### **Appendix IV**

# Annotated agenda for the tripartite Screening Group Meeting (Friday, 8 May 2020 – 10.00 a.m. to 1.00 p.m.)

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#### **Annotated agenda**

- **1.** Adoption of the agenda
- **2.** Results of Governing Body ballot on the deferral of the 109th Session of the International Labour Conference and the cancellation of the 338bis and 339th Sessions of the Governing Body
- **3.** Items requiring Governing Body decisions before the October-November session of the Governing Body

#### 3.1. Agenda of the International Labour Conference

At its 338th Session (March 2020), the Governing Body was expected to select a technical item to be added to the agenda of the 2021 Session of the Conference so that the Office could commence preparation of the report to the 2021 Conference. Further to the decision to defer the 109th Session of the Conference, it is urgent to determine in advance the agenda of the Conference in 2021. Appendix I (under preparation) contains preliminary proposals taking into account the analysis provided by the Office and the initial views expressed by members of the Screening Group at their meetings of 27 March 2020 and includes options for dealing with the reports for the three technical items, as well as the report of the Director-General.

The Office will prepare a draft decision on the basis of the deliberations of the Screening Group on the agenda of the 109th Session of the Conference deferred to June 2021. The draft decision will be submitted to the Screening Group for endorsement prior to being put to a vote by correspondence of all Governing Body members. Consideration of the agenda of future sessions of the Conference can be postponed to the 340th Session of the Governing Body (October–November 2020).

### 3.2. Composition of the Committee of Experts on the Application of Conventions and Recommendations (CEACR)

In document GB.338/INS/16/1 the Officers of the Governing Body recommended to the 338th Session of the Governing Body to appoint a new member of the CEACR to fill the vacancy left after the expiry in 2018 of the last term of office of Professor Halton Cheadle (South Africa). It is important that the appointment of a new member be made well ahead of the next session of the CEACR in November 2020 so that the expert can be properly briefed and can start working on reports before the session.

Subject to Screening Group endorsement of the recommended appointment, the draft decision for Governing Body consideration by a vote by correspondence appears in paragraph 6 of document GB.338/INS/16/1 as follows:

The Governing Body, on the recommendation of its Officers, appointed Justice Sandile Ngcobo (South Africa) as a member of the Committee of Experts on the Application of Conventions and Recommendations for a period of three years, in order to fill the current vacancy.

#### 3.3. Sectoral meetings held in 2019 and proposals for 2020-21

The Officers have already made a decision under delegated authority, in consultation with the tripartite Screening Group, on paragraph 11 (a) of document GB.338/POL/3, to approve the publication and dissemination of the guidelines on the promotion of decent work and road safety in the transport sector. Decisions are pending on:

- the appointment of chairpersons for five technical meetings to be held in 2020–21 (paragraph 11 (b));
- arrangements for two meetings to be held in the first half of 2021 (paragraph 11 (c)); and
- an additional meeting under the programme of sectoral meetings for 2020–21 (paragraph 11 (d)).

Further to the postponement of the Technical meeting on the future of work in the automotive industry (initially scheduled from 4 to 8 May 2020) to the second half of 2020, it is proposed that this technical meeting be held from 19 to 23 October 2020. It is subsequently proposed that the Technical meeting on the future of work in the education sector be held from 25 to 29 January 2021. The sectoral advisory body meetings are proposed to be held from 13 to 15 January 2021. With the postponement of the technical meetings on the automotive industry and education sector, the question arises as to the possibility of forfeiting the additional meeting under the programme of sectoral meetings for 2020-21 and replacing it with some special event related to COVID-19 response in 2021. Appendix II contains a revised calendar of sectoral meetings as well as the draft decisions on which action is required.

The Office will prepare a self-contained draft decision on the basis of the deliberations of the Screening Group on the proposals contained in Appendix II. The draft decision will be submitted to the Screening Group for endorsement prior to being put to a vote by correspondence of all Governing Body members.

#### 3.4 Preparations of the V Global Conference on Child Labour

Document GB.338/POL/4, prepared for the 338th Session of the Governing Body, highlighted the importance of 2021 as a turning point in achieving Sustainable Development Goal (SDG) target 8.7 on child labour and forced labour. It provided information on developments since the IV Global Conference on the Sustained Eradication of Child Labour, including the recent adoption by the United Nations General Assembly of resolution 73/327, declaring 2021 the International Year for the Elimination of Child Labour. It also highlighted the importance of organizing the V Global Conference on the Elimination of Child Labour and Forced Labour in 2021 and provided information on the status of the preparations, including with regard to mobilizing the required resources. The Governing Body was expected to provide guidance to the Office on the proposed course of action leading to 2021 and to inform the Governing Body as regards progress made at its October-November 2020 Session. The current crisis having brought most of the Global Conference preparations to a halt, it is now unclear when discussions with a view to fixing the time, venue, format and content of the Conference may resume. It is therefore proposed to postpone consideration of this item to the October-November 2020 Session of the Governing Body on the understanding, however, that should significant developments requiring constituents' guidance intervene before October 2020, the Office will undertake consultations with the three groups and report on any action taken to the October-November 2020 Session of the Governing Body.

If the Screening Group agrees to the proposed approach, it may wish to recommend to the Governing Body that it take the following decision (a revised version of paragraph 21 of document GB.338/POL/4) by correspondence:

#### The Governing Body requested the Office:

(a) to pursue the preparations for the V Global Conference on Child Labour and the course of action proposed in paragraphs 14–20 of document GB.338/POL/4;

- (b) to convene tripartite consultations as soon as practicable on any matter requiring the ILO's intervention before the 340th Session of the Governing Body (October-November 2020); and
- (c) to inform the Governing Body at its 340th Session (October-November 2020) of progress made.

#### 3.5 Composition of the Administrative Tribunal of the ILO

On 20 March 2020, the Officers of the Governing Body, in consultation with the Screening Group, decided through delegated authority to recommend to the 109th Session of the International Labour Conference that it renew the three-year term of office of one of the seven judges of the Administrative Tribunal of the ILO due to expire in June 2020 (see decision made on document GB.338/PFA/11/2). Under Article III of the Statute of the Administrative Tribunal, it is for the Conference to appoint the judges of the Tribunal.

With the subsequent decision to defer the 109th Session of the International Labour Conference to 2021 and, as a consequence, the impossibility for the Conference to act upon the recommended renewal of Mr Kreins as a member of the Tribunal before June 2021, the question arose within the Screening Group as to whether Mr Kreins could remain on duty in the interest of the continuity of the administration of justice until the Conference could renew his appointment. For the reasons stated in the analysis of the consequences of the deferral of the 109th Conference to 2021 (reproduced in Appendix III), the Office considers that it would be possible for the Governing Body to exceptionally authorize Mr Kreins to continue serving as a member of the ILO Administrative Tribunal until the Conference can confirm in 2021 the renewal of his three-year term of office with retroactive effect.

