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TWELFTH ITEM ON THE AGENDA

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

Oral report of the Chairperson of the Working Party

1. The Working Party on the Functioning of the Governing Body and the International Labour Conference (WP/GBC) met on Monday, 12 November 2012. Mr Gilles de Robien, Chairperson of the Governing Body of the ILO, was in the Chair, while the Employer Vice-Chairperson of the Governing Body, Mr Daniel Funes de Rioja, and the Worker Vice-Chairperson of the Governing Body, Mr Luc Cortebeeck, were Employer and Worker spokespersons, respectively. The Working Party had before it document GB.316/WP/GBC/1 which, as requested by the Governing Body at its 313th Session (March 2012) presented, in its Part I, updated proposals taking account of the interventions made during the March session as well as the comments of the tripartite consultative group¹ that met on 15 October 2012. Part II of the document set out a timetable for the reform process, providing for some proposals to be implemented on a trial basis before agreement was reached on the entire reform package. The document was welcomed by the Working Party as a good basis for the discussion.

Part I

A. General issues

2. Governments expressed support for the objectives of the reform, as set out in the document and within the framework of the Constitution. They stressed that the aim should also be to increase the efficiency of the working methods of the Conference, its transparency, predictability and objectivity. The reform should be inclusive, comprehensive and

¹ The Geneva-based tripartite consultative group consists of the regional coordinators and the secretaries of the Employers' and Workers' groups.

constituent-led and should increase the visibility of the Conference, which should be recognized not only as a high-level forum, but also for interactive debating. It was essential that the Conference should discuss relevant, contemporary issues that were important to the world of work. It was hoped that initial reforms would pave the way for further, more ambitious reform. Flexibility would be needed to arrive at consensus, and resources should be directed by priorities. The findings of the informal tripartite working group on the working methods of the Conference Committee on the Application of Conventions and Recommendations concerned the functioning of the Conference and should at some stage be fed into the discussions held in the Working Party. The Group of Latin American and Caribbean Countries (GRULAC) stressed the importance of the reform process, and recalled the statements made by GRULAC at the 312th (November 2011) and 313th (March 2012) Sessions of the Governing Body. Some Governments stressed that funding large delegations for three weeks was problematic. Regional meetings were important as they allowed specific focus on the problems faced by the regions.

3. The Employer spokesperson stressed the need for the Conference to be credible, relevant and visible. Time and resources could be maximized by more effective preparatory work. The reform should be substantial: cosmetic changes would make no difference. The group highlighted that the current length of the Conference led to absences. Savings could be made without loss of quality.
4. The Worker spokesperson felt that the question of regional meetings should be held over until the field structure review was completed. The group supported the principle that nothing should be finalized until the entire reform package was adopted, but also supported applying certain measures on a trial basis, subject to tripartite agreement on the choice of these. The Workers voiced concerns at suggestions to reduce the length of the Conference: not all participants were obliged to stay for the full three weeks. Some governments, for example, did not pay for technical advisers to remain for the third week. He stressed that the discussions on the Committee on the Application of Conventions and Recommendations should remain separate from those of the Working Party.

B. ILC structure

5. Governments and the Employers did not feel the need to reactivate the Resolutions Committee, but pointed out that the structure of that Committee and of the Selection Committee, occasionally mandated by the Conference to deal with resolutions not relating to items on the Conference agenda, were not the same. All groups agreed that the Standing Orders of the International Labour Conference should be reviewed to provide clear guidance on how to deal with these resolutions. All groups stressed the need for careful time management. Some Governments and Employers argued for a shortened Conference, provided that this did not affect the quality of the outcomes, with clear focus on the Organization's core mandate. Governments recalled that the development and supervision of international labour standards was a prime function of the Conference. The double-discussion procedure should remain the norm when setting standards. The single-discussion procedure could only work where there had been tripartite preparatory technical meetings, or following a recurrent discussion. A cost analysis was required in respect of preparatory meetings. The Governing Body should adopt a flexible approach when deciding on standard-setting procedures. The Workers believed that the content of the Conference should determine its duration, rather than imposing an arbitrary time reduction. The duration was not as important as function and full participation of the social partners. There was consensus that side events should be strictly limited. There was some interest in the proposal that the Office could organize briefing sessions on key issues and facilitate knowledge sharing and networking during the session of the Conference. With regard to the proposal that a general discussion should be held on policy issues leading to a

new standard, the Workers felt that this would lengthen the process, making the discussions less topical. The Employers felt that a case-by-case approach should be applied.

