



# Governing Body

341st Session, Geneva, March 2021

Institutional Section

INS

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First item on the agenda

## Special arrangements for the 341st Session of the Governing Body of the ILO (March 2021)

1. In view of the circumstances resulting from the COVID-19 pandemic that prevailed before the start of the last 340th Session of the Governing Body (October–November 2020), on 15 October 2020 the Governing Body adopted by correspondence a set of special arrangements and rules of procedure to facilitate the conduct of the session through videoconferencing. Those special arrangements were later reviewed at the request of the Governing Body at its opening sitting on 2 November 2020 to reflect the fact that the session would be conducted entirely by virtual means.<sup>1</sup>
2. Despite promising news regarding a progressive return to normal in the medium term through imminent vaccination campaigns, it remains highly unlikely that it might be possible to organize meetings in person during the first quarter in 2021, including the 341st Session of the Governing Body.
3. The tripartite Screening Group has therefore reviewed and supplemented the special arrangements adopted for the 340th Session in the light of the experience gained during that session and recommends that the special arrangements, as adjusted in the appendix, be adopted for the organization and conduct of the 341st Session of the Governing Body. These adjustments have been made with a view to replicating to the extent possible existing rules and practices regarding motions such as points of order or

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<sup>1</sup> GB.340/INS/1(Rev.1).

requests for the right of reply and decision-making, including voting, applicable during in-person sessions of the Governing Body.

4. Following the practice successfully tested last November, the 341st Session will consist of two processes; plenary sittings of the Governing Body through videoconferencing to be held from 15 to 27 March 2021, and a series of decisions to be made by correspondence that will be prepared through informal consultations with the Screening Group, which would start before the opening sitting on 15 March and may extend until after the formal closing sitting on 27 March 2021.

## ▶ Draft decision

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5. **The Governing Body decided, by correspondence, to hold its 341st Session under the special arrangements and rules of procedure set out in the appendix to document GB.341/INS/1 in order to facilitate the conduct of the session and to hold its plenary sittings from Monday 15 to Saturday 27 March 2021.**

## ▶ Appendix

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### Special arrangements and rules of procedure applicable to the 341st Session of the Governing Body of the ILO (March 2021)

The Standing Orders of the Governing Body shall continue to apply in full except to the extent that they are inconsistent with the special arrangements and rules of procedure set out below, in which case the Governing Body's decision to adopt these arrangements and rules shall be deemed as a decision to suspend the relevant provisions of the Standing Orders for the entire duration of the 341st Session of the Governing Body.

Given the exceptional character of these arrangements and rules, should the need arise, the Governing Body may modify them during the session on the recommendation of its Officers, after consulting the Government group regional coordinators.

#### Accreditation

1. Accreditation to the 341st Session shall continue normal practice, that is Government members of the Governing Body shall communicate in writing the list of their representatives to the secretariat of the Governing Body. The secretariats of the Employers' and Workers' groups shall also communicate in writing the list of the regular and deputy members attending the session, including any substitute in replacement of a regular or deputy member, as well as the members of their secretariats.
2. Governments that are not members of the Governing Body and other observers with a standing invitation to attend Governing Body sessions shall also send in writing to the secretariat of the Governing Body credentials for their authorized representatives.
3. To enable secure access to join the session remotely through the relevant virtual platform, the provision of a personal email will be required upon submission of the credentials of Governing Body members and observers. The same email will be used to communicate the personal codes necessary to participate in any electronic vote and to enable access to the ILO Events APP that will be used throughout the session to announce the programme, transmit documents and enable participants to communicate with each other during and outside plenary and group meetings.
4. In order to ensure that the information provided in the credentials of Governments, in particular the email addresses of their participants, is accurately entered in the various systems (virtual platforms, electronic voting, ILO Events APP), credentials should be submitted using a prescribed form.
5. In view of the maximum capacity of 1,000 participants in the virtual platform that will be used for plenary sittings of the Governing Body, the maximum number of representatives who will be given access to the platform in each category shall be as follows:
  - Government regular and deputy members of the Governing Body: up to 16 representatives (that is the same number as for face-to-face meetings).
  - Employer and Worker regular and deputy members (or their substitutes): 14 regular and 19 deputy members in each group.

