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Legal Issues and International Labour Standards Section

LILS

Legal Issues Segment

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First item on the agenda

Comprehensive review of the Standing Orders of the Conference: Draft consolidated text

Purpose of the document

As a result of a lengthy consultative process, this document submits a draft consolidated text of the amended Standing Orders of the International Labour Conference. The Governing Body is invited to approve by correspondence the proposed amendments and transmit the consolidated text to the next session of the Conference for possible adoption (see the draft decision in paragraph 22).

Relevant strategic objective: All.

Main relevant outcome: Enabling outcome B: Effective and efficient governance of the Organization.

Policy implications: None at this stage.

Legal implications: Possible adoption of amendments to the Standing Orders of the International Labour Conference.

Financial implications: None at this stage.

Follow-up action required: Subject to the decision of the Governing Body, transmission of the draft consolidated text of the Standing Orders to the 109th Session (June 2021) of the Conference.

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

Related documents: GB.338/PV(Rev.5); GB.338/LILS/1; GB.335/LILS/PV, paras 17–22; GB.335/LILS/2(Rev.); GB.334/INS/12(Rev.); GB.334/WP/GBC/2; GB.332/INS/12; GB.332/WP/GBC/3; GB.331/INS/17; GB.331/PV.

▶ Introduction

1. At its 338th (March 2020) Session, the Governing Body, through delegation of authority, took note of the latest progress report on the consultations concerning the comprehensive review of the Standing Orders of the International Labour Conference, which was initiated in December 2017. The Governing Body requested the Office to organize at least two rounds of tripartite consultations as soon as possible and to prepare a draft consolidated text of amendments for its consideration at a future session.¹
2. Pursuant to the Governing Body's decision, two rounds of consultations were organized. The first round was held from May to December 2020 and involved separate consultations with the Employers' and Workers' groups in June 2020 and with Governments in September and December 2020. The second round involved two tripartite consultations held in January and February 2021.
3. The draft consolidated text of the amended Standing Orders (see appendix) is the result of a lengthy consultative process covering over 30 months, with regular progress reports submitted to the Governing Body. Following a staged approach, each part of the proposed amendments to the Standing Orders was examined separately before a consolidated text was circulated to the three groups in January 2020.
4. From the outset, the comprehensive review of the Standing Orders had four main objectives: the deletion of obsolete provisions, the codification of current practices, the simplification as much as possible of the Standing Orders, and the rationalization of the overall structure of the Standing Orders. No comprehensive review of the Standing Orders has been undertaken since 1945 although modifications to specific provisions have been adopted on 34 occasions since then.

▶ Overview of the structure and main changes

5. With respect to the overall length, the Standing Orders have been shortened by one third. Concerning the structure, there are now 69 articles instead of 83 articles, arranged in ten parts instead of two parts containing ten sections. In addition, procedural rules for the plenary and committees have been aligned as much as possible. Cross references in the rules for committees to the rules for the plenary have been inserted as appropriate. The provisions applicable to the plenary have been divided into two parts to distinguish between the provisions applicable to the composition and organizational structure of the Conference and the provisions relating to its general procedures.
6. A number of obsolete provisions, which have lost their purpose and have long ceased to reflect Conference practice, have been removed from the draft consolidated text. Reference may be made in this regard to: the abolition of the Resolutions Committee (its function would be assumed by the General Affairs Committee which is to replace the Selection Committee); the appeal of a delegate to the Selection Committee for not having

¹ GB.338/PV(Rev.5), para. 39 and GB.338/LILS/1.

been nominated to a committee; the printing of verbatim reports signed by the President; the request by one fifth of committee members for additional interpretation into another language; and to the provisions relating to the election of the Vice-Presidents of the Conference.

Part 1 – Composition and organizational structure

7. Part 1 regroups the provisions concerning the basic institutional set-up for the Conference to function, namely: the appointment of delegates and advisers; the admission to the sittings of the Conference; the orders of business at the opening of each session; the three Conference groups; the secretariat; and the Conference Committees.
8. Among the proposed improvements, reference may be made to the following provisions:
 - Article 4 – Officers: this provision assigns the responsibility for decisions on non-controversial questions of a routine nature and other steering functions (currently entrusted to the Selection Committee) to the Officers of the Conference. The Officers could delegate the daily discharge of their routine steering functions to their designated representatives.
 - Article 5 – Conference groups: this provision results from the merger of current articles 70–72. It addresses the principle of autonomy of the groups, officers of groups and group meetings and clarifies that throughout the Standing Orders the word “group” is used exclusively to denote one of the three ILO constituent groups, i.e. the Government, Employers’ or Workers’ group.
 - Article 7 – General Affairs Committee: this provision provides for the replacement of the Selection Committee by a General Affairs Committee to which the Conference would assign specific substantive functions on all possible matters as it sees fits.
 - Article 9 – Drafting Committee: under this provision, a single Conference drafting committee would operate throughout the Conference in parallel with standard-setting committees. The mandate of the Committee would cover “any instrument” referred to it in accordance with the Standing Orders (e.g. international labour standards and amendments to the Constitution) or by special decision of the Conference (e.g. draft Declaration). As it is proposed to formalize the status of Spanish as an official language of the Conference (see article 29), the Drafting Committee would also finalize the Spanish version of draft instruments. As a result, it is proposed to increase the composition from one to up to three members per group in line with current practice.

Part 2 – General procedures

9. Part 2 regroups the provisions concerning the procedures applicable to the plenary sittings of the Conference, namely: the duties of the President; the right to address the Conference; the different motions; points of order; adoption of decisions by consensus or a vote; majority and quorum; the reports of the Chairperson of the Governing Body and the Director-General; interactive debates; consideration of the programme and budget; items placed on the agenda for general discussion; consultations with the United Nations and specialized agencies; objections to items on the agenda; languages of the Conference; and records of proceedings.

10. Among the proposed improvements, reference may be made to the following provisions:
- Articles 15–20 – Motions, resolutions, amendments, and points of order: the proposed amendments simplify the relevant notions and clarify that there are two main categories of motions, namely motions as to the procedure and motions as to substance; the latter include resolutions and amendments. It is further explained that an amendment is a motion that adds to, deletes from or revises the proposed text to which it relates and the rule determining the order in which amendments are discussed is set out.
 - Article 21 – Adoption of decisions: this provision introduces an express reference to “consensus” as the primary method of decision-making. The proposed wording is that used in the Introductory note of the Standing Orders of the Governing Body to ensure coherence. As regards voting, it is specified that a record vote may only be requested by a group or by not less than 90 delegates only after a voting process by show of hands has been announced or just been closed.
 - Article 27 – Consultations with the United Nations and specialized agencies: this new provision replaces current articles 17 bis and 17 ter which are outdated. A reference to the effective involvement of interested United Nations organizations in the work of the Conference is maintained while leaving enough flexibility as to the specific consultation arrangements.
 - Article 29 – Languages: this provision recognizes Spanish as one of the official languages of the Conference thus codifying a long-established practice.

Part 3 – Verification of credentials

11. Part 3 regroups the provisions applicable to the verification of credentials, namely examination of credentials, objections, complaints and monitoring. While the main changes are of an editorial nature, reference may be made to the following provisions:
- Article 31 – Examination of credentials: this provision codifies current practice and advances the time limit for the submission of credentials to three weeks before the opening of the Conference (instead of two weeks). It also codifies the practice according to which the Conference, except where it is called upon to take a decision proposed by the Credentials Committee, merely takes note of the latter’s reports without discussion. Moreover, it replaces the brief report of the Chairperson of the Governing Body on the composition of the Conference by information published on a dedicated web page updated on a daily basis.
 - Article 32 – Objections: this provision codifies current practice by introducing the shorter time limits for the filing of objections that have applied in recent years by way of suspension of the relevant Standing Orders provisions, namely 48 instead of 72 hours from 10 a.m. of the first day of the Conference, and 24 instead of 48 hours if the objection is based on the revised list.
 - Article 33 – Complaints: this provisions codifies current practice by providing for a shorter time limit for lodging a complaint, namely before 10 a.m. on the fifth instead of the seventh day following the opening of the Conference.

Part 4 – Committees

12. Part 4 regroups the provisions applicable to the work of all Conference Committees, except as otherwise provided, namely: the composition of committees and right to

participate in their work; officers and reporter; subcommittees; the secretariat; the right to address the committee; the different motions; adoption of decisions; and quorum.

