

INTERNATIONAL TRADE UNION CONFEDERATION

-

AFRICAN REGIONAL ORGANISATION

(ITUC-AFRICA)



CONSTITUTION

DECLARATION OF PRINCIPLES

The African Regional Organisation of the International Trade Union Confederation (ITUC-Africa) acknowledges the accomplishment of generations of working women and men who through their trade union struggle have fought for the cause of social justice, political emancipation from colonial rule and apartheid, democracy and peace in Africa. It pledges to carry forward their struggle for a world in which the dignity and rights of all human beings is assured, and each is able to pursue their well-being and to realise their potential in conditions of freedom and equality.

The ITUC-Africa 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 regional and international solidarity actions for the attainment of just and equitable patterns of trade and wealth sharing 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. As such, the ITUC-Africa shall function in a robust manner as a countervailing force in the global economy, committed to eradicating the imbalances in the global trade order and the unfair neo-liberal trade policies, especially the heavy agricultural subsidies and the various impediment to market access for agricultural products. It shall strive to secure a fair terms of trade, equitable 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 further commit itself to securing comprehensive and equitable economic and social development for workers throughout the African region and beyond, in particular where poverty and exploitation are pervasive.

*The ITUC-Africa shall promote trade union unity among democratic and independent trade unions in Africa and shall ensure effective representation to working people, wherever they work and in whatever conditions throughout the African region. Its rules shall guarantee internal democracy, full participation of member organisation, and that the composition of its governing bodies and representation respects its **diversity**.*

The ITUC-Africa convinced of the universal, inalienable and indivisible nature of human rights affirms that freedom of thought, expression, assembly and association must be translated into actual conditions affecting the lives of workers and their relations with employers, public or private, and with the State. It proclaims the right of all men and women therefore to:

- *Freedom of association and assembly;*
- *Mutual protection of their interests, through forming and joining, in full freedom, trade unions, which shall be free bargaining instruments and, which derive their legitimacy from their members;*
- *Freely chosen, justly remunerated, decent, secure and productive employment;*
- *Social and economic justice;*
- *Freedom from hunger and poverty;*
- *Democratic government, including the full and free participation of all people in political life and the possibility to change government by democratic means;*
- *Freedom from all forms discrimination, oppression and exploitation, and to equality of opportunity;*
- *Freedom from all forms of political interference and injustices;*
- *Equitable and sustainable development;*
- *Access to the public services necessary to lead a full and decent life;*
- *A safe, healthy and sustainable working environment; and,*
- *Social security for all.*

The ITUC-Africa 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 regional organisations with a view to having their policies and activities contribute coherently to the achievement of decent work, social justice and sustainable development.

The ITUC-Africa 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 rights of all people 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, apartheid and militarism, as well as racism and sexism.

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

The ITUC-Africa further affirms its commitment to:

- *Solidarity between its member organisations and among workers all over the world;*
- *Promote and strengthen unity of action and reinforce the democratic participation of trade unions at the national, sub-regional, regional and international levels;*
- *Incorporate and promote gender and youth concerns and activities into its agenda.*

The ITUC-Africa further affirms that these rights are essential foundations for development, prosperity, human dignity, peace and security, and that the denial or restriction of these rights is an affront to all and a threat to peace. Freedom, democracy and equality must be continuously defended and promoted, whilst all forms of aggression, including the removal of government by the use of force, dictatorship, oppression and discrimination must be ardently opposed.

The ITUC-Africa shall uphold these rights and principles, and faithfully champion the cause of human freedom, and promote and defend these principles and rights everywhere.

