



Governing Body

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Institutional Section

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TWELFTH ITEM ON THE AGENDA

Report of the Working Party on the Functioning of the Governing Body and the International Labour Conference

Oral report of the Chairperson of the Working Party

1. The Working Party on the Functioning of the Governing Body and the International Labour Conference (WP/GBC) met on Wednesday, 5 November and Monday, 10 November 2014. As Chairperson of the Governing Body, I presided over the meetings, while the Employer Vice-Chairperson of the Governing Body, Mr Rønnest, and the Worker Vice-Chairperson of the Governing Body, Mr Cortebeek, were Employer and Worker spokespersons, respectively. At its first meeting, the Working Party had before it document GB.322/WP/GBC/1. Additional information, as well as a draft decision, was submitted to its second meeting in an addendum to the first document.¹ In accordance with the procedure followed in recent discussions, the Government members of the Working Party spoke first, followed by the spokespersons of the Employers' and Workers' groups.

Analysis of the arrangements trialled at the 103rd Session of the Conference (June 2014)

2. The members of the Working Party generally agreed that the measures trialled during the 103rd Session of the Conference had been successful. However, they considered that particular attention should be given to the following:
- 2.1. *Preparation:* The members of the Working Party said that they were satisfied with the initiatives that had been taken before the Conference to improve the communication of necessary preparatory information – these being the publication of two additional guides and the organization of briefing sessions. They emphasized the importance of the early appointment of chairpersons to ensure that the Office had time to arrange their training, and welcomed the implementation of mechanisms to facilitate

¹ GB.322/WP/GBC/1/Add.).

delegates' advance registration for committees. Better use of information technology could help to facilitate such processes prior to the Conference.

- 2.2. *Time management:* The members of the Working Party underlined the importance of extremely rigorous time management in the context of a two-week session, and some pointed out that greater respect for allocated time periods and punctuality could help to reduce the need to hold night meetings.
- 2.3. *Side events to the Conference:* The members of the Working Party agreed that the Office should exercise tighter control with a view to limiting the number of side events to the Conference, whether these be activities involving the three constituent groups or information sessions. In the context of a two-week Conference, any such activities should be of real interest to the Organization's tripartite constituents, and should be announced as early as possible so that they could be planned so as not to disrupt the activities of the Conference.
- 2.4. *Opening sitting of the plenary:* The members of the Working Party were pleased with the measures taken in June 2014 to reduce the length of the opening sitting, and supported the proposal to present the proposed suspensions to the provisions of the Standing Orders in a *Provisional Record* published prior to the Conference, as a transitional measure in 2015. The suspensions would thus be submitted directly to the Conference without further explanations by the President, thereby avoiding interruptions to the work of the Conference caused by the convening of a second sitting to approve suspensions. This would reduce the length of the opening sitting to 90 minutes. Such a measure would, however, necessitate an eventual amendment to article 76 of the Standing Orders.
- 2.5. *Programme implementation report:* Various groups, including the Workers' group, the group of Latin American and Caribbean countries (GRULAC) and the group of industrialized market economy countries (IMEC), supported the proposal to amend article 12 of the Standing Orders of the Conference in order to clarify that the Director-General would present the programme implementation report every second year in addition to his Report on a social theme.
- 2.6. *World of Work Summit:* The members of the Working Party reiterated their support for the concept of the Summit. IMEC welcomed the selection of the theme for 2014 and the fact that the visits of Heads of State had all taken place in a single day. Various groups, including IMEC, the Association of Southeast Asian Nations (ASEAN) and the Employers' group, emphasized the importance of beginning preparations for the Summit early enough to ensure high-level participation and to engage speakers who would attract a wide audience. They also underlined the need to choose a far-reaching topic and a format that would generate a more dynamic and interactive discussion. The Workers' group held the view that, to ensure the presence of internationally recognized personalities, it would perhaps be necessary to show flexibility in order to accommodate those whose schedules did not permit them to be present on the day of the Summit.
- 2.7. *Functioning of the committees:* The new approach of adopting the technical committees' reports in plenary was favourably received by all the members, who also supported, in the context of a two-week session in June 2015, the extension of the deadline for delegates to make corrections to their statements to be reflected in these reports until the closure of the Conference session (instead of the 24-hour deadline trialled in 2014). Various groups underlined the need to continue to examine possible improvements to the working methods of the technical committees. They hoped that, before the March 2015 session of the Governing Body, informal tripartite consultations would be held to discuss, in detail, various proposals – on the format of

the conclusions, the shortening of the presentations made by the Office at the opening sitting of committees, the presentation of reports in plenary, as well as any other proposals that would facilitate committees' working procedures.

