



Governing Body

313th Session, Geneva, 15–30 March 2012

GB.313/LILS/4

Legal Issues and International Labour Standards Section
Legal Issues Segment

LILS

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FOURTH ITEM ON THE AGENDA

Standing Orders of the International Labour Conference: Amendments relating to the reform of the Governing Body

Purpose of the document

In the present document, the Governing Body is invited to propose to the International Labour Conference the approval of amendments to article 18 of the Standing Orders of the International Labour Conference, and to approve an amendment to paragraph 21 of the Introductory note to the Compendium of rules applicable to the Governing Body (see the draft decision in paragraph 5).

Policy implications: Alignment of the Standing Orders of the International Labour Conference with the new Governing Body structure.

Legal implications: Proposed amendment to article 18 of the Standing Orders of the International Labour Conference.

Financial implications: None.

Follow-up action required: Submission of proposed amendment to the International Labour Conference.

Author unit: Office of the Legal Adviser (JUR).

Related documents: Standing Orders of the International Labour Conference, GB.310/9/1, GB.310/PV, para. 129, GB.311/7/1, GB.311/PV, GB.312/LILS/3, GB.312/PV.

I. Introduction

1. Following the reform package adopted by the Governing Body at its 310th Session to improve its functioning,¹ the Office reviewed the Standing Orders of the International Labour Conference and identified its article 18 as requiring a consequential amendment to eliminate the reference to the Programme, Financial and Administrative Committee (PFAC). Since the new structure of the Governing Body is composed of sections and segments, the functions previously undertaken by the PFAC are now fulfilled by the Programme, Financial and Administrative Section of the Governing Body plenary.
2. During its 312th Session, the Governing Body discussed a draft amendment to replace the reference to the PFAC with one referring solely to the Governing Body. At the time the Government group raised the concern that, since the Government Officer did not represent the Governments as a whole, the proposed amendment could mean that decisions taken by the Officers on programme, financial and administrative matters would not include the participation of Governments. Consequently, the Governing Body decided to defer the matter to its 313th Session.²
3. In order to take into account the concerns raised by the Government group at the 312th Session, the consequential amendment could set out that when responsibilities under article 18 are delegated by the Governing Body to its Officers, the Chairperson of the Governing Body shall ensure that consultations take place with the Government group of the Governing Body. A proposal for the consideration of the Governing Body is provided in Appendix I.
4. The conduct of these consultations could be detailed in the Introductory note to the Compendium of rules applicable to the Governing Body. Adding to the existing provision for Government group consultations, paragraph 21 of the Introductory note could clarify that the Chairperson of the Governing Body would ensure that consultations take place with the Chairperson of the Government group or his or her representative when the responsibility to advise the Conference on proposals involving expenditure has been delegated to the Officers of the Governing Body, pursuant to article 18 of the Standing Orders of the International Labour Conference. A proposal for the consideration of the Governing Body is provided in Appendix II.

II. Draft decision

5. *The Governing Body:*

- (i) *invites the International Labour Conference, at its 101st Session (June 2012), to approve the amendments to article 18 of the Standing Orders of the International Labour Conference proposed in Appendix I;*
- (ii) *approves the amendment to paragraph 21 of the Introductory note to the Compendium of rules applicable to the Governing Body proposed in Appendix II.*

¹ GB.310/9/1, GB.310/PV, para. 129.

² GB.312/LILS/3, GB.312/PV.

Appendix I

Proposed amendments to article 18 of the Standing Orders of the International Labour Conference

ARTICLE 18

Proposals involving expenditure

1. Any motion or resolution involving expenditure shall in the first instance, or in the case of resolutions referred to the Resolutions Committee as soon as that Committee is satisfied that the resolution is receivable and within the competence of the Conference, be referred to the Governing Body which, ~~after consultation of its Programme, Financial and Administrative Committee,~~ shall communicate its opinion to the Conference.
2. The opinion of the Governing Body shall be circulated to the delegates at least 24 hours before the motion or resolution is discussed by the Conference.
3. The Governing Body ~~and the Programme, Financial and Administrative Committee~~ may delegate to its Officers the authority to carry out ~~their~~ its responsibilities under this article ~~to their officers.~~ When such responsibilities are exercised by the Officers, the Chairperson of the Governing Body shall ensure that consultations take place with the Government group of the Governing Body.

Appendix II

Proposed amendment to paragraph 21 of the Introductory note to the Compendium of rules applicable to the Governing Body

21. The Chairperson of the Governing Body shall ensure that consultations take place with the Chairperson of the Government group or his or her representative on any matter on which he/she deems it necessary to consult, in session, the Officers on the conduct of any item of the business of the Governing Body. The Chairperson of the Governing Body shall also ensure that consultations take place with the Chairperson of the Government group or his or her representative when the responsibility to advise the Conference on proposals involving expenditure has been delegated to the Officers of the Governing Body pursuant to article 18 of the Standing Orders of the Conference.