If the Screening Group agrees to the proposed approach, it may wish to recommend to the Governing Body that it make the following decision by correspondence:

The Governing Body exceptionally authorized Mr Kreins (Belgium) to continue serving as a member of the Administrative Tribunal of the ILO [in the interest of continuity of the administration of justice] until the Conference can consider the recommendation of the Governing Body to renew the three-year term of Mr Kreins with retroactive effect from July 2020.

### 3.6 Proposed form for reports requested under article 19 on instruments concerning equality of opportunity and treatment for the 2021 General Survey

The Governing Body was called upon to consider at its 338th Session (March 2020) the proposed form for reports under article 19 on the instruments selected for the General Survey in 2021 (see GB.338/LILS/2). The form should be approved by the Governing Body by June 2020 so that it can be distributed to member States in time for the preparation of the General Survey in 2021.

Should the Governing Body decide to defer all 2020 Conference agenda items to 2021, as is contemplated under agenda item 3.1. above, the general survey on equality of opportunity and treatment could also be deferred by one year to 2022 so as to maintain its alignment with the cycle of recurrent discussions. In this case, the review and approval of the form for reports for this general survey could be undertaken by the Governing Body in October–November 2020 or in March 2021.

Unless the Screening Group considers that the preparation of the 2021 General Survey should proceed in 2020 and it submits an agreed report form to the Governing Body for approval, this item could be deferred to the October–November 2020 or March 2021 sessions

of the Governing Body, as determined by the Screening Group when it approves the agenda of those sessions.

#### 3.7 Programme, composition and agenda of standing bodies and meetings

Had the 339th Session of the Governing Body taken place on 6 June 2020, the Office would have prepared documents on the election of the officers of the Governing Body, the appointment of Governing Body committees and working parties and on the programme, composition and agenda of standing bodies and meetings concerning matters not covered by decisions already made through delegated authority concerning document GB.338/INS/17. While some of the matters that are typically submitted to the Governing Body at its June session under this agenda item may be left to its 340th Session (October–November 2020), some need to be decided upon before then, in particular:

- the composition of the Officers of the Governing Body and its committees and working parties as a result of the deferral of the Conference and the impossibility of holding Governing Body elections; and
- the possible impact of the deferral or cancellation of official meetings between March and June 2020 on the programme of official meetings already scheduled during the second half of 2020 and first half of 2021, including the programme of sectoral meetings referred to under 3.3. above and the dates of the meetings of the Committee on Freedom of Association and of the Governing Body in October-November 2020.

These issues are explained in greater detail in Appendix IV, which also contains possible options for dealing with each of them.

The Office will prepare draft decisions on all aspects covered in Appendix IV taking into account the guidance provided by the Screening Group. The draft decisions will be submitted to the Screening Group for endorsement prior to being put to a vote by correspondence of all Governing Body members.

#### 4. Any other business

### Appendix I. Agenda of the 109th Session of the International Labour Conference

#### I. Introduction

- 1. At the joint meeting of 27 March 2020 of the Officers of the Governing Body and the Screening Group, the preliminary view of most groups regarding options resulting from the deferral of the 109th Session of the Conference from 2020 to 2021 was to retain the agenda initially foreseen for 2020 and to conduct the same business in 2021, subject to any necessary adjustments particularly related to the impact of the COVID-19 pandemic. The same approach was favoured in respect of the agenda of subsequent sessions of the Conference, i.e. to postpone to 2022 consideration of the agenda of the 2021 Conference and so on.
- 2. A more in-depth review undertaken since then on all aspects of the functioning of the Conference has shown that some decisions may be needed before finalizing the transposal of the business of the 2020 Conference to the 109th Session now scheduled in 2021, in particular with regard to the business of the Committee on the Application of Standards. At the same time, while the identification of the detailed business of the Conference in 2021 can be made independently from the determination of the agenda of subsequent sessions of the Conference, the Screening Group may wish to consider at this stage whether to recommend some minor adjustments to the preparatory work by constituents and the Office, in particular for the 110th Session of the Conference in 2022.
- **3.** This paper therefore reviews the consequences of and possible solutions to questions raised in respect of to each agenda item for the Conference in 2021, as well as of the agenda of subsequent sessions of the Conference.

### II. Agenda of the 109th Session of the Conference in 2021

**4.** The agenda of the 109th Session of the Conference planned for June 2020 comprised the following standing and technical items, in addition to the elections of Governing Body members for the 2020–23 three-year term of office.

#### Standing items

- Reports of the Chairperson of the Governing Body and of the Director-General;
- Programme and budget and other questions;
- Information and reports on the application of Conventions and Recommendations;

#### Technical items

- Inequalities and the world of work (general discussion);
- Recurrent discussion on the strategic objective of social protection (social security);
- Skills and lifelong learning (general discussion);
- Abrogation of eight international labour Conventions and withdrawal of nine international labour Conventions and 11 international labour Recommendations.

### Reports of the Chairperson of the Governing Body and of the Director-General

- **5.** The annual reports of the Chairperson and of the Director-General to the Conference are provided for under article 12 of the Conference Standing Orders and attest to the institutional links between the three constitutional organs of the Organization.
- **6.** In normal circumstances, the report of the Chairperson of the Governing Body covers the period corresponding to the one-year term of office of the Chairperson of the Governing Body, from the time of his/her election in June of a given year, until the election of the successor in June of the following year.
- **7.** Depending on whether the current Chairperson remains in that role until the beginning of the 340th Session of the Governing Body in October 2020, or a new Chairperson is elected by the Governing Body before then (see Appendix IV), the report of the Chairperson of the Governing Body to the Conference in 2021 would cover two different periods of office.
- **8.** Concerning the report of the current Chairperson, it is proposed to have it published at the end of his term of office. It will be submitted for discussion by the Conference in 2021 together with the report of his successor covering the activities of the Governing Body since his/her election and up to the end of May 2021.
- 9. Under current standard arrangements for the Conference, the report of the Director-General includes every year (i) a thematic report; (ii) an annex on the situation of workers of the occupied Arab territories pursuant to resolution adopted by the International Labour Conference at its 66th Session in 1980; and (iii) in the first year of a biennial financial period (as is the case in 2020), a programme implementation report on the activities of the Organization during the preceding financial period.
- **10.** Both the report on the situation of workers of the occupied Arab territories and the implementation report for 2018–19 are available and will be published shortly, and may be addressed by delegates to the Conference in June 2021 together with any comments they may have on the subsequent annual report of the situation of Workers in the territories to be prepared in early 2021.
- 11. Concerning the thematic report of the Director-General, which in 2020 was intended to address the topic of productivity, the Director General is strongly of the view that his report to the Conference in 2021 must be on the implications of the COVID-19 pandemic for the world of work in order to provide a global forum for a full tripartite debate on this critical issue. However, so as to not lose the opportunity for debate on the important topic of productivity, he proposes to have a discussion on the subject matter at the 340th Session of the Governing Body (October-November 2020), also taking into account the impact of the pandemic on the world or work. This possibility has been reflected in the proposals for the agenda of the 340th Session of the Governing Body.