- 2.8. *Provisional Record:* IMEC expressed its support for the system put in place in June 2013 for the production of the *Provisional Record*, while expressing the hope that there would be progress with regard to the communication of information relating to the publication dates.

Proposed arrangements for the 104th Session of the Conference (June 2015)

3. A majority of the members of the Working Party supported the proposals in Part III of the document. However, some reservations were expressed on the following:
 - 3.1. *The planned pre-Conference group meetings:* Several Government groups, including the African group, GRULAC and IMEC, taking the same approach as the Government group as a whole, did not support the holding of pre-Conference group meetings on Sunday, 31 May 2015. IMEC proposed an alternative scenario by which group meetings would take place from 8 a.m. on Monday, 1 June. Members of the Community of Portuguese-speaking Countries (CPLP) suggested splitting the meetings between the Friday and the Monday.
 - 3.2. *Credentials Committee:* IMEC did not support the proposal to extend from 15 to 21 days the deadline for the deposit of credentials, because it would be difficult for Governments to comply with such a deadline.
 - 3.3. *Proposed arrangements for the work of the committees:* Members of the Working Party supported almost all the proposals for planning the work of the committees, including setting up, with the agreement of the standard-setting committee, a permanent Drafting Committee which could meet at regular intervals during the committee's second discussion. The Workers' group pointed out that arrangements must be made during the Conference to enable the Committee on Freedom of Association to approve its report ahead of its submission to the Governing Body meeting planned for the Saturday afternoon following the end of the Conference. The group also expressed support for the proposed trial, at the next session of the Conference, of reduced time limits for the submission of complaints and objections to the Credentials Committee.

Outstanding issues

4. The members of the Working Party reviewed the issues identified as requiring further consultation, including those which they regarded as meriting priority attention:
 - 4.1. *The agenda-setting process for the Conference:* IMEC emphasized that the procedure for setting the agenda for the Conference needed to be re-examined and that it was not a given that there would be three technical committees or one standard-setting item every year. It welcomed the ideas outlined in the document to be considered by the Institutional Section ² of the Governing Body and underlined the importance of coherence and tripartite ownership of the agenda. The Workers' group said it would

² GB.322/INS/2.

reserve its comments for the discussion of the document during the Institutional Section, but pointed out that the ILO Declaration on Social Justice for a Fair Globalization would have an impact on the choice of all the agenda items, especially following its evaluation in June 2016. The Employers' group, which shared those views, said that aside from the agenda drawn up by the Governing Body, the real achievement of the Conference lay in the translation of that agenda into concrete results, and in the actual work of the committees. The experience of the 2015 Conference could therefore be highly instructive in that respect.

- 4.2. *Conference participation:* The Workers' group said that apart from the imbalances between the different categories of participants within the delegations, the real problem lay in non-compliance with the requirements of the Constitution and that this would need to be addressed.
- 4.3. *Future work of the Working Party:* Several groups, including IMEC, queried the agenda for the future work of the Working Party and suggested that discussion of the role, purpose and functioning of the Regional Meetings should begin as soon as the Conference reform process was complete.
5. *The representative of the Director-General (Deputy Director-General for Management and Reform)* thanked members of the Working Party for their comments on the measures introduced on a trial basis in 2014 or proposed for 2015, and for their constructive suggestions, which would lead to further improvements.
 - 5.1. Concerning the requirement of transparency and the need for full involvement of the constituents in the process of drawing up the ILC agenda, the speaker referred to the efforts made by the Office over recent years to invite and encourage the three groups of constituents to play a greater role in the discussions and to put their own proposals forward. It was commonly felt that this process had been successful. Nevertheless, the decision-taking process remained difficult for the Governing Body and it was important to look for ways of improving the process of deciding on the agenda.
 - 5.2. With regard to the concerns expressed by some Government groups about the group meetings planned for Sunday, 31 May, the Office would explore alternatives, and at the following Working Party would propose a revised schedule for Monday, 1 June.
 - 5.3. With regard to possible improvements of the working methods of the committees, the Office had taken note of the wish expressed by several groups to play an active part in informal discussions between the current session and the March 2015 session, in order to discuss specific measures that could be trialled in June 2015 in the context of the two-week scenario.
 - 5.4. As for the timing of future work of the Working Party, the Office would put forward to the following meeting of the Working Party a proposal for the timing of its future activities, relating both to the reform of the Conference and to discussion of the role, purpose and functioning of the Regional Meetings.
6. At its second sitting, the Working Party examined an addendum setting out the issues identified as requiring further action from the Office or further consultations with the constituents and containing a draft decision.³ This document had been circulated previously among the Regional Coordinators and the groups' secretariats, for them to communicate to their members.

