

Second question before the Committee

Request of the Government of Somalia, under paragraph 4 of article 13 of the Constitution of the International Labour Organisation, for permission to vote

1. The following request received on 6 June 2019 from the Government of Somalia for permission to vote at the Conference is referred to the Finance Committee as a matter of urgency in accordance with paragraph 1 of article 31 of the Standing Orders of the Conference.



FEDERAL REPUBLIC OF SOMALIA
Ministry of Labor and Social Affairs
Office of the Minister

Ref: MOLSA/ OM /25 /2019

Date: 06/06/2019

H.E. Guy Ryder
Director General
International Labor Organization (ILO)

Your Excellency,

Re: Somalia's Financial Contributions to the ILO

On behalf of the Ministry of Labor and Social Affairs of the Federal Republic of Somalia, I wish to express Somali government's profound appreciations to you, Excellency, and the entire ILO family for the uninterrupted support to the government and people of Somalia.

Somalia has had limited participation in international multilateral institutions like the ILO. This is a consequence of the three decades of civil war and subsequent state collapse. The outbreak of civil war had a devastating effect on our country's institutions and governance capacity. Meanwhile, Somalia kept its dream of remaining an important member of the UN in spite of the absence of any kind of functioning central government over a long period.

Today Somalia has functioning institutions. The Federal Government of Somalia is working to restore Somalia's active membership of the international institutions. We are rebuilding our nation with the help of the world community. During this period of civil war and national insecurity, our contributions to ILO have accrued substantially. Somalia is; however, keen to reinstate its effective responsibility within the ILO.

In view of this, we wish to request financial arrangement in settling Somalia's accumulated arrears of contributions amounted to 419,546 Swiss francs in 19 annual installments of 21,000 Swiss francs CHF and one installment of 20,546 Swiss francs CHF beginning in 2020. Somalia will also settle its subsequent years' contributions in the year in which they become due. **Enclosed is financial arrangements plan (Annex 1).**

It is our genuine hope that the ILO and its relevant structures will favorably consider our request and will allow Somalia to have its voting rights restored from 2019 international labor conference.

Sincerely yours,



Hon. Sadik Hirsi Warfa
The Minister of Labor and Social Affairs

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ANNEX 1

**International Labour Organization
SOMALIA
FINANCIAL ARRANGEMENT PLAN (20 Years)**

**Status as at 07 June 2019
(in Swiss francs)**

Total (1988-2018) Arrears plus 2019 contribution due:

419,546

Period of financial arrangement: 20 years (2020-2039)

No. Year	Year	Annuity	Current year Assessed Contribution	Total per year
1	2020	21,000		
2	2021	21,000		
3	2022	21,000		
4	2023	21,000		
5	2024	21,000		
6	2025	21,000		
7	2026	21,000		
8	2027	21,000		
9	2028	21,000		
10	2029	21,000		
11	2030	21,000		
12	2031	21,000		
13	2032	21,000		
14	2033	21,000		
15	2034	21,000		
16	2035	21,000		
17	2036	21,000		
18	2037	21,000		
19	2038	21,000		
20	2039	20,546		
	Total	419,546		



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Schedule for settling the arrears of member contributions of Somalia to the International Labour Organization

Period covered: 1988–2018 plus 2019 (assessed contribution)

Total amount due: 419,546 Swiss francs (CHF)

Planned payment of arrears (20 years)

No.	Year of payment	Annuity (in CHF)
1	2020	21 000
2	2021	21 000
3	2022	21 000
4	2023	21 000
5	2024	21 000
6	2025	21 000
7	2026	21 000
8	2027	21 000
9	2028	21 000
10	2029	21 000
11	2030	21 000
12	2031	21 000
13	2032	21 000
14	2033	21 000
15	2034	21 000
16	2035	21 000
17	2036	21 000
18	2037	21 000
19	2038	21 000
20	2039	20 546
Total		419 546

Relevant provisions of the Constitution of the International Labour Organisation and the Standing Orders of the International Labour Conference

2. These are provided in Appendix I to this document.

Financial relations between Somalia and the Organization

3. Somalia became a Member of the ILO on 18 November 1960. The last payment made by Somalia to the ILO in respect of its assessed contributions was as follows:

Date of payment	Amount (in CHF)	Details of payment
8 March 1988	21 661	Balance 1985 contribution Full 1986 contribution Full 1987 contribution

