

## Governing Body

335th Session, Geneva, 14–28 March 2019

GB.335/INS/7

Institutional Section

INS

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### SEVENTH ITEM ON THE AGENDA

## Standing orders for tripartite meetings: Introductory note

#### Purpose of the document

This document contains a proposed introductory note to the Standing Orders for technical meetings and the Standing Orders for meetings of experts adopted by the Governing Body at its 334th Session (October–November 2018) and a proposal to make a consequential change to the Compendium of rules applicable to the Governing Body of the International Labour Office (see the draft decision in paragraph 4).

**Relevant strategic objective:** All

**Main relevant outcome/cross-cutting policy driver:** Enabling outcome B: Effective and efficient governance of the Organization.

**Policy implications:** None.

**Legal implications:** None.

**Financial implications:** None.

**Follow-up action required:** Publication of the introductory note together with the Standing Orders.

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

**Related documents:** GB.334/INS/7(Rev.); GB.332/INS/7; GB.331/INS/7; GB.329/INS/10; GB.326/POL/5; GB.313/POL/4/1(&Corr.); GB.312/POL/5; GB.289/STM/2; GB.286/STM/1; and GB.264/LILS/1.



## Background

1. At its 334th Session (October–November 2018), the Governing Body adopted two sets of standing orders, the Standing Orders for technical meetings and the Standing Orders for meetings of experts.<sup>1</sup> The discussion on the introductory note that is to precede the Standing Orders had been postponed pending agreement on the final text of the Standing Orders.
2. The appendix contains a proposed introductory note, which is based on the draft texts proposed at the 331st (October–November 2017) and 332nd (March 2018) Sessions of the Governing Body,<sup>2</sup> further adapted to reflect the Standing Orders adopted and to avoid certain repetitions.
3. In addition to the adoption of the introductory note, the Governing Body is invited to consider removing Annex VIII from the Compendium of rules applicable to the Governing Body of the International Labour Office as a consequence of the adoption of the Standing Orders for meetings of experts. Annex VIII contains the text of the decision concerning the composition of meetings of experts and advisory panels established by the Governing Body, which was adopted by the Governing Body at its 180th Session (May–June 1970).<sup>3</sup> As the subject of this decision is now comprehensively regulated by article 4 of the new Standing Orders for meetings of experts, which in fact incorporates language from the 1970 decision, there is no longer need to maintain Annex VIII in effect.

## Draft decision

### 4. *The Governing Body decided:*

- (a) *to adopt the introductory note contained in the appendix to document GB.335/INS/7, to be published together with the Standing Orders for technical meetings and the Standing Orders for meetings of experts adopted at its 334th Session (October–November 2018); and*
- (b) *to remove Annex VIII from the Compendium of rules applicable to the Governing Body of the International Labour Office.*

<sup>1</sup> [GB.334/INS/7\(Rev.\)](#); [GB.334/decisions](#), p. 6.

<sup>2</sup> [GB.331/INS/7](#); [GB.332/INS/7](#).

<sup>3</sup> [GB.178/4/22](#), para. 260; [Minutes of the 180th Session of the Governing Body \(May–June 1970\)](#), p. 26.



