



**OIC/3-ICLM/2015/STATUTE.FINAL**

**STATUTE**

**OF THE**

**LABOUR CENTRE OF THE ORGANIZATION OF  
ISLAMIC COOPERATION**

# **THE STATUTE OF THE LABOUR CENTRE OF THE ORGANISATION OF ISLAMIC COOPERATION**

## **PREAMBLE**

The Governments of the Member States of the Organisation of Islamic Cooperation (OIC), Parties to this Statute,

*Based on* the provisions of the OIC Charter on strengthening efforts and cooperation to achieve sustainable and comprehensive human development and economic well-being in Member States,

*Recognizing* the need to address major employment, labour and social protection challenges facing Member States, particularly ensuring decent work, sustainable social security, reducing poverty under existing potentials,

*Desirous* of creating a collective platform to promote improvement of working conditions, strengthening social partnership, increasing decent employment opportunities and developing a sustainable social protection system.

Do hereby lay the present Statute:

## **CHAPTER I. GENERAL PROVISIONS**

### **Article 1: Definitions**

In the present Statute, the following terms shall have the meanings set opposite each one of them:

1. The Centre - the Labour Centre of the OIC.
2. The General Assembly - the General Assembly of the Labour Centre of the OIC.
3. The Executive Board - the Executive Board of the Labour Centre of the OIC.
4. The Secretariat - the Secretariat of the Labour Centre of the OIC.
5. The Chair of the General Assembly - the Chair of the General Assembly of the Labour Centre of the OIC.
6. The Chair of the Executive Board – the Chair of the Executive Board of the Labour Centre of the OIC.
7. The Director General - the Director General of the Labour Centre of the OIC.

8. The OIC - the Organisation of Islamic Cooperation.
9. The Member States - the OIC Member States, which have acceded to the Labour Centre of the OIC in line with the Article 5 of this Statute.
10. The CFM - the OIC Council of Foreign Ministers.
11. The Islamic Summit Conference - the Summit of Kings and Heads of State and Government of the OIC Member States.
12. Accredited Representative- any person empowered by the authorities of the state to sign the Statute.

## **Article 2: Headquarters of the Centre**

1. The Headquarters of the Centre shall be located in Baku, the Republic of Azerbaijan. The host country shall provide all necessary facilities for its smooth functioning by providing diplomatic immunities and privileges.
2. The Centre may, upon a proposal from the Executive Board and under a General Assembly resolution, establish in any other country, offices or institutions, which are subsidiary to it or are under its supervision. Decisions on this matter shall be taken by consensus. If consensus cannot be reached, the decision shall be made by a majority of two thirds of the Member States present and voting. The Centre and the Host Country of the office or institution will conclude a host-country agreement.

## **Article 3: Legal Status**

1. The Centre shall enjoy the status of fully-fledged legal person as an international organisation, using its full legal capacity to exercise its functions and fulfil its objectives as defined in this Statute.
2. The Centre, its staff members and their family members shall enjoy, in conformity with the Vienna Convention on Diplomatic Relations of 1961, all immunities and privileges that are granted to missions and members of diplomatic staff as well as their family members accredited in the Republic of Azerbaijan.
- 3.3 The Centre shall be a Specialised Institution of the OIC, as defined by the Article 24 of the OIC Charter.

## **Article 4: Aims and Objectives**

### *Aims*

1. The aims of the Labour Centre are the followings:
  - 1.1. Consolidate and empower social development efforts of the Member States and coordinate relevant organisations of the Member States including other OIC institutes in the field of labour, employment, social protection and human capital development;
  - 1.2. Provide exchange of experience and expertise among the Member States with a view to promote implementation of Framework<sup>1</sup>, Declarations and Resolutions adopted by the Islamic Conference of Labour Ministers;
  - 1.3. Ensure implementation and promotion of objectives and goals arising from the relevant Conventions, Recommendations and Programmes of the International Labour Organisation adopted by the OIC Member States;
  - 1.4. Contribute to formation of the integrated approach of Member States and sharing best practices in labour-related matters.