³ GB.322/WP/GBC/1/Add.).

7. *GRULAC* supported the draft decision and the Office paper and noted that many of the comments made by the group during the first sitting had been taken up in the text. The group would continue to follow the tripartite consultations closely, and requested a report on savings made as a result of the experimental measures introduced at the 103rd Session of the Conference (May–June 2014).
8. *IMEC* noted that its concerns were well reflected in the addendum. The group supported the draft decision, and observed that the consultations would also cover committee work. In this connection it suggested that the modalities of the formal procedure for the submission of amendments be revisited. It welcomed the reorganized programme for the first day of the Conference and noted that as a general rule the group meetings should be held on Monday morning of the first week. In exceptional cases, if required, provisions could be made to hold group meetings on the preceding Sunday, but those should be held in the ILO building.
9. *The Employers' group* supported the draft decision.
10. *The Workers' group* stressed that the Office should distinguish clearly between side events and information sessions. The spokesperson requested support through ACTRAV to the Workers' delegations in respect of early registration, noting that the multiplicity of unions, as well as non-compliance with article 3.1 of the Constitution of the ILO, made such advance registration problematical for workers. The Working Party should discuss how to ensure full compliance with this article. Preparatory briefing of committees' officers was important, especially the joint session organized prior to the Conference for the Chairperson and the two Vice-Chairpersons of each committee. The Workers' group, as made clear earlier, would need to meet on the Sunday preceding the Conference, and also wished to retain the option of meeting on the following Monday morning, before the opening sitting. He emphasized the importance of governments respecting their obligations under article 3.1 of the Constitution of the ILO in this respect. He welcomed the proposed consultations on improving the working methods of the committees, and pointed to the imbalance between the different categories of participants, which included a very large number of "other persons attending the Conference". He stressed that the Workers' group believed that Conference agenda decisions should remain with the Institutional Section of the Governing Body and suggested that the Office clarify the wording of paragraph 4 of the document. With respect to decision paragraph 5(a)(i), he requested clarification as to which issues would be subject to tripartite consultations.
11. *The representative of the Director-General (Deputy Director-General for Management and Reform)*, in reply to the Worker spokesperson's request for clarification, confirmed that the Institutional Section of the Governing Body would continue to take decisions on the Conference agenda. The wording "issues listed above" in paragraph 5(a)(i) referred to the arrangements of the 2015 session of the Conference.
12. The Working Party then adopted the draft decision as contained in paragraph 5 of the document.

Draft decision

13. *The Working Party on the Functioning of the Governing Body and the International Labour Conference recommends that the Governing Body:*

(a) *request the Office:*

- (i) *to convene, before March 2015, tripartite consultations on the issues listed in document GB.322/WP/GBC/1(Add.);*
- (ii) *to finalize for March 2015 a plan of work for the 104th Session of the Conference (June 2015), which would take into account the reforms agreed by the Working Party;*⁴

(b) *endorse the following schedule for the future work of the Working Party:*

- (i) *from November 2015, review the experience of the two-week session of the 2015 Conference and determine the format of the June 2016 session;*
- (ii) *in March 2016, discuss proposed amendments to the International Labour Conference Standing Orders to be submitted to a Standing Orders Committee of the Conference in June 2016 and commence the review of the role, purpose and functioning of the Regional Meetings in order to establish a time frame for a possible reform.*

⁴ See GB.322/WP/GBC/1 and GB.322/WP/GBC/1(Add.).