- Employers' and Workers' group secretariats, substitute members not replacing regular or deputy members or other persons invited as observers by the groups: 25 in each group.
  - Observer governments (non-Governing-Body members and ILO non-Member States, and the Palestinian Authority): 5 representatives each.
  - Observers from invited international intergovernmental and non-governmental organizations: 5 representatives each.
6. Should the above limits prove insufficient to keep the number of participants within 1,000, the Officers of the Governing Body shall decide whether and to what extent the number of observer delegations with access to the platform should be reduced. Any accredited participants in excess of the above limits or new limits set by the Officers of the Governing Body will be entitled to follow the proceedings of the Governing Body through a separate platform.
  7. Regarding group meetings (employer, worker and government regional groups), the virtual platform permits a maximum of 500 participants in each group. Unless any particular group considers it necessary to establish restrictions, all persons accredited to the session by the groups (whether or not they are members of the Governing Body) will be granted access to participate remotely in the meetings of their respective groups.
  8. Credentials of Governing Body members and observers should reach the secretariat in the prescribed form no later than one week before the opening of the session, namely by 8 March 2021, so that the Officers can determine whether any limitation in the number of members of observer delegations is required, and the secretariat can send the relevant access codes to each accredited participant.

## Attendance

### Physical attendance

9. Subject to the travel, sanitary and safety situation in force in Geneva during the session, the Chairperson of the Governing Body and any member to whom the Chairperson may have assigned chairing functions for a sitting or segment of the session will have access to the Governing Body meeting room for the purpose of chairing plenary sittings. If the travel, sanitary and security situation permits, the Vice-Chairpersons of the Governing Body, the secretariats of the Employers' and Workers' groups, the officers of the Government group and the Regional Coordinators will have access to the ILO premises for the purpose of facilitating group meetings.

### Remote attendance

10. Governing Body members and invited observers shall join the plenary sittings remotely through a closed virtual platform. These participants will be able to listen to other speakers and address the meeting in any of the seven working languages of the Governing Body (Arabic, Chinese, English, French, German, Russian and Spanish) and to communicate in writing with the Clerk and individual participants, through the chat function in the platform.
11. Group meetings are private and therefore only accessible remotely to those participants authorized by each group. Authorized participants will be able to take the floor and listen to other participants in the traditional working languages of each group, and to interact through the chat.

12. Separate access codes or links will be required to attend public sittings of the session, and any private sitting and group meetings through the closed platform specific to each of these three meeting types. Individual access links will be communicated separately to each participant according to their attendance rights and will be valid for the entire duration of the session. It is the responsibility of each registered participant to keep their access code confidential and to abstain from sharing it with any other person, even within the same delegation.
13. Accredited persons in excess of the limits mentioned in paragraphs 5 and 6 above will be provided access to a separate virtual platform on request, allowing them to follow the debates, but with no possibility of addressing the meeting or interacting with other participants. The media and interested members of the public may also be provided with access to such a separate virtual platform.
14. If the Officers, following consultations of the Chairperson with the Government group, decide that any specific plenary sitting of the Governing Body or parts thereof should be accessible to the public at large without registration, the Office will webcast them in the language of the speaker (or its interpretation in English, French or Spanish) through the ILO's public website.

## Programme

15. To ensure the most equitable participation possible for participants from different time zones, all plenary sittings will be organized between noon and 4:30 p.m. Geneva time. A maximum of 12 plenary sittings will be scheduled, including if necessary on Saturdays.
16. For groups with members from different time zones that need to hold their group meetings also within the core hours above, a maximum of one and a half hours will be devoted to group meetings so as to ensure sufficient time for plenary sittings. Group meetings with interpretation can be organized upon request outside these core hours as well as for the weeks before the start of the session, including during weekends if necessary.
17. Group meetings and plenary sittings will be announced through the Governing Body website and ILO Events APP. In the case of plenary sittings, information will include the items scheduled for discussion with links to relevant documents, the estimated duration of the discussion for each item, as well as any applicable time limit for group and individual interventions.
18. As soon as practicable, and no later than three weeks prior to the opening of the session, the Officers, after consulting the tripartite Screening Group, will fix the tentative programme for the session, including the approximate duration for the discussion of each item and corresponding time limits for prepared statements and for other interventions, as well as the date at which items considered by correspondence should be submitted to the Governing Body for decision.