13. Among the proposed improvements, reference may be made to the following provisions:
- Article 35 – Scope: this provision indicates that as a general rule, the provisions of part 4 are applicable to all Conference committees except as otherwise provided in the relevant provisions concerning the Conference standing committees.
 - Article 36 – Composition of committees and right to participate in their work: this provision codifies current practice in several respects. For instance, the Government members of a committee are the governments as such which have decided to register for a committee; governments may be represented by multiple representatives, as long as these representatives are accredited as delegates or advisers to the Conference; the Employer and Worker members are exclusively appointed by their respective groups; the initial composition of the committees is no longer approved by the Conference which will thus be limited to confirming the establishment of a committee at its opening sitting.
 - Article 37 – Officers and Reporter: this provision clarifies that the Reporter is no longer considered as one of the Officers of a committee; it assigns functions relating to the conduct of the proper business of the committee to the Officers collegially and aligns the duties of committee Officers with those of the Officers of the Conference; in addition, it reflects prevailing practice by entrusting the approval of committee reports to the Officers, thus obviating the need to hold an additional sitting of the committee for the adoption of its report.
 - Proposed article 40 – Right to address the committee: this provision sets the maximum speaking time at five minutes unless decided otherwise by the Chairperson, in agreement with the two Vice-Chairpersons. Groups (as defined in article 5) would be granted a longer speaking time (15 minutes). In addition, governments would also be granted a longer speaking time (ten minutes) when they are speaking on behalf of a grouping of at least ten governments represented at the Conference, no matter whether such grouping is constituted on a regional, subregional, economic or other basis.
 - Article 41 – Motions, resolutions, amendments and points of order: this provision mirrors the provisions applicable to the plenary (articles 15–20) to which it makes cross reference. It sets out the specific rules governing the submission of amendments and the discussion of a motion to close the discussion in committees, which are different from the rules applicable to the plenary.
 - Article 42 – Adoption of decisions: this provision generally mirrors the provision applicable to the plenary (article 21) with the exception of the provision that permits one fifth of the members present at the sitting to request a record vote. In addition, it codifies the practice of weighting votes to ensure equal voting power for the three groups in committees independently of their respective membership.

Part 5 – Procedure in relation to Conventions and Recommendations

14. Part 5 regroups the provisions concerning the examination and adoption of standards, namely: the preparatory stages of a single-discussion procedure and of a double-discussion procedure; consultation with the United Nations and specialized agencies; procedure for the consideration of draft instruments; the procedure if a Convention fails to obtain a two-thirds majority; official translations; the procedure in the event of the

revision of a Convention or a Recommendation; and the procedure to be followed in the event of the abrogation or withdrawal of Conventions and Recommendations.

15. A number of changes are of an editorial nature. Others are consequential to the introduction of the single Drafting Committee under article 9 or the arrangements concerning the consultations with the United Nations and specialized agencies under article 27 which are also applicable to standard-setting items arrangements. In addition, reference may be made to the following provisions:
- Article 48 – Procedure for the consideration of draft instruments: this provision is aligned with the long-standing practice according to which the decision to refer a Convention or Recommendation to a technical committee is taken by default, and the decision to work on the basis of the draft text(s) prepared by the Office is implied. The final text of the Convention or Recommendation can be approved either by the committee, or by its Officers under the delegated authority of the committee, before it is submitted to the Conference for adoption article by article. As for the final vote, it may not take place before the day following that on which the text approved by the committee has been made available to delegates and in no case less than 14 hours after the text has been made available.
 - Article 51 – Procedure in the event of the revision of a Convention or Recommendation: this provision results from a merger of current articles 44 and 45 as they are in large parts identical. It has also been aligned with article 48, on which it is largely modelled.

Part 6 – Governing Body elections

16. Part 6 regroups the provisions concerning the Governing Body elections which take place every three years, namely on the Government electoral college as well as the Employers' and Workers' electoral colleges; the submission of candidatures and notice of elections; the voting procedure; and vacancies.
17. Among the proposed improvements, reference may be made to the following provisions:
- Article 54 – Government electoral college: this provision clarifies that the one vote to which each Government delegate is entitled allows for the election of multiple candidates. In addition, rather than referring to the distribution of seats among the regions, reference is made to current practice according to which the ballot papers for the Government electoral college have to be drawn up and dealt with by it in such manner as to guarantee a fair distribution of regular and deputy seats among the regions.
 - Article 55 – Employers' and Workers' electoral colleges: this provision clarifies that candidates do not have to be delegates or advisers at the Conference.
 - Article 56 – Submission of candidatures and notice of elections: under this provision, candidatures for Government regular and deputy members shall be submitted to the Office before noon on the third day following the opening of the Conference. This reflects the importance of the timely submission of candidatures to allow for the distribution of the list of candidatures ahead of the elections and for the Office to prepare the ballot papers and the electronic voting system in accordance with the instructions from the groups.

Part 7 – Admission of new Members

18. Part 7 regroups the provisions concerning the admission of both States Members of the United Nations and States which are not Members of the United Nations. All proposed changes are of an editorial nature.

Part 8 – Voting right of Members in arrears

19. Part 8 regroups the provisions concerning the situation of Members in arrears of their contributions, namely: the notification by the Director-General to the Member concerned that it is in arrears; the notification to the Conference and Governing Body that a Member is in arrears; the procedure where a proposal is made to permit a Member in arrears to vote; the period of validity of a decision to permit a Member in arrears to vote; and the cessation of disqualification from voting. While most of the proposed changes are of an editorial nature, reference may be made to:
 - Article 61– Notification to a Member in arrears in the payment of its contributions: this provision clarifies that a contribution is always considered to be in arrears on 1 January of the year following the one in respect of which it is due. It codifies the way article 13, paragraph 4, of the Constitution is being applied in practice. Concretely, the expression “the amount of the contributions due [...] for the preceding two full years” is understood as referring to the full amount of the contribution due for the two preceding calendar years, in line with the interpretation given by the United Nations to article 19 of the United Nations Charter, on which article 13, paragraph 4, of the ILO Constitution was modelled.

Part 9 – Consideration of proposed amendments to the Constitution

20. Part 9 governs the procedure for placing on the agenda of the Conference proposed amendments to the Constitution and the procedure for the consideration of such amendments. The proposed changes are of an editorial nature.

Part 10 – Final provisions

21. Part 10 governs the procedure for amending the Standing Orders and the procedure for suspending a provision of the Standing Orders as follows:
 - Article 68 – Amendment of the Standing Orders: as is the case in the rules of procedure of most other international organizations, this new provision clarifies the procedure in case of proposed amendments to the Standing Orders. It codifies the two options that have been used in the past (referral to the General Affairs Committee or to a Committee on Standing Orders specifically appointed by the Conference) and reaffirms the role of the Governing Body in preparing these amendments.
 - Article 69 – Suspension of a provision of the Standing Orders: this provision confirms that the Standing Orders apply to all sessions of the Conference, including maritime sessions. As a result, the current Note for maritime sessions is removed from the Standing Orders. In addition, this provision allows the Conference to adopt the necessary suspensions on the opening day provided that the proposed suspensions are made available in advance (for instance, published in the form of a provisional record). The Conference can also suspend any provision of the Standing Orders, as may be needed.

▶ Draft decision

22. **The Governing Body decided, by correspondence, to transmit to the Conference the consolidated text of the amended Standing Orders of the International Labour Conference in the appendix of document GB.341/LILS/1 for adoption at its 109th Session (June 2021).**

▶ Appendix

**Consolidated text of the amended Standing Orders of the
International Labour Conference**

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Part 1 – Composition and organizational structure

Article 1

Delegates and advisers

1. The International Labour Conference (hereinafter “the Conference”) shall consist of all the delegates duly appointed by the Members of the International Labour Organization (hereinafter “the Organization”).

2. In accordance with article 3 of the Constitution of the International Labour Organization, each delegate may be accompanied by a maximum of two advisers for each item placed on the agenda of the session by the Governing Body of the International Labour Office (hereinafter “the Governing Body”) and for the item on information and reports relating to the application of Conventions and Recommendations.

3. A delegate may, by notice in writing to the President before any sitting, appoint an accompanying adviser to act as a substitute. A notice by the delegate shall not be required if the adviser is designated as a substitute delegate in the credentials deposited by the Member concerned. Substitutes may take part in the debates and may vote under the same conditions as delegates.

Article 2

Admission to sittings

1. The sittings of the Conference shall be public except if the Conference decides otherwise.

2. Apart from delegates and advisers, the participants at the Conference shall be:

- (a) ministers or secretaries of State who are not delegates or advisers (attending ministers), and the officials accompanying them;
- (b) representatives of official international organizations which have been invited by the Conference or the Governing Body to be represented at the Conference;
- (c) members of the Governing Body who are not delegates or advisers;

- (d) other persons who have been appointed to accompany a delegation by the government of a Member, such as representatives of a state or province of a federal State, members of legislative or judiciary bodies, or persons representing national organizations of employers and workers;
- (e) persons appointed as observers by a State invited to attend the Conference;
- (f) the Director-General of the International Labour Office (hereinafter "the Director-General") and the officials of the Secretariat of the Conference;
- (g) secretaries and interpreters attached to delegations;
- (h) members of the secretariats of the Employers' and Workers' groups;
- (i) persons appointed by the government of a Member to occupy advisers' posts which may become vacant in their delegations, up to a maximum of half of the available number of adviser posts;
- (j) representatives of international non-governmental organizations with which it has been decided to establish consultative relationships and with which standing arrangements for such representation have been made;
- (k) representatives of other international non-governmental organizations which have been invited by the Governing Body to be represented at the Conference;
- (l) representatives of liberation movements recognized by the African Union or the League of Arab States which have been invited by the Conference or the Governing Body to be represented at the Conference;
- (m) special guests invited by the Director-General.

3. Requests from international non-governmental organizations for an invitation to be represented at the Conference shall be made in writing to the Director-General and shall reach the Director-General at least one month before the opening of the session of the Governing Body preceding the session of the Conference. Such requests shall be referred to the Governing Body for decision in accordance with criteria established by the Governing Body.

4. Seating arrangements in the Conference hall shall be made by the Secretariat for the delegates, their advisers and the other participants referred to in paragraph 2, with due regard in particular to the space available, and the safety and security of participants.