### *Objectives*

2. The objectives of the Labour Centre are the followings:
  - 2.1. Strengthen cooperation, knowledge and expertise for the promotion of labour, employment and social protection in Member States;
  - 2.2. Promote creating of a sustainable and accessible social protection system in Member States;
  - 2.3. Support developing of a good governance system to combat poverty and unemployment in Member States;
  - 2.4. Enhance solidarity of Member States in meeting the UN Sustainable Development Goals in the area of labour and employment;
  - 2.5. Participate in raising public awareness about labour-related challenges of the Member States' populations and importance of their solution in improving social conditions;
  - 2.6. Promote development of skilled, qualified and competitive workforces;
  - 2.7. Support in identifying and addressing demographic challenges faced by Member States;

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<sup>1</sup>The OIC Framework for Cooperation on Labour, Employment and Social Protection adopted by the Islam Conference of Labour Ministers, held in Baku, Republic of Azerbaijan, on 25-26 April 2013.



- 3.10. Set up mechanisms appropriate for publicizing international principles on labour, employment and social welfare issues;
- 3.11. Provide support to Member States for the implementation of international agreements relating to labour, employment, social protection and labour migration;
- 3.12. Mobilize technical expertise to keep abreast with the efforts of Member States regarding the adoption of legal and international tools related to the issues of labour, employment and social protection;
- 3.13. Prepare manuals for best practices in the area of the implementation of international agreements;
- 3.14. Coordinate positions of Member States on the adoption of the international standards relating to labour and social protection;
- 3.15. Stimulate and arrange active discussions of effective employment tools for social lift of vulnerable population of the Member States;
- 3.16. Prepare country and regional reports, benchmarks on labour, employment, labour migration and social protection for Member States;
- 3.17. Establish information system, network and platform on labour, employment, labour migration and social protection issues;
- 3.18. Support initiatives and programs in Member States with a view to generating employment opportunities for the youth in the Member States.

## **Article 5: Membership of the Centre**

1. Any Member State of the OIC may become member of the Centre upon signing officially the Statute, and after it has completed the membership legal formalities and informed in writing the Secretariat of the Centre. A state, which is not a member of the OIC, cannot become a member of the Centre.
2. A Member State or observer of the OIC, which is not member of the Centre, may apply for the status of observer at the Centre. International organisations may enjoy the status of observer, after submitting a request to the General Assembly.
3. The nature and scope of rights and responsibilities of the Member States shall be defined by the present Statute as well as rules of the Centre.

## **Article 6: Reports by the Member States**

1. All Member States shall periodically send to the Executive Board and the Secretariat texts of regulations on matters falling into the scope of the Centre.
2. All Member States shall also send to the Executive Board and the Secretariat statistical, technical and other information published or otherwise issued or made available by government bodies except information protected by their national legislation.
3. The General Assembly, the Executive Board and the Secretariat may request Member States to present other information, reports or documents on matters falling into the scope of the Centre.

## **Article 7: Relations between the Centre and Other Organisations**

1. The Centre shall be subject to the direction of the Islamic Summit Conference, Council of Foreign Ministers and Islamic Conference of Labour Ministers insofar as they relate to the general objectives of the OIC.
2. The Centre shall maintain close working relations with all OIC organs in order to strengthen collaboration and cooperation among them and to improve coherence and synergy in the implementation of OIC policies and programs.
3. The Centre may establish close relations with the regional and international organisations with common membership with OIC to help achieve its aims and objectives. It shall also establish relations with any other governmental or non-governmental regional and international organisations concerned with labour, employment and social protection issues.

## **Article 8: Conventions and Agreements**

1. The General Assembly has the right, by the decision of two-thirds of its members present and voting and in accordance with its regulations, to adopt and submit to the Member States conventions and agreements on labour, employment and social protection issues in the Member States.

