#### INTERNATIONAL LABOUR OFFICE

## **Governing Body**

334th Session, Geneva, 25 October-8 November 2018



GB.334/WP/GBC/3

Working Party on the Functioning of the Governing Body and the International Labour Conference

WP/GBC

Date: 28 September 2018

Original: English

#### THIRD ITEM ON THE AGENDA

# Revised Introductory Note to the Rules for Regional Meetings

- 1. At its 332nd Session (March 2018), on the recommendation of the Working Party, the Governing Body adopted revised Rules for Regional Meetings <sup>1</sup> which were then submitted to the Conference for confirmation. <sup>2</sup> In addition, the Governing Body requested the Office to prepare for its 334th Session (October–November 2018) a revised version of the Introductory Note, taking into account the discussions in the Working Party.
- 2. Appendix I of this document contains a proposed Introductory Note to the new Rules. The main change in the Rules adopted by the Governing Body and confirmed by the Conference relates to the composition of Regional Meetings. Accordingly, Appendix II contains a list of Members to be invited as full members by region in accordance with article 1(1) of the Rules.

### **Revised Introductory Note**

- **3.** The Introductory Note was adopted together with the Rules in 1996 and offers guidelines on their practical application. The proposed revised Introductory Note builds on an earlier version submitted to the Governing Body at its 332nd Session (March 2018) <sup>3</sup> and reflects the discussions in the Working Party and questions raised in the context of the preparation of the 19th American Regional Meeting.
- 4. With respect to the purpose and length of Regional Meetings (first paragraph and section 1 of the Introductory Note), as noted during the discussions in the Working Party, Regional Meetings are no longer limited to programming and implementation activities and address issues identified in the Report of the Director-General through consultations within the region, as well as specific questions identified by the Governing Body or at the request of

<sup>&</sup>lt;sup>1</sup> GB.332/PV, para. 297.

<sup>&</sup>lt;sup>2</sup> The International Labour Conference confirmed the Rules at its 107th Session (2018) (see *Provisional Record* No. 4B, p. 3).

<sup>&</sup>lt;sup>3</sup> GB.332/WP/GBC/4 and its appendix.

the International Labour Conference. Constituents continue to consider the single-item agenda to be a key feature of the Regional Meetings. <sup>4</sup>

- **5.** The Note reflects this evolution emphasizing the fact that Regional Meetings support global governance of the ILO and provide a forum to implement the Social Justice Declaration. <sup>5</sup> It recalls the need for a consistent approach to agenda-setting to ensure that Regional Meetings not only report on implementation but also serve as platforms to discuss regional strategies for promoting decent work in the era of globalization. The Note further clarifies the articulation between the single agenda item, the determination of the questions for discussion, the Report of the Director-General and additional topics that may be added by the Governing Body and places emphasis on the need to ensure flexibility and tripartite ownership, including tripartite preparatory consultations on the format, themes and working methods of Regional Meetings. <sup>6</sup>
- **6.** With respect to the date, frequency and place of Regional Meetings (section 2), the Note reflects the reality that most Regional Meetings are not held in the member country hosting the Regional Office. Secondly, it conveys the expectation that the Member hosting the Regional Meeting should contribute financially and in kind to the organization of the Regional Meeting. The Note refers to model clauses of the host country agreement, which should be mandatory for any Member wishing to host a Regional Meeting and which are appended to the new Rules.
- 7. With respect to the composition of Regional Meetings (section 3), under the new Rules for Regional Meetings (article 1(2) and (3)), each ILO member State shall be invited as a full member to the Regional Meetings of only one region based on a list established by the Governing Body; on request, a member State may also be invited as an observer to the Regional Meetings of other regions. Member States from another region invited to participate as observers may be represented by a tripartite delegation. Should they decide to attend through a tripartite observer delegation, they should take into account article 1, paragraph 5 (designation of employers and workers participants in agreement with the most representative industrial organizations) and paragraph 4 (responsibility to cover the travel and subsistence expenses of the entire delegation) it being understood that compliance with those provisions is not subject to review by the Credentials Committee of Regional Meetings.
- **8.** With respect to gender equality (new section 4), the Note seeks to strike a balance between the call for stronger language with the need to address the matter in a pragmatic and realistic manner, <sup>7</sup> and builds on the discussion that took place at the 332nd Session (March 2018) of the Governing Body on the proportion of women and men in delegations. <sup>8</sup>
- **9.** With respect to the right to address the Meeting and conduct of business (old section 4), it is proposed to delete the section as it textually reproduces article 10 of the Rules in which it is sufficiently clear that the right to speak can only be exercised with the permission of the