AIMS AND OBJECTIVES

It shall be the aims and objectives of the African Regional Organisation of the International Trade Union Confederation (ITUC-Africa) to advance the economic, social, political, and cultural interests of all workers in the African continent regardless of race, colour, sex or national origin; and to advise, assist, and co-operate with the ITUC and its other affiliates and associated bodies in their endeavours to achieve, in the African continent, the following aims and objectives:

- To promote the development and empowerment of free, democratic and independent trade unions throughout Africa.
- To represent, defend and promote the rights and interests of working women and men without any distinction for a just remuneration for their work under conditions of dignity, justice, peace, and work security.
- To uphold and promote gender equality and equity in every spheres of human endeavour throughout Africa and elsewhere.
- **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 and reinforce trade union unity and solidarity at the national, sub-regional, regional and international levels.
- To maintain and develop a strong and effective Regional Organisation composed of free and democratic trade unions, independent of any external domination and pledge to the task of promoting the interests of working people and strive for the respect of fundamental rights at work to enhance the dignity.
- To seek the universal recognition and application of the rights of workers and their trade union organisations and denounce violations of freedom of association, the right to collective bargaining, the rights to strike and mobilise regional and international solidarity to have them brought to an end.
- To consolidate international trade union solidarity by giving succor to the victims of all kinds of oppression, by giving necessary support and assistance to those suffering from the consequences of natural and industrial disasters, and by providing support in all other cases where workers should stand shoulder to shoulder.
- To co-ordinate the defence of democratic, and independent trade unions against all attempts aiming at the destruction of their rights or at the infiltration, and subjugation of labour organisations by totalitarian, dictatorial or other anti-democratic forces.
- To support in providing people who have been victims of war and subjugation with all practicable means for the speedy rebuilding of their economies and in promoting international measures of aid for them, with full respect for their political and economic independence.
- To support initiatives aimed at preventing the outbreak of conflicts within the African region and beyond.

- To campaign for creative policies and a supportive policy environment capable of generating decent employment, especially within the informal economy and agricultural sector **and shall also 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 protected work, and through lending assistance to organising strategies and campaigns.**
- To encourage the development and equitable sharing of the resources of all countries in order to further the economic, social and cultural progress of the peoples of the world, and particularly Africa.
- To advocate for an equitable trade and an economic order for all countries of the world that would encourage the free exchange of technology, scientific, and human resources, with a view to raising the general level of prosperity for all.
- To protect, maintain and expand the system of free labour and to eliminate slavery, forced and child labour wherever they exist.
- To promote and strengthen the work of the International Labour Organisation and ensure that all governments respect international labour standards in full.
- To represent the democratic and independent trade union movement in all other organisations or institutions which exist or may be set up to perform functions affecting the social and economic conditions of working people and to further the implementation of their decisions whenever desirable.
- To establish and extend association with international organisations, both governmental and non-governmental, in work which will further the aims of the organisation in protecting and advancing the interests of the people generally and guaranteeing human and trade union rights in particular.
- To promote and support all measures aimed at defending democracy against dictatorship and work towards the objective of setting up a world system of collective security.
- To ensure the integration of women into trade union organisations and to promote their participation in activities and decision-making bodies at all levels; aimed at achieving parity with men in every structure of the organisation.
- To ensure the maximum effectiveness of trade union action to hold employers accountable to their social responsibilities.
- To end all forms of discrimination in employment, the trade union movement and the wider society on grounds of race, colour, sex, nationality or creed and to work towards the improvement of working conditions through the introduction, maintenance and extension of social security for all.
- To promote, protect and uphold the rights of vulnerable groups including migrant workers, children, youth, women, aged, etc.
- To support the right of young workers to decent work, education and training, their full participation at all decision-making levels, and the integration of young workers' issues within the trade union movement.

- To strengthen solidarity amongst generations within the trade union movement and support the right of retired workers to decent incomes.
- To combat social exclusion, including through promoting universal access to decent health care and free, formal, compulsory basic education provided as quality public services, and to lifelong learning.
- To ensure the harmonization of labour legislations and policies in Africa as well as the respect for collective bargaining agreements.
- To support the organising and unionising efforts in order to increase the representativeness of affiliates in the formal and informal economies as well as among retired people.
- To carry out a programme of trade union and workers' organisational and educational activities as a necessary support to the development and strengthening of trade unions in those countries where trade unions do not yet exist or are still weak and also as a means of promoting better understanding of the tasks of the free and democratic trade union movement everywhere.
- To contribute to the situation and safeguarding of peace in Africa and throughout the world through the support for the installation of a culture democracy and social dialogue, conflict prevention, management, resolution and post-conflict reconstruction.

