



## Governing Body

338th Session, Geneva, 12–26 March 2020

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Institutional Section

INS

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### SIXTEENTH ITEM ON THE AGENDA

## Reports of the Officers of the Governing Body

### First report: Composition of the Committee of Experts on the Application of Conventions and Recommendations

1. The Committee of Experts on the Application of Conventions and Recommendations is composed of 20 members based on the Governing Body decision taken in 1979.
2. The members of the Committee of Experts are reputed legal experts of high national and international standing. They are appointed by the Governing Body on the recommendation of its Officers, upon the proposal of the Director-General. The members of the Committee of Experts are independent and of high moral character; they serve in their personal capacity and are recognized as impartial. The appointments are made for renewable periods of three years. In 2002, the Committee decided that there would be a limit of 15 years' service for all members, representing a maximum of four renewals after the first three-year appointment.
3. The Committee has currently one vacant seat resulting from the end of the mandate of Professor Halton Cheadle (South Africa) in 2018, after having served 15 years.
4. The current composition of the Committee of Experts achieves broad gender balance: nine experts are women and 11 experts are men. Its composition is as follows: Mr Shinichi AGO (Japan), Ms Lia ATHANASSIOU (Greece), Ms Leila AZOURI (Lebanon), Mr Lelio BENTES CORRÊA (Brazil), Mr James J. BRUDNEY (United States of America), Ms Graciela Josefina DIXON CATON (Panama – Chairperson), Mr Rachid FILALI MEKNASSI (Morocco), Mr Abdul G. KOROMA (Sierra Leone), Mr Alain LACABARATS (France), Ms Elena E. MACHULSKAYA (Russian Federation), Ms Karon MONAGHAN (United Kingdom of Great Britain and Northern Ireland), Mr Vitit MUNTARBHORN (Thailand), Ms Rosemary OWENS (Australia), Ms Mónica PINTO (Argentina), Mr Paul-Gérard POUGOUÉ (Cameroon), Mr Raymond RANJEVA (Madagascar), Ms Kamala SANKARAN (India), Ms Deborah THOMAS-FELIX (Trinidad and Tobago) and Mr Bernd

WAAS (Germany). Their short bio can be found in the CEACR report as well as on the ILO website.

5. In order to fill the vacant seat, the Officers of the Governing Body recommend that the Governing Body appoint Justice Sandile Ngcobo (South Africa) as a member of the Committee for a period of three years. A short biography is provided below:

**Justice Sandile Ngcobo** (born 1 March 1953 in Durban) has had an illustrious judicial career culminating in his appointment as Chief Justice to the Constitutional Court of South Africa from 2009 to 2011. Prior to being appointed to the Constitutional Court in 1999, Justice Sandile Ngcobo was judge in the Cape High Court and in the Labour Appeal Court. In 1994, Justice Sandile Ngcobo was appointed as presiding officer of the Independent Election Commission's Electoral Tribunal, during the first democratic election in South Africa.

He holds an LLM degree from Harvard Law School, where he will return as a visiting professor of law as from the fall of 2020 and an LLB degree from the University of Natal, Durban. He was also a visiting professor of law at Columbia Law School, adjunct professor of law at Cornell Law School and honorary professor of law of the University of Cape Town. In 1985, he was awarded a Fulbright Scholarship and was in 1986 the recipient of a Harvard Law School Human Rights Fellowship. His focus are on constitutional law, labour law, international legal process and international human rights.

Justice Sandile Ngcobo has recently completed a 5-year Market Inquiry into the state of competition in the Private Healthcare Sector, conducted by a panel of experts, which he chaired. He was the chairperson of the Presidential Remuneration Review Commission of Inquiry, which looked into Remuneration and Conditions of Service in the Public Service. In 2013, he chaired a Three Member Panel of Retired Chief Justices, which conducted a High Level Fact Finding Mission into Crisis in Judicial Leadership in the Kingdom of Lesotho at the request of the International Commission of Jurists.

Upon retirement, Justice Sandile Ngcobo has been serving as Acting Judge of the Supreme Court of Namibia at the request of the President of the Republic of Namibia.

## Draft decision

6. *The Governing Body, on the recommendation of its Officers, appointed Justice Sandile Ngcobo (South Africa) as a member of the Committee of Experts on the Application of Conventions and Recommendations for a period of three years, in order to fill the current vacancy.*