



# ITUC



## CONSTITUTION

*As amended by the 2<sup>nd</sup> Congress (Vancouver, Canada June 2010)*

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### STANDING ORDERS:

- Congress
- General Council
- Executive Bureau

INTERNATIONAL TRADE UNION CONFEDERATION  
Brussels, Belgium

**INTERNATIONAL TRADE UNION  
CONFEDERATION**

**CONSTITUTION**

*Adopted at the Founding Congress (Vienna, November 2006)*

*As amended by the 2<sup>nd</sup> World Congress (Vancouver, Canada, June 2010)*

## **INTERNATIONAL TRADE UNION CONFEDERATION**

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# **INTERNATIONAL TRADE UNION CONFEDERATION**

## **CONSTITUTION**

### **DECLARATION OF PRINCIPLES**

The International Trade Union Confederation (ITUC) salutes the sacrifice and conquests of generations of working women and men who through their trade union struggle have fought for the cause of social justice, freedom, democracy, peace and equality. It pledges to carry forward their struggle for the emancipation of working people and a world in which the dignity and rights of all human beings are assured, and each is able to pursue their well-being and to realise their potential at work and in society.

The Confederation recognises the urgent need to transform social, economic and political structures and relations which stand as obstacles to that vision. It assumes the task of combating poverty, hunger, exploitation, oppression, and inequality through the international action required by the conditions of the globalised economy, and for its democratic governance in the interests of labour, which it holds superior to those of capital.

The Confederation exists to unite and mobilise the democratic and independent forces of world trade unionism in giving effective representation to working people, wherever they work and in whatever conditions. It is committed to provide practical solidarity to all in need of it, and to confront the global strategies of capital with global strategies of labour.

The Confederation considers universal respect of the rights of workers, and access to decent work as indispensable to just and sustainable development. Their denial anywhere constitutes an immediate threat to human security everywhere.

The Confederation commits itself to promote and to act for the protection of democracy everywhere, so that the conditions for the full exercise of all human rights, universal, indivisible and inalienable, may be enjoyed by all. It shall defend everywhere collective rights and individual liberties, including freedom of thought, expression and assembly.

The Confederation further commits itself to securing comprehensive and equitable economic and social development for workers everywhere, in particular where poverty and exploitation are greatest.

The Confederation condemns all forms of discrimination as an affront to human dignity and to the equality into which each person is born and has the right to live, and pledges to uphold respect for diversity at work and in society.

The Confederation upholds fervently the maintenance and strengthening of peace and commits itself to a world free of weapons of mass destruction and to general disarmament. It proclaims the right of all peoples to self-determination and to live free from aggression and totalitarianism under a government of their own choosing. It rejects recourse to war to resolve conflict, and condemns terrorism, colonialism and militarism, as well as racism and sexism.

The Confederation expresses unwavering support for the principles and role of the United Nations, and for its unique legitimacy and authority to stand as an effective guarantee of peace, security and development, commanding the respect and adherence of all in the international community.

Unitary and pluralist, the Confederation is open to affiliation by democratic, independent, and representative trade union centres, respecting their autonomy and the diversity of their sources of inspiration, and their organisational forms. Its rules are to guarantee internal democracy, full participation of affiliates, and that the composition of the Confederation's governing bodies and its representation respect its pluralist character.

The Confederation's decisions are taken, and its activities implemented, in full independence of all external influence, be they state, political, employer, religious, economic, or other.

### **AIMS**

The Confederation is inspired by the profound conviction that organisation in democratic and independent trade unions and collective bargaining are crucial to achieving the well-being of working people and their families and to security, social progress and sustainable development for all.

It has been the historic role of trade unionism, and remains its mission, to better the conditions of work and life of working women and men and their families, and to strive for human rights, social justice, gender equality, peace, freedom and democracy. More than ever in its history, confronted by unbridled capitalist globalisation, effective internationalism is essential to the future strength of trade unionism and its capacity to realise that mission.

The Confederation calls on the workers of the world to unite in its ranks, to make of it the instrument needed to call forth a better future for them and for all humanity.

It shall be the permanent responsibility of the Confederation:

To defend and promote the rights and interests of all working people, without distinction, and to obtain, in particular, a fair return for their labour in conditions of dignity, justice, and safety at work and in society in general.

- It shall strive for the universal respect of fundamental rights at work, until child labour and forced labour in all their forms are abolished, discrimination

at work eliminated and the trade union rights of all workers observed fully and everywhere.

- It shall denounce violations of freedom of association, of the right to strike including cross-border action, and of the right to collective bargaining, and shall mobilise international solidarity to have them brought to an end.
- It shall fight for the right to freely chosen, productive employment and social security for all.
- It shall act to end all discrimination on the basis of sex, religion, colour, nationality, ethnicity, sexual orientation, gender identity, political opinion, social origin, age or disability, and to uphold respect for diversity in society and employment.

To promote the growth and strength of the independent and democratic trade union movement.

- It shall render practical support to strengthen the capacities and membership of national trade union movements, through the coordinated provision of international development assistance.
- It shall initiate and support action to increase the representativeness of trade unions through the recruitment of women and men working in the informal as well as the formal economy, through extension of full rights and protection to those performing precarious and unprotected work, and through lending assistance to organising strategies and campaigns.

To be a countervailing force in the global economy, committed to securing a fair distribution of wealth and income within and between countries, protection of the environment, universal access to public goods and services, comprehensive social protection, life-long learning and decent work opportunities for all.

- It shall work to strengthen the role of the ILO, and for the setting and universal application of international labour standards, and to win representation at other international and regional organisations with a view to having their policies and activities contribute coherently to the achievement of decent work, social justice and sustainable development.
- In cooperation with the Global Union Federations and TUAC, it shall promote and support the coordination of international trade union policies and activities on multinational enterprises and social dialogue with international employer organisations.

To make the trade union movement inclusive, and responsive to the views and needs of all sectors of the global workforce.

- It shall advance women's rights and gender equality, guarantee the full integration of women in trade unions and promote actively full gender parity in their leadership bodies and in their activities at all levels.
- It shall combat racism, xenophobia and exclusion and defend the rights



and interests of migrant workers and their families and work for tolerance, equality and dialogue between different cultures.