MEMBERSHIP

Article I: Affiliation

- (a) All organisations affiliated to the ITUC in the African continent are eligible for membership in the ITUC-Africa, subject to the acceptance of, and compliance with the Constitution of the ITUC-Africa.
- (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 applicant meets, both in its principles and its practices the criteria established in Article I (a), and its affiliation is desirable and in the interest of the Confederation. *All such decisions shall be reported for ratification by the Congress or General Council of the ITUC.***
- (c) Continued membership shall be conditional upon fulfilment of the obligation laid down in the Constitution.
- (d) The autonomy of member organisations is guaranteed.

Article II: Rights and Responsibilities

Member organisations shall have equal rights and responsibilities:

- To participate in the life and the activities of the Regional Organisation in line with the provisions of this Constitution and to receive the solidarity and assistance of the Regional Organisation in case of need.
- To act in line with the decision of the Congress and governing bodies of the Regional Organisation.

- To keep the ITUC-Africa informed of its policies and activities as well as major developments within its own country, and to advise the Regional Organisation regularly of the dates of its National Congress, the decisions reached there and the composition of its governance structures.

Article III: Withdrawal

- (a) An organisation shall have the right to withdrawal from the Regional Organisation 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 at the time of submitting the notice. An organisation, which ceases affiliation with arrears owing to the Regional Organisation, 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 ITUC-Africa shall abide by the decision of the ITUC on suspension and expulsion and its General Council shall have the power 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 Regional Organisation. 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. The ITUC shall immediately be informed of the action taken and the reasons thereof.
- (b) Where an organisation is suspended from membership, the mandates of its representatives in the Regional Organisation's statutory bodies shall expire automatically.

RELATIONS

Article V: Associated Organisations

- (a) **All associated organisations of the ITUC in the African continent are eligible for associate membership in the ITUC-Africa, subject to the acceptance of, and compliance with the Declaration of Principles and the Aims of the Confederation. 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 organisations 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

- (a) The African Regional Organisation of the ITUC recognises the autonomy of 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 within the African region.

- (b) Concerned to ensure the greatest possible degree of cohesion and effectiveness within the regional trade union movement, the ITUC-Africa shall establish a structured partnership with the Global Union Federations, the forms and operating methods of which shall be determined in agreement with them.
- (c) The African regional bodies of the Global Union Federations, of which one per sector shall be recognised by the ITUC-Africa, shall be represented, with speaking rights, in the latter's governing bodies.

Article VII: Relations with Sub-regional Trade Union Organisations

The ITUC-Africa will seek to develop effective co-operation with sub-regional trade union organisations in Africa and ensure that they have developed a common platform for action.

CONGRESS

Article VIII: Ordinary Sessions

- (a) In the determination of the programme and policy of the Regional Organisation and in the interpretation of this Constitution, the supreme authority shall be the Congress.
- (b) Ordinary Congress sessions shall be convened once every four years. Their dates and place shall be fixed by the General Council 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 Regional Organisation, including financial reports.
 - (ii) General trade union policy questions and resolutions.
 - (iii) General questions of interest to working people, which call for policy to be formulated to guide the Regional Organisation and member organisations.
 - (iv) Proposals for the activity of the Regional Organisation during the period to follow.
 - (v) Proposals for amendments to the Constitution.
 - (vi) Any other proposal submitted by member organisations.
 - (vii) Nominations for the election of the General Council, the General Secretary and the Internal Auditors.
 - (viii) Ratify applications for affiliation.
 - (ix) Decide sanctions.
- (d) The Congress shall elect the General Council, the General Secretary and the Internal Auditors.

Article IX: Extraordinary Sessions

- (a) An extraordinary Congress shall be called on the authority of the General Council or if two-thirds of member organisations of the Regional Organisation 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 XI, 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 ITUC's declared aim to actively promote gender parity. 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 women 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 before each Congress for the level of youth participation.
- (c) Delegates shall have the right to speak and to vote.
- (d) Each delegate shall be entitled only to one vote, except that a delegate may cast up to one additional vote in proxy for another delegate belonging to the same trade union organisation.
- (e) Any organisation owing less than four quarters' affiliation fees shall be allowed representation at the Congress but without voting rights. Organisations owing four quarters' affiliation fees or more shall not have the right to be represented at the Congress.
- (f) 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.**
- (g) The African regional bodies of the global union federations recognised by the African Regional Organisation 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.**
- (h) Delegations may be accompanied by up to two advisers, who may take the floor on behalf of their delegations and with the agreement of the Chairperson but shall not vote. Not more

than two persons who may act as secretaries or interpreters may also accompany delegations. These persons will have neither the right to speak nor the right to vote.