5. Except for sittings which are not public, the Secretariat shall make arrangements for the admission and accommodation of the press and the public.

Article 3

Order of business at the opening of each session

1. The Conference shall be opened by the Chairperson of the Governing Body, assisted by the other Officers of the Governing Body. These provisional Officers shall continue to act until the President of the Conference or any of the Vice-Presidents has assumed office.

2. At its opening sitting, the Conference shall, in the following order:

- (a) receive the nomination and elect the President;
- (b) receive the nominations made by the groups and elect the three Vice-Presidents;
- (c) set up the various committees;
- (d) take any other steps necessary to set its work in motion.

Article 4

Officers

1. The Conference shall elect as Officers a President, who shall be an attending minister or a delegate, and three Vice-Presidents. One of the Vice-Presidents shall be a Government delegate, one an Employers' delegate and one a Workers' delegate.

2. The Officers shall all be of different nationalities. In order to facilitate their choice:

- (a) the three groups shall have priority of nomination for the designation of the Vice-Presidents on the basis of the following three-year rotation cycle:
 - (i) first year: Governments (first priority group) – Employers (second priority group),
 - (ii) second year: Employers (first priority group) – Workers (second priority group),
 - (iii) third year: Workers (first priority group) – Governments (second priority group),
 - (iv) and so forth;
- (b) if a group nominates a Vice-President of the same nationality as the President or the Vice-President nominated by a group possessing priority of nomination, such nomination shall be void.

3. The Officers of the Conference, or their designated representatives, shall be responsible for the proper conduct of the business of the Conference, including arranging the programme of the Conference and setting the times and the agenda for the plenary sittings and other routine matters.

Article 5

Conference groups

1. Subject to the Standing Orders, the Government group, the Employers' group and the Workers' group each shall control its own procedure.

2. At its first meeting, each group shall elect a Chairperson and at least one Vice-Chairperson. The Employers' group and the Workers' group each shall also elect a Secretary.

3. The Chairperson and the Vice-Chairperson or Vice-Chairpersons shall be selected from among the delegates and advisers constituting the group; the Secretary may be elected from among persons outside the group.

4. Each group shall hold official meetings for:
 - (a) the nominations required under these Standing Orders such as the nomination of a Vice-President of the Conference;
 - (b) the nomination of members for Conference committees;
 - (c) elections for the Governing Body;
 - (d) any other matters determined by the groups.
5. Groups may hold non-official meetings for other purposes.

Article 6

Secretariat

1. The Director-General shall be the Secretary-General of the Conference (hereinafter "the Secretary-General") and shall be responsible for appointing and supervising the Secretariat.

2. The Secretariat of the Conference (hereinafter "the Secretariat") shall be responsible for:

- (a) receiving, translating, publishing, and making available documents, reports and resolutions;
- (b) providing the interpretation of speeches at the sittings;
- (c) preparing, publishing and making available the Records of Proceedings;
- (d) maintaining custody of the records of the Conference; and
- (e) all other work which the Conference may entrust to it.

Article 7

General Affairs Committee

1. The Conference shall establish a General Affairs Committee consisting of 28 members nominated by the Government group, 14 members nominated by the Employers' group and 14 members nominated by the Workers' group.

2. It shall be the duty of the General Affairs Committee to consider and report on any matter referred to it by the Conference.

3. Article 42(3) shall not apply to the General Affairs Committee.

Article 8

Credentials Committee

1. The Conference shall establish a Credentials Committee consisting of one Government delegate, one Employers' delegate and one Workers' delegate.

2. The Credentials Committee shall examine, in accordance with the provisions of Part 2 of these Standing Orders:

- (a) the credentials, and any objection relating to the credentials, of delegates and their advisers or relating to the failure to deposit credentials of an Employers' or Workers' delegate;
- (b) any complaint of non-observance of article 13(2)(a) of the Constitution;
- (c) any complaint regarding an act or omission of a government by which an accredited delegate or adviser has been prevented from attending the Conference in line with article 3(1) and (2) of the Constitution;
- (d) the monitoring of any situation with regard to the observance of the provisions of article 3 or article 13(2)(a) of the Constitution about which the Conference has requested a report.

3. The Credentials Committee shall submit a report, or reports, to the Conference.

4. The provisions of Part 4 of these Standing Orders shall not apply to the Credentials Committee.

Article 9

Drafting Committee

1. The Conference shall establish a Drafting Committee to review the drafting of any instrument referred to it in accordance with these Standing

Orders or by special decision of the Conference, and to ensure agreement between the texts of such instrument in the official languages of the Conference. The Drafting Committee shall also advise on drafting questions which may be referred to it by the Conference or a committee in the course of the examination of any such instrument.

2. For each instrument, the Drafting Committee shall be composed of up to three Government delegates or advisers, up to three Employers' delegates or advisers and up to three Workers' delegates or advisers appointed by the committee which refers the text to be reviewed or the drafting question, or by the Conference if the text is not considered in a committee, as well as the Reporter of the committee concerned and the Legal Adviser of the Conference. Members of the Drafting Committee shall, to the extent possible, be conversant with the official languages of the Conference and shall be assisted by officials of the Secretariat.

3. The provisions of Part 4 of these Standing Orders shall not apply to the Drafting Committee.

Article 10

Committee on the Application of Standards

1. The Conference shall establish a Committee on the Application of Standards to consider:

- (a) compliance by Members with their obligations to communicate information and reports under articles 19, 22, 23 and 35 of the Constitution;
- (b) individual cases relating to the measures taken by Members to give effect to the Conventions to which they are parties;
- (c) the law and practice of Members with regard to selected Conventions to which they are not parties and Recommendations, as chosen by the Governing Body (general survey).

2. The Committee on the Application of Standards shall also consider reports transmitted by the Governing Body to the Conference for the Committee's consideration.

3. No resolutions may be submitted under article 41 to the Committee on the Application of Standards.

4. The Committee on the Application of Standards shall submit a report to the Conference.

Article 11

Finance Committee

1. The Conference shall establish a Finance Committee consisting of one Government delegate from each Member of the Organization represented at the Conference.

2. The Finance Committee shall consider:

- (a) the arrangements for the approval, allocation and collection of the budget of the Organization, including:
 - (i) the budget estimates;
 - (ii) the arrangements for the allocation of expenses among Members of the Organization;
- (b) the audited financial statements of the Organization, together with the Auditor's report;
- (c) any request or proposal that the Conference should permit a Member which is in arrears in the payment of its contribution to vote in accordance with article 13(4) of the Constitution;
- (d) any administrative or other matter referred to it by the Conference.

3. No resolutions may be submitted under article 41 to the Finance Committee.

4. The Finance Committee shall elect a Chairperson and a Vice-Chairperson.

5. The Director-General, accompanied by a tripartite delegation from the Governing Body, shall be entitled to attend the sittings of the Finance Committee and to address the Committee.

6. In the absence of consensus, the decisions of the Finance Committee shall be taken by a two-thirds majority of the votes cast by the members of the Finance Committee present at the meeting.

7. The Finance Committee shall submit a report, or reports, to the Conference.

8. The provisions of article 36(4), 5(b) and (6) of these Standing Orders shall not apply to the Finance Committee as well as any provisions of Part 4 which are inapplicable because the Committee is not tripartite in character and consists solely of Government representatives.

Article 12

Other committees

The Conference may establish other committees to consider and report on any matter.

Part 2 – General procedures

Article 13

Duties of the President

1. The President shall open and close the sittings. Before proceeding to the agenda, the President shall inform the Conference of any communication which may be relevant to it.

2. The President shall direct the debates, maintain order, ensure the observance of the Standing Orders by such means as circumstances may demand, grant the right to address the Conference or withdraw it, including if the speaker's remarks are not relevant to the subject under discussion, ascertain consensus, put questions to the vote and announce the result of the vote.

3. The President shall not take part in the debates and shall not vote. A President who is a delegate may appoint a substitute in accordance with the provisions of article 1(3).

4. In the absence of the President during a sitting or any part of a sitting, one of the Vice-Presidents, taken in rotation, shall preside with the same rights and duties as the President.

Article 14

Right to address the Conference

1. No delegate shall address the Conference without having requested and obtained the permission of the President.

2. Speakers shall be called upon in the order determined by the President.

3. No delegate shall speak more than once on the same motion, resolution or amendment without the special permission of the Conference, except for the author of a motion, resolution or amendment, who shall have the right to speak twice unless the discussion has been closed in accordance with article 16. This paragraph is without prejudice to the exercise of the right to reply.

4. Except with the special consent of the Conference, no speech shall exceed ten minutes, and no speech concerning the reports of the Chairperson of the Governing Body and the Director-General referred to in article 23, shall exceed five minutes. The President may, after consultation with the Vice-Presidents, submit to the Conference for decision without debate a proposal to reduce the time limit for speeches on a specific subject before opening the discussion of that subject.

5. Interruptions and audible conversations shall not be permitted.

6. Attending ministers, members of the Governing Body who are not delegates or advisers, and the Director-General, or a representative of the Director-General, may address the Conference if invited to do so by the President.

7. Representatives of official international organizations which have been invited to be represented at the Conference may participate, without the right to vote, in the discussions.

8. Persons appointed as observers by a State invited to attend the Conference and representatives of liberation movements which have been invited to attend the Conference may, with the permission of the President, address the Conference during the discussion of the Reports of the Chairperson of the Governing Body and of the Director-General.