2. Conventions, agreements as well as supplements to conventions and agreements shall:
  - 2.1. contain provisions on entry into force including the number of approvals by the Member States;
  - 2.2. not incur any financial obligations for Member States, which are not parties to these arrangements except their contributions to the regular budget of the Centre.
3. Any convention, agreement as well as supplements to conventions and agreements submitted by the General Assembly to the Member States shall enter into force for their parties in accordance with their provisions and the national legislation of every party.
4. The General Assembly shall have the right to elaborate rules on consultations with governments and technical support for the preparation of conventions and agreements.

## **CHAPTER II ORGANS OF THE CENTRE**

### **Article 9: Organs of the Centre**

The organs of the Centre shall be:

- a)The General Assembly;
- b)The Executive Board;
- c)The Secretariat.

### **Article 10: The General Assembly**

1. The General Assembly shall be comprised of Ministers in charge of labour, employment and social protection issues in States that have acceded to membership of the OIC Labour Centre. Only Member States shall have the right to vote at the General Assembly. The quorum of the General Assembly shall be formed by a two-third majority of Member States and its resolutions shall be adopted by consensus, in the absence of which they shall be adopted by two-thirds majority of Member States present and voting. The General Assembly shall hold ordinary sessions once a year. Extraordinary sessions may be held, if necessary, at the request of five Member States, subject to the agreement of simple majority of Member States. Each Member State shall be entitled to one vote.
2. The powers and duties of the General Assembly shall be to:



- 2.1. elect the Chairman and the two Vice-Chairmen for a term of one year renewable once, taking into consideration the principle of equitable geographical distribution;
- 2.2. elect the members of the Executive Board on the basis of equitable geographical representation;
- 2.3. draw up the general policy of the Centre;
- 2.4. adopt the budget, establish and control the financial policy and the general work programme of the Centre and methods for implementing this programme;
- 2.5. elect the Director General of the Centre in conformity with Article 15.2 of this Statute;
- 2.6. adopt recommendations, resolutions and reports of the General Assembly meetings;
- 2.7. adopt and submit relevant Conventions and Agreements.

#### **Article 11: The Chair of the General Assembly**

1. The Chair shall convene, conduct and preside over the sessions of the Centre. He shall have no vote.
2. The Chair will represent the Centre between its sessions.
3. The Chair may be assisted by representatives of the Member States for carrying out the tasks assigned to him.
4. The Chair may delegate whatever powers he deems fit to the Vice-Chairmen.
5. In case of a definitive or temporary vacancy of the Chair's post in the midcourse of a mandate for whatever reason or in case of a force-majeure, one of the Vice-Chairmen shall assume his functions during the period of non-availability of the Chairman.

#### **Article 12: The Executive Board**

1. The Executive Board shall be composed of the representatives of 10 Member States, including the Chairman and two Vice-Chairmen. Members are elected by the General Assembly based on equitable geographical distribution, while the immediate past Chairman of the General Assembly and the host country shall each be represented by one member. The host country shall be a permanent Member. In addition, one non-voting post shall be allocated to the Director General. Members of the Executive Board are elected for a period of three years, renewable once. The Chair of the General Assembly will chair the meetings of the Executive Board. He will have the right to vote.

2. The quorum of the Executive Board shall be formed by two-thirds majority of Member States and its resolutions shall be adopted by two-thirds majority of Member States present and voting.
3. The Executive Board shall meet at least twice a year at the Headquarters of the Centre. The Chair when necessary may convene extraordinary meetings of the Executive Board.
4. The Executive Board shall be responsible to the General Assembly.
5. Duties and powers of the Executive Board are as follows:
  1. ensure the efficient working of different organs of the Centre in line with the general policy of the General Assembly;
  2. approve the general calendar of meetings (Sessions, Working Groups and Groups of Experts);
  3. prepare the provisional agenda for the regular and extraordinary sessions in consultation with the Member States;
  4. decide on the advisability of inviting to the sessions of the Centre any person or organisation as expert or observer;
  5. review the budget and financial statements of the Centre and submit them to the General Assembly;
  6. set up Specialized Committees as and when necessary and prepare their agenda, appoint their members and fix their duration of work;
  7. submit detailed reports to the General Assembly on the activities of the organs of the Centre;
  8. supervise the activities of the Centre and ensure that its duties are implemented in accordance with resolutions of the General Assembly, decisions of the Executive Board and internal regulations;
  9. exchange of information, data, researches and studies and evaluations for the development and upgrading of labour, employment, social protection systems and workforce development;
  10. promote development of skilled, qualified and competitive workforces;
  11. pursue mobilization and management of resources for the development of labour, employment and social protection issues in the Member States;
  12. stimulate intra-OIC investment in labour, employment and social protection activities through cross-border projects and