- (i) **The provisions of sub-article (h) above shall also apply to delegations of the African regional bodies of the global union federations.**
- (j) The ITUC General Secretary shall be invited to the Congress.
- (k) Member organisations of the ITUC-Africa and the General Secretary of the ITUC shall receive notification of such congresses meetings, and copies of the agenda, proposals and relevant documents, not less than two months before the congresses.
- (l) The expenses of delegates attending Congresses of the Regional Organisation shall be borne by the member organisations.

Article XII: Observers and Guests

- (a) Observers from organisations, either governmental or non-governmental, with which the ITUC-Africa maintains friendly relations, may be invited by the Executive Bureau to attend the Congress and shall be allowed to address the 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 Internal Auditors.

Article XIV: Agenda

- (a) The General Council following consultations with member organisations shall prepare the agenda of the Congress. It shall include items as stipulated in Article VII (c) of this Constitution.
- (b) The General Secretary shall communicate to member organisations the agenda proposals 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 meets prior to the opening of Congress and may direct the General Secretary to circulate any or all of them to member organisations.
- (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) above 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 principles of gender balance, the General Council or its Executive Bureau shall appoint the members of:
 - (i) The Credentials Committee **of five** members.
 - (ii) The Standing Orders Committee **of five** members.
- (b) These two Committees shall be convened immediately prior to the Congress and the Congress shall ratify their compositions and consider their first reports during its first working session.
- (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, the General Secretary and the Internal Auditors and report to the Congress thereon.
 - (v) Attempt to effect agreement among the organisations of the areas concerned in cases where there are more nominations than seats allocated for those areas 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 and the Executive Bureau 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 timetable and order of business for the Congress.

- (iii) Make proposals relating to the setting-up, composition, the 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 literature or printed matter other than official Congress documents.

Article XVI: Congress Presidency (Congress Bureau)

- (a) The Officers of the Congress shall be the President, Deputy President, the Vice-Presidents, the General Secretary and the Deputy General Secretary.
- (b) The President of the ITUC-Africa 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 the President during a sitting or any part thereof, the Deputy President shall preside, and if both the President and Deputy President are absent, one of the Vice-Presidents shall preside.

Article XVII: Secretariat

The General Secretary of the ITUC-Africa shall be the Secretary of the Congress, assisted by the Deputy General Secretary.

Article XVIII: Voting

- (a) It shall be the endeavour of the Congress to secure the largest possible measure of agreement rather than to carry decisions by majority vote. When a vote is called for, however, the decision of the Congress shall be by an absolute majority, except where otherwise provided in this Constitution.
- (b) In the case of amendments of the Constitution, a two-third majority of delegates to the Congress shall be required, except for changes to the Declaration of Principles for which an absolute majority vote 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 the Congress, shall be composed as follows:

- All African members on the ITUC General Council.
- **Twelve** members to be selected by the Congress not already represented above and in accordance with the following area of distribution:

North Africa:	two members
East Africa:	two members
Southern Africa:	three members
Central Africa	two members
West Africa	three members
- Two members elected by the ITUC-Africa Women's Committee from among its members.
- One member elected by the ITUC-Africa Youth Committee.
- The General Secretary and his/her Deputy.

There will be one substitute for each titular member.

- (b) Taking into account the ITUC-Africa's declared aim to actively promote gender parity, the General Council shall set a progressive target before each Congress, starting at 30 per cent for the period following the founding Congress, 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 area is asked to include at least one woman in its representation.
- © 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 sub-region. The General Council shall make a classification of member organisations by area for the purpose of the election.
- (d) The General Council shall determine the procedure for proposals to be received and considered by the Women's and the Youth Committee for the nomination by these committees of candidates for the members to be elected at large.