9. The President may, in agreement with the Vice-Presidents, permit representatives of international non-governmental organizations with which the International Labour Organization has established consultative relationships and with which standing arrangements for representation at the Conference have been made, and representatives of other international non-governmental organizations which have been invited to be represented at the Conference, to make or circulate statements for the information of the Conference on subjects which are being considered by the Conference other than administrative and financial questions. If agreement cannot be reached the matter shall be referred to the Conference for decision without discussion.

Article 15

Motions

1. Motions may be moved by any delegate and may concern a procedural matter or the substance of a matter included in the agenda of the Conference. Motions as to substance include resolutions and amendments. No motion shall be discussed unless it has been seconded or is moved on behalf of a group.

2. Motions as to procedure may be moved orally and without previous notice. They may be moved at any time, except in the time between the President calling on a speaker and the speaker finishing speaking, or during a vote.

3. Motions as to procedure include the following:

- (a) a motion to suspend the sitting;
- (b) a motion to postpone consideration of the question under discussion;
- (c) a motion to adjourn the sitting;
- (d) a motion to adjourn the debate on the question under discussion;

- (e) a motion to close the discussion on a question;
- (f) a motion to ask for the opinion of the President, the Secretary-General or the Legal Adviser of the Conference.

Article 16

Motion to close the discussion

1. Any delegate may move a motion to close the discussion either on a particular motion or on the general question under discussion. The motion shall be discussed only if it is supported by at least 30 delegates present at the sitting or by a group.

2. Before the Conference takes a decision on the motion, the President shall call out the names of those delegates who have requested to speak before the closure was moved and shall permit one speaker on behalf of each group which makes a request to that effect to speak against the closure.

3. If the Conference adopts the motion for closure, no one shall be allowed to speak on the question on which the discussion has been closed, except the delegates referred to in paragraph 2 and one member from each of the Employer's and the Workers' groups, and up to four members from the Government group at each group's request.

4. Thereafter, the Conference shall decide on the motion or motions moved before the closure. Any motion submitted to the Secretariat but not moved before the closure shall not be considered.

Article 17

Motions involving expenditure

1. Any motion involving expenditure shall be referred to the Governing Body. Resolutions involving expenditure shall be referred to the Governing Body as soon as the General Affairs Committee is satisfied that the resolution is receivable and within the competence of the Conference.

2. The Governing Body shall communicate its opinion to the Conference at least 24 hours before the motion is discussed by the Conference.

3. The Governing Body may delegate to its Officers the authority to carry out its responsibilities under this article. 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.

Article 18

Resolutions

1. Resolutions must be submitted in writing to the Secretariat in one of the official languages of the Conference and shall be translated in the other official languages and made available by the Secretariat before they can be moved by their authors and discussed.

2. No resolution shall be discussed unless it has been seconded or is moved on behalf of a group.

3. Unless the Conference has set different time limits, resolutions relating to a matter included in an item placed on the agenda by the Conference or the Governing Body must be submitted at least two days before they are discussed.

4. Resolutions relating to a matter not included in an item placed on the agenda by the Conference or the Governing Body shall not be moved at the session of the Conference preceding the beginning of a biennial financial period. Such resolutions may be moved at other sessions of the Conference provided that a copy of the resolution has been deposited with the Director-General at least 15 days before the opening of the session of the Conference, by a delegate to the Conference.

5. Copies of all resolutions submitted under paragraph 4 shall be made available to delegates by the International Labour Office (hereinafter "the Office") not more than 48 hours after the expiry of the time limit referred to in paragraph 4. However, the Director-General may decide to withhold circulation of a particular resolution pending consultation of the Officers of the Governing Body. When a particular resolution has been withheld pending

consultation of the Officers of the Governing Body, that resolution shall be available to delegates not later than the date set for the opening of the session of the Conference, unless the Officers of the Conference unanimously decide otherwise.

6. The Conference shall refer all resolutions submitted under paragraph 4 to the General Affairs Committee to report back, unless the Conference decides, on the recommendation of its Officers, that a particular resolution relates to a matter for which another committee is competent and refers it to that other committee.

7. The General Affairs Committee shall consider whether each resolution referred to it satisfies the conditions of receivability under paragraph 1 and shall determine the order in which receivable resolutions shall be examined.

8. Notwithstanding paragraph 4, the President may, with the approval of the three Vice-Presidents, permit a resolution relating to a matter not included in an item placed on the agenda by the Conference or the Governing Body to be moved if it relates either to urgent matters or to matters of an entirely formal nature. If permission is given, the Officers of the Conference shall also make a recommendation to the Conference as to the manner in which the said resolution is to be considered before it is submitted to the Conference.

Article 19

Amendments

1. An amendment is a motion that merely adds to, deletes from or revises the proposed text to which it relates. Amendments shall be decided on before the proposal to which they refer.

2. If there are several amendments to a proposed text, the President shall determine the order in which they shall be discussed and decided on, subject to the following:

- (a) the Conference shall first decide on the amendment considered by the President to be furthest removed in substance from the original proposed text, then on the amendment next furthest removed and so on until a decision has been taken on all the amendments. Where,

however, the adoption of one amendment necessarily implies the rejection of another amendment, no decision shall be taken on the latter amendment;

- (b) amendments may be decided on either individually or against other amendments as the President may decide, but if amendments are decided on against other amendments, the proposed text shall be considered to have been amended only after the amendment receiving the greatest support has been decided on individually and adopted;
- (c) if a proposed text is amended, that text as amended shall be put to the Conference for a final decision.

3. Any amendment may be withdrawn by its author or authors unless an amendment to it is under discussion or has been adopted. Any amendment so withdrawn, or any amendment submitted but not moved by its author, may be moved without previous notice by any other delegate.

Article 20

Points of order

Any delegate may at any time raise a point of order drawing attention to the fact that the Standing Orders are not being observed, and the President shall give an immediate ruling on any question so raised.

Article 21

Adoption of decisions

1. Unless otherwise provided for in the Standing Orders, the Conference shall make every effort to take its decisions by consensus, which is characterized by the absence of any objection presented by a delegate as an impediment to the adoption of the decision in question. It is for the President, in agreement with the Vice-Presidents, to ascertain the existence of a consensus.

2. Voting shall be by a show of hands except as otherwise provided. Votes by a show of hands shall be counted by the Secretariat. The result shall be announced by the President and recorded by the Secretariat. In case of

doubt as to the result, the President may retake the vote or take a record vote.

3. A record vote shall be taken in all cases in which a majority of two thirds of the votes is required by the Constitution, except when the Conference is voting on the inclusion in the agenda of the following session of an item already on the agenda of the session at which the decision is taken.

4. A record vote shall be taken immediately if requested by a group or by a show of hands of not less than 90 delegates present at the sitting, when a vote is about to be taken or directly after a vote by show of hands has been completed.

5. Record votes shall be taken by electronic means or, if this is not possible, by calling upon each delegation voting in turn in the French alphabetical order of the names of the Members. A further and final call shall be made immediately, in the same alphabetical order, of delegates who did not respond to the first call.

6. The names of the delegates voting in a record vote and the individual votes cast by them shall be recorded. The final result of the vote shall be announced by the President and recorded by the Secretariat.

7. A vote by secret ballot shall be taken on any question not covered by paragraph 3, if the request is made by a group or by a show of hands of not less than 90 delegates present at the sitting.

8. Votes by secret ballot shall be counted by the Secretariat under the direction of three returning officers nominated respectively by the Government, Employers' and Workers' groups. The final result of the vote shall be announced by the President and recorded by the Secretariat.

9. The President shall permit any delegates who so request to explain briefly their votes immediately after the voting except where the vote is taken by secret ballot. The President may limit the time allowed for such explanations.

Article 22

Majority - Quorum

1. Unless otherwise provided for in these Standing Orders, all matters put to vote shall be deemed adopted if they have obtained more than one half of the votes cast (simple majority).

2. A vote shall not be valid if the number of votes cast for and against is less than half the number of delegates attending the Conference and entitled to vote (quorum).

3. The quorum shall be determined by the Credentials Committee. Until the appointment of the Credentials Committee, it shall be provisionally determined by the Chairperson of the Governing Body.

4. Delegates who formally notify to the Secretariat their final departure from the Conference before the session has closed and do not authorize an adviser to act as a substitute shall be regarded as no longer attending the Conference for the purpose of calculating the quorum.

5. If, upon recommendation of the Credentials Committee or any of its members, the Conference refuses to admit any delegate, the number constituting the quorum shall be modified accordingly for the subsequent sittings.

6. If a quorum has not been obtained in a vote by a show of hands, the President may immediately take a record vote. The President shall take a record vote if it is requested by 30 delegates present or by a group.

7. Where a quorum has not been obtained in a vote by a show of hands or in a record vote in accordance with the preceding paragraph, the President may take a record vote on the same question at one of the two next sittings. This paragraph shall not apply to a final vote on the adoption of a Convention or Recommendation.

Article 23

Reports of the Chairperson of the Governing Body and the Director-General

1. The Conference shall discuss the report of the Chairperson of the Governing Body on its work and the Report of the Director-General on the subjects specified in paragraph 2.

2. The Report of the Director-General shall be devoted to a social policy theme of current interest chosen by the Director-General, without prejudice to other questions on which the Conference may have requested the Director-General to report to it on an annual basis. In addition, at each session of the Conference in the first year of a biennial financial period, the Director-General shall report on the programme implementation and the activities of the Organization during the preceding financial period.