- increased access to financial resources of the Member States;
13. develop and implement appropriate national and regional projects, international programs, legal and other regulations in area of labour, employment, social protection development for the realization of the objectives of the Centre.

### **Article 13: The Secretariat**

1. The Secretariat shall comprise the Director General and official staff working at the permanent Headquarters and in such other offices as may be established. The Director General shall determine the official list of the staff of the Centre. The mandatory state social insurance of the staff of the Secretariat shall be in conformity with the legislation of the Republic of Azerbaijan (or the host country).
2. The Director General shall be elected by the General Assembly by two-thirds majority of Member States present and voting for a period of three years, renewable once only. The Director General shall be elected from among the candidates nominated by Member States in accordance with the principles of equal opportunity for all Member States with due consideration to competence, integrity and experience.
3. The Director General shall be accountable to the Executive Board and General Assembly, and shall have direct authority over the entire staff of the Secretariat.
4. If the office of the Director General becomes vacant for more than ninety (90) days before the end of his/her term, a successor shall be appointed for the remainder of the term by the General Assembly by two-thirds majority of Member States present and voting.
5. Duties of the Secretariat are as follows:
  - 5.1. collect, study, interpret and disseminate information on labour, employment and social protection;
  - 5.2. provide technical assistance in relevant fields;
  - 5.3. create necessary regional mechanisms for regulation of employment, labour and social protection issues;

- 5.4. participate in relevant programs upon relevant requests of the OIC General Secretariat.

#### **Article 14: The Functions of the Director General**

The Director General shall carry out the following functions, in addition to any other functions as may be approved by the Executive Board and the General Assembly:

- appoint the staff of the Secretariat and see to the application of the provisions of the Personnel Regulations;
- supervise the activities of the Secretariat;
- prepare an annual report on the budget and the closing account;
- submit an annual report on the activities of the Secretariat to the Executive Board;
- be responsible for the funds of the Centre and its expenditure in accordance with the provisions of the Financial Rules of the Centre.

### **CHAPTER III BUDGET AND FINANCIAL RESOURCES**

#### **Article 15: Budget**

1. The budget shall be prepared for three years and shall become effective each year as of January 1<sup>st</sup> up to the end of December of the same year. It shall be executed after its adoption by the General Assembly, in accordance with the provisions of the Financial Regulations of the Centre. All Member States are expected to contribute to the Budget in accordance with the scale of assessment in use at the OIC or as may be otherwise approved by the General Assembly.
2. The Director General shall prepare an annual report on the budget and the closing account, which he shall submit to the Executive Board at its following session subsequent to the end of the financial year. The report on the financial year shall include his proposals on the implementation of the budget as well as his observations on the closing account.

#### **Article 16: Financial Resources**

The financial resources of the Organisation shall include:

- Annual assessed contributions received by the Centre from Member States as approved by the General Assembly;
- Donations and voluntary contributions from Member States, non-member states, institutions, individuals and partners, provided that donations from all external sources are not incompatible with the objectives and regulations of the Centre;
- Fund-raising for special labour market and social projects;
- Proceeds of the sales of publications, products, services relating to the Centre field of competence.

### **Article 17: Expenditures**

The expenditures of the Centre incurred for such purposes as follows:

- Running of the Secretariat and other approved offices of the Centre, including obligations towards permanent and commissioned staff;
- Commitments resulting from projects undertaken jointly with governmental or non-governmental partners;
- Subsidies and assistance to institutions and organisations under its supervision;
- Commitments resulting from previous contracts, resolutions or programmes of a binding nature for the Centre.