#### World of Work Summit

- **12.** While endorsing the deferral of the 109th Session of the Conference to June 2021, several members of the Screening Group and of the Governing Body highlighted the importance that the Conference in 2021 include in its general and technical debates the impacts of the COVID-19 crisis.
- 13. One means of ensuring the relevance of the agenda of the 2021 Conference and the various reports to be prepared by the Office to the post COVID-19 crisis would be to devote the World of Work Summit to the topic of the impacts of the pandemic on the world and the

future of work, possibly through a series of high-level debates during the Conference. In the same vein, the Office intends to review the reports prepared for the recurrent discussion on social security and the two general discussions on inequalities and the world of work and skills and lifelong learning, in the light of the impacts of the pandemic on these three important areas of the work of the ILO so as to also shape the discussions in the three technical committees around the consequences of the pandemic.

### Programme and Budget and other financial and administrative questions

- 14. The second standing item on the agenda of the 109th Session of the Conference, namely the Programme and budget and other questions, is considered by the Finance Committee of the Conference, appointed under article 7bis of the Conference Standing Orders, and includes the following questions: (i) adoption of the financial statements for 2019; (ii) examination of requests, if any, submitted by governments currently in arrears for the settlement of their dues and recovery of their voting rights; (iii) the composition of the ILO Administrative Tribunal; and (iv) appointments to the ILO Staff Pension Committee (United Nations Joint Staff Pension Board).
- 15. The deferral of the 109th Session of the Conference implies that the 2019 financial statements will have to be considered by the Governing Body at a session before June 2021, for adoption by the Conference in June 2021, together with the financial statements for the year ending 31 December 2020. This would be in addition to the consideration and adoption of the Programme and Budget for 2022–23, which would necessarily be on the Conference agenda in June 2021.
- **16.** Moreover, as a result of the deferral of the June 2020 session, it will not be possible to examine requests submitted by governments currently in arrears in the payment of contributions under article 13(4) of the Constitution together with proposed arrangements for the settlement of their arrears before June 2021. The only possibility for Governments in arrears to be able to vote at any official meeting held before the Conference in June 2021, including the Governing Body, Regional Meetings or technical meetings, would be to pay in full the amount of their arrears.
- 17. Under the last set of items to be addressed by the Finance Committee there is the composition of the Administrative Tribunal of the ILO and appointments to the ILO Staff Pension Committee.
- **18.** The composition of the ILO Administrative Tribunal is the subject of a separate item on the Screening Group agenda (see Appendix III). Whether or not the Governing Body decides exceptionally to authorize a judge whose appointment is expiring to continue serving on the Tribunal until the Conference confirms his re-appointment with retroactive effect, the extension of his term of office will have to be considered by the Conference in June 2021, along with any other extension of serving members of the Tribunal (the current three-year term of five of the seven judges expires in July 2021) or appointment of new members.
- **19.** Depending on the outcome of ongoing discussions within the Governing Body relating to changes to the Statute of the Tribunal, <sup>1</sup> the Conference may be also called upon to consider the adoption of proposed amendments to the Statute in 2021.
- **20.** Lastly, the Conference will be called upon in June 2021 to appoint its representatives to the ILO Staff Pension Committee in order to ensure that each of the tripartite constituent groups

<sup>&</sup>lt;sup>1</sup> See GB.338/PFA/11/1.

of the Conference has a representative in the ILO Staff Pension Committee as required under the Regulations of the United Nations Joint Staff Pension Fund.

### Information and reports on the application of Conventions and Recommendations

- 21. The third standing item on the Conference agenda concerns information and reports on the application of Conventions and Recommendations, and is examined by the Committee on the Application of Standards (CAS) appointed pursuant to article 7 of the Conference Standing Orders. The deliberations of the CAS are based on the reports of the Committee of Experts on the Application of Conventions and Recommendations (CEACR).
- **22.** The deliberations of the CAS in 2020 would have been based on the reports adopted by the CEACR during its 90th Session, held from 20 November to 7 December 2019, namely: the General Report and observations concerning particular countries (based on article 22 reports) and the General Survey entitled "Promoting employment and decent work in a changing landscape" (based on article 19 reports). <sup>2</sup>
- 23. The deferral of the 109th Session of the International Labour Conference raises the question as to which CEACR reports should be submitted to and discussed by the CAS in 2021. One approach would be to retain the reports of the 90th Session of the CEACR for the CAS in 2021, and defer the items currently on the agenda for 2021 to 2022.
- **24.** Recalling that the ILO Centenary Declaration for the Future of Work acknowledges that authoritative and effective supervision of international labour standards is of fundamental importance to the ILO and that transparency should be further enhanced, three key considerations should be guiding the determination of the reports to be submitted to and discussed by the CAS in 2021:
  - (a) firstly, the deferral of the Conference should not impact Member States constitutional obligations to report;
  - (b) secondly, the deferral of the Conference should not disrupt the functioning of the ILO supervisory mechanisms, and
  - (c) thirdly, the supervision of international labour standards should be effective and authoritative.
- **25.** When the decision to defer the 109th Session of the Conference was taken, the requests to submit reports in 2020 under articles 22 and 19 of the Constitution had already been sent out to Member States, together with the CEACR's comments to which governments were invited to reply. In response, some Governments have already informed the Office that they anticipate not being able to submit by the deadline the reports due this year given the disruption brought about by the COVID-19 pandemic. <sup>3</sup>
- **26.** Article 19 reports due in 2020 concern care economy instruments, namely the Nursing Personnel Convention, 1977 (No. 149), the Domestic Workers Convention, 2011 (No. 189),

<sup>&</sup>lt;sup>2</sup> ILC.109/III(A) and ILC.109/III(B).

<sup>&</sup>lt;sup>3</sup> By 21 April 2020, the Office had received 3 per cent of the 1944 art 22 reports requested. By comparison, at the same period last year 7 per cent of the 1788 reports then requested had been received by the Office. The drop is even sharper in respect of art 35 reports as only 1 per cent of these were received by 21 April as opposed to 4 per cent at the same period last year.

the Nursing Personnel Recommendation, 1977 (No. 157), and the Domestic Workers Recommendation, 2011 (No. 201). This General survey, in principle due for review by the CEACR in 2020 and by the Conference in 2021, is meant to contribute to the recurrent discussion on labour protection, initially foreseen for 2022 and now deferred to 2023. While the COVID-19 pandemic is having a major impact on care economy workers, the article 19 report form 4 adopted by the Governing Body in March 2019 does not contain questions to capture this current development. Equally, the General Survey on the promotion of employment and decent work in a changing landscape was completed well before the outbreak of the COVID-19 pandemic and does not contain any consideration of its radical impact on employment.

**27.** The question of which CEACR reports will be submitted to and discussed by the CAS at the 109th Session of the Conference now deferred to 2021 needs to be considered in light of the above mentioned considerations and facts.

