

# Second meeting of the tripartite working group on the full, equal and democratic participation in the ILO's tripartite governance

## ► Summary record of proceedings

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## Introduction

1. The tripartite working group on the full, equal and democratic participation in the ILO's tripartite governance (TWGD), established by the Governing Body at its 337th Session (October-November 2019), held its second meeting in two sittings on Thursday, 21 January and Monday, 1 February 2021. The meeting was held virtually due to the ongoing COVID-19 pandemic. The list of members and other participants is in the appendix.
2. The TWGD had before it a background note prepared by the Office and a draft agenda approved by the Co-Chairpersons.

## First sitting (Thursday 21 January 2021)

### Adoption of agenda

3. The TWGD adopted the following agenda:
  - (a) Overview of survey results – Key issues from responses;
  - (b) Proposed Conference resolution on the principle of equality among ILO Member States and fair representation of all regions in the ILO's tripartite governance;
  - (c) Future programme of work: Concrete proposals concerning topics, priorities and timelines;
  - (d) Any other business.

### Overview of survey results – Key issues from responses

4. **One of the Co-Chairpersons, Switzerland**, recalled that the purpose of the TWGD was to “serve as a platform for focused dialogue and for developing proposals”. Responses to the questionnaire had been received from members from all four regions and the Workers’ and Employers’ group secretariats had submitted a joint reply. The background note laid out the gist of those replies. A number of points of convergence could be drawn from them: a targeted approach to the issue of democratization was needed focusing on specific aspects of the functioning of the ILO's tripartite governance; the work should be prioritized by tackling first the functioning of the Governing Body and the aspects contained in the 1986 Instrument for the Amendment of the Constitution of the ILO (the 1986 Amendment) whereas other issues, including the functioning of the International Labour Conference (Conference), could be addressed later, if the TWGD so agreed; new ways were needed to eliminate obstacles to the ratification of the 1986 Amendment; and the TWGD should be guided by certain core principles, such as equality, fair representation and transparency. The discussion on this agenda item would inform the discussion on the third item regarding the future programme of work of the working group.
5. **The representative of the secretariat of the Workers’ group**, speaking on behalf of the Workers’ and Employers’ groups, noted the importance of the issue at hand. The Employers’ and Workers’ joint position – which had not been clearly reflected in the background note - was as follows. First, the ILO Centenary Declaration and its accompanying Resolution were clear as to what “democratization” meant. The Centenary Declaration referred to the desire of “democratiz[ing] ILO governance by ensuring a fair

representation of all regions and establishing the principle of equality among member States”, whereas the resolution called for the “completion, at the earliest opportunity, of the process of ratification of the Instrument of Amendment to the ILO Constitution, 1986.” Second, the TWGD should therefore focus on giving effect to those commitments in terms of ratification and entry into force of the 1986 Amendment. This was in line with the consensus on the mandate of the TWGD reached at the Governing Body. The Employers’ and Workers’ groups had joined the consensus, on the understanding that the TWGD’s discussions would focus on the 1986 Amendment. The groups had not agreed to discuss issues related to the Conference or other aspects of the Governing Body, which had already been addressed under other reform processes. Third, the democratization of the ILO Governing Body should be guided by the principle of fair representation and equality among Member States, in line with the Centenary Declaration. Fourth, ways and options should be explored to eliminate obstacles to the ratification of the 1986 Amendment, with a particular focus on the countries of chief industrial importance. In this respect, it would be helpful if India and Italy, two such countries who had ratified the 1986 Amendment, could share their experiences and best practices. Finally, the speaker, invited the Office to report on any development on the ratification of the 1986 Amendment. In response, **the Legal Adviser** confirmed that, since the first meeting of the TWGD in December 2020, there had been no new ratifications of the 1986 Amendment.

6. **The Government member of Ethiopia**, speaking on behalf of the Africa group, considered that the response rate to the questionnaire was low; nevertheless, it constituted a starting point for the meeting. The TWGD should address two issues. The first one related to the specific governance organs that were still undemocratic. The main focus of the TWGD should be the Governing Body, without excluding the possibility of addressing the Conference at a later stage. The second issue was the 1986 Amendment, which addressed two issues of relevance for the TWGD, namely the composition of the Governing Body and the appointment of the Director-General. With respect to the proposal in paragraph 8 of the background note to increase the number of permanent members in the Governing Body from 10 to 12, she recalled that that idea had been rejected in 2008 as, in reality, it did not seek to democratize the Governing Body nor to enhance the decision-making process.
7. **The representative of the secretariat of the Workers’ group**, speaking on behalf of the Workers’ and Employers’ groups, noted that the use of the term “majority” in the background note was not understandable. All the three groups had agreed that the work of the TWGD should focus on the 1986 Amendment and its entry into force. It was therefore not clear why the background note in paragraph 7 only attributed this view to a third of the respondents to the questionnaire. The reference in paragraph 13(i) to the “democratization of the ILO tripartite governance” should only be understood as referring to the democratization of the Government group, not of the Workers’ and Employers’ groups which were not addressed under the 1986 Amendment. She noted that in paragraph 13(iv), the key sentence was “the TWGD should make proposals to the Governing Body for further promoting the entry into force of the Amendment.” This reinforced the idea of having a focused discussion in the TWGD.
8. In response to the comments by the secretariats of the Employers’ and Workers’ groups in relation to paragraphs 7 and 13 of the background note, **the representative of the Director-General** (Deputy Director-General for Management and Reform) clarified that the reference to “the majority of respondents” in the background note related to the

number of responses received. The Office had originally prepared a more detailed note with an attribution of responses. As the length of that note would not have permitted its timely circulation for the meeting, the Office had decided to provide instead a brief overview of the replies. The format eventually retained also explained the reason why the Employers' and Workers' views had not been differentiated from those of the governments as was done normally. The necessary corrections could be made if a longer version of the background note were to be published. With respect to paragraph 13, the intent was to put forward elements for a future programme of work and not to prejudge any outcome of the discussions in the TWGD.