### **Article 18: Accounts**

1. The Director General shall prepare the annual report on the budget and submit it to the Executive Board upon completion of the financial year. The Executive Board shall prepare the final annual report on the budget and submit it to the General Assembly during its regular session. The Executive Board shall appoint a Financial Control Committee made up of representatives from five Member States, for a three-year period and on a rotational basis, to audit the accounts of the Organisation, and to ensure sound management of Centre's Permanent Headquarters and its offices. The Committee may seek assistance of experts in related fields, if necessary.
2. The Financial Control Committee shall have the right to examine all the relevant books and records and to request the Executive Board, the Director General or the officials of the Centre to provide any information it deems necessary for the performance of its duties. Accounts shall be audited by the Financial Control Committee on an annual basis so as to verify the accuracy of the budget and the accounts.

3. The Financial Control Committee shall submit its report to the Director General, who shall refer it to the Executive Board with his observations thereon. The Executive Board shall submit the report to the General Assembly at its following session.

## **CHAPTER IV FINAL PROVISIONS**

### **Article 19: Entry into force**

1. The Statute shall be open for signature of OIC Member States following its adoption by the Islamic Summit Conference or CFM. It shall be applied provisionally upon signing by at least ten (10) OIC Member States through their accredited representatives, and definitively enter into force upon the 30<sup>th</sup> day from the date of submission of the 10<sup>th</sup> instrument of ratification or acceptance. For any Member State, which signs, ratifies or accepts this Statute after its entry into force, this Statute shall enter into force on the 30<sup>th</sup> day after the date when an instrument of ratification or acceptance is submitted.
2. The instruments of ratification or acceptance of this Statute shall be deposited at the General Secretariat of the OIC.
3. The Secretary General of the OIC shall inform all Member States of the receipt of required number of instruments of ratification or acceptance.
4. The original of the Statute in a single copy in the English, Arabic and French languages shall be deposited at the General Secretariat of the OIC. The General Secretariat of the OIC shall send certified copies of this Statute to all the signatories.

### **Article 20: Amendments of the Statute**

1. The Statute may be amended by the General Assembly by a resolution adopted by two-thirds majority of Member States.
2. An amendment that shall not incur new obligations for the Member States shall enter into force immediately, unless the resolution on adoption of the amendment shall state otherwise. Amendments setting new obligations shall enter into force for each Member State

adopting them after approval of two-thirds of Member States and for other Member States they shall enter into force after they adopt them.

3. Proposals to amend the Statute shall be initiated by a Member State and delivered to the Chair, who shall immediately notify Member States about all proposals to amend the Statute.
4. No proposal to amend the Statute shall be included in the agenda of the session of the General Assembly if relevant notification is sent by the Chair to Member States less than 120 days before the session.

### **Article 21: Interpretation**

Any question or dispute concerning the interpretation of this Statute shall be referred for determination to the General Assembly of the Centre. The General Assembly shall decide on such disputes by two-thirds majority votes of Member States.

### **Article 22: Withdrawal**

1. Any Member State shall have the right to withdraw from the Centre through a notice directed to the Chair six months before its withdrawal and the Chair shall inform all Member States of that.
2. The State seeking withdrawal shall meet its financial obligations up to the end of the financial year in which it presents its withdrawal request, and shall pay to the Centre all other financial obligations it owes.
3. If a Member State fails to implement its obligations under this Statute, the CFM shall have the right to suspend its membership or within one year from the date of suspension re-establish its membership.

### **Article 23: Dissolution**

1. The Centre shall be dissolved or reorganised only with a decision of four-fifth majority of the General Assembly at an extraordinary session held in accordance with Article 10 of this Statute.

2. The assets and liabilities of the Centre, after dissolution, shall be transferred to the General Secretariat of the Organisation of Islamic Cooperation.

**Article 24: The text of the Statute**

This Statute was prepared in English, Arabic and French languages and all the texts shall be regarded as equally authentic.

**Article 25: Official languages**

The official languages of the Centre shall be English, Arabic and French.