#### General Survey to be examined by the CAS in 2021

- 28. As envisaged by the 2016 Resolution on Advancing Social Justice through Decent Work <sup>5</sup> that had followed the evaluation of the impact of the 2008 ILO Declaration on Social Justice for a Fair Globalization, the Governing Body decided to establish a linkage between recurrent discussions and the topics of the General Surveys prepared by the CEACR on the basis of reports requested under article 19 of the Constitution. It will be important to maintain a strategic and coherent approach of the Conference agenda. Also, in a two-week Conference session, the CAS does not have the time to undertake a review of more than one General Survey. These considerations seem to suggest that the General Survey to be discussed in 2021 should be the one on employment related instruments adopted by the CEACR at its 90th session. To ensure a meaningful discussion, it could be complemented by a review of measures adopted by member States to address the employment impact of the COVID-19 pandemic. This complementary chapter to the 2020 General Survey could be prepared by the CEACR based on available official information and/or art 19 supplementary reports submitted on a purely voluntary basis by Member States.
- 29. Should the Governing Body confirm that the General Survey to be examined by the CAS in 2021 is the report entitled <u>"Promoting employment and decent work in a changing landscape"</u>, it will have to decide:
  - (a) whether it needs to be complemented by a a review of measures adopted by member States to address the employment impact of the COVID-19 pandemic and if so, whether supplementary information would be invited from Member States on a purely voluntary basis;
  - (b) to defer by one year the article 19 reports requested and the General Survey on the Nursing Personnel Convention, 1977 (No. 149), the Domestic Workers Convention, 2011 (No. 189), the Nursing Personnel Recommendation, 1977 (No. 157), and the Domestic Workers Recommendation, 2011 (No. 201); and
  - (c) to add the following COVID-19 related question: Indicate the manner in which the COVID-19 has impacted upon the matters raised in the questionnaire.

<sup>&</sup>lt;sup>4</sup> GB.335/LILS/3.

<sup>&</sup>lt;sup>5</sup> 2016 Resolution on Advancing Social Justice through Decent Work, para. 15.1.

#### General Report to be examined by the CAS in 2021 (art 22 reports)

- **30.** The deferral of the 109th Session of the Conference implies that the 2020 CEACR General Report and observations concerning particular countries is not being considered by the CAS this year. Following the global approach of retaining the 2020 Conference agenda and conducting that business in 2021, the CEACR General Report and its observations concerning particular countries would be discussed in 2021. As indicated above, when the decision to defer the 109th Session of the Conference was taken, the requests to submit reports in 2020 under article 22 were was sent prior to the global outbreak of the COVID-19 pandemic. Also, in a two-week Conference session, it would be challenging for the CAS to undertake a review of two General Reports and observations concerning particular countries.
- 31. These considerations seem to suggest that the same approach as for the General Survey should be followed, that is to retain the 2020 CEACR General Report and observations concerning particular countries on the agenda for a discussion at the CAS in 2021. To ensure a meaningful discussion, the report could be updated with supplementary information requested from Member States based on the 2019 reporting cycle and focusing on new developments, as well as the impact the COVID-19 pandemic might have had on the implementation of the Convention under review.
- 32. Should the Governing Body decide that the 2020 CEACR General Report and observations concerning particular countries be examined by the CAS in 2021, it will have to decide to:
  - (a) request Member States to provide supplementary information on the article 22 reports submitted based on the 2019 reporting cycle and focusing on new developments as well as the impact the COVID-19 pandemic might have had on the implementation of the Convention under review; and
  - (b) to defer by one year the normal reporting cycle under article 22 of ILO constitution.
- 33. Should the Governing Body decide to defer the art 22 reports requested in 2020, the entire reporting cycle would have to be adjusted accordingly: the CEACR would examine at its up-coming 91st Session (November-December 2020) all the reports requested, including single footnoted reports requested by CEACR in 2019, as well as article 23 observations submitted by the social partners in these cases and those which meet the criteria established by the CEACR for an urgent examination and any deferred first reports. Any other deferred files would be updated by the Government and the social partners in the reporting cycle. The resulting supplementary General Report and observations concerning particular countries to be adopted by the CEACR at its 91st session would complement the 2020 CEACR report and be on the agenda of the CAS in 2021.

#### General and recurrent discussions

- **34.** With respect to the four technical agenda items, the institutional implications of the deferral of the 109th Session of the Conference will be relatively limited, especially in the absence of a standard-setting item planned for that session.
- **35.** Retaining these four items for the 2021 Session of the Conference would preserve the coordinated and strategic approach, which underlies all previous Governing Body decisions in respect of the Conference agenda until 2022. General discussions and the recurrent discussion are sequenced in a strategic manner, with one year's discussion often informing the following year's discussion. Not maintaining this approach would generate a number of

- complexities relating to the relationship between and sequencing of recurrent discussions and standard-setting items, or between recurrent discussions and general surveys.
- **36.** Regardless of these complexities, the question arises as to whether the Office should publish the reports on the three items that it had prepared and finalized for the Conference in 2020 before the outbreak of the COVID-19 pandemic.
- 37. As these reports were prepared prior to the pandemic outbreak, they do not take into account the context of the impact of the pandemic. The release of these documents now could create confusion as to the extensive work the Office is currently undertaking in response to the pandemic. Therefore, the Office considers that the reports should not be published in their current form, but reviewed in the light of the new challenges posed by the pandemic. The updated reports would be published no later than two months prior to the opening of the Conference in June 2021, and will reflect the developments emerging from the COVID-19 crisis and its impact on the world of work.

### Abrogation and withdrawal of obsolete international labour instruments

- 38. The deferral of the 109th Session will not allow the Conference to take a vote until June 2021 on the abrogation or withdrawal of 28 mostly maritime instruments as per the Governing Body's recommendation with the overwhelming support of tripartite constituents. <sup>6</sup> It is recalled, however, that the international labour Conventions in question are already inoperative, or "shelved", which means that their application is no longer monitored by supervisory bodies and reports are no longer requested from States parties, while ratification has long ceased to be promoted. The Conference decision to abrogate or withdraw the instruments in question is, therefore, a formal act removing definitively those instruments from the body of standards, which in practical terms means that the text of those instruments no longer appears in the NORMLEX database or in any other official collection of ILO standards. Consequently, postponing the formal decision on abrogation and withdrawal to 2021 would have no substantive consequences and would certainly not impact in any form or manner the normative agenda or priorities of the Organization.
- **39.** In addition to the consideration of the proposed abrogation or withdrawal of those 28 instruments, the Conference may also consider in June 2021 the withdrawal of the Fee-Charging Employment Agencies Convention, 1933 (No. 34) that the Governing Body had already placed on the agenda of the 2021 session. Alternatively, the withdrawal of that Convention could be maintained on the agenda of the 110th Session of the Conference now scheduled in 2022. It is to be noted that the report to the 110th Session of the Conference could be easily completed in time for the 109th Session in 2021. It is proposed that regardless of the any re-scheduling decision, the deadline of 30 November 2020 currently foreseen for replies to the questionnaire be maintained.

#### Governing Body elections

**40.** An important consequence of the deferral of the 109th Session of the Conference is the incapacity to hold the Governing Body elections before June 2021. However, as article 7(5)

<sup>&</sup>lt;sup>6</sup> GB.331/INS/2(Add.); GB.334/INS/2/1; Report VII(2), International Labour Conference, 109th Session, 2020.