- It shall ensure the full integration of young people in the trade union movement and act to support the access of young people to adequate education and training and to decent work, and to oppose precarity in working life.
- It shall strengthen solidarity between generations and support the rights of retired workers to decent incomes, and work to advance their interests.
- It shall defend and promote the rights of working women and men with disabilities.

To mobilise the strength, energy, resources, commitment, and talent of its affiliates and their members in the achievement of these goals, making trade union internationalism an integral part of their daily work.

- It shall promote and organise campaigns, solidarity activities, days of action, and other mobilisations considered necessary to this end and gather and disseminate information required to ensure the timely and effective provision of global solidarity.
- It shall seek to establish arrangements for optimal cooperation with other trade union organisations sharing its aims in order to maximise the coherence and impact of action at the different levels of the democratic and independent international trade union movement.
- It shall develop links and cooperation with other civil society organisations and political groupings, without compromising trade union independence, in pursuit of the objectives of the Confederation.

The Confederation pledges to pursue these goals with determination, and in accordance with the enduring trade union values of solidarity, democracy and justice. It will not desist from their achievement nor be deterred by the enemies of progress, sure in the conviction that it lies in the hands of working people to determine their own future.

## **MEMBERSHIP**

### **Article I: Affiliation**

- (a) All democratic, independent and representative national trade union centres adhering to the Constitution of the Confederation shall be eligible for membership.
- (b) The General Council shall have the power to decide on applications for affiliation. It may admit organisations into membership where it is satisfied that the applicant meets, both in its principles and its practices, the criteria established in Article I (a), and that its affiliation is desirable and in the interests of the Confederation.

- (c) The General Council shall decide on applications for affiliation by a majority of three-quarters of its members and report its decisions to the Congress for ratification.

#### **Article II: Rights and Responsibilities**

- (a) Member organisations shall have equal rights and responsibilities. Each has the right to be regularly informed of, and to participate in the life and the activities of the Confederation in line with the provisions of this Constitution and to receive the solidarity and assistance of the Confederation in case of need.
- (b) Member organisations shall retain their full autonomy at national level. They shall be responsible to take into account in their policy formulations the decisions of the Congress and governing bodies of the Confederation, to keep the Confederation informed of their activities, and to fulfil their financial obligations to the Confederation.

#### **Article III: Withdrawal**

- (a) An organisation shall have the right to withdraw from the Confederation subject to giving three months' notice.
- (b) In order for a notice of withdrawal to be valid the organisation should not be in arrears with respect to the payment of affiliation fees. An organisation which ceases affiliation with arrears owing to the Confederation becomes liable, in the event of its subsequently applying for re-affiliation, to the payment of an entrance fee of an amount to be fixed by the General Council.

#### **Article IV: Suspension and Expulsion**

- (a) The General Council shall have the right to suspend, and the Congress shall have the right to expel, any member organisation for action, or lack thereof, deemed by those bodies to be in violation of this Constitution, or against the interests of the Confederation. Provision shall be made for a hearing of charges before a decision is rendered, on the basis of a procedure laid down by the General Council. Decisions shall be taken by a majority of three-quarters of General Council members, or of the Congress.
- (b) Where an organisation is suspended from membership, the mandates of its representatives in the Confederation's statutory bodies shall expire automatically.

### **RELATIONS**

#### **Article V: Associated Organisations**

- (a) The General Council may grant the status of associated organisation to national trade union centres which, though subscribing to the Declaration of Principles

and the aims of the Confederation, are not, for the time being, in a position to be affiliated. Such status will be granted with a view to assisting them to overcome obstacles to affiliation.

- (b) The General Council shall take decisions on associated organisation status based on the procedure in Article I, and shall subject such decisions to review at least once every two years.
- (c) Associated organisations shall have the responsibilities set out in Article II(b) except that they shall have no financial obligations towards the Confederation.
- (d) The General Council shall determine the conditions under which associated organisations may participate in the activities of the Confederation and at Congress.

#### **Article VI: Global Union Federations and the Council of Global Unions**

- (a) The Confederation recognises the autonomy and responsibility of the global union federations with regard to representation and trade union action in their respective sectors and in relevant multinational enterprises, and the importance of sectoral action to the trade union movement as a whole.
- (b) Concerned to ensure the greatest possible degree of cohesion and effectiveness within the international trade union movement, the Confederation shall work in a structured partnership with the global union federations and the Trade Unions Advisory Committee to the OECD (TUAC) through the Council of Global Unions (CGU). Global union federations, of which one per sector shall be recognised by the Confederation, shall be represented, with speaking rights, in the latter's governing bodies.

#### **Article VII: The Trade Union Advisory Committee to the OECD (TUAC)**

The Trade Union Advisory Committee to the OECD (TUAC) shall be represented, with speaking rights, in the Confederation's governing bodies.

### **CONGRESS**

#### **Article VIII: Ordinary Sessions**

- (a) In the determination of the programme and policy of the Confederation and in the interpretation of this Constitution, the supreme authority shall be the Congress.
- (b) Ordinary Congress sessions shall be convened at least once every four years. Their date and place shall be fixed by the General Council on the basis of proposals made by member organisations, and shall be communicated to member organisations not later than twelve months prior to the Congress.
- (c) The Congress shall consider and decide upon:

- (i) reports on activities of the Confederation, including financial reports;
  - (ii) general trade union policy questions;
  - (iii) proposals for the activity of the Confederation during the period to follow;
  - (iv) proposals for amendments to the Constitution;
  - (v) any other proposal submitted by member organisations;
  - (vi) reports on the activities of the regional organisations;
  - (vii) reports on the structured partnership with the global union federations and TUAC.
- (d) The Congress shall elect the General Council, the General Secretary and the Auditors.

**Article IX: Extraordinary Sessions**

- (a) An extraordinary Congress shall be called on the authority of the General Council or if one-third of member organisations representing at least 25% of the Confederation’s membership apply for it.
- (b) In such a case the General Council shall decide the procedure for establishing the agenda and for the consideration of proposals from member organisations, whenever it is not practical to apply the normal procedure as laid down in this Constitution.