## Appendix

### Introductory note

1. The ILO convenes a large number of global meetings of various formats and with different objectives such as policymaking, technical guidance, knowledge sharing or training. These meetings include regular sessions of its constitutional organs, the International Labour Conference and the Governing Body; sectoral meetings; meetings of experts; global dialogue forums; and a large number of other meetings, seminars and workshops.
2. The Governing Body has adopted specific Standing Orders for a limited number of meetings. In November 1995, the Governing Body adopted the Standing Orders for sectoral meetings with a view to regulating the participation in, conduct of business at and outcome of meetings organized for specific sectors of economic activity. These Standing Orders were not intended to apply to meetings of experts, which operated without Standing Orders. As of the 1990s, the Governing Body convened meetings of experts more frequently and these meetings have undergone considerable changes in terms of composition and the role of individual experts. In addition, new meetings were introduced, such as the global dialogue forums, which also fell outside the scope of application of the 1995 Standing Orders.
3. At its 334th Session (October–November 2018), the Governing Body adopted the Standing Orders for technical meetings and the Standing Orders for meetings of experts, which replace the 1995 Standing Orders.
4. The Standing Orders for technical meetings contain generic rules applicable to any tripartite meetings for which no specific standing orders have been adopted. They do not apply, however, to symposia, seminars, workshops and similar meetings not convened by the Governing Body.
5. The Standing Orders for meetings of experts apply to meetings of experts only and are based on the Standing Orders for technical meetings with adaptations to fit the particularities of meetings of experts.
6. At its 335th Session (March 2019), the Governing Body adopted this introductory note, to be published together with the Standing Orders for technical meetings and the Standing Orders for meetings of experts.

### ***Purpose and formats of meetings***

7. It is for the Governing Body to decide on the format of a meeting (technical meeting or meeting of experts), to establish the agenda of the meeting and to specify which form the results of the proceedings may take.
8. Technical meetings include sectoral meetings and global dialogue forums convened to address sector-specific issues. Technical meetings are convened for the purpose of conducting an in-depth discussion on policy issues based on a report prepared by the Office, in order to generate conclusions, points of consensus or similar documents and possibly resolutions. The value of these outcome documents lies in the fact that they reflect international tripartite consensus on a specific issue and can be used by the Organization and member States for policymaking to deal with the issue addressed. Technical meetings also provide guidance to the Office on its future work in the relevant field or economic sector.
9. Meetings of experts are convened either to provide the Organization with expert advice on a specific technical issue or in order to adopt technical guidance, based on a draft Office text, such as a code of practice, guidelines, or, on occasion, conclusions. The particularity of a meeting of experts is that it is composed of a fixed number of experts, who serve in their

personal capacity and act and speak in their expert capacity and not as representatives of a government or group.

### ***Date, length and place of meetings***

10. The date, length and place of the meetings are determined by the Governing Body. In principle, meetings last five calendar days (Monday to Friday) and take place at headquarters in Geneva. Global dialogue forums normally last only three days.

### ***Participation***

11. There are three possible categories of participants at tripartite meetings: representatives/experts and their advisers; observers; and other participants. Members of the public who are given access to meetings are not participants.
  - (a) **Representatives/experts and their advisers:** Technical meetings are composed of representatives who represent their respective governments or non-government groups at the meeting, whereas meetings of experts are composed of experts who serve in their personal capacity. Representatives and experts exercise all participation rights in the respective meetings, including the right to speak and the right to move motions, amendments and resolutions. Representatives/experts may be accompanied by advisers, who may speak when authorized to do so by the representative/expert they accompany and exercise all participation rights on behalf of the representative/expert when they are appointed by the latter to act as their substitute. In addition, representatives/experts may be assisted, on a need basis, by interpreters without participation rights.
  - (b) **Observers:** Observers at technical meetings represent governments that have no representative at the meeting, employers or workers, invited official international organizations or non-governmental international organizations. At meetings of experts, possible observers represent interested governments (without speaking rights), invited official international organizations or non-governmental international organizations. Where active participation rights are granted to observers, those are limited to the right to speak under conditions set out in the Standing Orders. Observers are seated separately from the representatives/experts.
  - (c) **Other participants:** Other possible participants include external persons who may be invited to address the meeting, for example during any panel or round-table discussions. Such participants may intervene in the debates, but are not normally expected to participate in the discussions throughout the meeting.
12. It is for the Governing Body to determine the composition of each meeting according to its specific requirements and with due regard to the need to ensure a balance across the three groups and the efficiency of deliberations. For all meetings, Employer and Worker representatives or experts are appointed by the Employers' and Workers' groups of the Governing Body. The names of the representatives/experts and advisers are communicated, to the extent possible, at least one month before the opening date of the meeting.
13. As regards the appointment of Government experts at meetings of experts, the Government group determines, on the basis of a proposal prepared by the Office, which governments shall be asked to nominate an expert and which governments shall be included on a reserve list. In identifying these governments, the Government group takes into account the following criteria: (i) appropriate geographical distribution; (ii) the importance of the country concerned in relation to the issue; (iii) the importance of the issue for the country concerned; and (iv) the ratification of relevant international labour Conventions and any other relevant factors. If the reserve list proves insufficient to ensure the composition of the meeting, the Office consults with the regional coordinator(s) concerned regarding the government(s) to be invited.