9. **The representative of the secretariat of the Employers' group** noted the explanations of the Office with respect to the understanding of the term "majority" and supported the observations made by the representative of the secretariat of the Workers' group in this regard. He underscored the importance of having a clear understanding in the TWGD on the meaning of "democratization" in relation to its scope and mandate. He recalled that the TWGD had been established following the discussion of the Governing Body at its 337th Session (October-November 2019) under the agenda item concerning the promotion and ratification of the 1986 Amendment and therefore the programme of work of the TWGD should focus on the Governing Body and the entry into force of the 1986 Amendment. Furthermore, "democratization" should be deemed to relate only to the Government group.
10. **The Government member of Indonesia** stated that Indonesia had responded to the questionnaire and stood ready to provide additional views.
11. **The Government member of Belgium** noted that the short time available for governments to respond to the questionnaire could explain the limited number of responses. It would be useful to send the questionnaire again as the issue at hand was important. Belgium could align with the joint position of the Workers' and Employers' and agreed that the framework of the discussions should be limited to the 1986 Amendment.
12. **The Government member of the United Kingdom of Great Britain and Northern Ireland** stated that the questionnaire had been a useful exercise to express views. The reply to the questionnaire submitted on behalf of her Government, as well as the Governments of France and Germany, proposed to maintain the system of permanent seats in the Governing Body while amending it to ensure that it was regionally balanced, to ensure continuity and good governance in the Governing Body.
13. **The Government member of Zimbabwe** considered that the replies to the questionnaire were intended to inform the discussions of the TWGD. Producing a second draft of the background note could be useful for record purposes, but the TWGD needed to move forward. The Governments of France, Germany and the United Kingdom appeared to agree with the Employers' and Workers' groups and the Africa group that the TWGD should focus on the Governing Body. If that was the case, those three Governments should elaborate on their proposal as regards the permanent seats in the Governing Body. Those Governments who wishing to address also aspects of the functioning of the Conference should specify the issues to be discussed in the TWGD.
14. **The Government member of France** noted that the response to the questionnaire supported by his Government had aimed at enabling discussions in the TWGD to go beyond the question of the ratification of the 1986 Amendment, although the latter issue was indeed important. This had been the position consistently held by France. As regards

the proposal of France, Germany and the United Kingdom, it consisted of increasing the number of Members of chief industrial importance in the Governing Body to 12, guaranteeing at least two seats for each region. The permanent members secured continuity in the Governing Body and should be preserved, while ensuring fair regional representation.

15. **The Government member of Algeria** stated that based on the discussions at the first meeting of the TWGD, the democratization of the Governing Body should constitute a fundamental priority for the majority of the members, and this necessarily involved the entry into force of the 1986 Amendment.
16. **The Government representative of Tunisia** noted that the democratization of the ILO governance organs would ensure equal representation within the Governing Body and would better reflect the different social and geographical interests of the constituents. The eligibility criteria for the Governing Body and the Conference should be reviewed to establish the necessary equality between Member States and to enhance the participation of women.
17. **The Government member of India** noted that India was one of the Members of chief industrial importance having ratified the 1986 Amendment, which was a testimony to its commitment to democratization. As decided by the Governing Body at its 337th Session (October-November 2019), the TWGD was a “platform for focused dialogue and for developing proposals on the full, equal, and democratic participation in the ILO’s tripartite governance”. Its discussions should therefore address not only the ILO tripartite governance as such, but more importantly, also the three pillars of the ILO, namely the governments, the workers and the employers. Additionally, India wished to seek clarification as to whether the reform of the ILO Administrative Tribunal could be part of the TWGD’s discussions.
18. **The Government member of the Philippines** supported the idea to recirculate the questionnaire in light of the low number of responses. The Philippines had not had the time to answer the questionnaire, though its position had been shared at the first meeting.
19. **The Government member of Gabon** noted that the responses to the questionnaire showed the will of the tripartite constituents to achieve a democratic governance of the ILO organs, in line with the Centenary Declaration and its accompanying Resolution. While the question of democratization concerned all ILO organs, the functioning and the composition of the Governing Body was the priority. It was thus important to focus on the entry into force of the 1986 Amendment.
20. **The Government member of Morocco** supported the proposal to recirculate the questionnaire to enable more Governments to respond. The proposal to increase the number of permanent members of the Governing Body did not conform with the objective of the TWGD. The issue of democratization of ILO tripartite governance should concern as a priority the Governing Body and in particular the promotion of the ratification of the 1986 Amendment.
21. **The Government representative of the Syrian Arab Republic** indicated that coercive measures had led to the loss of its right to vote at the ILO.

- 22. The Government member of Japan** said that the proposal to increase the number of permanent members of the Governing Body should be part of the discussions. The scope of the TWGD should include other possible solutions, in addition to those set forth in the 1986 Amendment.
- 23. The Government member of Mexico** indicated that the Governing Body and in particular the ratification of the 1986 Amendment should be the focus of the TWGD. Mexico did not support the proposal to increase the number of permanent members of the Governing Body as the concept of permanent membership was not democratic, and therefore, such proposal did not solve the issue at hand.
- 24. The Government member of Germany** said that, as regards the TWGD's scope of work, other proposals had been made, in addition to those included in the 1986 Amendment, which should be considered as well.
- 25. One of the Co-Chairpersons, Switzerland**, indicated that the Government member of Iran, who had not been able to take the floor due to technical difficulties, wished to inform the meeting that the ratification of the 1986 Amendment had been approved by the Iranian Cabinet and would now be considered by the Parliament.
- 26. The Government member of Nigeria** agreed with the statements made by the representatives of the secretariats of the Workers' and Employers' groups that the work of the TWGD should focus on the participation of governments in the ILO governance organs.
- 27.** In response to the comment of the Government member of Zimbabwe as regards the usefulness of preparing a second version of the background note, **the representative of the Director-General** clarified that there was no such intention. Rather, the objective would be to prepare a document providing fuller information on the results of the survey to keep a proper record of the views expressed by constituents. He added that the questionnaire intended to capture the views of the members of the TWGD and other interested governments to inform its discussions. The results of the survey provided background information and were not intended for the Governing Body which would receive only the recommendations set forth in the report of the TWGD. As regards the question raised by the Government member of India in relation to the ILO Administrative Tribunal, while noting that the appointment process of judges took place through the ILO tripartite governance, he emphasized that the Tribunal was an independent judicial body and as such was not part of the ILO tripartite governance. **The Legal Adviser** added that there was no reform of the Tribunal underway or planned. Rather, the Governing Body and the Conference considered from time to time proposed amendments to the Statute of the Tribunal on specific matters.
- 28. One of the Co-Chairpersons, Switzerland**, concluded the discussion by reiterating that the mandate of the TWGD was to hold a focused dialogue, in particular as regards the Governing Body.

### **Proposed Conference resolution on the principle of equality among ILO Member States and fair representation of all regions in the ILO's tripartite governance**

- 29. One of the Co-Chairpersons, Nigeria**, stated that the proposed Conference resolution included in the background note could be a concrete proposal made by the TWGD to the Governing Body. The resolution was proposed to respond to concerns raised by some

Member States that the reference to “socialist” States of Eastern Europe in article 7(3)(b)(i) of the 1986 Amendment impeded ratification.