C. ILC plenary

6. There was consensus that the opening session of the Conference should be shortened. The proposal that a high-level guest should address the opening sitting met with only sparse support across the groups, while Governments stressed that care should be taken to ensure tripartite balance in such guests and in the composition of panels and round tables. Governments suggested that the Chairperson of the Governing Body could present his or her report at the opening sitting, and that it could include a section on programme implementation, on which the Director-General currently reports to the Conference. This would leave the Director-General's Report to cover important, up-to-date social themes. However, other ways for the Director-General to address plenary without submitting a report could also be explored. All three groups upheld the delegates' right to address the Conference, and the time allocation for their speeches should not be shortened. One Government proposed shortening the presentation procedure for committee reports. The proposal for devoting one day of the plenary to a World of Work Summit met with general support. There was not widespread support for the proposal that a general discussion could be held in plenary, although some Governments favoured this idea. One Government asked the Office to produce a cost-benefit analysis of the proposals implemented on a trial basis.
7. The Employers agreed that the Chairperson of the Governing Body could present his or her report at the opening sitting; this would enhance communication between the Governing Body and the Conference. The Director-General's Report should be on an important social theme. The group also agreed with the holding of a World of Work Summit. Time management should be more strictly managed, and the group supported advancing plenary to the second week of the Conference, as outlined in the document. The Employers felt that the discussion in plenary could be enlivened with a high-level panel or round table on a topic related to the Director-General's Report. These events must be tripartite, and should preferably include a space for questions and answers: the aim was to boost interactivity. The group agreed with the proposal of a continuous plenary for discussion of the reports of the Chairperson of the Governing Body and of the Director-General, running in parallel with the committees, but did not favour holding a general discussion in plenary.
8. The Workers were pleased that the document recognized the importance of plenary as a delegates' forum. They agreed that the opening sitting should be shortened and that the Chairperson of the Governing Body's report could cover programme implementation and said that it could be distributed to the Conference without presentation in plenary. The group suggested that the Officers of the Governing Body could address the Conference at its opening sitting, giving their expectations for the session. The group supported holding a World of Work Summit, insisting that its composition should be properly tripartite. Plenary should be advanced to the second week of the Conference. The Workers opposed the holding of a general discussion in a plenary running concurrently with the committees. Such a discussion would be too short, unstructured and with insufficient participants to be democratic. The group requested clarification regarding the holding of an open discussion to allow delegates to speak on other matters of their choosing related to important international labour issues.

D. ILC agenda setting

9. The Working Party acknowledged that a separate consultation process was under way regarding the ILC agenda setting, and that a report on this would be submitted to the Governing Body at its 317th Session (March 2013). Governments stressed the need for up-to-date agenda items, generated by tripartite discussion, in a simpler, more transparent fashion. Regional Meetings, meetings of experts and recurrent discussions could also produce items. There was support for the proposals in the document, and for the summary of the major steps of a revised agenda-setting process. They highlighted the special preparations necessitated by standard-setting items. The agenda should be based on the topical needs of constituents. One Government suggested that a single-discussion procedure should be put in place for standard setting, and that the number of items on the agenda should be dictated by the amount of time needed to discuss them adequately.
10. The Worker spokesperson welcomed the consultations held to devise a new ILC agenda-setting process. He disagreed with the proposal that several items could be discussed in plenary, arguing that technical items required particular expertise from participants. It was important to maintain the value of the work of the technical committees. The group thought that recurrent discussions could constitute preparatory work for standard setting.
11. The Employer spokesperson said that agenda items should be limited to two in number: a recurrent discussion and a general discussion, with a view to standard setting or not. It was clear that paragraphs 38–39 of the Standing Orders, setting out the time frames for standard setting, would require revision. He welcomed the summary of the major steps for a revised agenda-setting process provided by the Office in the document.

E. Working methods of ILC committees

12. Governments reiterated that the findings of the informal working group on the working methods of the Committee on the Application of Conventions and Recommendations should be fed into the discussions of the Working Party. Improvements to that Committee might have implications in other areas of the Conference. Time allocated to committees should only be reduced on a case-by-case basis. Greater use of technology could be beneficial, with screens displaying amendments in all three languages in committee rooms, the possibility of submitting amendments electronically and the use of electronic voting systems. The membership of drafting committees should be in a proportion of two Government members to one Employer and one Worker member. Attention should be paid to geographical representation. Strong support was expressed for constituting drafting groups for non-standard-setting committees at an earlier stage in the Committee's work on a trial basis at the 2013 Conference. Committee workplans, which should be available in advance, should be realistic and with greater emphasis placed on arriving at conclusions more rapidly. There was support for clear criteria for selecting committee chairpersons and the Office should provide training for them. There was a need to revisit the rules on voting procedures, which had appeared unwieldy when the electronic voting system had failed at the 101st Session of the Conference (2012).
13. The Employer spokesperson stressed the particular importance of the early selection of the chairpersons of Conference committees. His group supported the proposals made by the Office in the document, with the qualification that earlier establishment of drafting committees could not be generalized, but would be possible on a case-by-case basis only.