3. One delegate or attending minister representing the Government, one delegate representing the Employers and one delegate representing the Workers may participate in the discussion in respect of each Member. A visiting Head of State or Government may speak in addition to the Government delegate or minister. No speaker may speak in the discussion more than once, except to exercise the right to reply.

Article 24

Interactive debates

If the Conference decides that a part of its discussions is to be conducted in the form of interactive debates, the provisions of articles 14(4) on time limits for speeches and 23(3) on the limitation of the right to speak shall not apply to those debates.

Article 25

Consideration of the Programme and Budget

1. In accordance with the provisions of article 13 of the Constitution and article 6 of the Financial Regulations, at its session preceding the beginning of each biennial financial period, the Conference shall adopt the

Programme and Budget of the following financial period, on the basis of the draft Programme and Budget examined by the Governing Body and approved by the Finance Committee in accordance with article 11 of these Standing Orders.

2. Prior to the approval of the budget by the Finance Committee and the adoption of the budget by the Conference, the Conference may examine the Programme and Budget in plenary sitting or refer it to a tripartite committee established for this purpose for report.

Article 26

Items placed on the agenda for general discussion

1. When an item has been placed on the agenda for general discussion, the Office shall prepare a report and make it available not less than two months before the opening of the session of the Conference at which the item is to be discussed.

2. The question shall be referred by the Conference to a committee for report.

Article 27

Consultations with the United Nations and specialized agencies

Where an item other than the adoption of a Convention or a Recommendation placed on the agenda of the Conference relates to matters which are of direct interest to the United Nations or one or more specialized agencies, the Office shall consult with the organization or organizations concerned to prepare the discussion and specify the modalities of their participation. The outcome of these consultations shall be reflected in the report submitted to the Conference.

Article 28

Objections to items on the agenda

If an objection has been lodged against any item on the agenda by the government of any of the Members, the Conference shall hear any report upon the subject which the Governing Body may have submitted and, in accordance with article 16 of the Constitution, shall decide whether the item is to be retained on the agenda.

Article 29

Languages

1. The English, French and Spanish languages shall be the official languages of the Conference.

2. All documents of the Conference shall be made available in the three official languages.

3. The Secretariat shall provide interpretation services in the three official languages and, unless the Governing Body decides otherwise, also in the working languages of the Conference (Arabic, Chinese, German and Russian). Delegates may speak in any other language provided that their delegation covers the cost associated with the provision of interpretation from and into the language in question, or under special arrangements agreed with the Secretariat.

Article 30

Records of Proceedings

1. Records of Proceedings of each plenary sitting shall be published by the Secretariat. The Records of Proceedings shall include any texts adopted and the results of any votes taken.

2. Only speeches delivered during the sitting shall be published in the Records of Proceedings.

3. Any person who has made a speech may request corrections to that speech in the Records of Proceedings. The Secretariat shall set a reasonable time limit within which proposed corrections should be communicated to it in writing. The Office shall publish a final consolidated version of the Records of Proceedings of the Conference as soon as possible after the closure of the session.

Part 3 – Verification of credentials

Article 31

Examination of credentials

1. The credentials of delegates and their advisers and of all other accredited members of the delegation of a Member shall be deposited with the Office at least 21 days before the date set for the opening of the session of the Conference.

2. The Secretariat shall make these credentials available for inspection and publish information on the composition of the Conference on the day before the opening of the session of the Conference.

3. The Credentials Committee appointed by the Conference under article 8 of these Standing Orders shall consider the credentials, and any objection, complaint or communication concerning them. Without prejudice to article 32(4), (6) or (7), article 33(6), or article 34, the Conference shall take note of the reports of the Credentials Committee without discussion.

Article 32

Objections

1. An objection under article 6(2)(a) shall be receivable unless:
 - (a) the objection based on the presence or absence of a person's name or functions on the provisional official list of delegations is not lodged with the Secretary-General within 48 hours from 10 a.m. of the first day of the Conference, the time of publication of that list. If the objection is based on a revised list, the time limit shall be reduced to 24 hours;

- (b) the author or authors of the objection remain anonymous;
- (c) the author of the objection is serving as an adviser to the delegate to whose nomination the objection is made;
- (d) the objection is based upon facts or allegations which the Conference has already discussed in relation to identical facts or allegations and recognized to be irrelevant or unfounded.

2. The procedure for the determination of whether an objection is receivable shall be as follows:

- (a) the Credentials Committee shall consider whether the objection is not receivable on any of the grounds stated in paragraph 1;
- (b) if the Credentials Committee reaches a unanimous conclusion concerning the receivability of the objection, its decision shall be final;
- (c) if the Credentials Committee does not reach a unanimous conclusion concerning the receivability of the objection, it shall refer the matter to the Conference which, on the basis of a report reflecting the Committee's discussions and stating the opinion of the majority and minority of its members, shall decide without further discussion whether the objection is receivable.

3. The Credentials Committee shall consider whether every objection considered to be receivable is well-founded and shall submit a report on the objection to the Conference as a matter of urgency.

4. If the Credentials Committee or any of its members submits a report advising that the Conference should refuse to admit any delegate or adviser, the President shall submit this proposal to the Conference for decision. If the Conference considers that the delegate or adviser has not been nominated in conformity with the requirements of the Constitution, it may, in accordance with article 3(9) of the Constitution, refuse by two thirds of the votes cast by the delegates present to admit the delegate or adviser. Delegates who are in favour of refusing to admit the delegate or adviser shall vote "Yes"; delegates who are opposed to refusing to admit the delegate or adviser shall vote "No".

5. Pending a final decision on their admission, any delegate or adviser to whose nomination an objection has been made shall have the same rights as other delegates and advisers.

6. If the Credentials Committee considers unanimously that the issues raised by an objection relate to a violation of the principles of freedom of association which has not already been examined by the Committee on Freedom of Association of the Governing Body, it may propose to refer the matter to that Committee. The Conference shall decide, without discussion, on such proposals for referral.

7. If, having examined an objection, the Credentials Committee unanimously considers that it is necessary to monitor the situation, it may propose this to the Conference, which shall decide on the proposal without discussion. If it is so decided, the government concerned shall report on such matters that the Credentials Committee considers necessary, to the subsequent session of the Conference when it submits the delegation's credentials.

Article 33

Complaints

1. The Credentials Committee may consider complaints that a Member has failed to comply with article 13(2)(a) of the Constitution where:

- (a) the Member is alleged to have failed to pay the travel and subsistence expenses of one or more of the delegates that it has nominated in accordance with article 3(1) of the Constitution; or
- (b) the complaint alleges a serious and manifest imbalance between the number of Employers' or Workers' advisers whose expenses have been covered in the delegation concerned and the number of advisers appointed for the Government delegates.

2. The Credentials Committee may also consider complaints alleging that an accredited delegate or adviser has been prevented from attending the session of the Conference due to an act or omission of a government.

3. A complaint shall be receivable if:

- (a) it is lodged with the Secretary-General 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 the attendance of the delegate or adviser concerned, and if the Committee considers that there is sufficient time to deal with it properly; and
- (b) it is lodged by an accredited delegate or adviser alleging the non-payment of travel and subsistence expenses in the circumstances set out under paragraph 1(a) or (b), or alleging the act or omission of a government as referred to in paragraph 2, or it is lodged by an organization or person acting on behalf of such delegate or adviser.

4. The Credentials Committee shall present in its report to the Conference the conclusions that it has unanimously reached on each complaint considered by it.

5. In the case of a complaint referred to in paragraph 2, if the Credentials Committee has been unable to resolve the matter, it may refer the matter to the Officers of the Conference. After seeking the collaboration of the government concerned, the Officers of the Conference may take any action they consider necessary and appropriate with a view to facilitating the attendance at the Conference of the delegate or adviser concerned. The Officers shall inform the Credentials Committee of the outcome of any such action.

6. If, having examined a complaint, the Credentials Committee unanimously considers that it is necessary to monitor the situation, it may propose this to the Conference, which shall decide on the proposal without discussion. If it is so decided, the government concerned shall report on such matters that the Credentials Committee considers necessary, to the subsequent session of the Conference when it submits the delegation's credentials.

Article 34

Monitoring

The Credentials Committee shall monitor any situation relating to the respect by a Member for the provisions of articles 3 and 13(2)(a) of the Constitution on which the Conference has requested the government concerned to report. For this purpose, the Committee shall report to the Conference on the evolution of the situation. It may unanimously propose any of the measures contained in article 32(4) to (7) concerning objections or article 33(4) and (6) concerning complaints. The Conference shall decide on such proposals without discussion.

Part 4 – Committees

Article 35

Scope

The provisions of this part of the Standing Orders shall apply to all committees appointed by the Conference except as otherwise provided.

Article 36

Composition of committees and right to participate in their work

1. Each committee shall be composed of:
 - (a) Governments which register as regular or deputy members of the committee, represented by any of their delegates or advisers, and
 - (b) delegates and advisers appointed by the Employers' group and the Workers' group of the Conference as regular or deputy members of the committee, or, subject to paragraph 3, as personal substitutes of such members.
2. Deputy members shall have the same rights as the regular members of the committee except that they may vote only on the following conditions:

- (a) Government deputy members may vote when they are so authorized by a written notification to the Secretariat of the committee from a Government regular member of the committee which is not represented at the sitting;
- (b) Employer and Worker deputy members may vote in place of absent regular Employer or Worker members. They shall be called to vote in the order notified to the Secretariat by their respective groups.