## Conduct of debates

### Time management and administration of the right to speak

19. In view of the limited number of plenary sittings, and the need to make the best use of the time available, the following principles shall apply:
  - (a) To the extent possible, the position of Governing Body members on each item of the agenda should be expressed through group statements made by the spokesperson for the group.
  - (b) Individual statements should, to the extent possible, be limited to situations where they differ from the group to which the member belongs or where they add a perspective not covered by the group statement that is relevant in the decision-making process.
  - (c) Time limits for group and individual statements, as determined under paragraph 18 above, will be strictly enforced.
  - (d) Except in the limited cases referred to in article 1.8 of the Standing Orders, requests for the floor from States which are not members of the Governing Body or other observers shall be made 24 hours before the start of the sitting at which the agenda item is scheduled, and shall include the text of the statement which should be provided in any of the three official languages and not exceed 700 words. The Officers shall determine if the statement should be delivered orally and under what time limit, or if it should be made available to the Governing Body in writing in the language of the submission and included in summary form in the minutes of the session.
  - (e) Requests to deliver prepared statements shall be made in writing one hour before the opening of the sitting at which the item is scheduled for discussion. This will allow the display of the list of registered speakers and a better assessment of the time needed for each discussion.
  - (f) Requests for the floor from remote participants during plenary sittings should be made using the chat function in the virtual platform with an indication of the item to which the member wishes to speak, or in the case of procedural interventions, the type of intervention to be raised (for instance point of order, request for right of reply, motion as to procedure).

### Duties of the chairing officer

20. The Chairperson of the Governing Body will preside over the sittings of the Governing Body, unless he assigns the chairing functions for a given segment or section or a specific sitting or agenda item to a regular or deputy member of the Governing Body, in accordance with paragraph 2.2.5 of the Standing Orders. Intended designations will be communicated to the other two Officers in advance and announced to the members of the Governing Body.
21. In conducting the debates, the chairing officer shall have discretion in according or withdrawing the right to address the sitting and administering any motion as to procedure or requests for the right to reply, which he/she may postpone to another sitting in the interest of strict time management.
22. Interruption of sittings for negotiations should be avoided. These should take place outside of the hours reserved for plenary sittings, except those inevitably required for consensus-building efforts referred to in paragraph 32.

23. When considering matters of a ceremonial nature, such as obituaries, the chairing officer may decide that comments or statements be submitted in writing.
24. Consistent with the powers of the Chairperson under paragraph 2.2.2 of the Standing Orders and paragraph 21 above to withdraw the right to address the Governing Body in oral statements, the Chairperson may determine whether and to what extent any written comment submitted in the context of decisions made by correspondence under paragraphs 27(c) to 30 below should be published, in consultation as appropriate with the two Vice-Chairpersons and the parties concerned.

## Decision-making

### Decisions by correspondence

25. In the context of the COVID-19 response, since March 2020 the Governing Body has been taking a series of decisions by correspondence on urgent, non-controversial or routine matters. This has proved a particularly efficient and pragmatic way of taking decisions in these exceptional circumstances.
26. The Officers, after consulting the tripartite Screening Group, may recommend to the Governing Body that one or several items on the agenda be submitted for a decision by correspondence. The proposed draft decision of any such item shall be subject to consultation with the Screening Group prior to its submission for decision by correspondence.
27. Decisions by correspondence shall be taken in accordance with the following procedure:
  - (a) All Governing Body members (regular and deputy members) are invited to express in respect of each proposed draft decision whether they: (i) agree with the proposal; (ii) do not agree with the proposal but without seeking to block consensus; or (iii) do not agree with the proposal to the extent of blocking consensus. The absence of a response to a draft decision shall be considered support for the decision, that is the equivalent of remaining silent during a discussion in the Governing Body room. Where there is no obstacle to consensus, the chairing officer shall announce the decision made without indication of the individual responses.
  - (b) Where consensus is not reached, the Officers, after consulting the tripartite Screening Group, will determine whether the item should be referred to the Governing Body (during the same session or to a future session) or submitted to a vote by correspondence. In such cases, only regular members shall be invited to indicate whether they agree, disagree or abstain with respect to each proposal. The absence of response shall be considered an abstention. The decision thus made will be announced together with an indication of the responses received from each regular member, that is the results will be included in the minutes in the same manner as a roll call.
  - (c) In both processes, members may submit in writing (in one of the three official languages) an explanation of their response, including guidance to the Office. Such explanation or guidance should not exceed 700 words and will be made available in the language of submission. Any members wishing to comment on any such explanation or guidance may do so in writing within seven days (in one of the three official languages), not exceeding 700 words, for distribution in the language of submission. Explanations, guidance and comments received will be included in summary form in the minutes of the session.