- 30. The Legal Adviser** stressed that the issue at hand, raised several times since 1994, concerned only the reference to the term “socialist” States of Eastern Europe in article 7.3(b)(i) of the 1986 Amendment. As the factual situation at the time of adopting the amendment had ceased to exist, it would be legitimate to regard that provision as having lapsed, without any need to delete the term “socialist” from the authentic text of the Amendment to make it ineffective. A statement to that effect could be made by the Conference – which had adopted the Amendment – in the form of a resolution to provide comfort to the Member States concerned. Thus, the proposed resolution would not amend the 1986 Amendment by removing the word “socialist” since this would formally require a new constitutional amendment. He recalled that Member States could accompany their ratification of the 1986 Amendment with a declaration about their understanding of a particular provision. The purpose of such an interpretative declaration would be to clarify the meaning of the provision in question without purporting to exclude or modify its legal effects. In general, there was nothing uncommon with provisions in legal texts becoming obsolete or falling into desuetude over time, without resulting in a formal revision of the text. Finally, the proposed resolution would be adopted by the Conference by consensus or, if put to a vote, by simple majority.
- 31. The Government member of Ethiopia**, speaking on behalf of the Africa group, welcomed the proposed Conference resolution. The reference to “socialist” States should certainly be addressed if it impeded ratification. In addition, the group welcomed the proposal set forth in the draft resolution that the Governing Body should increase efforts to promote ratification of the 1986 Amendment and that the Chairperson of the Governing Body would include in its annual report to the Conference a specific section on the ratification of the 1986 Amendment. The proposed resolution should also address the Director-General’s promotional role. The group therefore proposed to add the following final paragraph: “Invites the Governing Body to request the Director-General to intensify his promotional activities by reaching out to all Members that have not yet ratified the 1986 instrument and present their responses at every sitting of the Governing Body.”
- 32. The representative of the secretariat of the Employers’ group** supported by the representative of the secretariat of the Workers’ group, stated that the proposed draft resolution was a good first proposal to promote ratification of the 1986 Amendment and expressed support for the Office text and for the amendment of the Africa group. Agreement on the draft resolution would indeed be a first sign of progress to be conveyed to the Governing Body. Nevertheless, more time for consultations was needed before a decision could be made by the TWGD.
- 33. The Government member of France** indicated that the proposal of a resolution and its content did not appear to take sufficiently into account the different points of view that had been expressed, namely that discussions should go beyond the ratification of the 1986 Amendment. Further, the amendment of the Africa group should be made available in writing to the members of the TWGD. Rather than taking a decision on the draft resolution, the TWGD should examine the recommendations to be submitted to the Governing Body in light of its consideration of all the items on its agenda.

34. **The Government member of Algeria** stated that the Conference had an important role in following up on the implementation of its earlier decisions, which included the entry into force of the 1986 Amendment. He supported the proposed submission of the draft resolution to the following session of the Conference to remove all the obstacles to the ratification of the 1986 Amendment and to reiterate the call to definitely achieve the process of democratization of the Governing Body, in line with the Centenary Declaration and its accompanying Resolution.
35. **The Government Member of Belgium** supported the proposed Conference resolution.
36. **The Government member of the United Kingdom** voiced her surprise about the inclusion of the draft resolution in the background note as it had not been discussed at the previous TWGD meeting. Proper consultations were necessary to build a consensus on this matter and no decision could be made at the present meeting.
37. **One of the Co-Chairpersons, Nigeria**, indicated that the resolution was discussed as it was part of the agenda which had been adopted without objections.
38. **The Government member of Germany** agreed with the Government member of the United Kingdom that the proposed resolution had been surprising. It focused exclusively on the ratification of the 1986 Amendment, whereas other proposals that went beyond this question had been put forward. The draft resolution could be discussed but more time was needed for consultations. Therefore, it was not yet possible to take a decision on the draft resolution.
39. **The Government member of Mexico** said that the proposed Conference resolution, with the amendment of the Africa group, was an interesting approach to promote the ratification of the 1986 Amendment.
40. **The Government member of Zimbabwe** supported the request for more time to consult on the resolution. The TWGD could reconvene before the March 2021 session of the Governing Body to make a decision.
41. **The Government member of Indonesia** agreed that more time for consultation was needed. The Office should also indicate whether a draft resolution proposed by the TWGD would be further discussed by the Governing Body or would be directly submitted to the Conference.
42. **The Government member of Ecuador** indicated her support for the resolution, as amended by the Africa group, and for the proposal to reconvene the TWGD before the March 2021 session of the Governing Body.
43. **The representative of the secretariat of the Workers' group** supported by the representative of the secretariat of the Employers' group, concurred with the proposal to reconvene the TWGD before the March 2021 session of the Governing Body.
44. **One of the Co-Chairpersons, Switzerland**, indicated that the Government member of Lithuania, who had not been able to take the floor due to technical difficulties, wished to inform the TWGD of her support for the draft resolution.
45. In response to the statement by the Government member of the United Kingdom, **the Legal Adviser** recalled that the idea of a Conference resolution was reflected in

paragraph 14 of the background note prepared for the first meeting of the TWGD. At that first meeting, the proposal had been supported by the Workers' and the Employers' group secretariats while France had suggested a cautious approach since, in its view, such a resolution could lead to further requests for review of outdated provisions. In the replies to the questionnaire, Croatia considered that a Conference declaration or resolution declaring terminology obsolete and inactive could provide a solution. With respect to the question by the Government member of Indonesia concerning the procedure related to the proposed resolution, the Legal Adviser stated that it would be included in the TWGD's report to the Governing Body only if the TWGD so decided. If approved by the Governing Body, the proposed resolution would be transmitted to the Conference for adoption. In response to the question by the Government member of France as to how the Governing Body would address the report of the TWGD, he clarified that his intervention had sought to respond to the question posed by the Government member of Indonesia concerning the process related to the resolution, which, he reiterated, would be part of the report of the working group to the Governing Body only if the TWGD reached agreement on the text of the resolution. However, the TWGD's discussions on the proposed resolution would be reflected in the record of proceedings of its meeting. In response to the statements by the Government members of Zimbabwe and France as to whether a further meeting of the TWGD would be possible and consistent with the decision of the Governing Body that the TWGD would hold two meetings prior to March 2021, the Legal Adviser explained that technically the working group could decide to suspend its second meeting so as to permit further consultations and to resume its work at a later date.

46. In conclusion, **one of the Co-Chairpersons, Nigeria**, stated that, while the proposed resolution as amended by the Africa group already enjoyed wide support, the TWGD would suspend its meeting to allow time for broader consultations with a view to agreeing on the proposed resolution when the TWGD would resume its work. Further, he noted that there was agreement in the TWGD that its members and other interested governments would be invited to communicate amendments to the draft resolution ahead of the resumption of the meeting, so that the Office could compile all the amendments to facilitate the TWGD's consideration of the draft resolution.