<sup>&</sup>lt;sup>7</sup> See GB.337/INS/2(Add.1).

<sup>&</sup>lt;sup>8</sup> See Report VII(1), International Labour Conference, 110th Session.

- of the Constitution provides, "if for any reason the Governing Body elections do not take place on the expiry of [the three-year] period, the Governing Body shall remain in office until such elections are held."
- **41.** Therefore, subject to any replacement following the resignation or death of currently serving members of the Governing Body, <sup>9</sup> serving members will continue to exercise their functions until such time the as Conference is in a position to proceed with new elections in June 2021.
- **42.** Some members have requested that consideration be given to holding Governing Body elections in 2020 by virtual means, in order to respect rotation arrangements in place within each regional group. While it would be technologically possible to organize the elections using the electronic voting system, under article 7(2) and (4) of the Constitution and articles 49 and 50 of the Conference Standing Orders, the members of the Governing Body representing governments, employers and workers are elected by electoral colleges composed respectively of the government, employer and worker delegates accredited to the Conference. Therefore, no elections may be held outside a duly convened session of the Conference without duly accredited delegates.

### Other possible items for consideration by the Conference in June 2021

- **43.** A possible additional item for consideration by the Conference in June 2021 relates to the comprehensive review of the Standing Orders of the Conference, currently subject to a series of consultations with a view to submitting a final set of amendments for adoption by the Conference.
- **44.** If the tripartite consultations scheduled in this regard between now and the 340th and 341st sessions of the Governing Body in October-November 2020 and March 2021 respectively, prove conclusive, the Conference could be called upon in June 2021 to review and adopt amendments to its Standing Orders proposed by the Governing Body. Any such amendments could be reviewed either by the Selection Committee or by a dedicated Standing Orders Committee.

# III. Consequences of the deferral of the 109th Session of the Conference on the agenda of subsequent sessions

- **45.** If the decision is made to transpose the agenda of the Conference as approved for 2020 to the Conference Session in 2021, there should be no immediate impact on subsequent sessions of the Conference, other than the additional time available to determine the final agenda of those sessions.
- **46.** It will be recalled in this respect that the agenda of the 110th Session of the Conference (now postponed from 2021 to 2022) was supposed to be finalized by the Governing Body at its 338th Session in March 2020 (GB.338/INS/2/1). The Governing Body may now defer consideration of this item until its 340th Session, or its 341st Session at the latest, in order to decide which additional technical item to place on the agenda of the 110th Session. As seen in paragraph 39 above, the withdrawal of the Convention placed on the agenda of that Session could be easily advanced to the 109th Session.

<sup>&</sup>lt;sup>9</sup> See section 1.7 of the Standing Orders of the Governing Body regarding the filling of vacancies in the membership of the Governing Body.

47. Similarly, in view of the additional time now available for tripartite constituents to respond to the questionnaire for the first discussion of the standard-setting item on a framework for quality apprenticeships, and the need to capture in those responses the impact that the crisis might have in that area of law and practice in Member States, the Screening Group may wish to recommend to the Governing Body to extend the deadline for the receipt of responses from end of June 2020, to the end of the year or 31 March 2021. The Office will publish the summary of the responses received no later than four months before the opening of the Conference session in 2022.

#### Appendix II. Excerpts from document GB.338/POL/3

#### **Draft decision**

#### The Governing Body:

- (a) decided, for each of the technical meetings listed in paragraph 7 of document GB.338/POL/3, [to appoint one of its members as Chairperson] or [to request the Office to select as Chairperson an independent person with expertise on the matters covered by the agenda and to notify the meeting accordingly];
- (b) endorsed the proposals contained in the revised version of Appendix I to document GB.338/POL/3 hereinafter, relating to the dates, duration, official title, purpose and composition of the meetings listed therein; and
- (c) decided that the resources kept in reserve for one additional meeting to be included in the programme of global sectoral meetings for the biennium 2020–21 be used for [a meeting of experts to examine the topic of the protection of whistle-blowers, or independence and protection in the public service (fight against corruption)] or [a technical meeting or meeting of experts on another sector-specific issue].

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#### Programme of sectoral meetings (2020–21)

Meetings as adopted by the Governing Body (GB.335/POL/3)	Proposed dates	Proposed duration	Proposed title	Proposed purpose	Proposed composition (G/E/W)
Technical meeting on the future of work in the automotive industry and the need to invest in people's capabilities and decent and sustainable work	19-23 October 2020	5 days	Technical meeting on the future of work in the automotive industry	The meeting will discuss future needs for skills and vocational education and training in the automotive industry in the context of the ILO Centenary Declaration for the Future of Work (adopted at the 108th Session (2019) of the International Labour Conference), with the aim of adopting conclusions, including recommendations for future action.	All Governments; eight Employer representatives; eight Worker representatives; advisers; observers; official international organizations and non- governmental international organizations as observers.
Technical meeting on the future of work in the education sector in the context of lifelong learning for all, skills and the Decent Work Agenda <sup>1</sup>	25-29 January 2021	5 days	Technical meeting on the future of work in the education sector in the context of lifelong learning for all, skills and the Decent Work Agenda	The meeting will discuss labour and professional issues concerning education personnel in the context of lifelong learning for all, skills and the Decent Work Agenda with the aim of adopting conclusions, including recommendations for future action. Specific focus will be on the impact of technology, labour market demands, and global trends in the work of persons in the education sector.	All Governments; eight Employer representatives; eight Worker representatives; advisers; observers; official international organizations and non- governmental international organizations as observers.
Technical meeting on the impact of digitalization in the finance sector <sup>2</sup>	22-26 February 2021	5 days	Technical meeting on the impact of digitalization in the finance sector	The purpose of this meeting is to discuss challenges and opportunities relating to the impact of digitalization on the future of work in the finance sector. Particular focus will be on global trends and on policies, strategies and good practices to advance decent work in the sector	All governments; eight Employer representatives; eight Worker representatives; advisers; observers; official international organizations and non- governmental international organizations as observers

<sup>&</sup>lt;sup>1</sup> Further to the decisions adopted by the Governing Body at its 335th Session (March 2019) (GB.335/POL/3) and 337th Session (October-November 2019) (GB.337/POL/2). The dates of this meeting were changed due to scheduling delays caused by the COVID-19 pandemic.

<sup>&</sup>lt;sup>2</sup> Further to the decision adopted by the Governing Body at its 335th Session (March 2019) (GB.335/POL/3) and subject to the decision to be taken at its 338th Session (March 2020) (GB.338/POL/3). The dates of this meeting were changed due to scheduling delays caused by the COVID-19 pandemic.