Article XX: Mandate of Members

- (a) The members of the General Council and their substitutes shall be regarded as representing the ITUC-Africa as a whole. Each member shall have one vote.
- (b) No person shall be entitled to serve on the General Council whose organisation has ceased affiliation with the Regional Organisation or which, without valid reason approved by the General Council, is in arrears with payment of affiliation fees, or who has ceased to be an accredited representative of the affiliated organisation to which he or she belonged at the time of his or her election.

- (c) The mandate of the members and their substitutes shall expire at each Congress, but they are 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 sub-region concerned or the Women's Committee or the Youth Committee as the case may be.
- (b) Vacancies occurring on the General Council shall be filled by the organisations to which such persons belonged.
- (c) The General Council shall fill vacancy in the office of the General Secretary, Deputy General Secretary, President, Deputy President and Vice-Presidents until the convening of the next Congress.

Article XXII: Meetings

- (a) The General Council shall meet 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 the meeting of the General Council, the member shall inform the secretariat in due time. In a case when the substitute is from the same organisation as the member, the latter shall invite the substitute in his or her place. If the substitute is from a different organisation from the member, the secretariat shall invite the substitute.
- (c) The General Council will supervise the activities of the Regional Organisation and will make recommendations to the Congress on all subjects related to the functioning of the organisation. Furthermore, the Council will study urgent social, economic, political and trade union problems and will make recommendations on the subject.
- (d) It shall be the duty of the General Secretary to keep the General Council fully informed of all-important activities of the Regional Organisation and to supply its members with any information relating to such activities as they may request.
- (e) The General Council will set the date and venue of the Congress and of all other Congresses summoned by the Regional Organisation, and it will write the agenda, which may include proposals received from affiliates.
- (f) Two-thirds of the members shall form a quorum for the General Council meetings.
- (g) The General Council shall have the authority to accede to requests from member organisations to pay affiliation fees, at reduced rates and fix the period this will apply where general economic and social or political conditions do not permit them to pay at the full rate, provided that they shall not be less than the minimum acceptable rate which the Council shall fix.
- (h) Any member organisation faced with hardship that results into its inability to pay for the expenses of its delegates attending the ITUC-Africa Congresses may apply for assistance to the General Council. The General Council may consider the application, as long as the

applicant member organisation has discharged its constitutional responsibilities, or has been exempted to do so by the General Council. The mechanisms for making a decision in this respect will be worked out by the General Council.

- (i) 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 in the interests of the Regional Organisation.
- (j) The General Council shall decide on applications for affiliation by majority of two-thirds of its members and report its decision to the Congress for ratification.

Article XXIII: Competence

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

Article XXIV: Agenda

- (a) The agenda for the General Council meeting shall be prepared by the General Secretary and circulated with appropriate documents to each member of the Council not less than one month 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) **The Executive Bureau shall consist of the President, Deputy President, all the Vice Presidents, General Secretary, Deputy General Secretary, Chairpersons of the Women's Committee and 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) The Executive Bureau shall meet only in situations of emergency to deal with questions of urgency or importance, which may be entrusted to it by the General Council.
- (d) It shall be the duty of the General Secretary to keep the Executive Bureau fully informed of all activities of the Regional Organisation and to supply its members with any information relating to such activities as they may request.

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 the Finance Committee, Human and Trade Union Rights Committee, Education Committee and such other committees, as it deems appropriate and determine their duration, composition and terms of reference.