3. The Employers' group and the Workers' group shall decide whether, and if so on what conditions, their members appointed to committees may be replaced by personal substitutes and shall inform the Secretariat accordingly.

4. In addition to the members of the committee, any delegate, or any adviser who has received a written authorization for the purpose from the delegate to whom the adviser is attached, shall be entitled to participate with the same rights as the members of the committee except the right to vote.

5. The following persons shall be entitled to be present at the sittings of the committee and may participate in the discussions with the permission of the Chairperson but may not vote or move motions:

- (a) persons appointed as observers by a State invited to attend the Conference;
- (b) representatives of liberation movements which have been invited to attend the Conference;
- (c) representatives of official international organizations which have been invited to be represented at the Conference;
- (d) technical experts appointed to the committee by the Conference in accordance with article 18 of the Constitution;
- (e) special guests invited to participate in certain sittings of the committee.

6. Representatives of international non-governmental organizations with which the Organization has established consultative relationships and with which standing arrangements for representation at the Conference have been made, and representatives of other international non-governmental organizations which the Conference has invited to be represented at the committee, may be present at the sittings of the

committee. The Chairperson may, in agreement with the Vice-Chairpersons, permit such representatives to make or circulate statements for the information of the committee on matters included in its agenda, and set time limits and other conditions as the case may be. If agreement cannot be reached the matter shall be referred to the committee for decision.

Article 37

Officers and Reporter

1. The first sitting of each committee shall be opened by a representative of the Secretary-General, who shall conduct the business until the Chairperson or a Vice-Chairperson has been elected.

2. Each committee shall elect a Chairperson and two Vice-Chairpersons, chosen one from each of the three groups, as its Officers, and a Reporter.

3. The Officers and the Reporter of the committee may be either delegates or advisers.

4. The Officers shall set the times and the agenda of the sittings and take any other decisions for the proper conduct of the business of the committee.

5. With respect to the duties of the Chairperson, the provisions of article 13 shall apply mutatis mutandis.

6. The Reporter shall present the outcome of the deliberations of the committee to the Conference. Before presenting a report to the Conference, the Reporter shall submit it for approval to the Officers of the committee.

Article 38

Subcommittees

1. Each committee may establish subcommittees. The provisions of this part of the Standing Orders shall apply mutatis mutandis to subcommittees, except the provisions of article 42 concerning voting.

2. The Officers and the Reporter of a committee shall be entitled to attend the meetings of subcommittees set up by the committee.

Article 39

Secretariat

1. The Secretary-General or a representative of the Secretary-General may, with the permission of the Chairperson, address committees and any subcommittees.

2. The Secretary-General shall appoint an official of the Secretariat to act as Secretary to each committee. This official shall undertake such additional duties as may be requested by the committee or the Chairperson.

Article 40

Right to address the committee

1. No one shall be entitled to address a committee without having sought and obtained the permission of the Chairperson, who shall call on speakers in the order determined by the Chairperson.

2. Unless the Chairperson, in agreement with the Vice-Chairpersons, decides otherwise, no speech may exceed 5 minutes, except speeches made on behalf of a group, which may not exceed 15 minutes, and speeches made on behalf of at least 10 governments represented at the Conference, which may not exceed 10 minutes.

Article 41

Motions, resolutions, amendments, and points of order

1. Subject to the provisions of this article, the provisions of articles 15 to 17, article 18, paragraphs 1 to 3, and articles 19 and 20 concerning motions, resolutions, amendments, and points of order shall apply *mutatis mutandis*.

2. Before they can be moved by their authors, amendments must be submitted in writing to the Secretariat in one of the official languages of the Conference within the time limits set by the committee and be translated in the other official languages and made available by the Secretariat. However, amendments to amendments already submitted under the conditions prescribed in this article (subamendments) or amendments to resolutions may be moved without previous notice, unless the committee decides otherwise.

3. A motion to close the discussion shall be discussed only if it is supported by at least one fifth of the members of the committee present at the sitting or by a group.

Article 42

Adoption of decisions

1. Unless otherwise provided in these Standing Orders, the committee shall make every effort to take its decisions by consensus, which is characterized by the absence of any objection presented by a member as an impediment to the adoption of the decision in question.

2. In the absence of a consensus duly ascertained by the Chairperson in agreement with the Vice-Chairpersons, decisions shall be taken by a simple majority of the votes cast by the members of the committee present at the sitting.

3. The vote of each member of the committee shall be weighted so as to ensure that the group of Government members, the group of Employer members and the group of Worker members of the committee each have equal voting power. For this purpose, the votes of the members of each group shall be multiplied by a weighting coefficient obtained by dividing the least common multiple of the number of members entitled to vote in each of the three groups of the committee by the number of members of the group concerned.

4. Voting shall be by a show of hands.

5. If the result of a vote by a show of hands is challenged, the Chairperson shall immediately take a record vote. A record vote shall also be taken immediately if requested by a group or at least one fifth of the

members present at the sitting, when a vote is about to be taken or directly after a vote by show of hands has been completed.

6. The result of the vote shall be announced by the Chairperson and recorded by the Secretariat.

7. No motion, including resolution or amendment, shall be adopted if an equal number of votes are cast for and against it.

8. The Chairperson shall permit any members of the committee who so request to explain briefly their votes immediately after the voting. The Chairperson may limit the time allowed for such explanations.

Article 43

Quorum

1. A vote shall not be valid if the number of votes cast for and against is less than two fifths of the total voting power as determined under article 42(3) (quorum).

2. Where a quorum has not been obtained in a vote by show of hands, the Chairperson may immediately take a record vote.

Part 5 – Procedure in relation to Conventions and Recommendations

Article 44

Procedure for placing an item on the agenda of the Conference

The procedure to be followed by the Governing Body for placing an item on the agenda of the Conference is governed by the Standing Orders of the Governing Body. *

* Ed. note: The relevant provisions are contained in articles 5.1 to 5.4 and 6.2 of the Standing Orders of the Governing Body.

Article 45

Preparatory stages of a single-discussion procedure

1. When a question is governed by the single-discussion procedure, the Office shall prepare as soon as possible a summary report setting out the law and practice in the different countries and any other useful information, together with a questionnaire drawn up with a view to the preparation of Conventions or Recommendations. This questionnaire shall request governments to consult the most representative organizations of employers and workers before finalizing their replies and to give reasons for their replies. The Office shall communicate the report and questionnaire to the governments so as to reach them not less than 18 months before the opening of the session of the Conference at which the question is to be discussed.

2. The replies should reach the Office as soon as possible and not less than 11 months before the opening of the session of the Conference at which the question is to be discussed. In the case of federal States and countries where it is necessary to translate questionnaires into the national language or languages, the period of seven months allowed for the preparation of replies shall be extended to eight months if the government concerned so requests.

3. On the basis of the replies received the Office shall prepare a final report, which may contain one or more draft Conventions or Recommendations. This report shall be communicated by the Office to the governments as soon as possible and every effort shall be made to ensure that the report reaches them not less than four months before the opening of the session of the Conference at which the question is to be discussed.

4. These arrangements shall apply only in cases in which the question has been included in the agenda of the Conference not less than 26 months before the opening of the session of the Conference at which it is to be discussed. If the question has been included in the agenda less than 26 months before the opening of the session of the Conference at which it is to be discussed, a programme of reduced intervals shall be approved by the Governing Body, or, if not practicable, by the Officers of the Governing Body in consultation with the Director-General.

5. If a question on the agenda has been considered at a preparatory technical conference, the Governing Body shall decide whether the Office should either:

- (a) communicate to the governments a summary report and a questionnaire as provided for in paragraph 1; or
- (b) prepare the final report provided for in paragraph 3 directly on the basis of the work of the preparatory technical conference.

Article 46

Preparatory stages of a double-discussion procedure

1. When a question is governed by the double-discussion procedure, the Office shall prepare as soon as possible a preliminary report setting out the law and practice in the different countries and any other useful information, together with a questionnaire requesting the governments to consult the most representative organizations of employers and workers before finalizing their replies and to give reasons for their replies. The Office shall communicate the report and questionnaire to the governments so as to reach them not less than 18 months before the opening of the session of the Conference at which the first discussion is to take place.

2. The replies should reach the Office as soon as possible and not less than 11 months before the opening of the session of the Conference at which the first discussion is to take place. In the case of federal States and countries where it is necessary to translate questionnaires into the national language or languages, the period of seven months allowed for the preparation of replies shall be extended to eight months if the government concerned so requests.

3. On the basis of the replies received, the Office shall prepare a further report indicating the main questions which require consideration by the Conference. This report shall be communicated by the Office to the governments as soon as possible and every effort shall be made to ensure that the report reaches them not less than four months before the opening of the session of the Conference at which the first discussion is to take place.

4. These reports shall be submitted to a discussion by the Conference either in plenary or in committee. If the Conference decides that the question is suitable to form the subject of a Convention or Recommendation, it shall adopt such conclusions as it considers appropriate after having referred them to the Drafting Committee, and may either:

- (a) decide that the question shall be included in the agenda of the following session in accordance with article 16(3) of the Constitution; or
- (b) ask the Governing Body to include the question in the agenda of a later session.