28. Requests from States which are not members of the Governing Body or other observers (within the meaning of paragraph 1.8.3 of the Standing Orders) to submit written comments on any draft decision that may affect their interests or where the document submitted for decision by correspondence refers specifically to them shall be made in writing within the time limit set for the receipt of responses to agenda items submitted for a decision by correspondence. Such requests shall include the text of the comments in any of the three official languages and not exceed 700 words. Subject to permission being granted by the Officers, the comments shall be published in the language of submission and included in summary form in the minutes of the session.
29. Requests for the right to reply (within the meaning of article 5.8 of the Standing Orders) to comments made in writing in accordance with paragraph 27(c) and 28 above, shall also be submitted in writing in any of the three official languages within seven days after their publication. They shall not exceed 700 words and, subject to the authority of the Chairperson under paragraph 24 above, shall be published in the language of submission and included in summary form in the minutes of the session.
30. The Office shall bring to the attention of the Chairperson of the Governing Body any written comment, or written request for the right to reply, which in its view could have given rise to a point of order had the comments or right of reply been delivered orally in session. In such case the Chairperson shall consider the matter in accordance with paragraph 24 above.
31. All decisions by correspondence shall be announced by the Chairperson and shall be included in the minutes of the Governing Body session.

### **Decisions during plenary sittings and submission of amendments**

32. To enable effective decision-making while promoting consensus building, items on the agenda scheduled for discussion will be dealt with as follows:
  - (a) Any Governing Body member or group wishing to submit an amendment to any decision point proposed in a Governing Body paper must do so in one of the three official languages at least 48 hours prior to the scheduled commencement of the sitting at which the item is to be discussed.
  - (b) Any proposed subamendment (namely an amendment to an amendment submitted under (a)) must be submitted in one of the three official languages at least 24 hours prior to the scheduled commencement of the sitting at which the item is to be discussed.
  - (c) All amendments and subamendments will be translated and distributed in the three official languages as soon as they are received.
  - (d) On each item, the chairing officer shall invite the Workers', Employers' and Government delegates to intervene and address the item under consideration and any amendments and subamendments received for that item. In accordance with usual Governing Body practice, the chairing officer shall invite the representatives of the Workers' and Employers' groups to speak in response to the interventions and may also grant the floor to any Government seeking to respond to the debate.
  - (e) Where consensus is apparent following this first round of interventions on an item, the chairing officer shall conclude the item.
  - (f) Where consensus within the meaning of paragraph 46 of the Introductory Note to the Governing Body Standing Orders is not apparent after the first round of interventions, the chairing officer shall adjourn the debate on the item to allow for



further consultations with a view to finding consensus on a decision point. Based on those consultations, the Office shall circulate in the three official languages a revised draft decision as early as practicable before the discussion of the item is resumed.

- (g) Upon the resumption of the discussion, the chairing officer may conclude the item on the basis of consensus, or provide additional time for consultations if he or she considers together with the Vice-Chairpersons that there is still opportunity for reaching an agreement that is generally accepted. In the case it becomes clear that despite all reasonable efforts, objection by a Governing Body member does not permit the chairing office to determine the existence of an agreement that is generally accepted and proceed to conclude the item, the chairing officer may, ultimately, put the decision point to a vote:
  - (i) by show of hands electronically at any time during the session;
  - (ii) by a roll call electronically at any time during the session; or
  - (ii) by correspondence after the final plenary sitting in accordance with the procedure set out in paragraph 27(b) above (i.e. the procedure foreseen in the second stage of a vote by correspondence).
- (h) In a vote by show of hands, only the final voting figures (total number of votes in favour, total number of votes against, total number of abstentions as well as the majority required) shall be announced by the Chairperson and reflected in the minutes of the session. In a vote by roll call, the final voting figures shall be immediately announced; these indications shall subsequently be published in the minutes together with a list of Governing Body members who have voted, showing how each has voted. Decisions shall be made by simple majority of the votes cast and the quorum, as defined in article 6.3 of the Standing Orders, shall apply.