GENERAL SECRETARY

Article XXVII

- (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 regular 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 result of the election of the ITUC-Africa General Secretary will be communicated to the General Council of the ITUC for endorsement.
- (c) The General Secretary shall be an ex officio member of both the General Council and the Executive Bureau with the right to vote.
- (d) The General Secretary shall be the representative and spokesperson of the ITUC-Africa. The General Secretary shall lead the Secretariat and shall be responsible for implementing the decisions of Congress and the General Council as well as the general administration of the ITUC-Africa. He or she shall report to the General Council and Congress on his or her activities.
- (e) The General Secretary shall appoint all personnel as the Regional Organisation may from time-to-time require. All staff members shall be responsible to the General Secretary.
- (f) In addition to such tasks as may be entrusted to the General Secretary by the Congress and General Council, it shall be the General Secretary's duty to send regularly to the Secretariat of the ITUC particulars of all decisions of the Congress and the General Council meetings, information about the activities of member organisations in the region, trade union and socio-economic news generally and such other information for which the General Secretary may be asked and to submit annually a statement of accounts of the Regional Organisation.
- (g) The General Secretary shall remain in office between Congresses as long as he or she enjoys the confidence of the General Council.
- (h) In the event of the office of the General Secretary becoming vacant between two Congresses, the General Council shall appoint the Deputy General Secretary to act for the remaining period until the next Congress.

DEPUTY GENERAL SECRETARY

Article XXVIII

Deputy General Secretary shall be **elected**, and his or her duties defined, by the General Council. The Deputy General Secretary shall remain in office for as long as his or her conduct of affairs is deemed by the General Council to be satisfactory.

PRESIDENT

Article XXIX

- (a) The General Council shall, immediately following its election by the Congress, elect a President.
- (b) The President shall chair all constitutional meetings and the Congress.
- (c) The President shall have full voting rights at meetings of the governing bodies of the ITUC-Africa and shall have a casting vote in case of a deadlock.
- (d) The General Council shall, immediately following its election by the Congress, elect one Deputy President from among the seven Vice Presidents who will act in the absence of the President.**

Article XXX

At the same meeting at which it elects the President, the General Council shall applying the principles of gender parity also elect five of its members, the Chairperson of the Women's Committee and the Chairperson of the Youth Committee to serve as Vice-Presidents.

FINANCE

Article XXXI

- (a) 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 less than four quarters' affiliation fees shall be allowed to be represented at the Congress but without voting rights. Organisations owing four but less 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.
- (b) The level of annual affiliation fees, payable by member organisations and calculated for each thousand members or par thereof, shall be fixed by the Congress for a period of four years.
- (c) Affiliation fees shall not be receivable from organisations in respect of which the General Council has taken action provided under Article IV.
- (d) The Congress shall be empowered to levy supplementary contributions to meet extraordinary expenditure. Unless the payment of such levies is optional, the decision to impose them shall require a favourable vote of not less than two thirds of the organisations belonging to the ITUC-Africa, representing not less than two-thirds of its total membership;
- (e) The General Secretary shall prepare an annual budget and statement of accounts, which shall be submitted, to the General Council and the General Council of the ITUC for approval.

Article XXXII: Auditors

- (a) The Congress shall elect two internal auditors, who shall hold an annual audit of accounts of the Regional Organisation and one substitute, who shall act in the absence of one titular auditor. Members of the General Council shall not be eligible as auditors. The auditors shall submit and present their report in writing to the General Council as well as to the Congress.

- (b) The work of the auditors shall be complemented by the Finance Committee to be elected by the General Council. Only elected General Council members are eligible to become members of the Finance Committee.

HEADQUARTERS

Article XXXIII

The headquarters of the ITUC-Africa shall be determined by the Congress. In case of an urgency, a temporary headquarters may be established in such place, as the General Council shall decide.

DISSOLUTION

Article XXXIV

Dissolution of the Regional Organisation shall be by decision of the ITUC-Africa or ITUC Congress, especially convened for that purpose for which in either case such a decision shall require a three quarters majority of the delegates.

DECISIONS

Article XXXV

All decisions of the Regional Congress or its governing bodies shall be reported for ratification by the Congress or General Council of the ITUC.

CONSTITUTION

Article XXXVI

This Constitution of the Regional Constitution and any amendment thereof shall become effective after their adoption by the Congress and shall require the approval of the General Council of the ITUC.

AUTHORITATIVE TEXT

Article XXXVII

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

CONGRESS STANDING ORDERS

Article I: General

The present Standing Orders shall supplement the provisions relating to the Congress contained in the Constitution (Article VII-XVII).

Article II: Plenary Sitzings

- (a) The plenary sittings of the Congress shall be public except when the Congress decides to go into closed doors.