5. The arrangements referred to in paragraphs 1 to 4 shall apply only in cases in which the question has been included in the agenda of the Conference not less than 18 months before the opening of the session of the Conference at which the first discussion is to take place. If the question has been included in the agenda less than 18 months before the opening of the session of the Conference at which the first discussion is to take place, a programme of reduced intervals shall be approved by the Governing Body, or by the Officers of the Governing Body in agreement with the Director-General if the approval of a detailed programme by the Governing Body is not practicable.

6. On the basis of the replies received to the questionnaire referred to in paragraph 1 and on the basis of the first discussion by the Conference, the Office may prepare one or more draft Conventions or Recommendations and communicate them to the governments so as to reach them not later than two months from the closing of the session of the Conference, asking them to state within three months, after consulting the most representative organizations of employers and workers, whether they have any amendments to suggest or comments to make.

7. On the basis of the replies received, the Office shall prepare a final report containing the draft Conventions or Recommendations with any necessary amendments. This report shall be communicated by the Office to the governments so as to reach them not less than three months before the opening of the session of the Conference at which the second discussion is to take place.

8. The arrangements referred to in paragraphs 6 and 7 shall apply only in cases in which there is a period of 11 months between the closing of the session of the Conference at which the first discussion took place and the opening of the next session of the Conference. If the period between the two sessions of the Conference is less than 11 months, a programme of reduced intervals shall be approved by the Governing Body, or by the Officers of the Governing Body in agreement with the Director-General if the approval of a detailed programme by the Governing Body is not practicable.

Article 47

Consultation with the United Nations and specialized agencies

Where an item placed on the agenda of the Conference with a view to the adoption of a Convention or a Recommendation relates to matters which are of direct interest to the United Nations or one or more specialized agencies, the Office shall consult with the organization or organizations concerned, at the same time as it requests governments for their comments on the draft Convention or Recommendation. The outcome of these consultations shall be reflected in the report submitted to the Conference.

Article 48

Procedure for the consideration of draft instruments

1. Unless the Conference decides otherwise, it shall take as the basis of discussion the Conventions or Recommendations prepared by the Office, and refer them to a committee for report.

2. When the Conference has referred to a committee a draft Recommendation only, a decision by the committee to propose a Convention to the Conference for adoption (in place of or in addition to the Recommendation) shall require a two-thirds majority of the votes cast.

3. If the draft Convention or Recommendation is referred to a committee, the provisions of the draft instrument as adopted by the committee shall be referred to the Drafting Committee for the preparation of a final text. After the final text of the Convention or Recommendation is approved by the committee, or by its Officers under the delegated authority

of the committee, it shall be submitted to the Conference for adoption article by article.

4. No amendment shall be allowed to that text, except where the President of the Conference, in agreement with the three Vice-Presidents, decides to admit it.

5. After the adoption article by article of the text of the Convention or Recommendation, the Conference shall proceed to take a final vote on the adoption of the Convention or Recommendation in accordance with article 19 of the Constitution.

6. The final vote shall not take place before the day following that on which the text approved by the committee has been made available to delegates and in no case less than 14 hours after the text has been made available.

Article 49

Procedure if a Convention fails to obtain a two-thirds majority

If a Convention fails to obtain the necessary two-thirds majority in a final vote, but obtains a simple majority, the Conference shall decide immediately whether the Convention shall be referred to the Drafting Committee to be redrafted as a Recommendation. If the Conference approves the referral to the Drafting Committee, the proposals contained in the Convention shall be submitted for the approval of the Conference in the form of a Recommendation before the end of the session.

Article 50

Official translations

After the adoption of the English, French and Spanish texts, official translations of the Conventions and Recommendations may, at the request of interested governments, be drawn up by the Director-General. The governments concerned may consider such translations as authoritative in their respective countries for the application of the Conventions and Recommendations.

Article 51

Procedure in the event of the revision of a Convention or Recommendation

1. When the revision in whole or in part of a Convention or Recommendation which has been previously adopted by the Conference is included in the agenda, the Office shall submit to the Conference draft amendments drawn up in accordance with any conclusions of the report of the Governing Body recommending the revision in whole or in part and corresponding to the question or questions in respect of which a proposal for revision has been placed on the agenda.

2. Unless the Conference decides otherwise, it shall take as the basis of discussion the draft amendments prepared by the Office, and refer them to a committee for report.

3. If the draft amendments are referred to a committee, the amendments together with consequential amendments of the unamended provisions of the Convention or Recommendation under revision, as adopted by the committee, shall be referred to the Drafting Committee, which shall combine with them the unamended provisions of the Convention or Recommendation under revision, so as to establish the final text of the instrument in the revised form. After this text is approved by the committee, or by its Officers under the delegated authority of the committee, it shall be submitted to the Conference for adoption article by article.

4. No amendment shall be allowed to that text, except where the President of the Conference, in agreement with the three Vice-Presidents, decides to admit it.

5. After the adoption article by article of the text of the Convention or Recommendation in the revised form, the Conference shall proceed to take a final vote on the adoption of the Convention or Recommendation in accordance with article 19 of the Constitution.

6. The final vote shall not take place before the day following that on which the text approved by the committee has been made available to delegates and in no case less than 14 hours after the text has been made available.

7. In accordance with article 14 of the Constitution and subject to the provisions of article 16(3) of the Constitution, the Conference shall not at any stage of the revision procedure revise in whole or in part a Convention or Recommendation which has previously been adopted by it except in respect of a question or questions placed on the agenda of the session by the Governing Body.

Article 52

Procedure to be followed in the event of the abrogation or withdrawal of Conventions and Recommendations

1. When an item on abrogation or withdrawal is placed on the agenda of the Conference, the Office shall communicate to the governments, so as to reach them not less than 18 months before the opening of the session of the Conference at which the item is to be discussed, a short report and questionnaire requesting them to indicate within a period of 12 months their position, and the reasons for their position, on the subject of the proposed abrogation or withdrawal, along with the relevant information. This questionnaire shall request governments to consult the most representative organizations of employers and workers before finalizing their replies. On the basis of the replies received, the Office shall prepare a report containing a final proposal and shall make it available to governments four months before the session of the Conference.

2. The Conference may decide to examine this report and the proposal which it contains directly in a plenary sitting or to refer it to the General Affairs Committee. At the end of this examination in the plenary or in the light of the report of the General Affairs Committee, as appropriate, the Conference shall decide by consensus or, failing that, by a preliminary vote by a two-thirds majority, to submit the formal proposal for the abrogation or withdrawal to a final vote. This record vote shall take place no earlier than the day following the preliminary decision.

Part 6 – Governing Body elections

Article 53

Periodicity of elections

In accordance with article 7 of the Constitution, the period of office of the members of the Governing Body shall be three years. Meetings of the electoral colleges for the election of the Government, Employer and Worker regular and deputy members of the Governing Body shall be held every third year during the Conference. The period of office of the Governing Body shall commence at the close of the session of the Conference during which elections were held.

Article 54

Government electoral college

1. Subject to the provisions of article 13(4) of the Constitution and of Part 7 of these Standing Orders, the Government electoral college shall consist of the Government delegates of all Members except those of the ten Members of chief industrial importance.

2. Each member of the electoral college shall be entitled to cast one vote for a number of candidates equal to the number of seats to be filled.

3. The Government electoral college shall elect 18 Members whose governments shall be regular Government members of the Governing Body and 28 other Members whose governments shall be deputy Government members.

4. The ballot papers for the Government electoral college shall be drawn up and dealt with by it in such a manner as to guarantee a fair distribution of regular and deputy seats among the regions.

Article 55

Employers' and Workers' electoral colleges

1. The Employers' and Workers' electoral colleges shall consist of the Employers' and Workers' delegates to the Conference respectively, excluding the Employers' and Workers' delegates of States disqualified from voting under article 13(4) of the Constitution and of Part 7 of these Standing Orders.

2. The Employers' and Workers' electoral colleges shall each elect by name 14 persons as regular members of the Governing Body and 19 persons as deputy members of the Governing Body. These persons do not have to be delegates or advisers at the Conference.

Article 56

Submission of candidatures and notice of elections

1. Candidatures for Government regular and deputy members shall be submitted to the Office before noon on the third day following the opening of the Conference.

2. At least 24 hours' notice shall be given of meetings for election of members of the Governing Body.

Article 57

Voting procedure

1. Each electoral college shall vote by secret ballot. If an electoral college so requests, it may vote by electronic means.

2. The Chairperson of each electoral college shall ask the representative of the President to call out the list of delegates who have the right to vote. Delegates shall come forward as their names are called and place their voting papers in the ballot box.

3. The counting of the votes shall be carried out under the direction of the representative of the President assisted by two returning officers appointed by the electoral college from among its members.

4. No State or person shall be considered to have been elected without having obtained more than half of the votes cast by the members of the electoral college present at the meeting. If, after the first vote, one or more seats remain to be filled, one or more further votes shall be taken as may be necessary; each member of the electoral college shall be entitled to vote for a number of candidates equal to the number of seats which remain to be filled.

5. Once voting has concluded, the Chairperson of the electoral college shall announce the result of the meeting. A report shall be prepared for communication to the Conference and deposited in the archives of the Office. This report shall be signed by the Chairperson of the electoral college and countersigned by the representative of the President.