**Article X: Composition**

The Congress is composed of delegates representing member organisations, subject to the provisions of Article XXXII, on the basis of their paying membership and according to the following scale:

	Up to	50,000 members	1 delegate
Between	50,001 and	100,000 members	2 delegates
Between	100,001 and	250,000 members	4 delegates
Between	250,001 and	500,000 members	6 delegates
Between	500,001 and	1,000,000 members	8 delegates
Between	1,000,001 and	2,500,000 members	10 delegates
Between	2,500,001 and	5,000,000 members	12 delegates
Between	5,000,001 and	7,500,000 members	16 delegates
	Over	7,500,000 members	20 delegates

**Article XI: Delegations and Representatives**

- (a) Member organisations shall select their delegates taking into account the aim to actively promote and achieve gender parity in their leadership bodies and activities at all levels. Women shall constitute half of the delegations of organisations having 2 or more delegates. Any organisation which has 50,000 members or less should designate a woman delegate, if women represent 50% or more of its membership.

- (b) Taking into account the aim to integrate young workers into the trade union movement, the General Council will set a target of not less than 10% before each Congress for the level of youth participation.
- (c) Delegates shall have the right to speak and to vote.
- (d) Delegations may be accompanied by up to four advisers, who may take the floor on behalf of their delegations and with the agreement of the Chairperson but may not vote. Delegations may also be accompanied by not more than two persons who may act as secretaries or interpreters. These persons will have neither the right to speak nor the right to vote.
- (e) The number of representatives of associated organisations shall be determined by the General Council before each Congress. They shall have the right to speak, with the agreement of the Chairperson, but not to vote.
- (f) The global union federations recognised by the Confederation in accordance with Article VI of this Constitution are each entitled to send up to six representatives having the right to take part in the debates but not to vote.
- (g) The provisions of sub-article (d) above shall also apply to delegations of the global union federations.
- (h) The Trade Union Advisory Committee to the OECD is entitled to send one representative and one adviser, having the right to take part in debates but not to vote.
- (i) The expenses of delegations and representatives at the Congress shall be borne by their respective organisations.

**Article XII: Observers and Guests**

- (a) Representatives of other trade union organisations and governmental or non-governmental organisations with which the Confederation maintains friendly relations, may be invited by the General Council to attend the Congress and shall be allowed to address Congress at the invitation of the Chairperson.
- (b) Guests invited to attend the Congress by the General Council will be permitted to address the Congress at the invitation of the Chairperson.
- (c) Members of the General Council who are not members of an accredited delegation shall have the right to attend the Congress as observers and take part in the debates, but shall not have the right to vote.

**Article XIII: Credentials and Nominations**

- (a) Member organisations must submit the names of their representatives to the General Secretary not later than three months prior to the Congress.

- (b) By the same time limit they shall submit their nominations for:
  - (i) the Credentials Committee;
  - (ii) the Standing Orders Committee;
  - (iii) the General Secretary
  - (iv) the Auditors

**Article XIV: Agenda**

- (a) The agenda of the Congress shall be prepared by the General Council following consultations with member organisations. It shall include items as stipulated in Article VIII(c) of this Constitution.
- (b) The General Secretary shall communicate to member organisations the agenda not later than six months prior to the Congress, and invite them to send in proposals related to various items of the agenda. These proposals shall be so forwarded as to reach the General Secretary not later than three months prior to the Congress.
- (c) The proposals received shall, prior to their submission to the Congress, be reviewed by the General Council which may direct the General Secretary to circulate any or all of them to member organisations in advance to enable amendments thereto to be forwarded. In this event the General Council shall fix the time limit for submission of the amendments.
- (d) The General Council shall have the power to make recommendations in regard to proposals and amendments. The General Council shall be also empowered to submit proposals directly to the Congress, either on general questions or on matters of emergency which have arisen during or immediately prior to the Congress.
- (e) All proposals or draft resolutions submitted by member organisations after the time limit fixed in paragraph (b) shall be referred to the General Council. The General Council may decide to submit them to the Congress as in paragraph (d) above, but its decision will be final.

**Article XV: Statutory Committees**

- (a) On the basis of the nominations received from member organisations and applying the principle of gender balance, the General Council shall appoint:
  - (i) the Credentials Committee of seven members,
  - (ii) the Standing Orders Committee of fifteen members.
- (b) These two committees shall be convened immediately prior to the Congress and shall submit their first reports to the first working session of the Congress. In considering these reports the Congress shall also be requested to ratify the composition of the committees.

- (c) The Credentials Committee shall:
  - (i) prepare a list of persons attending the Congress;
  - (ii) report to the Congress on the composition of delegations and on their voting power;
  - (iii) consider any objections to the credentials of delegates;
  - (iv) examine the eligibility of nominees for the General Council and the posts of General Secretary and Auditors and report to the Congress thereon;
  - (v) attempt to effect agreement, in consultation with the regional organisation concerned, in cases where there are more nominations than seats allocated for those regions on the General Council and report to the Congress thereon.
- (d) The Standing Orders Committee shall, taking into account any recommendations from the General Council concerning the Congress programme and proposals for Congress decisions:
  - (i) consider the draft Standing Orders and report on them to the Congress;
  - (ii) fix the time-table and order of business for the Congress;
  - (iii) make proposals relating to the setting-up, composition, terms of reference and agenda of special Congress committees;
  - (iv) consider amendments to the Constitution and report on them to the Congress;
  - (v) report to the Congress on any other questions requiring a decision for the proper conduct of its business;
  - (vi) consider requests for the circulation to the Congress of documents or materials other than official Congress documents.

**Article XVI: Congress Presidency**

- (a) The Congress Presidency shall consist of the President, the two Deputy Presidents, the Vice-Presidents and the General Secretary of the Confederation.
- (b) The President of the Confederation shall chair the Congress. In carrying out his or her duties the person concerned shall adhere to this Constitution and the Congress Standing Orders.
- (c) In the absence of or at the request of the President during a sitting or any part thereof, one of the Deputy Presidents, or in their absence one of the Vice-Presidents of the Confederation shall preside.

**Article XVII: Congress Secretariat**

The General Secretary of the Confederation shall be the Secretary-General of the Congress, assisted by the Deputy General Secretaries.