### Future programme of work: Concrete proposals concerning topics, priorities and timelines

47. **One of the Co-Chairpersons, Switzerland**, noted that the discussion held under the first item would inform the TWGD's consideration of its programme of work, in particular if the Governing Body were to extend the duration of its mandate.
48. **The Government member of Ethiopia**, speaking on behalf of the Africa group, referred to the two issues identified under the first item on the agenda. In addition, one of the recommendations of the TWGD to the Governing Body should be the extension of its duration, as it was not possible for the TWGD to accomplish its work before the March 2021 session of the Governing Body
49. **The representative of the secretariat of the Workers' group** supported by the representative of the secretariat of the Employers' group, reiterated that the programme of work of the TWGD should focus on the Governing Body and the entry into force of the 1986 Amendment, and supported the extension of the duration of the TWGD.

- 50. The Government members of Algeria and Mexico** agreed that it was important to give the TWGD the time necessary for exploring ways and means to achieve its objectives, and, therefore, the TWGD should recommend to the Governing Body to extend the duration of its work.
- 51. The Government representative of Tunisia** supported by the Government member of Morocco, concurred with the proposal to recommend to the Governing Body the time extension of the mandate of the TWGD to enable it to accomplish its mission based on a precise workplan.
- 52. The Government member of France** supported the proposal to extend the duration of the work of the TWGD. Before a consensus on the TWGD's report could be reached, some issues remained to be resolved. For instance, paragraph 13(iv) of the background note concerning the programme of work was problematic as it referred to the entry into force of the 1986 Amendment as a priority. As regards the proposal of the United Kingdom, Germany and France, it consisted of increasing the number of Members of chief industrial importance to 12, guaranteeing at least two seats for each region.
- 53. The Government member of Zimbabwe** stated that the TWGD should prioritize discussion on the Governing Body. There was a concrete proposal for the TWGD, supported by the Africa group, which was to examine the 1986 Amendment and its entry into force. The other proposal by France, Germany and the United Kingdom should not be the same as the one - already rejected in 2008 - to increase the number of permanent members.
- 54. The Government member of Indonesia** considered that it could be acceptable that the TWGD focused only on the Governing Body through a broader scope, if there was consensus on such a proposal. On the 1986 Amendment, the TWGD should propose a roadmap for the entry into force with a clear timeline and specific targets. It was crucial to analyze the obstacles to ratification. A table showing the concerns of each Member State who had not ratified would be useful. The duration of the TWGD should be extended to enable further discussions after the March 2021 session of the Governing Body. In that case, a rotation of the TWGD's membership should be considered. She raised question as regards the arrangements concerning the submission of the report of the TWGD to the Governing Body.
- 55.** In response, **the Legal Adviser** informed that an up-to-date list of Member States (by region) who had not yet ratified the 1986 Amendment was available on the webpage of the Legal Office ([www.ilo.org/jur](http://www.ilo.org/jur)). Information provided by Member States on the reasons that prevented or delayed ratification were reflected in the regular reports submitted to the Governing Body. As regards the report of the TWGD, it was proposed to follow the model of the reports of the Standards Review Mechanism tripartite working group (SRM TWG), and prepare a brief report summarizing any concrete outcomes and annexing the summary records of proceedings of the two meetings. The report of the TWGD could be approved, on behalf of the group, by the two Co-Chairpersons, in light of paragraph 7 of the terms of reference.
- 56. One of the Co-Chairpersons, Switzerland,** concluded by stating that the discussion had indicated that the work of the TWGD should focus on the 1986 Amendment. There had been another proposal by France, Germany and the United Kingdom and a request that the Office provide information regarding the 2008 discussions on the composition of the Governing Body.

57. In response to a statement by the Government member of France seeking confirmation that the TWGD had thus far reached no decision on its recommendations to the Governing Body, **one of the Co-Chairpersons, Nigeria**, clarified that, when resuming its meeting, the TWGD would discuss the recommendations that it would submit to the Governing Body. He also suggested that additional replies to the questionnaire be sent in the meantime in particular to provide the TWGD with a clear picture of the majority views of constituents as regards the identification of the priorities to be addressed in relation to the democratization of the ILO tripartite governance.
58. There were no issues raised under “Any other business” and the second meeting of the TWGD was suspended.

## Second sitting (Monday 1 February 2021)

### Proposed Conference resolution on the principle of equality among ILO Member States and fair representation of all regions in the ILO’s tripartite governance

59. **One of the Co-Chairpersons, Switzerland**, opened the second sitting by noting that that this was the last meeting of the TWGD before the 341<sup>st</sup> Session (March 2021) of the Governing Body when the Governing Body would consider the first report of the TWGD and take a decision on the continuation of its work. If the TWGD were to agree on the text of a proposed Conference resolution, this would represent a first concrete result and sign of progress to be conveyed to the Governing Body. The Office had circulated a compilation containing five sets of amendments from the Employers’ group, the Eastern European group, a joint submission from the Government members of France, Germany and the United Kingdom, another from the Government member of Bangladesh and the last one from the Government member of Zimbabwe. The objective of the proposed resolution – as reflected in its preamble and the first operative paragraph – was to help remove obstacles to ratification of the 1986 Amendment related to the outdated reference to the “socialist” States of Eastern Europe in article 7(3)(b)(i). Any other aspects could be addressed either in future meetings of the TWGD or directly at the level of the Governing Body.

#### Title and Preamble

60. **One of the Co-Chairpersons, Nigeria**, noted that there were no amendments submitted to the title or to the first two preambular paragraphs. The TWGD adopted the title and the first two preambular paragraphs of the proposed resolution.
61. With respect to the third preambular paragraph, **the representative of the secretariat of the Employers’ group** introduced an amendment to delete “only” before “11 additional ratifications”. The term “only” introduced a subjective element and should be removed.
62. **The representative of the secretariat of the Workers’ group** supported the amendment.
63. The TWGD adopted the amendment and then the third preambular paragraph as amended.
64. With respect to the fourth preambular paragraph, **the representative of the secretariat of the Employers’ group** introduced an amendment to replace “endeavours” with “endeavour”; and to delete “universal membership and” before “social justice can be assured”. The reference to “endeavour” in Part I, Section E of the Centenary Declaration was in singular and could only be read as referring to endeavour towards social justice and not universal

membership. Therefore the amendment sought to better align the text of the proposed resolution with the Centenary Declaration.