#### List of global sectoral meetings for the biennium 2020-21

Date	Title of meeting	Place			
2020					
20–22 January <sup>1</sup>	Global Dialogue Forum on Decent Work in the World of Sport	Geneva			
21–25 September <sup>2</sup>	Technical meeting on the future of decent and sustainable work in urban transport services	Geneva			
19–23 October (to be confirmed) <sup>2</sup>	Technical meeting on the future of work in the automotive industry	Geneva			
23–27 November	Technical meeting on the future of work in aquaculture in the context of the rural economy	Geneva			
	2021				
13–15 January (to be confirmed)	Sectoral Advisory Bodies				
25–29 January (to be confirmed)	Technical meeting on the future of work in the education sector in the context of lifelong learning for all, skills and the Decent Work Agenda				
22–26 February (to be confirmed)	Technical meeting on the impact of digitalization in the finance sector	Geneva			
26 and 27 April (to be confirmed)	Subcommittee on Wages of Seafarers of the Joint Maritime Commission	Geneva			
Second quarter (to be confirmed)	Meeting of experts to discuss and adopt a code of practice on safety and health in textiles, clothing, leather and footwear	Geneva			
Third quarter (to be confirmed)	Meeting of experts to produce joint ILO–IMO guidelines for medical examination of fishers	Geneva			
October	Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART)	Paris			
Fourth quarter (to be confirmed)	Meeting of experts to revise the 1992 code of practice on safety and health in construction	Geneva			

<sup>&</sup>lt;sup>1</sup> Further to the decisions adopted by the Governing Body at its 329th Session (March 2017) (GB.329/POL/4) and 334th Session (October–November 2018) (GB.334/POL/3). The dates of this meeting were changed at the request of constituents to avoid overlap with the African Regional Meeting (Abidjan, 3–6 December 2019).

<sup>&</sup>lt;sup>2</sup> Further to the decisions adopted by the Governing Body at its 335th Session (March 2019) (GB.335/POL/3) and at its 337th Session (October–November 2019) (GB.337/POL/2). The dates of this meeting were changed due to scheduling delays caused by the COVID-19 pandemic.

## Appendix III. Renewal of the term of office of Mr Kreins as a member of the ILO Administrative Tribunal

(version 1 – 21 April 2020)

- 1. One of the items that the Finance Committee of the Conference should have considered in 2020 relates to the composition of the Administrative Tribunal. Concretely, the deferral of the 109th Session of the Conference will not allow the Finance Committee to recommend for adoption by the Conference a resolution on the renewal of the appointment of one of the seven judges of the ILO Administrative Tribunal whose term of office expires in July 2020.
- 2. It may be argued that as the Conference would be prevented from taking a decision on the renewal of the appointment of a judge, it would be fair and reasonable to assume that the judge should be entitled to continue to exercise his/her functions as a member of the Tribunal until such time as the Conference is able to meet and take a decision on the renewal of his/her term of office. Three sets of considerations would support such a conclusion.
- **3.** First, legally speaking, judges of the Tribunal are appointed to serve for three years on the condition that a decision on the renewal of their appointment is taken before the expiry of their term of office. Arguably, if this condition is not met, the expiry of their term of office does not occur either. A direct analogy could be drawn, in this respect, with the members of the Governing Body, who are also elected for a period of office of three years, and who are to remain in office if for any reason the Governing Body elections do not take place on the expiry of this period.¹ Exceptional circumstances have validly but without any express legal basis permitted the Governing Body ² to decide that it would continue to function as then constituted until the next regular session of the Conference, when a new election of members of the Governing Body could be held.
- **4.** Secondly, from an institutional point of view, the Organization has special responsibility to ensure the smooth functioning of the Administrative Tribunal. Reducing its composition by one judge especially one of the three French-speaking judges would significantly weaken the Tribunal's capacity to continue to fulfil its responsibilities efficiently and effectively.
- **5.** Moreover, as a matter of legal theory, not extending the appointment of Judge Kreins under the current circumstances would prevent the Tribunal from constituting a three-member French-speaking panel and could thus be seen as going against the principle of continuity of public service (*principe de continuité du service public*). This principle can be considered as a general principle of law, pursuant to which the continuity of certain services is to be ensured in all circumstances as their disruption would prejudice essential needs of a sovereign entity such as a State and, by analogy, of a public international organization.<sup>3</sup>
- **6.** For the reasons outlined above, the Governing Body could take the decision to authorize, on an exceptional basis, Judge Kreins to continue to serve as a member of the ILO Administrative Tribunal on the understanding that the Conference, through a resolution to be adopted when it next meets in 2021, could retroactively validate a decision on the renewal of his term of office.

<sup>&</sup>lt;sup>1</sup> This was the decision of the Governing Body in November 1941 as a result of the deferral of the June 1940 Conference and the inability to hold the elections due for that year. A provision to this effect was later included in the constitutional amendment of 1946 and now appears in article 7(5) of the ILO Constitution.

<sup>&</sup>lt;sup>2</sup> Records of proceedings, International Labour Conference, 26th Session (1944), p. 514.

<sup>&</sup>lt;sup>3</sup> The principle has been recognized by the European Union (see Commission decision 2007/65/EC of 15 December 2006) and also established as a fundamental principle by the French Conseil d'Etat (arrêt du 13 juin 1980, 17995, recueil Lebon). It can safely be assumed that the principle of continuity of public service is to be found in one form or another in most member States of the Organization.

#### Appendix III (revised)

(12 May 2020)

### Renewal of the term of office of Mr Kreins as a member of the ILO Administrative Tribunal

- 1. Further to preliminary exchanges among the Officers of the Governing Body and other members of the tripartite Sreening Group on the legal authority of the Governing Body to exceptionally renew the appointment of one judge of the ILO Administrative Tribunal whose term of office expires in June 2020, the Office was requested to provide additional clarifications, including practical information on the impact the non-renewal of his appointment might have on the smooth functioning of the Tribunal.
- **2.** As the Office has indicated from the outset, the non-renewal of the term of office of the judge in question until the next regular session of the Conference would not legally impede the Tribunal to carry out its functions although there may be challenges with respect to the effective management of the Tribunal's caseload.
- **3.** Article III, paragraph 1, of the Tribunal's Statute provides that "the Tribunal shall consist of seven judges who shall all be of different nationalities". Under paragraph 2, "the judges shall be appointed for a period of three years by the International Labour Conference". In practice, judges are appointed by Conference resolutions. Pursuant to paragraph 3, "a meeting of the Tribunal shall be composed of three judges or, in exceptional circumstances, five, to be designated by the President, or all seven". <sup>1</sup>
- **4.** The records show that in the past the Tribunal has occasionally operated with less than seven judges on its bench. Vacancies have indeed not always been filled immediately. For instance, at its 29th Session (1946), the Conference confirmed for a period of three years the term of office of three judges and two deputy judges, and as a result, the position of one deputy judge remained vacant -- it was filled at the 30th Session (1947) of the Conference. Similarly, in 1957, following the death of a judge, the Conference decided at its 40th Session to appoint a serving deputy judge thus leaving one post of deputy judge vacant which was filled a year later at the 42nd Session (1958) of the Conference.
- **5.** Moreover, in 1968, the Conference renewed the term of office of two judges and decided that proposals for the replacement of a deputy judge should be submitted later by the Director-General. In the vent, a deputy judge was appointed at the following 53rd Session (1969) of the Conference.
- **6.** More recently, in December 2011, the resignation of a judge led the Tribunal to function with less than seven judges and the resulting vacancy was not filled until the Conference met in June 2012. It also appears that the Tribunal operated with only six judges for the entire period from July 2011 to June 2012 since the judge in question in fact never exercised her functions since her appointment.<sup>2</sup>
- 7. Reverting to the case at hand, questions have been raised with respect to the capacity of the Tribunal to deal with complaints filed in French (one of the two official languages of the Tribunal) considering that the judge whose term expires in June is one of the three francophone members of the Tribunal. The Office has been able to verify that other judges of the Tribunal can also work in French and have in fact sat in panels examining French cases before. In the period 2016–20, a total of 20 judgments were drafted in French by a

<sup>&</sup>lt;sup>1</sup> Initially, the Tribunal was composed of three judges and three deputy judges. The number of deputy judges was increased to four in 1986 due to the increase in the Tribunal's workload. In 1992, the Conference decided to amend the Statute to repeal the distinction between judges and deputy judges.