14. The Worker spokesperson reiterated that his group felt that the work of the informal working group on the working methods of the Committee on the Application of Conventions and Recommendations should remain separate from that of the Working Party. Regarding the recommendation that measures be taken to reduce paper and document distribution costs, he said that paper copies must be sent to participants without the Internet. His group supported the proposals in the document, but not the idea of the early setting up of drafting committees, as the Workers only decided on the composition of drafting groups at the end of the first week, on the basis of availability and skills.

F. ILC delegates and participants

15. Governments supported the idea of seeking an appropriate balance between Government, Workers' and Employers' delegates and their advisers, on the basis of article 3 of the Constitution. Efforts should be made to enhance tripartite participation and gender balance, but this could only be achieved by ensuring that sessions were financially viable. In the current economic climate, governments were having difficulty in funding even Government delegates.
16. The Worker spokesperson regretted that no conclusions or proposed actions had been made under this section of the document. He suggested that more specific proposals should be made in March as to how to achieve the appropriate balance, as well as sufficiently large delegations to enable all technical items to be covered. Certain governments sent very large delegations, but did not pay for Employers or Workers.
17. The Employer spokesperson applauded the idea of broadening and stimulating tripartite participation, and of enhancing gender balance. However, this might only be possible in the context of a two-week Conference with no more than two agenda items.

G. Efficiency gains and others

18. Governments stressed that sittings must begin promptly. Some Governments highlighted that the *Provisional Records* were important documents and their publication should be retained. By accurately reproducing the text of interventions, they made it possible for delegates to exercise the right of reply. Broadcasting the video of the sittings, with interpretation into the languages, was insufficient as not all delegations were equipped with computers, and the facilities provided in the Internet cafes were too scant. Other Governments felt that the *Provisional Records* could be published after the end of the Conference, avoiding the need for night teams of editors, translators and word-processing operators. Parallel sessions and night sessions of meetings should be avoided, and lunch breaks respected. Procedures should be studied to see how they could be simplified.
19. The Employer spokesperson supported the proposal to provide training to delegates on the purpose, content and delivery of their interventions, but highlighted the need to train the chairpersons and the secretariats as well. In moving towards greater electronic distribution of documents, it was important to consider that some constituents had limited Internet access. The right to reply might be safeguarded by producing the *Provisional Record* as a trilingual document, with speeches reproduced as delivered in English, French or Spanish. The group agreed with the Governments that had stressed the importance of the *Provisional Records* and urged the Office to seek other solutions.
20. The Worker spokesperson was not in favour of deferring translation of the *Provisional Record*, but suggested that the question might be resolved if a facility for translation, within the same time frame, of a specific intervention could be made available to

delegates. More clarification was required as to the proposals that would be applied on a trial basis in 2013. Overall, the Workers were disappointed; they did not want to see the Conference reduced to the level of an Internet forum, where there was no time to listen to the world of work and come to valuable conclusions.

Part II. The way forward

21. The Deputy Director-General for Management and Reform informed the Working Party of the ideas that would be developed, after further informal consultations, for the March session of the Governing Body, including proposals for trial during the 2013 session of the Conference. The document would include:
- draft revised Standing Orders;
 - proposals for better exchange of information at the Conference;
 - proposed changes to the structure of the plenary, including a reduced opening sitting;
 - the transfer of the programme implementation report to the report of the Chairperson of the Governing Body;
 - proposals for a continuous plenary, possibly with a thematic debate, high-level panels and round tables; and
 - some suggestions for the World of Work Summit.
22. The Working Party approved the timelines² set out in paragraph 49 of the document and adopted the draft point for decision.

Draft decision

23. *The Governing Body accepts the timetable as proposed by the Working Party and requests the Office:*
- (a) *to submit to the Governing Body at its 317th Session (March 2013) a detailed plan for the implementation at the 102nd Session (June 2013) of the Conference, on a trial basis, of those options on which a consensus has been reached in the Working Party, together with an assessment of the cost and legal implications of those proposals; and*
 - (b) *to prepare a background document and organize informal tripartite consultations on further measures to be submitted to the Working Party in March 2013.*

² As reflected in the appendix to the present document.

Appendix

Proposed timetable

- November 2012: Agreement on some changes which might be implemented at the 102nd Session of the Conference, on a trial basis, and without requiring amendments to the Standing Orders.
- March 2013: Agreement on any further proposals for reform and on a detailed plan of implementation at the 102nd Session; analysis of the cost implications and identification of possible amendments to the Standing Orders required. Agreement on a revised agenda-setting process for the Governing Body.
- June 2013: First implementation on a trial basis of a set of reforms that do not involve amendments to the Standing Orders.
- November 2013: Lessons learned from the trial implementation in June 2013 of some changes and agreement on a further set of reforms.
- March 2014: Further examination of the proposed draft amendments to the Standing Orders which might be submitted to the Conference in June 2014.
- June 2014: Implementation of further changes that do not require amendments to the Standing Orders and adoption of amendments to the Standing Orders.