65. **The representative of the secretariat of the Workers' group** supported the amendment.
66. In response to a statement by the Government member of Zimbabwe, **the Legal Adviser** confirmed that the text of the Declaration contained the term "endeavour" in singular which was clearly in relation to the attainment of social justice, rather than universal membership.
67. The TWGD adopted the amendment and then the fourth preambular paragraph as amended.
68. **One of the Co-Chairpersons, Nigeria**, noted that there were no amendments submitted to the fifth preambular paragraph. The TWGD adopted the fifth preambular paragraph.
69. With regard to the sixth preambular paragraph, **the Government member of Croatia**, speaking on behalf of the Eastern European group, introduced an amendment to add "due to the profoundly changed factual circumstances" after "impediment to ratification". The proposed resolution was very important for certain members of the group and would certainly help in removing legal obstacles to the ratification of the 1986 Amendment. The purpose of the amendment was not to change the substance of the text but to strengthen the emphasis on the obsolescent nature of the reference so "socialist" States of Eastern Europe.
70. **The representatives of the secretariats of the Employers' and Workers' groups** supported the amendment.
71. The TWGD adopted the amendment and then the sixth preambular paragraph as amended.
72. **The Government member of Bangladesh** introduced an amendment to insert after the sixth preambular paragraph a new preambular paragraph which would read: "Underscoring the need for fair, equitable and balanced geographical representation of all regions in the overall governance of the ILO;". The notions set forth in the amendment were fundamental aspects of democratization which was the very subject-matter of the proposed resolution, and built on the Centenary Declaration.
73. **The representative of the secretariat of the Employers' group** did not support the amendment in the interest of clarity and focus. Furthermore, the idea behind the amendment was already contained in the title and the preceding preambular paragraphs.
74. **The representative of the secretariat of the Workers' group** could not support the amendment. It was necessary to remain focused and to conform with previously agreed language regarding democratization. The concern of the Government member of Bangladesh was already taken into account in the fourth preambular paragraph, which reproduced the language agreed in the Centenary Declaration and referred to the "full, equal and democratic participation" of all governments in the ILO's tripartite governance.
75. **The Government members of Algeria and Ethiopia** supported the amendment indicating that there was a need to underscore equality between Member States, in addition to the geographical representation, as mentioned in the Centenary Declaration.
76. **The Government member of Bangladesh** said that the fourth preambular paragraph addressed only certain elements of its proposal. The proposed additional preambular paragraph would not be redundant.

77. **The Government representative of Tunisia** supported the amendment, which did not overburden the text of the proposed resolution while **the Government member of Zimbabwe** expressed also support and indicated that the secretariat should examine whether it was possible to accommodate the underlying idea of the amendment in the preceding preambular paragraphs.
78. **The representative of the secretariat of the Workers' group** expressed concern about new notions being introduced that would weaken the text of the Centenary Declaration, since the latter referred to "full" and "equal" participation which were stronger terms than "fair" and "equitable". The proposed resolution should only reflect the stronger language already agreed and set forth in the Centenary Declaration.
79. **The representative of the Director-General** recalled that the language of the Centenary Declaration regarding the democratization had been thoroughly discussed and consensus had been found on the three terms "full, equal, and democratic". The terms "fair, equitable and balanced" did not appear in the Centenary Declaration. It would therefore be necessary to clarify the TWGD's understanding of those terms in the context of the proposed resolution.
80. **The Government member of Bangladesh** reiterated that the amendment did not contradict or weaken the text of the Centenary Declaration. It would rather supplement and reinforce the language of the Declaration.
81. **The representative of the secretariat of the Employers' group** underlined that the Centenary Declaration was the only point of reference. New concepts introducing subjective elements should be avoided.
82. **The representative of the secretariat of the Workers' group** reiterated that her group did not support the amendment either. The proposed terms differed from those contained in the Centenary Declaration. The TWGD should limit itself to the terms "full, equal and democratic" which already appeared in the preamble and addressed the underlying concerns of the amendment.
83. **The Government member of Belgium** supported the statements by the representatives of the secretariats of the Employers' and Workers' groups and expressed reservations on the amendment.
84. **The Government member of Lebanon** stated that the resolution should be consistent with the language of the Centenary Declaration.
85. **One of the Co-Chairpersons, Switzerland**, indicated that the Secretariat proposed to rephrase the amendment to use the terms of the Centenary Declaration as follows: "Underscoring the need for fair representation of all regions in the ILO's tripartite governance".
86. **The representative of the secretariat of the Employers' group** reiterated that her group was not in favour of adding a new preambular paragraph but, in the spirit of compromise, could agree to the wording proposed by the Secretariat.
87. **The representative of the secretariat of the Workers' group** did not see the need for an additional paragraph but, in the interest of compromise, did not oppose the wording drafted by the Secretariat.

- 88. The Government members of Ethiopia and Lebanon** agreed that the resolution should reflect the language of the Centenary Declaration. It should, however, also reflect the reference to the “equality among Member States” in the Declaration.
- 89. The Government member of Bangladesh** noted that the wording drafted by the Secretariat did not reflect the terms “equitable” or “balanced” contained in its amendment. He proposed a subamendment to insert “, equal, equitable and balanced” after “fair”.
- 90. The representative of the secretariat of the Workers’ group**, speaking also on behalf of the representative of the secretariat of the Employers’ group, opposed the subamendment as it added terminology to the resolution which did not enjoy consensus in the TWGD. To reflect the full language of the Centenary Declaration, she proposed a further subamendment to delete “, equal, equitable and balanced” after “fair” and to replace “in the ILO’s tripartite governance” with “and establishing the principle of equality among Member States”.
- 91. One of the Co-Chairpersons, Switzerland**, informed the TWGD that the Africa group and the Government members of Barbados, Belgium, Indonesia, Mexico, Morocco, Slovenia and Spain, as well as the Government representative of Norway, had indicated in writing their support to the further subamendment proposed by the representatives of the the Workers’ and Employers’ group secretariats.
- 92. The Government member of Bangladesh** supported the further subamendment proposed by the representatives of the secretariats of the Workers’ and Employers’ groups. The paragraph should however also refer to ILO governance in line with the Centenary Declaration.
- 93. The representative of the secretariat of the Workers’ group** indicated that the reference to ILO governance was already reflected in the fourth preambular paragraph.
- 94. One of the Co-Chairpersons, Nigeria**, noted that there was consensus in the TWGD to insert a new preambular paragraph after the sixth preambular paragraph based on the amendment submitted by the Government member of Bangladesh as subamended. The TWGD adopted the amendment as subamended.
- 95. One of the Co-Chairpersons, Nigeria**, noted that there were no amendments submitted to the seventh preambular paragraph. The TWGD adopted the seventh preambular paragraph.