<sup>&</sup>lt;sup>2</sup> It is also recalled that on one occasion, in 1998, the Conference decided to extend only for one year the term of office of a judge, who therefore served seven years in total. His replacement was appointed at the 87th Session (1999) of the Conference.

- panel in which participated other judges; Judge Barbagallo has sat 16 times in such a panel, Judge Hansen five times and Judge Rawlins and Moore once each.
- **8.** In light of the foregoing, the Screening Group may wish to conclude its consideration of this matter based on the following two observations. First, the authority to appoint a judge, or renew his/her appointment is only vested in the Conference. Secondly, the non-renewal of the judge in question may well have an impact on the overall output of the Tribunal and the timely management of its caseload but any negative consequences could possibly be mitigated by re-organizing the composition of panels and re-assigning cases among the remaining six judges. As the pending vacancy will not excessively impede the work of the Tribunal, the Office is of the view that no sufficiently compelling reasons exist to take any exceptional measures in this regard.
- **9.** Should the Screening Group so conclude, the Office will write to the judge in question to inform him about the expiration of his term of office on 30 June 2020 and the inability to proceed with the renewal of his appointment due to the deferral of the 109th Session of the Conference. The Office will further indicate that the Governing Body has already decided to recommend that the Conference at its next regular session renew his appointment for a period of three years (GB.338/PFA/11/2).

## Appendix IV. Composition, agenda and programme of standing bodies and meetings

#### Officers of the Governing Body

- **1.** At each post Conference session, the Governing Body is called upon to elect its Officers for a one year term in accordance with section 2.1 of the Standing Orders of the Governing Body:
  - 2.1.1. The Officers shall consist of a Chairperson and two Vice-Chairpersons chosen one from each of the three groups. Only regular members of the Governing Body may be elected Officers.
  - 2.1.2. The Officers shall be responsible for the proper conduct of work of the Governing Body.
  - 2.1.3. The Officers shall be elected at a sitting of the Governing Body held at the close of the annual session of the International Labour Conference and shall hold office from their election until the election of their successors.
  - 2.1.4. The Chairperson shall not become re-eligible until three years after ceasing to hold office.
  - 2.1.5. A member elected to fill a vacancy caused by the death or resignation of an Officer shall sit for the unexpired portion of the term of office of the previous incumbent.
- **2.** In the absence of a post-Conference session of the Governing Body in June 2020, there are two possibilities regarding the election of the Officers of the Governing Body.
- **3.** The first possibility would be to consider that since there is no session of the Conference and of the Governing Body in June 2020, the current incumbents should remain acting until the Governing Body meets in October-November and elects at its first sitting its officers for the period October 2020-June 2021.
- **4.** The second possibility would be for the three constituent groups of the Governing Body to propose their candidates and to submit those proposals to approval of the Governing Body by correspondence, including if deemed necessary by a secret ballot that could be conducted using the electronic voting system or paper ballots.

# Appointment of the Governing Body committees and working parties and of the Board of the International Training Centre of the ILO, Turin

**5.** At Governing Body sessions that follow elections at the International Labour Conference, the Governing Body is invited to make a number of decisions regarding the appointment and composition of committees, subcommittees and working parties pursuant to paragraph 4.2.1 of its Standing Orders:

The Governing Body may appoint a committee, subcommittee or working party to consider specific matters. The Governing Body shall determine the composition, mandate and duration of any such committee, subcommittee or working party.

**6.** In addition to the Committee on Freedom of Association (CFA), there is at present another subsidiary body of the Governing Body in operation, namely the Standards Review Mechanism Tripartite Working Group (SRM TWG). A number of ad hoc tripartite

committees set up to examine representations under article 24 of the Constitution are also active until they will adopt and submit their reports to the Governing Body.

**7.** Moreover, under Article III, paragraph 2 of the Statute of the International Training Centre of the ILO (Turin Centre), the Governing Body is also responsible for appointing from among its members 24 members of the Centre's Board:

The Board shall consist of:

...

(c) twenty-four members appointed by the Governing Body of the International Labour Office from amongst its own members; 12 from the Government group, including six from among the representatives of the ten Members of the International Labour Organization of chief industrial importance; six from the Employers' group; and six from the Workers' group. These members shall be appointed for terms of three years unless their membership of the Governing Body of the International Labour Office ends sooner;

...

- **8.** Following the deferral of the 109th Session of the Conference to 2021, the question arises as to whether the above committees and bodies appointed by the Governing Body for the same term of office as the Governing Body itself should be maintained in their current composition until the Conference can hold Governing Body elections in June 2021. Such would appear to be the natural consequence of the provision in article 7(5) of the Constitution according to which "If for any reason the Governing Body elections do not take place on the expiry of [a three year period], the Governing Body shall remain in office until such elections are held."
- **9.** The same interim extension of the term of office of members of the Governing Body and its committees until the next Governing Body elections could also apply to the independent chairpersons of the CFA and SRM TWG, both of whom have confirmed their availability and willingness to continue serving during that period.
- 10. Should any vacancy occur amongst the regular or deputy members of the Governing Body itself, or among the members of its subsidiary bodies, normal procedures would apply for the replacement of the outgoing member for the unexpired portion of the interim term of the Governing Body.
- **11.** In the case of the Governing Body, the procedure for filling vacancies is set out in section 1.7 of its Standing Orders:
  - 1.7.1. If a State ceases, at a time when the Conference is meeting in ordinary session, to occupy one of the elective seats on the Governing Body, the Government electoral college shall meet during the course of the session to appoint, in accordance with section G of the Standing Orders of the Conference, another State to take its place.
  - 1.7.2. If a State ceases, during an interval between sessions of the Conference, to occupy one of the elective seats on the Governing Body, the Government group of the Governing Body shall proceed to replace it. The appointment thus made must be confirmed by the Government electoral college at the next session of the Conference and communicated by it to the Conference. If such appointment is not confirmed by the electoral college in question, a new election shall immediately be held in accordance with the relevant provisions of section G of the Standing Orders of the Conference.
  - 1.7.3. If a vacancy occurs, at any time whatsoever, owing to the death or resignation of a Government representative, but the State concerned retains its seat on the Governing Body, the seat in question shall be occupied by the person appointed by the government to fill the vacancy.
  - 1.7.4. If a vacancy occurs among the Employers' or Workers' members of the Governing Body at a time when the Conference is meeting in ordinary session, the electoral college

concerned shall assemble during the course of the session to fill the vacancy, in accordance with the procedure laid down in section G of the Standing Orders of the Conference.