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<sup>4</sup> GB.331/INS/17, para. 29; GB.329/WP/GBC/4(Rev.), paras 3–6; and GB.328/WP/GBC/2, paras 10–15.
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<sup>&</sup>lt;sup>5</sup> GB.331/INS/17, paras 29 and 30; GB.329/INS/18, para. 11.

<sup>&</sup>lt;sup>6</sup> GB.332/INS/12, para. 21.

<sup>&</sup>lt;sup>7</sup> GB.332/INS/12, para. 25.

<sup>&</sup>lt;sup>8</sup> GB.332/LILS/PV, paras 33–63; GB.332/LILS/2.

- Chairperson and that, as stressed during the discussions in the Working Party, priority should be given to delegates.
- **10.** With respect to credentials (section 5), the Note has been revised to avoid repetition of the provisions in articles 1(7) and 9 as amended.
- 11. With respect to the form and nature of the outcome document (section 6), the Note highlights a number of points around the formulation of the outcome document in the form of conclusions, notably in light of the views expressed at the 331st (November 2017) and 332nd (March 2018) Sessions of the Governing Body, including the need to preserve the flexibility as regards the establishment of a drafting group and to allocate sufficient time to its work; it also emphasizes the coordination with the programme and budget and the importance of social dialogue in the implementation of the outcome of Regional Meetings, and refers to follow-up in order to reinforce the impact of the outcome document.
- 12. With respect to languages (section 7), the Note recalls that under article 13 of the Rules, it is for the Governing Body to determine the working languages of a Regional Meeting, in keeping with available budgetary allocations. In this respect, the working languages customarily set by the Governing Body for Regional Meetings vary according to region, but include at least one of the three ILO official languages: English, French and Spanish. At present, the working languages by region are: Arabic, English and French for the African Regional Meeting; English and Spanish for the American Regional Meeting; Arabic, Chinese and English for the Asia and the Pacific Regional Meeting; and English, French, German, Russian and Spanish for the European Regional Meeting. At the 332nd Session (March 2018) of the Governing Body, GRULAC and the Government of Canada requested that the Portuguese and French languages be added to the working languages of the American Regional Meeting. 9 Nevertheless, in taking a decision on this matter, and in view of the budgetary implications in terms of translation and interpretation costs, the Governing Body may wish to consider that Portuguese is not an official language of the ILO, and that only two member States in the Americas have French as one of their national languages.

## List of Members to be invited as full members by region

13. Following the confirmation of the Rules by the Conference at its 107th Session (June 2018), the Office prepared a list of Members to be invited as full members by region. The list was communicated to all ILO member States for confirmation of the region to which they should be assigned as full members. The list in Appendix II is submitted to the Governing Body for its approval in accordance with article 1(1) of the Rules for Regional Meetings.

#### **Draft decision**

- 14. The Working Party recommends to the Governing Body that it:
  - (a) adopt the revised Introductory Note set out in Appendix I of the present document;
  - (b) approve the list of Members to be invited as full members by region set out in Appendix II.

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<sup>&</sup>lt;sup>9</sup> GB.332/INS/12, para. 23.