### Operative section

- 96.** With respect to paragraph 1, **the Government member of Croatia**, speaking on behalf of the Eastern European group, introduced an amendment to delete “has lapsed as it” after “amendment”; to replace “any reality” with “the current geopolitical situation”; and to add “and is therefore considered obsolete” at the end of the paragraph. The purpose of the amendment was to strengthen the wording of the paragraph and to clarify that it was the geopolitical situation that had changed.
- 97. The representatives of the secretariats of the Employers’ and Workers’ group** supported the amendment.
- 98.** The TWGD adopted the amendment and then paragraph 1 as amended.
- 99.** Turning to paragraph 2, **the Government member of Croatia** speaking on behalf of the Eastern European group, introduced an amendment to delete “, and in particular the States

of chief industrial importance,” after “States”. In line with other international legal instruments, it was more suitable to refer to all Member States which had not yet ratified the 1986 Amendment rather than focusing on some Member States.

- 100. The representative of the secretariat of the Employers’ group**, speaking also on behalf of the secretariat of the Workers’ group, expressed some reservations on the amendment. The entry into force of the 1986 Amendment required ratification by two-thirds of the membership of the Organization, including a specific target of five out of the ten Members of chief industrial importance. It was therefore appropriate to focus especially on those Member States since the 1986 Amendment could never enter into force unless at least five of those States ratified it.
- 101. The Government member of Croatia**, speaking on behalf of the Eastern European group, withdrew the amendment.
- 102. The Government member of the Germany**, speaking also on behalf of the Government members of France and the United Kingdom, introduced an amendment to replace “consider” with “examine”. The ratification process differed in every country and it could be redundant to request Member States to “consider” the 1986 Amendment, as they might have already done so since its adoption. Accordingly, the term “examine” would be more appropriate.
- 103. The representative of the secretariat of the Employers’ group**, speaking also on behalf of the representative of the secretariat of the Workers’ group, expressed the preference for the strongest language to be retained. However, they could accommodate the three Government members who had submitted the amendment and therefore did not object to it.
- 104. The Government member of Zimbabwe** said that “consider” was a stronger term so its retention was preferable. Nevertheless, in order to avoid semantic discussion, he would not object to the amendment.
- 105.** The TWGD adopted the amendment.
- 106. The representative of the secretariat of the Employers’ group** introduced an amendment to delete “so as to facilitate the institutional development and modernization of the Organization”. The text should be deleted in order to simplify the resolution, unless the language came from an already adopted text.
- 107. The representative of the secretariat of the Workers’ group** supported the amendment.
- 108.** The TWGD adopted the amendment and then paragraph 2 as amended.
- 109.** In relation to paragraph 3, **the Government member of Zimbabwe** introduced an amendment to insert, at the beginning of the paragraph, “invites the Governing Body to intensify its efforts for the completion of the process of ratification of the 1986 instrument of constitutional amendment and further”. There had been a reference to the role of the Governing Body in the proposed resolution contained in the background note submitted to the TWGD for its second meeting, but it had been removed from the version which was now under consideration by the TWGD. The original wording should be retained as the Governing Body had a role to play, together with its Chairperson, the Member States and the Director-General.

- 110. The representatives of the secretariats of the Employers' and Workers' group** supported the amendment.
- 111.** The TWGD adopted the amendment and then paragraph 3 as amended.
- 112.** With respect to paragraph 4, **the representative of the secretariat of the Employers' group** introduced an amendment to delete "intensify his promotional activities by"; and to replace "reaching" with "reach". The amendment sought to simplify the text of the proposed resolution.
- 113. The representative of the secretariat of the Workers' group** said that the amendment did not appear necessary. Nevertheless, the amendment could be put in brackets so that the TWGD could review it once the rest of the resolution was finalized.
- 114. The Government member of Zimbabwe** agreed that the amendment should be considered after the rest of the text of the resolution was finalized.
- 115. The representative of the secretariat of the Employers' group** said that, as the amendment only aimed at simplifying the text, she was ready to withdraw it in order to avoid reverting to the question at a later stage.
- 116. The Government member of Bulgaria** said that paragraph 4 was a new paragraph reflecting a proposal made by the Africa group during the first sitting. This paragraph introduced a new review mechanism which would add an administrative burden on the Member States and on the Office.
- 117. One of the Co-Chairpersons, Switzerland,** noted that the statement made by the Government member of Bulgaria appeared to refer to paragraph 4 as a whole rather than to the amendment under discussion.
- 118.** In reply to the Government member of Bulgaria, **the representative of the Director-General** indicated that the Director-General already reported twice a year to the Governing Body on promotional activities for the 1986 Amendment. It would not be administratively onerous to report instead at every session of the Governing Body, which would be in line with the spirit of the Centenary Declaration regarding the acceleration of the efforts towards the ratification of the 1986 Amendment.
- 119. The Government member of Zimbabwe** confirmed that the paragraph as a whole had been proposed by the Africa group at the first sitting of the second meeting of the TWGD and that it had then been noted that the Director-General already had a role with regards to promotional activities for the 1986 Amendment. The purpose of paragraph 4 was that the Conference, the ILO's supreme organ, would call for an intensification of these efforts.
- 120. The representative of the secretariat of the Employers' group** withdrew the amendment.
- 121.** The TWGD adopted paragraph 4.
- 122. The Government member of Germany,** speaking also on behalf of the Government members of France and the United Kingdom, introduced an amendment to add a new paragraph 5 that would read: "If the 1986 Amendment has not gone into force by 1 September 2023, invites the Governing Body to consider increasing the number of Members of chief industrial importance from 10 to 12 to ensure fair representation by the 352nd session;". He

explained that the proposed paragraph should be read together with the preceding paragraph concerning the promotion of the ratification of the 1986 Amendment and sought to present an alternative option in case it would not enter into force. The Government members of France, Germany, and the United Kingdom were disappointed that the discussions of the TWGD had been almost entirely focused on the 1986 Amendment and had not touched on alternative approaches to achieve democratization of the ILO's governance. The 1986 Amendment had not been successful as it had not come into force 34 years after its adoption. The proposed paragraph would invite the Governing Body to consider increasing the number of its permanent members to ensure fair representation. This would put pressure on the Governing Body to pursue its democratization. The proposed paragraph was furthermore linked to an additional amendment to add a new paragraph 6, which would ensure that the TWGD continued its work and periodically discussed new approaches to the ILO's democratization.

