

## **Responses to ILO's Questionnaire for Discussions in Tripartite Working Group on Democratization (TWGD)**

**1. Do you consider that the notion of democratization refers to aspirations of Member States regarding specific aspects of the functioning of governance organs, such as composition, decision-making, voting power, organization and access to meetings? Please elaborate and provide concrete examples.**

The Preamble of the Centenary Declaration, inter-alia, desires “to democratize ILO governance by ensuring a fair representation of all regions and establishing the principle of equality among member States”, while the operative part of the Declaration provides that “the full contribution of the ILO’s constituents to [achieving social justice in all regions] can be assured only through their full, equal and democratic participation in [the ILO’s] tripartite governance”. Hence, democratization of tripartite governance may be defined as fair representation of all regions and full and equal participation of all the member States of ILO towards achieving the ILO’s vision of social justice and lasting peace in all regions of the world. To achieve the principle of equality among members States, the aspirations of all the Member States of ILO should to participate in the functioning of governance organs, such as composition, decision-making, voting power, organization and access to meetings of ILO must be catered to.

Democratization of tripartite governance concerns the ILO Governing Body as well as the International Labour Conference and other aspects of ILO Governance. To achieve the aim of democratization of tripartite governance, the functioning and composition of all the three main bodies of ILO should be democratised.

### **i. International labour Conference (ILC)**

ILC is the highest decision making body of ILO. It meets annually, bringing together the tripartite delegations from the Organization’s 187 member States and a number of observers from other international actors. Every delegate in ILC is entitled to vote individually on all matters under consideration by ILC. Every delegate has the same rights, and all can express themselves freely and vote as they wish. It is understood that decisions in ILC are adopted after giving due consideration to diversity of viewpoints. The Conference, which is often called an International Parliament of Labour, functions in a democratic manner.

The Conference considers the series of topics placed on its agenda by the Governing Body of ILO. Democratization of composition and functioning of the Governing Body will in-effect enhance the democratic nature of decision making process in the Conference.

### **ii. Governing Body**

The Governing body is the executive council of the ILO. Currently, GB is composed of 56 titular members (28 Governments, 14 Employers and 14 Workers) and 66 deputy members (28 Governments, 19 Employers and 19 Workers). Ten of the titular

government seats are permanently held by States of chief industrial importance (Brazil, China, France, Germany, India, Italy, Japan, the Russian Federation, the United Kingdom and the United States). The category of deputy members was created by the 1995 Amendment to the Standing Orders of ILC, as an interim measure, to increase the number of seats in GB and making it more representative. The 1995 reform, however, did not affect the status of the Members of chief industrial importance.

### iii. **International Labour Office**

The International Labour Office is the permanent secretariat of ILO. It is the focal point for ILO's overall activities, which it prepares under the scrutiny of the Governing Body and under the leadership of the Director General. In order to democratize the tripartite governance, it is essential to democratize the functioning and composition of the Office as well.

In a period of over a century, there has never been a DG of ILO from Asia-Pacific Group (ASPAG). Greater geographical diversity in ILO staff at all levels, including at the top, is necessary for ensuring the international character of the organization. Also, there has never been a DDG from India, even when India is a founding member of ILO. There is unequal representation of Asia and Africa regions in the Office. In order to democratize the functioning of the Office, some mechanism must be developed to appoint/ nominate officers/ staff in ILO Office from across the regions of the world, based on population, area, GDP etc. of the Member States.

Currently, DG of ILO is appointed by the Governing Body (GB). The 1986 Amendment proposed that while the DG would continue to be appointed by the Governing Body, the appointment would be submitted to the International Labour Conference for approval. This will ensure participation of all the Member States in the process of appointment of DG of ILO. But there is also a need to other aspects of composition and functioning of the ILO's Office. Apart from these, renewal of the term of a DG in Office may be discouraged, so as to give the opportunity of heading the Office to larger number of eligible candidates from across the world. The Tripartite Working Group on Democratisation (TWGD) must examine ways to democratise the Secretariat of ILO and ensure better representation and participation of all the regions in the Office.

### **2. Do you consider that 'democratization of tripartite governance' concerns the ILO Governing Body only or should also cover the International Labour Conference and other aspects of ILO governance?**

Yes, as explained above in inputs for Q.No. 1 above.

### **3. Based on the above, which aspects of democratization – in addition to those addressed in the 1986 constitutional amendment – would you consider the TWGD should examine in priority? Please specify.**

The 1986 Instrument proposes amendments in the composition and governance of Governing Body of ILO, procedure for appointment of DG and stricter majority requirements for Constitutional Amendments. The 1986 Amendment also proposed

changes in the rules for decision-making as per majority voting in ILC. Timely completion of ratification of 1986 Instrument, as called for in the ILO Centenary Declaration for the Future of Work, may help in a big way in the direction of democratization of ILO's tripartite governance. But apart from the issues addressed in the 1986 Amendment, there is a need for TWGD to examine various aspects of composition and functioning of the ILO's Office and develop proposals for democratization of composition and functioning of the ILO Office for better representation of all regions in the Office/ Secretariat of ILO. Greater geographical diversity in ILO staff at all levels, including at the top, is necessary for ensuring the international character of the organization. Further, the basis for renewal of the term of the Director General in Office may also be examined.

**4. In your view, which are the core principles that should be guiding ILO's action towards democratization of its governance? Please specify.**

ILO's Centenary Declaration for the Future of Work in Part II, section B states "Social dialogue, including collective bargaining and tripartite cooperation, provides an essential foundation of all ILO action and contributes to successful policy and decision-making in its member States." In view of the foregoing, it is suggested that Social dialogue must be one of the core principles that should be guiding ILO's action towards democratization of its governance. TWGD should develop proposals for ensuring fair representation of all regions and full and equal participation of all the member States of ILO through social dialogue and consultations with all the Member States of the ILO.

The principle that "responsibility (rights) and authority (duties) should go hand-in-hand" should also be kept into mind while making efforts towards democratization of tripartite governance and giving equal rights to all. The Governments which are undertaking sincere efforts and implementing the international labour standards in a responsible manner and are pro-actively contributing towards ILO's aims/ vision of social justice and lasting peace may be awarded, in ways to be identified, for their efforts and contribution towards ILO's objectives.

**5. Do you have any concrete proposals for the second meeting of the TWGD and/or its future programme of work?**

Greater geographical diversity in all the organs of ILO is necessary for ensuring the international character of the organization. TWGD may examine various aspects of composition and functioning of the ILO's Office and develop proposals for democratization of composition and functioning of the ILO Office for better representation of all regions at all the levels, including at the top, in the Office/ Secretariat of ILO.

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