14. Whereas for technical meetings, the Office bears the cost of transportation and subsistence only of Employer and Worker representatives, for meetings of experts, the Office covers such costs for all experts, including those nominated by governments.
15. At all meetings, the Officers consist of the Chairperson and three Vice-Chairpersons. The Chairperson of the meeting, who can be either a member of the Governing Body or an independent person selected by the Office (in the case of meetings of experts, the Chairperson is always an independent person selected by the Office) is appointed in addition to the representatives/experts of the meeting.

### ***Group secretariats***

16. The secretariats of the Employers' and Workers' groups, which are traditionally provided by the International Organisation of Employers (IOE) and the International Trade Union Confederation (ITUC), respectively, or the relevant sectoral international employers' and workers' organizations, play a key role in supporting the work of the respective groups. Members of the secretariats of the two groups may attend meetings, including the meetings of any subsidiary body, and intervene in the debates.

### ***Report/draft outcome document***

17. For technical meetings, the Office prepares a report on the matters covered by the agenda with a view to providing participants with a basis for their deliberations. The Office's preparatory report does not, in principle, exceed 40 pages (less for global dialogue forums). The Office also draws up a list of discussion points to focus attention on the major aspects of the matters covered by the agenda without, however, limiting the freedom of the meeting to carry out its work as it sees fit.
18. For meetings of experts, the Office normally prepares a draft outcome document (for example draft guidelines or a draft code of practice) that is submitted to the meeting to serve as the basis of its work.
19. The report or draft outcome document prepared by the Office for each meeting is made available electronically to the governments invited to be represented and to the appointed Employer and Worker representatives, or to the nominated experts, as the case may be, at least one month before the start of the meeting.

### ***Outcome document and follow-up***

20. The outcome document of a technical meeting or meeting of experts is submitted to the Governing Body, which can approve or reject it without modifying its content. Once the outcome document of the meeting and any resolutions are approved by the Governing Body, they constitute ILO documents on which action might be taken separately or jointly by governments and national organizations of employers and workers, or by the Governing Body. In particular, in the light of the outcome document, the Governing Body may consider proposed items for the agenda of the Conference, thus ensuring linkages between the tripartite global meetings and the ILO's future programme of work.
21. It is for governments to consider the effect to be given to the outcome document and any resolutions, the application of which is within their competence. Any action that they may take is determined in consultation with the employers' and workers' organizations concerned.
22. It is for the employers' and workers' organizations concerned and, where they exist, the national industrial relations bodies, whether tripartite or bipartite, to consider the effect to be given to the outcome document and any resolutions raising matters of interest for joint consultation or negotiation.

***Note on the proceedings***

23. A summary record of proceedings is prepared by the secretariat of the meeting, reflecting the views expressed by the participants. The draft summary record is sent electronically to all represented governments and Employer and Worker representatives, or experts, after the meeting, giving them the opportunity to ask for corrections to statements made by or attributed to them.
24. Once finalized, the summary record of proceedings, the outcome document and any adopted resolutions are consolidated by the Office as a note on the proceedings. The note is submitted as soon as possible to the Governing Body. At the request of the Governing Body, the Office will publish the final note on the ILO website, together with any observations from or decisions of the Governing Body.
25. Subject to authorization by the Governing Body, codes of practice, guidelines or similar documents adopted by meetings of experts are published separately by the Office.