union  
Education International  
African Commission of Health and Human Rights Promoters  
International Confederation of Arab Trade Unions  
Migrant Forum in Asia  
World Federation of Teachers' Unions  
World Medical Association  
African Organization of Mines, Metal, Energy, Chemical and Allied Trade Unions  
World Movement of Christian Workers  
Zonta International  
International Federation of Journalists  
Clean Clothes Campaign  
World Organization of Workers  
Anti-Slavery International  
Latin American Union of Municipal Workers  
International Kolping Society  
European Centre for Workers' Questions  
Confederación Latinoamericana y del Caribe de Trabajadores Estatales  
Southern Africa Trade Union Coordination Council  
International Christian Union of Business Executives  
International Young Christian Workers  
Asociacion Latinoamericana de Abogados Laboralistas  
International Council on Social Welfare  
International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations  
European Confederation of Independent Trade Unions  
International Catholic Migration Commission  
International Centre for Trade Union Rights  
Trade Unions International of Workers in Agriculture, Food, Commerce, Textiles and Allied Industries  
International Energy and Mines Organization

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International Federation of Business and Professional Women  
International Secretariat for Catholic Engineers, Agronomists and Industry Officials  
Human Rights Watch  
International Transport Workers' Federation  
Alternativa Democrática Sindical de las Américas

***Committee of the Whole***

UNI Global Union  
Building and Wood Workers' International  
Public Services International  
General Confederation of Trade Unions  
International Coordination of Young Christian Workers  
IndustriALL Global Union  
Education International  
Unión Internacional de Sindicatos de Pensionistas y Jubilados  
African Commission of Health and Human Rights Promoters  
International Confederation of Arab Trade Unions  
Migrant Forum in Asia  
Trade Union Advisory Committee to the Organisation for Economic Cooperation and Development  
African Organization of Mines, Metal, Energy, Chemical and Allied Trade Unions  
World Employment Confederation  
World Movement of Christian Workers  
Zonta International  
International Federation of Journalists  
Clean Clothes Campaign  
Women in Informal Employment: Globalizing and Organizing  
Union Africaine de la Mutualité  
World Organization of Workers  
International Kolping Society  
European Centre for Workers' Questions  
Confederación Latinoamericana y del Caribe de Trabajadores Estatales  
Southern Africa Trade Union Coordination Council  
International Christian Union of Business Executives  
International Young Christian Workers  
Asociación Latinoamericana de Abogados Laboralistas  
International Council on Social Welfare  
Caritas Internationalis

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International Catholic Migration Commission  
Trade Unions International of Transport Workers  
International Confederation of Executive Staff  
International Movement of Catholic Agricultural and Rural Youth  
SOLIDAR  
Trade Unions International of Workers in Agriculture, Food, Commerce, Textiles and Allied Industries  
Greycells  
International Energy and Mines Organization  
International Federation of Business and Professional Women  
Organización de Entidades Mutuales de las Américas  
International Federation Terre des Hommes  
International Secretariat for Catholic Engineers, Agronomists and Industry Officials  
International Transport Workers' Federation  
International Occupational Hygiene Association  
Alternativa Democrática Sindical de las Américas  
Defence for Children International

***Standard-setting Committee: Violence and Harassment in the World of Work***

UNI Global Union  
Building and Wood Workers' International  
Public Services International  
International Coordination of Young Christian Workers  
IndustriALL Global Union  
Education International  
Unión Internacional de Sindicatos de Pensionistas y Jubilados  
African Commission of Health and Human Rights Promoters  
International Confederation of Arab Trade Unions  
Migrant Forum in Asia  
Trade Union Advisory Committee to the Organisation for Economic Cooperation and Development  
World Medical Association  
African Organization of Mines, Metal, Energy, Chemical and Allied Trade Unions  
StreetNet International  
World Movement of Christian Workers  
Zonta International  
International Federation of Journalists  
Women in Informal Employment: Globalizing and Organizing

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World Organization of Workers  
Anti-Slavery International  
Latin American Union of Municipal Workers  
International Kolping Society  
European Centre for Workers' Questions  
Confederación Latinoamericana y del Caribe de Trabajadores Estatales  
Southern Africa Trade Union Coordination Council  
International Domestic Workers Federation  
International Christian Union of Business Executives  
International Young Christian Workers  
Asociación Latinoamericana de Abogados Laboralistas  
International Council on Social Welfare  
Unión Latinoamericana de Trabajadores de Organismos de Control  
International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations  
Caritas Internationalis  
CARE International  
Association of Volunteers for International Service  
International Catholic Migration Commission  
Trade Unions International of Transport Workers  
Exchange and Cooperation Centre for Latin America  
World Union of Professions  
International Movement of Catholic Agricultural and Rural Youth  
International Federation of Women in Legal Careers  
SOLIDAR  
Plan International  
Trade Unions International of Workers in Agriculture, Food, Commerce, Textiles and Allied Industries  
Greycells  
Global Alliance Against Traffic in Women  
Organización de Entidades Mutuales de las Américas  
International Federation Terre des Hommes  
Confederation of Municipal Workers for the Public Services International of Americas  
International Secretariat for Catholic Engineers, Agronomists and Industry Officials  
Human Rights Watch  
Confederation of Legislative Workers of the Americas and the Caribbean  
International Transport Workers' Federation  
Alternativa Democrática Sindical de las Américas