4. Contributions outstanding at 7 June 2019 amounted to CHF419,546 covering the assessed contributions from 1988 to 2019. Therefore, under paragraph 4 of article 13 of the Constitution, Somalia is not entitled to vote unless the Conference should decide, in accordance with that article, to grant permission to vote.
5. In its letter, the Government of Somalia proposes to liquidate its consolidated arrears of contributions in 20 instalments beginning in 2020, in addition to settling subsequent years' assessed contributions in the year in which they become due.
6. In accordance with paragraph 3 of article 31 of the Standing Orders of the Conference, the Finance Committee of Government Representatives is called upon to submit to the Conference a report giving its opinion on the request of Somalia for permission to vote.
7. If the Committee is satisfied that the failure of Somalia to pay is due to conditions beyond its control, it may wish, in accordance with the provisions of paragraph 4 of article 31 of the Standing Orders of the Conference, to report to the Conference as follows:
- (a) the Committee finds that the failure of Somalia to pay in full the amounts owing is due to conditions beyond its control; these conditions are summarized in the letter appearing in paragraph 1 above;
 - (b) the financial relations between Somalia and the Organization have been set out in paragraphs 3–4 above;
 - (c) measures should be taken to settle the arrears along the lines set out in the letter appearing in paragraph 1 above.
8. The Committee may accordingly wish to recommend the adoption by the Conference of the resolution concerning the granting to Somalia of permission to vote under paragraph 4 of article 13 of the Constitution of the International Labour Organisation, the text of which appears in Appendix II to this document. This draft reflects the request in the Government's letter reproduced above.

Appendix I

Relevant provisions of the Constitution of the International Labour Organisation and the Standing Orders of the International Labour Conference

1. Paragraph 4 of article 13 of the Constitution of the Organisation provides as follows:

4. A Member of the Organization which is in arrears in the payment of its financial contribution to the Organization shall have no vote in the Conference, in the Governing Body, in any committee, or in the elections of members of the Governing Body, if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years: Provided that the Conference may by a two-thirds majority of the votes cast by the delegates present permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

2. Articles 31 and 32 of the Standing Orders of the Conference provide as follows:

ARTICLE 31

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

1. Any request or proposal that the Conference should nevertheless permit a Member which is in arrears in the payment of its contributions to vote in accordance with article 13, paragraph 4, of the Constitution shall be referred in the first instance to the Finance Committee of the Conference, which shall report thereon as a matter of urgency.

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

3. The Finance Committee shall submit to the Conference a report giving its opinion on the request or proposal.

4. If the Finance Committee, having found that the failure to pay is due to conditions beyond the control of the Member, thinks fit to propose to the Conference that the Member should nevertheless be permitted to vote in accordance with article 13, paragraph 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 Organisation during the preceding ten years; and
- (c) indicate the measures which should be taken in order to settle the arrears.

5. Any decision which may be taken by the Conference to permit a Member which is in arrears in the payment of its contributions to vote notwithstanding such arrears may be made conditional upon the Member complying with any recommendations for settling the arrears which may be made by the Conference.

ARTICLE 32

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

1. Any decision by the Conference permitting a Member which is in arrears in the payment of its contributions to vote shall be valid for the session of the Conference at which the decision is taken. Any such decision shall be operative in regard to the Governing Body and committees until the opening of the general session of the Conference next following that at which it was taken.

2. Notwithstanding the provisions of paragraph 1 of this article, 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, as well as 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.

Appendix II

Resolution concerning the arrears of contributions of Somalia

The General Conference of the International Labour Organization,

Having regard to paragraph 6 of article 10 of the Financial Regulations,

Accepts the arrangement proposed by the Government of Somalia for the settlement of its arrears of contributions corresponding to the periods 1988–2018 plus its 2019 contribution to the effect that:

- (a) the Government of Somalia, starting from 2020, will pay its current contribution in full in the year for which it is due;
- (b) the Government of Somalia will settle its arrears that have accumulated up to 31 December 2018 and including the 2019 contribution, amounting to CHF419,546, by payment, beginning in 2020, of 20 annual instalments in accordance with the following schedule:

Years	Amount (in CHF)
2020	21 000
2021	21 000
2022	21 000
2023	21 000
2024	21 000
2025	21 000
2026	21 000
2027	21 000
2028	21 000
2029	21 000
2030	21 000
2031	21 000
2032	21 000
2033	21 000
2034	21 000
2035	21 000
2036	21 000
2037	21 000
2038	21 000
2039	20 546
Total	419 546

Decides that Somalia shall be permitted to vote, in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organisation, after the conclusion of the present business.