### **Article XVIII: Voting**

- (a) The endeavour of the Congress shall be to secure the widest possible measure of agreement on any decisions taken. When a vote is called, however, the decision of the Congress shall be by an absolute majority of delegates except where otherwise provided in this Constitution.
- (b) In the case of amendments to the Constitution, a two-thirds majority of delegates to the Congress shall be required, except for changes to the Declaration of Principles, Article X and Article XVIII, for which a three-quarters majority of delegates to the Congress shall be required.
- (c) Voting shall, as a rule, be by show of hands, but at the request of delegations representing at least 25% of the total membership credentialed to the Congress, a roll-call vote shall be taken, in which each delegation shall cast its vote as a unit. The number of votes to which each delegation is entitled shall be equal to the total membership of that organisation credentialed to the Congress.

## **GENERAL COUNCIL**

### **Article XIX: Composition**

- (a) The General Council, elected by Congress, shall be composed as follows:
  - 70 members according to the following regional distribution:

— Africa	11
— Americas	18
— Asia-Pacific	15
— Europe	26
  - six members at large based on nominations by the Women's Committee
  - two members at large, applying the principle of gender parity, based on nomination by the Youth Committee.
- (b) Taking into account the aim to actively promote gender parity, the General Council shall set a progressive target before each Congress, starting at 30%, for minimum women's membership on the Council. The Congress shall ensure that, in addition to the members nominated by the Women's Committee, each region contributes fairly to the achievement of this target. This provision shall apply to titular and first and second substitute membership of the Council.
- (c) All member organisations represented at the Congress shall have the right to participate in the arrangements for considering nominations for membership of the General Council from their particular region. A classification of member



organisations by region for the purpose of the election shall be made by the General Council.

- (d) The General Council shall determine the procedure for proposals to be received and considered by the Women's Committee and the Youth Committee for the nomination by these committees of candidates for the members to be elected at large.
- (e) The Congress shall elect a first and second substitute for each member of the General Council on the basis set out above.
- (f) The global union federations and the TUAC shall each have the right to send a representative to meetings of the General Council.

**Article XX: Mandate of Members**

- (a) The members of the General Council and their substitutes shall be regarded as representing the Confederation as a whole. Each member shall have one vote.
- (b) No person shall be entitled to serve on the General Council whose organisation, without valid reason approved by the General Council, is in arrears of four quarters or more with payment of affiliation fees, or who has ceased to be an accredited representative of the member organisation to which he or she belonged at the time of election.
- (c) The mandate of the members and their substitutes shall expire at each Congress, but they are immediately re-eligible.

**Article XXI: Vacancies**

- (a) In the event of the Congress leaving a vacancy on the General Council, the Congress shall be deemed to have delegated the power of election to the General Council, full freedom as to the manner of nomination being left with the region concerned or the Women's Committee or the Youth Committee as the case may be.
- (b) Vacancies on the General Council arising between two Congresses among members or substitutes from different regions shall be filled as follows:
  - (i) in the event of a vacancy arising owing to the decease or the resignation of a member or substitute, full freedom as to the manner of replacing the person concerned will be left to the organisation to which he or she belonged, subject to ratification by the General Council;
  - (ii) in the event of a vacancy arising owing to the fact that a member or substitute has ceased to be an accredited representative of the organisation to which he or she belonged at the time of election, his or her place will be taken by a person nominated by the organisation concerned, subject to ratification by the General Council;

- (iii) in the event of a vacancy arising pursuant to the application of Article III or Article IV, full freedom as to the manner of replacing the member or substitute will be left to the region concerned, subject to ratification by the General Council.
- (c) The provisions of Article XXI and Article XXII (b) shall apply also to the members and substitute members of the General Council nominated by the Women's Committee and the Youth Committee. Vacancies thus arising shall be filled by a person nominated by the Women's Committee or the Youth Committee as the case may be, subject to ratification by the General Council.

**Article XXII: Meetings**

- (a) The General Council shall meet not less than once per year. The date of the meeting shall be notified to member organisations at the same time as to the members of the General Council.
- (b) In the event of a member being unable to attend a meeting of the General Council, the member shall inform the secretariat in due time. In a case when the first substitute is from the same organisation as the member, the latter shall invite the first substitute in his or her place. If the first substitute is from a different organisation from the member, the secretariat shall invite the first substitute. Should the first substitute also be prevented from attending, the same procedure shall be followed regarding the second substitute.
- (c) For the proper conduct of its meetings, the General Council shall adopt its own Standing Orders, without prejudice to the obligations arising from this Constitution.

**Article XXIII: Competence**

- (a) The General Council shall be the supreme authority of the Confederation between congresses. It shall be responsible for directing the activities of the Confederation and giving effect to the decisions and recommendations of the Congress.
- (b) The General Council shall establish the annual budget and adopt the annual financial report of the Confederation.

**Article XXIV: Agenda**

- (a) The agenda for the General Council meeting shall be prepared by the General Secretary and circulated with appropriate documents to reach members of the Council not less than two weeks in advance of the meeting.
- (b) Any member organisation has the right to submit suggestions for the agenda of the General Council, which shall decide if and when discussion of the item is appropriate. Such suggestions must be received in writing by the General Secretary not less than one month prior to the date of the General Council meeting.

#### **Article XXV: Executive Bureau**

- (a) At its meeting immediately following the Congress the General Council shall elect an Executive Bureau composed of the President, the General Secretary and up to twenty-five titular members of the General Council, including the Chairperson and Vice-Chairperson of the Women's Committee and the Chairperson of the Youth Committee.
- (b) Taking into account the aim to actively promote gender parity, the General Council shall set a progressive target before each Congress, starting at 30%, for minimum women's membership on the Executive Bureau, applying the same principles as provided for in Article XIX(b).
- (c) For each member of the Executive Bureau the General Council shall elect from among its number a first and second substitute.
- (d) The Executive Bureau shall have the authority to deal with questions of urgency or importance that arise between any two meetings of the General Council, or which may be entrusted to it by the General Council. It shall also have the role of preparing the General Council's decisions concerning finances and the annual budget. It shall meet not less than twice a year.
- (e) For the proper conduct of its meetings the Executive Bureau shall adopt its own Standing Orders.