- 123. The representative of the secretariat of the Workers' group** did not support the proposed new paragraph 5. The purpose of the TWGD was to discuss ways to accelerate the ratification of the 1986 Amendment and the proposed paragraph departed from that approach. Furthermore, the proposal to increase the number of permanent members of the Governing Body had already been rejected by a number of Governments, including the Africa group. It was thus questionable whether consensus could be reached on it.
- 124. The representative of the secretariat of the Employers' group** agreed that the resolution should focus on the promotion of the ratification of the 1986 Amendment, including the removal of obstacles to ratification. The proposed paragraph 5 would divert attention away from this objective.
- 125. The Government member of the Philippines** said that while the proposed paragraph 5 seemed to support democratization, it actually went against the TWGD's objective. It contradicted the spirit of the 1986 Amendment which was to remove all permanent members from the Governing Body. The 1986 Amendment was intended to balance the influence of capital – the ten highly capitalized countries – and labour – mostly supplied by the Global South. For the achievement of social justice it was necessary to make the voice of the weaker part heard, which the proposed paragraph 5 failed to do. Moreover, the proposal did not originate from the Africa group even though it was supposed to address the representation of that group in the Governing Body.
- 126. The Government members of Ecuador and Thailand** did not support the proposed paragraph 5, as it contradicted the 1986 Amendment.
- 127. The Government member of Ethiopia**, speaking on behalf of the Africa group, did not support the proposed paragraph 5. It was counterproductive and did not address the ratification of the 1986 Amendment, which, in accordance with the Centenary Declaration, had to be the focus of the TWGD.
- 128. The Government member of Zimbabwe** stated that the proposed paragraph 5 contradicted the 1986 Amendment. The latter instrument aimed at removing the category of permanent members of the Governing Body, whereas the proposed paragraph sought to increase their number. Such an increase, already proposed in 2008, had been rejected by the Africa group.
- 129. The Government member of Mexico** concurred with the statement of the Africa group. The proposed paragraph 5 ran contrary to the spirit of the 1986 Amendment and would steer the TWGD away from its focus. The 1986 Amendment had been ratified by many Member States,

including Mexico. The proposal to increase the number of permanent members had already been discussed many times in the past and had been rejected.

- 130. The Government member of France** recalled his earlier statement at the first meeting of the TWGD that the mandate of the TWGD did not include the question of the ratification of the 1986 Amendment, as that question was already addressed under the regular report of the Director-General to the Governing Body. The TWGD should therefore go beyond the 1986 Amendment and explore other paths to promote the democratization of the ILO's organs. The intention of the proposed paragraph 5 was to explore such alternative solutions. He questioned whether the proposal set forth in the proposed paragraph 5 was the same as the one presented in 2008.
- 131. The Government member of Lebanon** did not support the proposed paragraph 5 as it was too limited in scope and did not enjoy a consensus within the TWGD.
- 132. The Government member of Japan** supported the proposed paragraph 5.
- 133. The Government member of Spain** expressed concern about the proposed paragraph 5, as the increase of the number of permanent members would require a new amendment to the Constitution and the criteria for the selection of the additional permanent members were not clear. The proposal was not compatible with the 1986 Amendment and it was questionable whether it would ensure a fair representation in the Governing Body.
- 134. The Government member of the United Kingdom** agreed with the statements of the Government members of France and Germany. The TWGD had come to a stalemate on the 1986 Amendment as some members supported its ratification while others indicated that they could not ratify it. This issue had not been resolved for 34 years and it would not be resolved by the TWGD. The proposal to insert a new paragraph 5 had been made since the TWGD should not solely focus on the 1986 Amendment. It should also explore other avenues to democratize the ILO.
- 135. The Government member of Argentina** expressed her reservation on the proposed paragraph 5, since it introduced new elements which had not been discussed before and as it had been submitted after the agreed deadline.
- 136. The Government members of Indonesia, Barbados, Bangladesh and Algeria** did not support the proposed paragraph 5, as it was contrary to the 1986 Amendment and the Centenary Declaration.
- 137. The Government member of Belgium** stated that she was not able to support the proposed paragraph 5, as it contradicted the 1986 Amendment and thus the decision of the Belgian parliament to ratify that Amendment. She noted that Belgium had once been a permanent member of the Governing Body and had overcome without any difficulty the loss of that status.
- 138. The Government member of Germany** noted the views expressed and recalled that the inclusion of paragraph 5 was of utmost importance to Germany. Without consensus on the proposed paragraph 5, there would be no consensus on the proposed resolution as a whole.
- 139. One of the Co-Chairpersons, Switzerland,** recalled that the decision on the proposed resolution would only be a first step in the work of the TWGD and would not impede the discussion on other proposals at possible future meetings. She noted that a majority of the

members of the TWGD opposed the proposed paragraph 5. In view of the statement of the Government member of Germany, she recalled that in accordance with paragraph 12 of the terms of reference of the TWGD, its report to the Governing Body would properly reflect any dissenting views.

- 140. The Government member of the Germany**, speaking also on behalf of the Government members of France and the United Kingdom, introduced an amendment to add a new paragraph 6 at the end of the proposed resolution that would read: "Declares that this Working Group will continue to come together periodically to discuss and further explore possibilities on the democratization of the functioning and composition of the governing bodies of the ILO." The proposed paragraph sought to ensure that the TWGD would continue its work and thus be able to discuss all possible avenues to promote the democratization of the ILO's governance.
- 141. The representative of the secretariat of the Workers' group** noted that the proposed paragraph 6 was linked to the proposed paragraph 5. As a result, her group could not support it, as it was not within the scope of the proposed resolution. She recalled that the Workers' group had engaged in the TWGD's discussions in the spirit of the Centenary Declaration and its accompanying resolution which called "for the completion, at the earliest opportunity, of the process of ratification of the Instrument of Amendment to the ILO Constitution, 1986, in order to definitively democratize the functioning and composition of the governing bodies of the ILO." The proposed paragraph 6 did not align with the objective set out by that resolution.
- 142. The representative of the secretariat of the Employers' group** reiterated that the proposed resolution had to be focused. Therefore, her group did not support the proposed paragraph 6.
- 143. The Government member of Ethiopia**, speaking on behalf of the Africa group, did not support the proposed paragraph 6, as the decision on the prolongation of the TWGD's work should be made by the Governing Body and was not within the TWGD's mandate.
- 144. The Government member of Mexico** agreed with the Africa group that the duration of the TWGD should be decided by the Governing Body. Nonetheless, other members of the TWGD should indicate which other approaches they would like to discuss at further meetings of the TWGD.
- 145. The Government member of Spain** indicated that Spain was open to consider the proposed paragraph 6, as more options to promote the democratization of the ILO governance should be discussed.
- 146. The Government members of Bulgaria, Barbados and Lebanon** expressed support for an extension of the duration of the TWGD.
- 147. The representative of the Director General** noted that, as mentioned during the first sitting, the report of the TWGD could propose an extension of the duration of its work, for example, for another 12 months. If such extension were to be approved, the present discussions, including the proposed resolution focusing on the 1986 Amendment, would be a first stage in the work of the TWGD.
- 148. In the interest of saving time, one of the Co-Chairpersons, Nigeria**, invited those members and interested governments who were in favour of the proposed paragraph 6 to take the floor.

