

STANDING ORDERS CONCERNING THE PROCEDURE FOR THE  
EXAMINATION OF REPRESENTATIONS UNDER  
ARTICLES 24 and 25 OF THE CONSTITUTION OF THE  
INTERNATIONAL LABOUR ORGANISATION

GENERAL PROVISION

Article 1

When a representation is made to the International Labour Office under article 24 of the Constitution of the Organisation, the Director-General shall acknowledge its receipt and inform the government against which the representation is made.

RECEIVABILITY OF THE REPRESENTATION

Article 2

1. The Director-General shall immediately bring the representation before the Officers of the Governing Body.

2. The receivability of a representation is subject to the following conditions:

- (a) it must be communicated to the International Labour Office in writing;
- (b) it must emanate from an industrial association of employers or workers;
- (c) it must make specific reference to article 24 of the Constitution of the Organisation;
- (d) it must concern a Member of the Organisation;
- (e) it must refer to a Convention to which the Member against which it is made is a party; and
- (f) it must indicate in what respect it is alleged that the Member against which it is made has failed to secure the effective observance within its jurisdiction of the said Convention.

3. The Officers shall report to the Governing Body on the receivability of the representation.

4. In reaching a decision concerning receivability on the basis of the report of its Officers, the Governing Body shall not enter into a discussion of the substance of the representation.

## REFERENCE TO A COMMITTEE

### Article 3

1. If the Governing Body decides, on the basis of the report of its Officers, that a representation is receivable, it shall set up a committee for the examination thereof, composed of members of the Governing Body chosen in equal numbers from the Government, Employers' and Workers' groups. No representative or national of the State against which the representation has been made and no person occupying an official position in the association of employers or workers which has made the representation may be a member of this committee.

2. Notwithstanding the provisions of paragraph 1 of this Article, if a representation which the Governing Body decides is receivable relates to a Convention dealing with trade union rights, it may be referred to the Committee on Freedom of Association for examination in accordance with articles 24 and 25 of the Constitution.

3. The meetings of the committee appointed by the Governing Body pursuant to paragraph 1 of this article shall be held in private and all the steps in the procedure before the committee shall be confidential.

## EXAMINATION OF THE REPRESENTATION BY THE COMMITTEE

### Article 4

1. During its examination of the representation, the committee may:

- (a) request the association which has made the representation to furnish further information within the time fixed by the committee;
- (b) communicate the representation to the government against which it is made without inviting that government to make any statement in reply;
- (c) communicate the representation (including all further information furnished by the association which has made the representation) to the government against which it is made and invite the latter to make a statement on the subject within the time fixed by the committee;
- (d) upon receipt of a statement from the government concerned, request the latter to furnish further information within the time fixed by the committee;
- (e) invite a representative of the association which has made the representation to appear before the committee to furnish further information orally.

2. The committee may prolong any time limit fixed under the provisions of paragraph 1 of the article, in particular at the request of the association or government concerned.

Article 5

If the committee invites the government concerned to make a statement on the subject of the representation or to furnish further information, the government may:

- (a) communicate such statement or information in writing;
- (b) request the committee to hear a representative of the government;
- (c) request that a representative of the Director-General visit its country to obtain, through direct contacts with the competent authorities and organisations, information on the subject of the representation, for presentation to the committee.

Article 6

When the committee has completed its examination of the representation as regards substance, it shall present a report to the Governing Body in which it shall describe the steps taken by it to examine the representation, present its conclusions on the issues raised therein and formulate its recommendations as to the decisions to be taken by the Governing Body.

CONSIDERATION OF THE REPRESENTATION BY THE GOVERNING BODY

Article 7

1. When the Governing Body considers the reports of its Officers on the issue of receivability and of the committee on the issues of substance, the government concerned, if not already represented on the Governing Body, shall be invited to send a representative to take part in its proceedings while the matter is under consideration. Adequate notice of the date on which the matter will be considered shall be given to the government.

2. Such a representative shall have the right to speak under the same conditions as a member of the Governing Body, but shall not have the right to vote.

3. The meetings of the Governing Body at which questions relating to a representation are considered shall be held in private.

Article 8

If the Governing Body decides to publish the representation and the statement, if any, made in reply to it, it shall decide the form and date of publication. Such publication shall close the procedure under articles 24 and 25 of the Constitution.

Article 9

The International Labour Office shall notify the decisions of the Governing Body to the government concerned and to the association which made the representation.

Article 10

When a representation within the meaning of article 24 of the Constitution of the Organisation is communicated to the Governing Body, the latter may at any time in accordance with paragraph 4 of article 26 of the Constitution adopt, against the government against which the representation is made and concerning the Convention the effective observance of which is contested, the procedure of complaint provided for in article 26 and the following articles.

REPRESENTATIONS AGAINST NON-MEMBERS

Article 11

In the case of a representation against a State which is no longer a Member of the Organisation, in respect of a Convention to which it remains party, the procedure provided for in these Standing Orders shall apply in virtue of article 1, paragraph 5 of the Constitution.