#### **Article XXVI: Committees**

- (a) The General Council shall establish a Women's Committee and a Youth Committee and determine their composition and terms of reference.
- (b) The General Council may establish a Human and Trade Union Rights Committee and such other committees as it deems appropriate and determine their duration, composition and terms of reference.

### **REGIONAL ORGANISATIONS AND STRUCTURES**

#### **Article XXVII**

- (a) The Congress shall determine the regions for each of which a regional organisation or structure shall be established. The regional organisations shall be organic parts of the Confederation.
- (b) Only organisations affiliated with the Confederation shall be eligible for membership of a regional organisation or structure. When an organisation is suspended or expelled at world level, the decision shall also apply at regional level.

- (c) The regional organisations shall be autonomous in determining their policies and action regarding regional matters, while being responsible for promoting the priorities and policies of the Confederation in their respective regions.
- (d) The regional organisations shall establish democratic structures, with elected leaders, respecting the same principles of gender representation applying to the Confederation. Their rules shall be subject to the approval of the General Council.
- (e) The General Secretary of each regional organisation shall also hold the status of Deputy General Secretary of the Confederation, following confirmation of their election by the General Council.
- (f) The regional organisations shall have their own finance. They shall have the power to fix and collect affiliation fees from their member organisations. They shall submit their annual budgets and accounts to the Confederation for approval by the General Council.
- (g) The regional organisations shall be accountable for their actions to the Confederation, and shall submit annual reports on their activities and finances to the General Council.
- (h) The regional organisations may establish sub-regional structures to meet the needs for representation and trade union action in specific contexts. These decisions shall be subject to ratification by the General Council.

## **GENERAL SECRETARY**

### **Article XXVIII**

- (a) The General Secretary shall be elected by the Congress from nominations received from member organisations and shall be eligible for re-election at each Congress. Where there is more than one candidate, a secret vote shall take place, in which each delegation shall vote as a unit according to the procedure set out in the Congress Standing Orders.
- (b) The General Secretary shall, ex officio, be a member of the General Council and the Executive Bureau with the right to vote.
- (c) The General Secretary shall be the representative and spokesperson of the Confederation. The General Secretary shall lead the Secretariat and shall be responsible for implementing the decisions of Congress and the General Council and the general administration of the Confederation. He or she shall report to the General Council and Congress on his or her activities.
- (d) The General Secretary shall remain in office between Congresses as long as he or she enjoys the confidence of the General Council.

- (e) In the event of the office of the General Secretary becoming vacant between two Congresses, the General Council shall appoint an acting General Secretary for the remaining period until the next Congress.

## **DEPUTY GENERAL SECRETARIES**

### **Article XXIX**

- (a) On the basis of nominations received from member organisations, the General Council shall, immediately following its election by the Congress, elect Deputy General Secretaries who shall comprise the Secretariat under the leadership of the General Secretary. The Council shall determine the number of Deputy General Secretaries and the procedure for their election where there are more candidates than posts. At least one of the positions of General Secretary or Deputy General Secretary shall be held by a woman.
- (b) Deputy General Secretaries shall remain in office between Congresses as long as they enjoy the confidence of the General Council and shall be eligible for re-election.
- (c) Deputy General Secretaries shall be ex-officio members of the General Council and the Executive Bureau, without the right to vote.

## **PRESIDENT**

### **Article XXX**

- (a) The General Council shall, immediately following its election by the Congress, elect a President. The position of President shall rotate at each Congress among the regions for which a regional organisation or structure has been established, while taking into account the principle that the General Secretary and the President shall not come from the same region.
- (b) The President shall chair all meetings of the Congress and the General Council and shall have the right to attend all other meetings of the Confederation.
- (c) The President shall have voting rights in the governing bodies of the Confederation.

## **DEPUTY PRESIDENTS AND VICE-PRESIDENTS**

### **Article XXXI**

- (a) The General Council shall, immediately following its election by the Congress, elect two Deputy Presidents of the Confederation, one of whom shall serve as Chairperson of the Executive Bureau and the other as Chairperson of the Solidarity Fund Management Board. At least one of the posts of President and Deputy Presidents shall be held by a woman.

- (b) The General Council shall, applying the principle of gender parity, elect at least seven of its members as Vice-Presidents, including the Chairperson of the Women's Committee, the Chairperson of the Youth Committee and the Presidents of the Regional Organisations.

## **FINANCE**

### **Article XXXII: Affiliation Fees**

- (a) The activities of the Confederation shall be financed by annual affiliation fees, payable by member organisations and calculated for each thousand members or part thereof. For the year 2011 the level of affiliation fees shall be Euro 201.15 for each thousand members or part thereof. Thereafter, the rate will be established each year by the General Council. These fees shall be payable in Euro or the equivalent in other currencies. Notwithstanding the above provisions, no member organisation shall pay less than a minimum affiliation fee of 100 euros per year. In specific cases, the General Council shall be empowered to reduce this amount by half.
- (b) All member organisations shall notify the General Secretary by 15 October each year of their paying membership, which shall be used as a basis for the calculation of affiliation fees throughout the following year.
- (c) Affiliation fees shall be paid quarterly in advance, on 1 January, 1 April, 1 July and 1 October of each year. Any organisation owing two but fewer than four quarters' affiliation fees shall be allowed to be represented at the Congress but without voting rights. Organisations owing four but fewer than eight quarters' affiliation fees shall not be permitted to be represented at the Congress. Organisations owing eight or more quarters' affiliation fees shall be regarded as having withdrawn.
- (d) The General Council shall have the authority to fix different rates for those member organisations where general economic and social or political conditions do not permit them to pay at the full rate, without prejudice to their rights to representation or to vote. These arrangements shall be reviewed from time to time. The General Council shall moreover be empowered to exempt, in exceptional circumstances, a member organisation from paying affiliation fees for as long as such circumstances exist, its rights and privileges as an member organisation thereby not being affected. Any action taken in this connection shall be included in the report on activities submitted to the Congress for endorsement.
- (e) Affiliation fees shall not be receivable from member organisations in respect of which the General Council has taken action provided under Article IV.