#### Appendix I

#### **Introductory Note**

For budgetary reasons, the Governing Body decided at its 264th Session (November 1995) to replace the Organization's Regional Conferences by shorter Regional Meetings with a single agenda item, which would still be considered as Regional Conferences for purposes of article 38 of the ILO Constitution. On the authority conferred to it by the International Labour Conference, the Governing Body adopted a set of new rules on an experimental basis at its 267th Session (November 1996). Based on experience with the new rules drawn from five Regional Meetings, the Governing Body adopted, at its 283rd Session (March 2002), At its 283rd Session (March 2002), the Governing Body adopted a revised version of the Rules, which was confirmed by the Conference at its 90th Session (June 2002) of the Conference. Taking account of further experience gained from five Regional Meetings since June 2002, the Governing Body adopted., and at its 301st Session (March 2008), it adopted a further second-revised version of the Rules in its 301st Session (March 2008), which was ere confirmed by the Conference at its 97th Session (June 2008) of the Conference. The Governing Body also agreed to the following that guidelines to in the form of a non-binding Introductory Note should accompany the Rules. At its 311th Session (June 2011), the Governing Body decided to review the role and functioning of Regional Meetings as part of the overall actions taken for an effective governance of the Organization pursuant to the ILO Declaration on Social Justice for a Fair Globalization, 2008 (the Social Justice Declaration). On this basis, the Governing Body adopted revised Rules at its 332nd Session (March 2018) which were confirmed by the 107th Session (June 2018) of the Conference. At its 334th Session (November 2018), the Governing Body adopted a revised Introductory Note.

#### 1. Purpose and length of Regional Meetings

Regional Meetings support the global governance of the ILO. They serve to advance, at the regional level, the strategies decided by the International Labour Conference and the Governing Body, thus enhancing the ILO capacity, pursuant to the Social Justice Declaration, to achieve the strategic objectives by translating them to regional and national realities. Regional Meetings offer the opportunity for tripartite delegations to express their views on discuss the programming and implementation of the ILO's activities in the region, including through knowledge sharing and an exchange of best practices. al activities. The report of the Director-General is the only item on the agenda. The Governing Body identifies themes to be addressed in the Report of the Director-General and may determine a limited number of specific questions of discussion in accordance with its prior decisions or Conference resolutions. Group meetings are held before the start of the discussion in plenary of the single agenda item related to ILO activities in the region concerned. Groups may meet at any other time at their request. The Regional Meetings lasts four days unless the Governing Body decides otherwise.

Flexibility and tripartite ownership are two key aspects of the functioning of Regional Meetings. Timely tripartite preparatory consultations on the themes, format and working methods of Regional Meetings are necessary to promote constituents' engagement at an early stage, and to ensure that the discussions take place in a practical and interactive format making an efficient use of ILO resources and result in an action-oriented outcome. Group meetings are held before the start of the discussions in plenary. Groups may meet at any other time at their request.

#### 2. Date, frequency and place of Regional Meetings

Normally, a Regional Meeting is held each year in one of the four regions in the following order: Asia and the Pacific, the Americas, Africa and Europe. Regional Meetings are in principle held in the country where the relevant ILO regional office is located, unless the Governing Body accepts the offer of another member State of the region to host a Meeting. Any member State hosting a Regional Meeting shall must guarantee at least the level of protection afforded under the 1947 Convention on the Privileges and Immunities of the Specialized Agencies and its Annex I concerning the ILO by concluding a specific

agreement for the purposes of the Regional Meeting that includes at a minimum the clauses set out in the annex to the Rules. The agreement must also detail the financial and in-kind contribution required from the member State for the conduct of the Meeting.

#### 3. Composition

Subject to the discretion of the Governing Body, the composition of each Regional Meeting is generally determined on the basis of States and territories (or States responsible for the territories) Members which are served by the following four ILO regional offices: Regional Office for Asia and the Pacific (including the States Members covered by the Regional Office for Arab States); Regional Office for the Americas; Regional Office for Africa; and Regional Office for Europe.

ILO member States participate in Regional Meetings either as full members or as observers. Each Member participates as a full member at the Regional Meetings of only one region. States attending a Regional Meeting as full members are required to participate through a tripartite delegation. They have the right to stand and vote in elections for the Officers of the Meeting, be appointed to the credentials committee or to any other subsidiary body that may be set up by the Meeting, address the meeting, move motions, resolutions or amendments and vote on all matters.

The Governing Body has the discretion to invite a Member State from another region to attend the Regional Meeting as an observer. If such Member decides to include representatives of employers and workers in its observer delegation, it should take due account of the provisions of article 1, paragraph 5 (designation made in agreement with the most representative organizations of employers and workers in the State concerned) and paragraph 4 (payment of travel and subsistence expenses) of the Rules applicable to tripartite delegations of full members.

Article 1 of the Rules provides for the composition of the delegations of States or territories invited to the Meeting. As regards advisers, account should be taken of the fact that there is only one item on the agenda. Additional advisers may be appointed in the delegation of a State responsible for a territory that has not sent a separate tripartite delegation to the Meeting.