Article 58

Vacancies

1. If a State ceases to occupy one of the seats on the Governing Body reserved for the 18 States selected by the Government electoral college at a time when the Conference is in session, the Government electoral college shall meet during the session to appoint another State to take its place, in accordance with the procedure laid down in this part.

2. If a State ceases to occupy one of the seats on the Governing Body reserved for the 18 States selected by the Government electoral college during an interval between sessions of the Conference, the Government group of the Governing Body shall proceed to replace it. The appointment thus made must be confirmed by the Government electoral college at the next session of the Conference and communicated by it to the Conference. If such an appointment is not confirmed by the Government electoral college, a new election shall immediately be held in accordance with the relevant provisions of this part.

3. If, at any time whatsoever, a vacancy occurs as a result of the death or resignation of a Government representative but the State concerned retains its seat on the Governing Body, the seat in question shall be occupied by the person whom the Government appoints to replace that representative.

4. If a vacancy occurs among the Employer or Worker members of the Governing Body at a time when the Conference is in session, the electoral college concerned shall meet during the session to fill the vacancy, in accordance with the procedure laid down in this part.

5. If a vacancy occurs among the Employer or Worker members of the Governing Body during an interval between sessions of the Conference, the Governing Body group concerned shall proceed freely to fill the vacancy, without being required to appoint the new member from among the deputy members of the Governing Body. Any such appointment must be confirmed by the electoral college concerned at the next session of the Conference and communicated by it to the Conference. If such an appointment is not confirmed by the electoral college in question, a new election to fill the vacancy shall immediately be held in accordance with the provisions of this part.

Part 7 – Admission of new Members

Article 59

Admission of States Members of the United Nations

1. The acceptance of membership of the International Labour Organization under article 1(3) of the Constitution by a Member of the United Nations shall take effect on receipt by the Director-General of a formal and unconditional acceptance of the obligations of the Constitution.

2. The Director-General shall inform the Members and the Conference of any acceptance of membership of the Organization by a Member of the United Nations.

Article 60

Admission of States which are not members of the United Nations

1. The admission of new Members by the Conference, in accordance with article 1(4) of the Constitution, shall be governed by the provisions of this article.

2. Each application for admission made to the Conference shall be referred in the first instance to the General Affairs Committee.

3. The General Affairs Committee shall refer the application to a subcommittee for examination, unless it is of the opinion that the application calls for no immediate action.

4. Before submitting its report to the General Affairs Committee the subcommittee may consult any representative accredited to the Conference by the applicant.

5. After considering the report of the subcommittee, the General Affairs Committee shall report on the question to the Conference.

6. In accordance with article 1(4) of the Constitution:

- (a) the admission of a new Member by the Conference shall require a vote concurred in by two thirds of the delegates attending the session, including two thirds of the Government delegates present and voting;
- (b) the admission shall take effect on the communication to the Director-General by the government of the new Member of its formal acceptance of the obligations of the Constitution.

7. The readmission of former Members by the Conference shall be governed by the provisions of the preceding paragraphs of this article. When the subcommittee provided for by paragraph 3 above considers an application for readmission by a former Member which had ratified international labour Conventions before its withdrawal from the Organization, the subcommittee shall state in its report whether the applicant recognizes that the obligations under those Conventions continue to be binding.

Part 8 – Voting right of Members in arrears

Article 61

Notification to a Member in arrears in the payment of its contributions

1. Contributions of Members to the Organization shall be due on 1 January of the year to which they relate, but the year in respect of which

they are due shall be regarded as a period of grace. If a contribution has not been paid by 31 December of the year in respect of which it is due, it shall for the purpose of this article be regarded as being one year in arrears.

2. The Director-General shall notify Members which are in arrears in the payment of their contribution to the Organization and call their attention to the terms of article 13(4) of the Constitution when:

- (a) the amount of the arrears will, in the event of no payment being received from the Member during the succeeding three months, increase so as to equal or exceed the full amount of the contribution due from that Member for the two calendar years preceding the end of that three-months period, or
- (b) when the amount of the arrears equals or exceeds the full amount of the contribution due from the Member for the preceding two calendar years.

Article 62

Notification to the Conference and Governing Body that a Member is in arrears

The notification provided for in article 61(2) shall be brought by the Director-General to the attention of the next sessions of the Conference, the Governing Body, and of any other meetings of the Organization at which the question of the right to vote of the Member concerned may arise, and to the attention of the electoral colleges provided for in articles 54 and 55.

Article 63

Procedure where a proposal is made to permit a Member in arrears to vote

1. Any request or proposal that the Conference should nevertheless permit a Member which is in arrears to vote in accordance with article 13(4) of the Constitution shall be referred to the Finance Committee, which shall submit to the Conference an urgent report on the request or proposal.

2. If the Finance Committee finds that the failure to pay is due to conditions beyond the Member's control and considers it appropriate to propose to the Conference that the Member should nevertheless be permitted to vote in accordance with article 13(4) of the Constitution, it shall in its report:

- (a) explain the nature of the conditions beyond the Member's control;
- (b) give an analysis of the financial relations between the Member and the Organization during the preceding ten years; and
- (c) indicate the measures which should be taken in order to settle the arrears.

3. Pending a decision of the Conference on the request or proposal, the Member shall not be entitled to vote.

4. Any decision by the Conference to permit a Member in arrears to vote may be made conditional on the Member complying with any recommendations for settling the arrears which may be made by the Conference.

Article 64

Period of validity of a decision to permit a Member in arrears to vote

1. Any decision by the Conference permitting a Member which is in arrears to vote shall be valid for the session of the Conference at which the decision is taken. Any such decision shall apply to sessions of the Governing Body and to any other meetings of the Organization at which the question of the right to vote of Members may arise, until the opening of the session of the Conference following the session at which the decision was taken.

2. Notwithstanding the provisions of paragraph 1, after the Conference has approved an arrangement under which the arrears of a Member are consolidated and are payable in annual instalments over a period of years, the Member shall be permitted to vote provided that, at the time of the vote concerned, the Member has fully paid all instalments under the arrangement and all financial contributions under article 13 of the Constitution that were due before the end of the previous year. For any Member which, at the close of the session of the Conference, has not fully

paid all such instalments and contributions due before the end of the previous year, the permission to vote shall lapse.

Article 65

Cessation of disqualification from voting

When, as a result of the receipt by the Director-General of payments made by a Member, article 13(4) of the Constitution ceases to be applicable to that Member:

- (a) the Director-General shall notify the Member that its right to vote is no longer suspended;
- (b) if the Conference, the Governing Body, the electoral colleges provided for in articles 54 and 55, or any meeting of the Organization concerned, has received the notification provided for in article 62, the Director-General shall inform it that the right to vote of the Member is no longer suspended.

Part 9 – Consideration of proposed amendments to the Constitution

Article 66

Inclusion in the agenda of proposed amendments to the Constitution

1. Any proposal to amend the Constitution shall only be considered by the Conference if it has been included in the agenda of the Conference by the Governing Body at least four months before the opening of the session at which it is to be considered in accordance with article 14 of the Constitution, or has been included in the agenda of the Conference by the preceding session of the Conference in accordance with article 16(3) of the Constitution.

2. When including in the agenda of the Conference any proposal to amend the Constitution, the Governing Body or the Conference, as the case may be, shall define exactly the question or questions which it is including in the agenda of the Conference.

Article 67

Procedure for the consideration of proposed amendments to the Constitution

1. The Office shall submit to the Conference draft amendments corresponding to the question or questions in respect of which a proposal to amend the Constitution has been included in the agenda.

2. Unless the Conference decides otherwise, it shall take as the basis of discussion the draft amendments prepared by the Office and refer them to a committee for report.

3. If the draft amendments are referred to a committee, the amendments as adopted by the committee shall be referred to the Drafting Committee which shall incorporate them, together with any necessary consequential amendments of the unamended provisions of the Constitution, in an instrument of amendment. After this instrument is approved by the committee, or by its Officers under the delegated authority of the committee, it shall be submitted to the Conference for separate adoption of each amendment or set of related amendments, as the case may be. In the absence of consensus, the adoption of an amendment or set of amendments shall require a two-thirds majority of the votes cast.

4. No amendment shall be allowed to the instrument of amendment prepared by the Drafting Committee, except where the President of the Conference, in agreement with the three Vice-Presidents, decides to admit it.

5. After adoption of the text of the draft instrument of amendment, the Conference shall proceed to take a final vote on the adoption of the draft instrument of amendment in accordance with article 36 of the Constitution.

Part 10 – Final provisions

Article 68

Amendment of the Standing Orders

Subject to the provisions of the Constitution, the Conference may at any session, on the recommendation of the Governing Body, adopt amendments

to these Standing Orders. The Conference may refer the proposed amendments for report to the General Affairs Committee or to a Committee on Standing Orders specifically appointed by the Conference.

Article 69

Suspension of a provision of the Standing Orders

1. The above Standing Orders apply to all sessions, including maritime sessions, of the International Labour Conference.

2. Subject to the provisions of the Constitution, the Conference, on the recommendation of the Governing Body or the unanimous recommendation of the President and three Vice-Presidents, may decide to suspend any provision of the Standing Orders with effect for its current session. Unless the proposal to suspend the Standing Orders has been published at least 24 hours before the sitting at which it is submitted to the Conference, a decision may not be taken until the following sitting.