- (b) The Secretary General shall assign the seats in the Congress hall.

Article III: Opening of the Congress

- (a) The President shall open the Congress.
- (b) Immediately after the opening, the Congress shall proceed with the following business:
 - (i) Addresses of Welcome.
 - (ii) President's Address.
 - (iii) Ratification of the composition of the Credentials and Standing Orders Committee.
 - (iv) Consideration of the First Reports of the Credentials and Standing Orders Committee.

Article IV: Objections to Credentials

- (a) Objections raised to the seating of any delegate shall be submitted to the General Secretary 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 General Secretary 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 Credentials Committee, the Standing Orders Committee and special committees shall meet in close sessions.
- (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 or 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 General Secretary.
 - (vi) The African Regional Representatives of the Global Union Federations and Sub-regional trade union organisations, 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.
- © If 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 Committees shall elect their own Chairperson and Rapporteur.
 - (e) The General Secretary 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 and French.
- (b) The General Council 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 General Secretary 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 President 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 two official languages of the Congress. 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 member 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 same official languages to the General Secretary 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 two 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 a debate on a particular question or incident.
 - (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 are 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 ITUC-Africa 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 accredited 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 accredited membership of the delegation at Congress.
- (c) In the event that voting takes place for the election of General Secretary under Article XXVII (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 cast the delegations at Congress according to the formula established under Article XXVII (a).

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 - XXIV).

Article II: Sessions of the General Council

- (a) An ordinary session of the General Council shall be held once per year. 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) Extraordinary meetings of the General Council shall be arranged to immediately precede and follow the Congress.
- (c) The President may convene an Extraordinary 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 two-thirds of the General Council.

- (d) The sessions of the General Council shall be held at the headquarters of the Regional Organisation or elsewhere in the locality, unless the General Council shall otherwise expressly determine.
- (e) The African representatives of Global Union Federations may participate in accordance with the provisions of Article VI (c) of the Constitution.

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 elected substitute are unable to attend a complete session, the General Council may authorise a personal substitute to attend on behalf of an elected member, but only if a written request for representation is made on behalf of all three members.
- (c) As a general rule the sittings shall be in close sessions. Nevertheless, the President may authorise representatives of member organisations and other visitors to attend and also, at the General Secretary's request, members of the staff of the ITUC-Africa.
- (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) The expenses of any General Council member whose organisation owes four quarters' or more of affiliation fees in arrears to the ITUC-Africa shall not be paid for by the Regional Organisation.
- (f) The African representatives of Global Union Federations may participate in the meeting of the Council on the invitation of the General Council.

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 President and Vice-Presidents

- (a) The President shall preside at 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, the Deputy President shall act in his/her stead, and in the absence of both the President and Deputy President, the General Council shall appoint one of the Vice-Presidents to act in his/her stead.

Article VI: Special Committees

In addition to the Women's Committee, Youth Committee, Human and Trade Union Rights Committee, Finance Committee and Education 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 or expel member organisations, 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, 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.
- (e) 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 General Council has discussed the question with which they deal. 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 member 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.

EXECUTIVE BUREAU STANDING ORDERS

Article I: Membership

- (a) The Executive Bureau shall consist of the President, *Deputy President*, all Vice Presidents, General Secretary, Deputy General Secretary, Chairperson Women’s Committee and Chairperson Youth Committee 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 only during emergency to deal with urgent matters.
- (b) The President shall chair meetings of the Executive Bureau. In case he/she is absent for the whole or part of its sitting, the Deputy President shall take the chair. In the absence of both the President and Deputy President, the Executive Bureau shall designate one of the Vice Presidents to take the chair.

- (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 50% of the Executive Bureau's titular members, is received.
- (d) The Executive Bureau shall normally meet at the headquarters of the ITUC-Africa.

Article III: Admission to meetings

- (a) The sittings of the Executive Bureau shall be in close sessions.
- (b) The only other persons who are authorised to attend meetings of the Executive Bureau shall be the members of the ITUC-Africa staff who are designated by the General Secretary to service the meeting.
- (c) One African Regional Representative of Global Union Federations or his or her substitute.

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.