Member States from a different region, non-member States which are not Members of the International Labour Organization and official international organizations or non-governmental international organizations of universal or regional character may also be represented at Regional Meetings on the basis of individual or standing invitations of the Governing Body. Requests to be represented at Regional Meetings should accordingly reach the Office at the latest before the opening of the Governing Body session preceding the Regional Meeting concerned. Eminent public figures and Officers of the Governing Body who are not accredited as delegates to the Regional Meeting may also attend the Meeting.

#### 4. Gender equality

Pursuant to Conference resolutions concerning the participation of women in ILO meetings and the United Nations Economic and Social Council Resolution 1990/15 of 24 May 1990, the ILO is committed to promoting gender equality. This commitment was reaffirmed by the Governing Body at its 332nd Session (March 2018) when it "... urged all groups to aspire to achieve gender parity among their accredited delegates, advisers and observers to the Conference and Regional Meetings.". Governments and employers' and workers' organizations should bear in mind these resolutions and decisions and avail themselves of the Office's technical assistance with a view to achieving gender parity in the composition of the delegations.

## 4 Right to address the Meeting and conduct of business

Under article 10, no person may address the Meeting without the permission of the Chairperson, with priority given to delegates (or their substitutes). Without prejudice to the flexibility

afforded to the Officers of the Meeting to discharge their duties under article 6, paragraph 5, the time limit for speeches is in principle five minutes.

#### 5. Credentials

In view of the short duration of the Meetings, the credentials of delegates and their advisers must be submitted 15 days before the opening date of the Meeting (article 1, paragraph 5 3). A preliminary list of participants is published electronically a two weeks before the opening of the Meeting. Before the opening of the Meeting the list of accredited participants is made available electronically as credentials are received and processed. Two additional lists are published made available at the Meeting: a provisional list of credentials of delegations by the scheduled time for the opening of the Meeting, and a final list of accredited delegations on the morning of the last day of the Meeting. The Office will also publish electronically on the last day a list of persons who actually registered at the Meeting.

Under article 9, The Credentials Committee is competent to receive and examine objections alleging non-observance of article 1, paragraph 2 (designations made in agreement with the most representative organizations of employers and workers in the State or territory concerned); time permitting, complaints alleging the non-payment of travel and subsistence expenses (article 1, paragraph 1); and communications.

Objections are to be submitted within two hours after the scheduled time for the opening of the Meeting, although the Committee may find valid reason to accept a late objection (article 9, paragraph 3(a)). In order to facilitate the work of the Credentials Committee under time constraints, objections (and complaints) should be submitted as soon as possible, even before the publication of the name of the delegate or adviser whose credentials are impugned.

Any receivable objection or complaint is communicated by the Credentials Committee to the Government concerned requesting it to provide comments within a set time limit that is normally of 24 hours. The Committee may reject comments provided after the expiry of the time limit.

The Credentials Committee submits a report to the Meeting which shall be brought to the attention of the Governing Body. There is no discussion of the report at the plenary of the Meeting.

#### 6. Form, nature and evaluation of results

The decisions of Regional Meetings normally take the form of conclusions reports, or resolutions relating to the item on the agenda and other themes discussed (article 3). The Regional Meeting may decide to establish a tripartite drafting group to prepare draft conclusions. The drafting group is allocated sufficient time for its work and is kept fully informed of the plenary discussion.

Decisions will be by the Regional Meeting are taken by consensus whenever practicable or, if not possible, by a simple majority vote, normally by show of hands (article 12, paragraphs 3 and 4). While there is no provision for a record vote or secret ballot, the Rules do not exclude voting by such means.

The results Decisions—of the Meeting are submitted by the International Labour Office to the Governing Body at the earliest possible session after the Regional Meeting. The Governing Body may make observations on the results, decide on the implementation of action called for by the Meeting, duly taking into account the programme and budget, including the promotion of international labour standards as cross-cutting policy drivers. The Governing Body may decide to request the Office to report on follow-up actions matter by a certain time, or to take such other action as may be appropriate. Social dialogue is the appropriate method for adapting the implementation of the results of the Regional Meetings to the national needs and circumstances.