- 1.7.5. If a vacancy occurs among the Employers' or Workers' members of the Governing Body during an interval between sessions of the Conference, the Governing Body group concerned shall proceed freely to fill the vacancy, without being required to appoint the new member from among the deputy members of the Governing Body. The appointment thus made must be confirmed by the electoral college concerned at the next session of the Conference and communicated by it to the Conference. If such an appointment is not confirmed by the electoral college in question, a new election shall be held immediately, in accordance with the provisions of section G of the Standing Orders of the Conference.
- **12.** In the absence of specific procedures in the rules or terms of reference governing the functioning of the other bodies, the filling of vacancies occurring in their membership would have to be decided by the Governing Body itself.
- **13.** If the Screening Group agrees with the approach outlined above, maintaining the membership of the CFA, the SRM TWG, ad hoc tripartite committees and the 24 members of Board of the Turin Centre appointed by the Governing Body could be either noted in the minutes of the meetings of the Screening Group, or submitted to the Governing Body for confirmation through a vote by correspondence.

#### Programme of official meetings

- **14.** At each of its sessions, the Governing Body is informed of the calendar of official meetings approved by its Officers, including the dates of sessions of the Governing Body and its CFA. The Governing Body had thus approved already in November 2018 the dates of the 340th Session of the Governing Body from 29 October to 12 November 2020 (see GB.334/INS/15 (Rev.)).
- 15. Some members of the Screening Group have already indicated that they consider it necessary to foresee a longer session of the Governing Body in October-November 2020 to deal with a larger agenda that includes many items deferred from the 338th Session (March 2020). It would, however, appear more appropriate to deal with the format and duration of the 340th Session of the Governing Body after the Screening Group has determined the agenda of the Session. In the meantime, the programme of official meetings could include a footnote to the effect that the exact dates and duration of the Governing Body in October-November 2020 are subject to confirmation. Final dates would be announced at the same time as the agenda of the session.
- **16.** As a result of the deferral of the Conference session and the consequential cancellation of the 338bis and 339th sessions of the Governing Body, the CFA meeting scheduled for 21-22 May 2020 was also cancelled, as had the CFA meeting scheduled in early March 2020. This represents a backlog of some 50 cases that will add to the average workload of 25 cases per CFA meeting.
- 17. Preliminary consultations with the Officers of the CFA indicate that the most effective way of absorbing the backlog while continuing with the Committee's normal work would be extend by two days the CFA meetings in October 2020 and March 2021. As suggested in respect of the dates of the 340th Session of the Governing Body, the programme of official meetings could include a footnote to the effect that the exact dates and duration of the CFA meetings in October-November 2020 and March 2021 are subject to confirmation.
- **18.** The programme of official meetings for 2020 and advance information for 2021 and 2022, including possible changes resulting from decisions regarding the programme of sectoral

meetings under item 3.3. of the agenda of the Screening Group meeting, would be the following.

Date	Title of meeting	Place			
	2020				
14–18 September <sup>1</sup>	Sixth Meeting of the Standards Review Mechanism Tripartite Working Group	Geneva			
21–25 September <sup>2</sup>	Technical meeting on the future of decent and sustainable work in urban transport services	Geneva			
19–23 October (to be confirmed) <sup>3</sup>	Technical meeting on the future of work in the automotive industry	Geneva			
29 October– 12 November <sup>4</sup>	340th Session of the Governing Body	Geneva			
23–27 November <sup>3</sup>	Technical meeting on the future of work in aquaculture in the context of the rural economy	Geneva			
25 November– 12 December	Committee of Experts on the Application of Conventions and Recommendations	Geneva			
	2021 (advance information)				
13–15 January (to be confirmed) <sup>3</sup>	Sectoral Advisory Bodies	Geneva			
25–29 January (to be confirmed) <sup>3</sup>	Technical meeting on the future of work in the education sector in the context of lifelong learning for all, skills and the Decent Work Agenda	Geneva			
22–26 February (to be confirmed) <sup>3</sup>	Technical meeting on the impact of digitalization in the finance sector	Geneva			
11–25 March <sup>4</sup>	341st Session of the Governing Body	Geneva			
6–9 April <sup>5</sup>	17th Asia and the Pacific Regional Meeting	Singapore			
19–23 April <sup>6</sup>	Fourth meeting of the Special Tripartite Committee of the Maritime Labour Convention, 2006, as amended	Geneva			
26 and 27 April (to be confirmed)	Subcommittee on Wages of Seafarers of the Joint Maritime Commission	Geneva			
Second quarter (to be confirmed)	Meeting of experts to discuss and adopt a code of practice on safety and health in textiles, clothing, leather and footwear	Geneva			
3–4 June <sup>4</sup>	Committee on Freedom of Association	Geneva			

<sup>&</sup>lt;sup>1</sup> Further to the decision adopted by the Governing Body at its 337th Session (October-November 2019) (GB.337/LILS/1).

<sup>&</sup>lt;sup>2</sup> Further to the decisions adopted by the Governing Body at its 335th Session (March 2019) (GB.335/POL/3) and at its 337th Session (October–November 2019) (GB.337/POL/2). The dates of this meeting were changed due to scheduling delays caused by the COVID-19 pandemic.

<sup>&</sup>lt;sup>3</sup> Dates subject to the decision to be adopted by the Governing Body (GB.338/POL/3).

<sup>&</sup>lt;sup>4</sup> Tentative dates, subject to confirmation.

<sup>&</sup>lt;sup>5</sup> Further to the decision adopted by the Governing Body, through delegated authority, at its 338th Session (March 2020) (GB.338/INS/15/2).

<sup>&</sup>lt;sup>6</sup> Further to the decision adopted by the Governing Body at its 334th Session (October–November 2018) (GB.334/LILS/2(Rev.)).

Date	Title of meeting	Place			
7–18 June <sup>7</sup>	109th Session of the International Labour Conference	Geneva			
19 June <sup>4</sup>	342nd Session of the Governing Body				
Third quarter (to be confirmed)	Meeting of experts to produce joint ILO-IMO guidelines for medical examination of fishers	Geneva			
October	Joint ILO-UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART)	Paris			
28 October– 11 November	343rd Session of the Governing Body	Geneva			
24 November– 11 December	Committee of Experts on the Application of Conventions and Recommendations	Geneva			
Fourth quarter (to be confirmed)	Meeting of experts to revise the 1992 code of practice on safety and health in construction	Geneva			
2022 (advance information)					
First quarter (to be confirmed)	11th European Regional Meeting	To be confirmed			

<sup>&</sup>lt;sup>7</sup> Further to the decision made by the Governing Body on 3 April 2020 through a vote by correspondence, the 109th Session, which was originally scheduled on 25 May–5 June 2020, was deferred to 2021 as a result of the coronavirus pandemic. The dates are tentative, subject to confirmation.