- 149. The Government member of Japan** supported the proposed paragraph 6. In fact, the option envisaged in the proposed paragraph 5 could be discussed in the context of a continuation of the discussions in the TWGD whose added-value would be the pursuit of solutions through broad discussions. The proposed resolution should be as inclusive as possible.
- 150. The Government member of France** recalled that France had engaged in the TWGD's discussions in good faith and had made proposals in order to lead the discussions beyond the ratification of the 1986 Amendment. However, its efforts to broaden the discussion on the democratization of the ILO had not been understood. Should the proposed paragraphs 5 and 6 not be adopted, France would object to the adoption of the proposed resolution by consensus.
- 151. The Government member of the United Kingdom** agreed with the position expressed by the Government member of France. The United Kingdom objected to the adoption of the proposed resolution by consensus, notably because it did not include the proposed paragraph 5.
- 152. The Government member of Germany** agreed with the statements of the Government members of France and the United Kingdom. There existed dissenting opinions which blocked a consensus on the proposed resolution. Even though Germany did not have objections to certain paragraphs of the resolution, it opposed a decision by consensus on the proposed resolution as a whole.
- 153. One of the Co-Chairpersons, Nigeria**, noted that a majority of the TWGD opposed the proposed paragraphs 5 and 6 but were in favour of the proposed resolution. There was no consensus on the proposed resolution, as the Government members of France, Germany and the United Kingdom had objected to its adoption by consensus. Their views would be carefully recorded.
- 154. The Legal Adviser** confirmed that the proposed paragraph 5 had been opposed by the secretariats of the Employers' and Workers' groups, the Africa group as well as 12 other Government members. The proposed paragraph 6 had been opposed by the secretariats of the Employers' and Workers' group, the Africa group and Mexico. The proposed paragraphs 5 and 6 were supported by the Government members of France, Germany, Japan and the United Kingdom. Furthermore, the Government members of France, Germany and the United Kingdom had clearly objected to the adoption of the proposed resolution by consensus. As already indicated by one of the Co-Chairpersons, in accordance with paragraph 12 of the terms of reference of the TWGD, in case the TWGD was not able to reach a consensus on a decision, the divergent views would be reflected in its report to the Governing Body. The divergent views of the Government members of France, Germany and the United Kingdom would therefore be faithfully reflected in the report.
- 155.** The amendments proposing new paragraphs 5 and 6 were not adopted.
- 156.** The TWGD, while noting the divergent views of the Government members of France, Germany and the United Kingdom, decided to recommend the proposed resolution to the Governing Body for further transmission to the 109th Session of the International Labour Conference for possible adoption.

## Any other business

- 157. One of the Co-Chairpersons, Nigeria,** recalled that under paragraph 7 of its terms of reference, the TWGD reports to the Governing Body through its Co-Chairpersons. A brief report would therefore be prepared for the consideration of the Governing Body at its 341st Session (March 2021) including the gist of the discussions during the two meetings of the TWGD. The report could also include a recommendation that the Governing Body extend the duration of the work of the TWGD, possibly for one year, which had been widely supported by the participants at the first sitting of this meeting. He invited members to indicate their confirmation in this respect as well as to provide their views on any other matters they wished to see reflected in the report of the TWGD.
- 158. The representative of the secretariat of the Employers' group** expressed support for inserting in the report a recommendation for the extension of the duration of the TWGD for one year while stressing that it should not become a permanent body. The Employers' group would continue to engage constructively, it being understood that the Centenary Declaration remained the reference for the future discussions in the TWGD. The joint submission of the Employers' and Workers' group secretariats in reply to the questionnaire reflected clearly their views on the framework of the work of the TWGD, with focus on the 1986 Amendment, and the TWGD should not discuss other matters.
- 159. The representative of the secretariat of the Workers' group,** supported the statement of the representative of the secretariat of the Employers' group. While the working group should not become permanent, the Workers' group could support an extension of its duration for 12 months. A clear time frame was provided in paragraph 3 of the resolution accompanying the Centenary Declaration. The Workers' group would continue to engage in the work of the TWGD provided that its discussions remained focused and an agreement was reached on how to progress in its work, as per the terms and the spirit of the Centenary Declaration and the related resolution, with a focus on the 1986 Amendment.
- 160. The Government member of Bulgaria** expressed support for the continuation of the work of the TWGD and agreed that it should not turn into a permanent body. A clear timeframe and a maximum number of meetings should be determined.
- 161. The Legal Adviser** presented to the TWGD the dedicated webpage concerning its work where its working documents, terms of reference and summary records of proceedings were available. He confirmed that the report of the Co-Chairpersons to the Governing Body would be brief with appropriate cross-references to the summary records of proceedings of the first and second meetings. The report would mainly present the proposed resolution and the recommendation for a 12-month extension of the duration of the TWGD. He recalled his earlier explanations at the first sitting that the report of the TWGD could be approved, on behalf of the TWGD, by the two Co-Chairpersons, in light of paragraph 7 of the terms of reference. Alternatively, a draft report could be circulated to the members of the TWGD for comments, if it was so decided.
- 162. One of the Co-Chairpersons, Nigeria,** noted that there was agreement in the TWGD to recommend to the Governing Body that it would extend the duration of TWGD for a period of 12 months in order to enable it to achieve the purpose for which it was established, with a focus on the 1986 Amendment.
- 163.** In closing the second meeting of the TWGD, **the Co-Chairpersons** thanked all the members for their engagement in the work of the TWGD.

## Appendix. List of members and other participants

### Governments

#### **Africa group**

Algeria

Cameroon

Egypt

Ethiopia

Gabon

Gambia

Morocco

Namibia

Nigeria

Senegal

South Africa

Sudan

Uganda

Zimbabwe

#### **Asia and Pacific group**

Australia

Bangladesh

India

Indonesia

#### **Americas group**

Argentina

Barbados

Brazil

Canada

Chile

Costa Rica

Ecuador

El Salvador

Guatemala

Mexico

Panama

Peru

#### **Europe**

##### *Eastern European group*

Bulgaria

Croatia

Estonia

Lithuania

Poland

Iran (Islamic Republic of)	Russian Federation
Japan	Slovenia
Lebanon	<i>Western European group</i>
Malaysia	Belgium
Myanmar	France
Nepal	Germany
Philippines	Italy
Republic of Korea	Spain
Saudi Arabia	Switzerland
Thailand	United Kingdom

### **Employers' group secretariat**

Ms Maria Paz Anzorreguy  
Mr Luis Rodrigo Morales  
International Organisation of Employers

### **Workers' group secretariat**

Ms Raquel Gonzalez  
International Trade Union Confederation

### **Other interested governments**

China  
  
Syrian Arab Republic  
  
Tunisia