#### 7. Languages

The Governing Body determines the working languages of each Meeting. The working languages customarily set by the Governing Body for Regional Meetings vary according to region, and include at least one of the three ILO official languages: English, French and Spanish. At present, the working languages by region are: Arabic, English and French for the African Regional Meeting; English, and

Spanish for the American Regional Meeting; Arabic, Chinese and English for the Asia and the Pacific Regional Meeting; and English, French, German, Russian and Spanish for the European Regional Meeting.

With the exception of the outcome document(s) of the Meeting, documents prepared during the Meeting such as the Credentials Committee's report are, for reasons of time and cost efficiency, produced in-session in English, French and/or Spanish, as applicable to the particular meeting, and translated into the other working languages of the meeting and official languages of the ILO after the close of the Meeting. A draft report of the meeting is made available after the closure of the meeting in English, French and/or Spanish as applicable to the particular meeting, and is finalized in the other working languages of the meeting after any period decided for the submission of corrections.

### Appendix II

List of Members of each region for the purposes of determining the composition of Regional Meetings under article 1(1) of the revised *Rules for Regional Meetings* adopted at the 332nd Session (March 2018) of the Governing Body and confirmed at the 107th Session (2018) of the International Labour Conference.

#### **Africa**

Algeria Liberia Angola Libya

Benin Madagascar
Botswana Malawi
Burkina Faso Mali

Burundi Mauritania Cabo Verde Mauritius Cameroon Morocco Central African Republic Mozambique Chad Namibia Comoros Niger Nigeria Congo Congo (Democratic Republic of the) Rwanda

Côte d'Ivoire Sao Tome and Principe

Djibouti Senegal
Egypt Seychelles
Equatorial Guinea Sierra Leone
Eritrea Somalia
Eswatini South Africa
Ethiopia South Sudan

Gambia Tanzania (United Republic of)

Sudan

Ghana Togo
Guinea Tunisia
Guinea-Bissau Uganda
Kenya Zambia
Lesotho Zimbabwe

#### **Americas**

Antigua and Barbuda Guyana Argentina Haiti

Gabon

Bahamas Honduras
Barbados Jamaica
Belize Mexico
Bolivia (Plurinational State of) Nicaragua
Brazil Panama
Canada Paraguay
Chile Peru

Colombia Saint Kitts and Nevis

Costa Rica Saint Lucia

Cuba Saint Vincent and the Grenadines

Dominica Suriname

Dominican Republic Trinidad and Tobago

Ecuador United States
El Salvador Uruguay

Grenada Venezuela (Bolivarian Republic of)

Guatemala

#### **Europe**

Albania Lithuania
Armenia Luxembourg

Austria Malta

Azerbaijan Moldova (Republic of)

Belarus Montenegro
Belgium Netherlands
Bosnia and Herzegovina Norway
Bulgaria Poland
Croatia Portugal
Cyprus Romania

Czech Republic Russian Federation

Denmark San Marino

Estonia Serbia
Finland Slovakia
France Slovenia
Georgia Spain
Germany Sweden
Greece Switzerland
Hungary Tajikistan

Iceland the former Yugoslav Republic of

Macedonia

Ireland Turkey

Israel Turkmenistan

**Ukraine** Ukraine

Kazakhstan United Kingdom

Kyrgyzstan Uzbekistan

Latvia

#### Asia and the Pacific

Afghanistan Myanmar Australia Nepal

Bahrain \* New Zealand

Bangladesh Oman \*
Brunei Darussalam Pakistan
Cambodia Palau

China (including Hong Kong Special

Administrative Region and Macau Papua New Guinea

Special Administrative Region)

Cook Islands Philippines
Fiji Qatar \*
India Samoa

Indonesia Saudi Arabia \*

Iran (Islamic Republic of) Singapore

Iraq Solomon Islands

Japan Sri Lanka

Jordan \* Syrian Arab Republic \*

Kiribati Thailand Korea (Republic of) Timor Leste

Kuwait \* Tonga Lao People's Democratic Republic Tuvalu

Lebanon \* United Arab Emirates \*

Malaysia Vanuatu
Maldives Viet Nam
Marshall Islands Yemen \*

Mongolia

<sup>\*</sup> States covered by the ILO Regional Office for Arab States.