**Article XXXIII: Solidarity Fund**

- (a) The Confederation shall maintain a Solidarity Fund, financed by contributions from member organisations, to support the development and practice of democratic, independent and representative trade unionism and to come to the aid of victims of repression or other actions hostile to the practice of trade union freedoms.
- (b) The Fund shall operate under the authority of a Management Board elected, and in accordance with rules set, by the General Council.

**Article XXXIV: Other Financial Sources**

- (a) The Congress may empower the General Council to raise levies on member organisations. In so doing the General Council shall also decide the nature, duration and purpose of such levies.
- (b) The General Secretary, reporting to the General Council, may decide to organise fund-raising campaigns, based on voluntary contributions, for defined purposes.
- (c) The General Secretary, reporting to the General Council, may, for defined purposes, apply for financing from public and private sources, in conditions which guarantee fully its independence and freedom of action.

**Article XXXV: Auditors**

- (a) The Congress shall elect three auditors, at least one of whom shall be a woman. The auditors shall hold an annual audit of the accounts of the Confederation. Members of the General Council shall not be eligible as auditors. The auditors shall submit their report to the General Council and to the Congress and, after endorsement by one of these bodies, the report shall be circulated to member organisations.
- (b) In the event of the office of one of the auditors becoming vacant between two Congresses, the General Council shall have the authority to fill the vacancy.

**Article XXXVI: Expenses to be borne by the Confederation**

The expenses of members of the General Council and of the Executive Bureau as well as those of the auditors in the performance of their duties shall be borne by the Confederation up to an amount determined by the General Council.

**HEADQUARTERS**

**Article XXXVII**

The headquarters of the Confederation shall be determined by the Congress.

## **DISSOLUTION**

### **Article XXXVIII**

- (a) Dissolution of the Confederation shall be by decision of a Congress especially convened for that purpose.
- (b) Such a decision shall require a three quarters majority of delegates to Congress.

## **AUTHORITATIVE TEXT**

### **Article XXXIX**

In the case of a conflict in meaning between different language versions of the text of the Constitution, the English text shall prevail.

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## **CONGRESS STANDING ORDERS**

### **Article I: General**

The present Standing Orders shall supplement the provisions relating to the Congress contained in the Constitution (Articles VIII-XVIII).

### **Article II: Plenary Sitings**

- (a) The plenary sittings of the Congress shall be public except when the Congress expressly decides to go into private session.
- (b) Seats in the Congress hall shall be assigned by the Secretary-General.

### **Article III: Opening of the Congress**

- (a) The Congress shall be opened by the President.
- (b) Immediately after the opening the Congress shall proceed with the following business:
  - (i) Addresses of Welcome;
  - (ii) President's Address;
  - (iii) Consideration of the First Report of the Credentials Committee;
  - (iv) Ratification of the composition of the Credentials Committee;
  - (v) Consideration of the First Report of the Standing Orders Committee;
  - (vi) Ratification of the composition of the Standing Orders Committee.

### **Article IV: Objections to Credentials**

- (a) Objections raised to the seating of any delegate shall be submitted to the Secretary-General not later than 24 hours after the opening of the Congress, or 12 hours after the seating of that delegate has been made public.
- (b) The Secretary-General shall submit these objections to the Credentials Committee, together with any relevant information.
- (c) The Credentials Committee shall report to the Congress as soon as possible. Pending final decision by the Congress on his or her admission, any delegate whose credentials are being challenged shall enjoy full rights as a delegate.
- (d) Any delegation that is unable to comply with the Constitutional provision of Article XI(a) related to gender parity must provide an explanation to the Credentials Committee, which shall take such explanation into account in its report to Congress and make appropriate recommendations, based on guidelines drawn up by the General Council.



#### **Article V: Committees**

- (a) The sessions of the Credentials Committee, the Standing Orders Committee and special committees shall be private.
- (b) The only persons authorised to attend the meeting of these Committees shall be:
  - (i) delegates duly appointed by the Congress to serve on such Committees;
  - (ii) delegates appointed as substitutes to any such delegates and designated in writing to the Congress; such substitutes shall have the right to take part in the debates and to vote only in the absence of the regular members for whom they duly act as substitutes;
  - (iii) advisers designated in writing to the Chairperson of the Congress by delegates; such advisers may take part in the debates with the permission of the Chairperson of the Committee but shall not have the right to vote;
  - (iv) a secretary or interpreter designated in writing to the Chairperson of the Congress by a delegate serving on the Committee; such a person shall not have the right to take part in the debates or to vote;
  - (v) staff members appointed by the Secretary-General;
  - (vi) representatives of the Global Union Federations and the Trade Union Advisory Committee to the OECD (TUAC), who may attend meetings of special committees as observers; such persons shall have the right to take part in the debates and make proposals concerning their substance, but not to vote.
- (c) If a Committee is discussing a resolution moved by an organisation which is not represented on that Committee, it may invite a delegate from that organisation to attend the Committee meeting for the duration of the discussion of the resolution.
- (d) The statutory and special Congress Committees shall elect their own Chairperson and Rapporteur.
- (e) The Secretary-General shall appoint the Secretary of each Committee.
- (f) Voting in Committees shall be by show of hands.

#### **Article VI: Languages**

- (a) The official languages of the Congress shall be English, French, German and Spanish.
- (b) The Congress may decide to adopt other working languages.
- (c) Any delegate wishing to speak in any other language must provide a translation into one of the official languages.

**Article VII: Right to address the Congress**

- (a) Applications to speak shall be handed to the Chairperson in writing except on a point of order or procedure.
- (b) A delegate shall speak only once on any subject unless otherwise agreed by the Congress, except that the rapporteur of any Committee shall have the right of reply at the close of the debate. The mover of a motion, resolution or amendment (except on a point of order or procedure) shall have the same right.
- (c) The Secretary-General shall at all times have the right to speak on any subject.
- (d) If a motion of closure has been made, the Chairperson shall read to the Congress the names of the delegates who have notified him or her of their desire to speak.
- (e) Should the Chairperson consider that there is no real difference of opinion among the delegates, he or she shall have the power to close the debate and if so required proceed to the taking of a vote.
- (f) The Chairperson may require speakers to resume their seat if their remarks are not relevant to the subject under discussion.
- (g) Unless otherwise agreed by the Congress, no speech shall exceed five minutes exclusive of the time for interpretation, except that special guest speakers, delegates appointed to introduce agenda items, and rapporteurs when presenting a report, may at the discretion of the Chairperson be allowed a time limit of longer than five minutes.

**Article VIII: Motions, resolutions, amendments**

- (a) Motions, resolutions and amendments submitted through the procedure set out in Article XIV of the Constitution shall be circulated in the four official languages. They shall be deemed to have been duly moved and seconded.
- (b) Motions and resolutions on matters of urgency may be submitted directly to the Congress by affiliated organisations or by their delegations. Such motions (other than those on a point of order or on procedure) and resolutions shall be submitted in writing in one of the official languages to the Secretary-General and, in the first instance, be referred to the Standing Orders Committee of the Congress.
- (c) No motion or resolution submitted under paragraph (b) above shall be discussed by the Congress unless it has been seconded and circulated in the four official languages. The same shall apply also to amendments.
- (d) Amendments may be submitted to the Congress during a sitting for immediate discussion. Such amendments shall be submitted in writing in one of the official languages.

- (e) If there are several amendments to a motion or resolution the Chairperson shall determine the order in which they shall be discussed and, if necessary, put to a vote.
- (f) Any amendment may be withdrawn by the delegate who moved it unless an amendment to it is under consideration or has been adopted. Any amendment so withdrawn may be moved without previous notice by any other delegate.
- (g) A delegate may not submit a motion, resolution or amendment (except on a point of order or on procedure) in a personal capacity, but only on behalf of a delegation.
- (h) Motions of procedure may be moved verbally and without previous notice.
- (i) Motions of procedure include the following:
  - (i) a motion to refer the matter back;
  - (ii) a motion to postpone consideration of the question;
  - (iii) a motion to adjourn the sitting;
  - (iv) a motion to adjourn the debate on a particular question;
  - (v) a motion to vote on the subject under discussion;
  - (vi) a motion that the Congress proceed with the next item on the agenda;
  - (vii) a motion to suspend Standing Orders.
- (j) A motion on procedure shall be put immediately to the vote. The Chairperson may allow one delegate to speak in favour of it and one against it.
- (k) No motion, resolution or amendment shall be declared carried if an equal number of votes is cast for and against it.
- (l) Any delegate at any time may draw attention to the fact that the Standing Orders or the Constitution of the Confederation are not being observed, and the Chairperson shall give an immediate ruling on any question so raised.
- (m) A motion challenging the Chairperson's ruling on any matter shall be put immediately to the vote and one delegate shall be allowed to speak in favour of such a motion and one other to speak against it.

**Article IX: Voting**

- (a) In the event that voting takes place under Article XVIII(a) or (b) of the Constitution, the basis for calculation of the absolute, two-thirds or three-quarters majority required for a decision shall be the total number of delegates credentialed to the Congress.
- (b) In the event that voting takes place under Article XVIII(c) of the Constitution, the basis for calculation shall be the total credentialed membership of the delegations at Congress.

- (c) In the event that voting takes place for the election of General Secretary under Article XXVIII(a) of the Constitution, the following procedure shall apply: where there are two candidates for the position, the election shall be decided by an absolute majority; where there are more than two candidates for the position, a candidate receiving an absolute majority shall be declared the winner. In the event that a ballot does not produce an absolute majority, the candidate receiving the lowest number of votes in that ballot and each subsequent ballot shall be eliminated, until one candidate receives an absolute majority. The basis for calculating the absolute majority shall be the total number of votes eligible to be cast by the delegations at Congress according to the formula established under Article XXVIII(a).

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## **GENERAL COUNCIL STANDING ORDERS**

### **Article I: General**

The present Standing Orders shall supplement the provisions relating to the General Council in the Constitution (Articles XIX - XXVI).

### **Article II: Sessions of the General Council**

- (a) General Council meetings shall be held not less than once per year. Meetings of the General Council shall be arranged to immediately precede and follow the Congress. At each meeting the General Council will decide on the date of the following meeting. Should it become necessary in the interval between meetings to alter the date decided on, the President and the General Secretary will make the necessary alterations.
- (b) The President may convene a special meeting should he/she deem it necessary to do so, and will be bound to convene a special meeting on receipt of a written request to that effect signed by at least 25% of the General Council.
- (c) The sessions of the General Council shall be held at the headquarters of the Confederation or elsewhere in the locality, unless the General Council shall otherwise expressly determine.

### **Article III: Admission to Meetings**

- (a) Substitute members of the General Council who have not been called upon to replace a titular member as provided for in Article XXII (b) of the Constitution may attend the meetings of the General Council without the right to speak or vote, but their expenses will not be met by the Confederation.
- (b) In exceptional circumstances, if a titular member and his/her two elected substitutes are unable to attend a complete session, the General Council may authorise, on the basis of an advance request in writing, a personal substitute to attend on behalf of an elected member.
- (c) As a general rule the sittings are private. Nevertheless, the President may authorise representatives of affiliated organisations and other visitors to attend and also, at the General Secretary's request, members of the staff of the Confederation.
- (d) The President may authorise technical advisers to be present at the sittings during the discussions on points of the agenda where their special advice may be required.
- (e) Representatives of Global Union Federations and the TUAC may participate in accordance with the provisions of Articles VI(b) and VII of the Constitution.
- (f) The General Secretary of the Pan European Regional Council (PERC) may also participate.



#### **Article IV: Agenda**

Matters of urgent business may be added to the agenda fixed in accordance with Article XXIV of the Constitution.

#### **Article V: President, Deputy Presidents and Vice-Presidents**

- (a) The President shall declare the opening and the closure of each sitting. Before proceeding with the agenda he/she shall bring before the General Council any communication which may concern it. He/she shall direct the debates, maintain order, ensure observance of the Standing Orders, put questions to the vote and announce the result of the vote.
- (b) In the absence of the President, one of the Deputy Presidents shall preside. In the absence of the President and the Deputy Presidents, the General Council shall appoint one of the Vice-Presidents to act in their stead.
- (c) The President may be invested with such functions as the General Council may deem proper to delegate to him/her for the joint signature or the visa of certain documents, for preliminary approval of enquiries or for the despatch of official representatives of the Confederation to meetings, conferences or congresses.

#### **Article VI: Special Committees**

In addition to the Women's Committee and the Youth Committee, the General Council may establish any Special Committee and decide its composition and terms of reference.

#### **Article VII: Right to Vote and Methods of Voting**

- (a) None other than titular members, or elected substitute members attending in place of an absent titular member, shall have the right to vote in the General Council or its Committees.
- (b) As a rule, voting will be by show of hands.
- (c) The President shall endeavour to secure the widest possible measure of agreement on any decisions taken. When a vote is called for, however, decisions shall be by absolute majority of the full General Council, except that decisions to accept applications for affiliation, to suspend member organisations, or to grant the status of associated organisation, shall require a three-quarters majority of the full General Council.

### **Article VIII: Resolutions, Amendments and Motions**

- (a) Any member of the General Council or any substitute occupying the seat of a titular member may move resolutions, amendments or motions in accordance with the rules which follow.
- (b) The text of any resolution, amendment or motion shall be submitted in writing to the President. This text will, whenever possible, be distributed before being put to the vote. Distribution will be compulsory if six members of the General Council so request.
- (c) If there are several amendments to a motion or resolution, the President will determine the order in which they are discussed and, if necessary, put to the vote.
- (d) A member may withdraw an amendment which he/she has moved, unless an amendment to it is under discussion or has been adopted.
- (e) In the case of motions as to procedure, no notice in writing need be handed to the President or be distributed. Motions as to procedure include the following:
  - a motion to refer a matter back;
  - a motion to postpone consideration of a question;
  - a motion to adjourn the sitting;
  - a motion to adjourn a debate on a particular question or incident;
  - a motion that the General Council proceed with another item on the agenda of the sitting.
- (f) No resolution, motion or amendment shall be discussed unless it has been seconded.

### **Article IX: Reports, Minutes and Communiqués**

- (a) A verbatim record of the sittings of the General Council shall be kept. This shall not be published or distributed.
- (b) The General Secretary shall keep the minutes of the meetings. They shall not be published. At the commencement of each meeting, a summarised report of the previous meeting shall be approved.
- (c) Documents prepared by the General Secretary and dealing with the items on the agenda of the General Council shall be circulated to members of the General Council before the beginning of each session. They shall not be made public until the question with which they deal has been discussed by the General Council. After each meeting the General Secretary shall classify the documents into three categories:

- A. CONFIDENTIAL:  
Not for distribution or publication.
  - B. FOR INFORMATION ONLY:  
Not for publication (can be issued to interested persons or organisations).
  - C. FOR PUBLICATION.
- (d) The General Secretary shall be entitled to issue to the media, in addition to the documents classified “for publication”, suitable information before, during and after the meeting of the General Council.
- (e) Decisions of the General Council which call for specific action by any or all affiliated organisations shall be communicated to those organisations with the request that the General Secretary be notified of the measures taken to apply these decisions. The General Secretary shall report to the General Council on the action taken.
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## **EXECUTIVE BUREAU STANDING ORDERS**

### **Article I: Membership**

- (a) Unless the General Council determines otherwise, the Executive Bureau elected by the General Council immediately after an ordinary Congress in accordance with Article XXV of the Constitution shall maintain the same composition until the next ordinary Congress except for the filling of such vacancies as may arise in between.
- (b) No person who has ceased to be a member of the General Council shall remain a member of the Executive Bureau.
- (c) Unless the General Council determines otherwise, the vacancy that arises on account of a member having ceased to be a General Council member shall be filled by the person who replaces him/her on the General Council.

### **Article II: Sessions**

- (a) As a general rule the Executive Bureau shall meet at least twice each year.
- (b) Meetings of the Executive Bureau shall be chaired by the Deputy President elected by the General Council to serve as Executive Bureau Chairperson. In case he/she is absent for the whole or part of its sitting, the Executive Bureau shall each time designate a member to take the chair during his/her absence.
- (c) Additional meetings of the Executive Bureau shall be convened if the General Secretary deems it necessary in consultation with the Chairperson. Such a meeting shall also be convened if a written request to that effect, signed by at least 25% of the Executive Bureau's titular members, is received.
- (d) The Executive Bureau shall normally meet at the headquarters of the Confederation.

### **Article III: Admission to meetings**

- (a) The sittings of the Executive Bureau are private, restricted to titular members and the substitute members called upon to replace the titular members who are unable to attend. Procedures for the substitution of titular members are as provided for under Article XXII(b) of the Constitution in respect of the General Council meetings.
- (b) The only other persons who are authorised to attend meetings of the Executive Bureau shall be:
  - (i) Not more than one person accompanying a titular member, or the substitute member replacing him/her, as his/her technical adviser or interpreter;
  - (ii) Two representatives of Global Union Federations or their substitutes, and one representative of the TUAC, attending in a consultative capacity;

- (iii) the Deputy President of the ITUC serving as the Chairperson of the Solidarity Fund Management Board and the Deputy General Secretaries of the ITUC;
  - (iv) The General Secretary of the Pan European Regional Council (PERC);
  - (v) The members of the ITUC staff who are designated by the General Secretary to service the meeting.
- (c) In exceptional circumstances, if a titular member and his/her two elected substitutes are unable to attend a complete session, the Executive Bureau may authorise, on the basis of an advance request in writing, a personal substitute to attend on behalf of an elected member.

**Article IV: Agenda**

- (a) Before each scheduled meeting of the Executive Bureau, the General Secretary shall prepare a draft agenda and forward it to the Executive Bureau members, together with documentation where appropriate, at least two weeks prior to the date of the meeting.
- (b) Matters of urgent importance may be added to the agenda.

**Article V: Voting**

- (a) None other than titular members, or substitute members attending in place of absent titular members, have the right to vote.
- (b) The Executive Bureau shall endeavour to secure the widest possible measure of agreement rather than carry decisions by vote. When a vote is called for, however, decisions shall be by absolute majority of the full Executive Bureau.
- (c) As a rule the voting shall be by show of hands.

**Article VI: Records and reports**

- (a) A verbatim record of the meeting of the Executive Bureau shall be kept. It shall not be published or distributed.
- (b) A summarised report of each meeting shall be prepared by the General Secretary for submission to the General Council at its next meeting.