



Governing Body

323rd Session, Geneva, 12–27 March 2015

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Institutional Section

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TENTH 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 the afternoon of Friday, 20 March. As Chairperson of the Governing Body, I presided over the meeting, while the Employer Vice-Chairperson of the Governing Body, Mr Rønneest, and the Worker Vice-Chairperson of the Governing Body, Mr Cortebeeck, were Employer and Worker spokespersons, respectively. The Working Party had before it two documents prepared by the Office, following tripartite consultations held on 10 February 2015: document GB.323/WP/GBC/1, Improving the functioning of the International Labour Conference, item one on the Working Party's agenda, and document GB.323/WP/GBC/2, Improving the functioning of the Governing Body: Follow-up to the review of the implementation of the Governing Body reform, item two on the agenda. The documents were welcomed by the participants. In line with the usual procedure for this Working Party, its Government members spoke first, after which the spokespersons of the Employers' and Workers' groups made their comments.

Improving the functioning of the International Labour Conference

2. *Speaking for the group of Latin American and Caribbean countries (GRULAC)*, a Government representative of Bolivarian Republic of Venezuela recalled his group's consistent reservations regarding a two-week Conference. However, it had joined the consensus in support of the format on a trial basis at the 104th Session of the Conference. His group stressed that this would involve Conference participants working on two Saturdays and one Sunday. GRULAC considered that the ILO should set the example, referencing the Hours of Work (Industry) Convention, 1919 (No. 1), Weekly Rest (Industry) Convention, 1921 (No. 14), and the Forty-Hour Week Convention, 1935 (No. 47). Side events and information sessions should be limited, and should not coincide with the work of the Conference. GRULAC had likewise expressed doubts regarding the

proposed accelerated adoption process for committee reports and with the role of the committee officers in this connection, given that the government officer did not represent all governments. GRULAC requested the Office to post the reports of the committees online in a timely fashion and within the minimum time limit of 24 hours prior to adoption of the reports by the Conference, so that participants wishing to make corrections to the summary of their interventions might do so. GRULAC supported rational use of time in committees, but not to the detriment of preliminary explanations and clarifications by the Office, which were necessary to the many delegates and advisers that were first-time Conference participants. The group supported the idea that the Selection Committee could work by email, on the proviso that face to face meetings occurred where necessary. GRULAC recalled that, as noted in the previous report of the Working Party, all results coming from the Tripartite Working Group on the Working Methods of the Committee on the Application of Standards should feed into the work of the Working Party on the Functioning of the Governing Body and the International Labour Conference. GRULAC regretted that this would not occur at the present Governing Body session and hoped that this process would not be omitted in future. Finally, he requested that the Office submit a detailed report on the measures adopted and the cost savings made by the holding, in a shortened format, of the 104th Session of the International Labour Conference.

3. *Speaking for the Asia and Pacific group (ASPAG)*, a Government representative of Australia welcomed the improved pre-Conference processes as set out in the document, as well as the proposed shortened opening sitting, made possible through the suspension of the Standing Orders outlined in Appendix I of document GB.323/WP/GBC/1. ASPAG also strongly supported the use of projectors for trilingual display of amendments to texts in technical committees. The group backed the revised arrangements for the high-level panel as part of the World of Work Summit and hoped they would lead to a more interactive discussion. It appreciated the flexibility in the proposed programme which would allow groups to hold their preliminary meetings on Sunday, 31 May or the morning of Monday, 1 June. The Office should further strengthen cooperation with the United Nations security staff to avoid interruptions or incidents during the Conference. Overall, the proposed trial format should allow the 325th Session of the Governing Body to assess the viability of the two-week format.
4. *Speaking for the group of industrialized market economy countries (IMEC)*, a Government representative of Norway welcomed the pre-Conference processes as described in the paper. Committee chairpersons should be fully briefed on their roles and duties; this could be done at distance via electronic communication. Watermarked tentative plans of work for the technical committees should be online in advance, preferably in April. Committee-specific web pages should be developed, posting information and documents, including draft conclusions and proposed amendments. In addition to the pre-announcement of Standing Order suspensions, time limits for opening speeches should be imposed to reduce the opening sitting length. The World of Work Summit should have a strong, topical theme, announced well in advance; addresses by Heads of State should be given only during the summit. Questions for discussion in committee reports should be limited to four. Committee opening sittings should not exceed one hour and full advantage should be taken of the proposed individual committee web pages. Further possible improvements, proposed previously by IMEC, included shorter, clearer and more focused conclusions; the treatment of purely linguistic amendments possibly by a subcommittee established for this purpose; the inclusion of all amendments in a single document. All committee reports should be web-posted by the morning of 11 June. In the case of standard setting, the Committee Drafting Committee could work on the afternoon/evening of 10 June, or start earlier, meeting at regular intervals after each committee afternoon session. In presenting reports to plenary, committee officers should speak for three minutes only and rapporteurs for five. Time management was crucial to a two-week Conference.

5. *Speaking for the Africa group*, a Government representative of Zimbabwe supported the document presented by the Office following the informal consultations on 10 February 2015 and endorsed the draft decision point.
6. *The Employer spokesperson* stressed that the success of this trial of a two-week Conference was not guaranteed. All persons responsible had to adhere to the arrangements set out in the document. Optimal use of time by committee chairpersons was critical to success. The increasingly aggressive tone of some interventions was of concern, as was the role of some observers. Committee chairpersons should prevent this, and the Office should provide them with adequate guidance, well in advance of the Conference, in this sense. Side events should be kept to a minimum. The World of Work Summit should allow a dynamic discussion. A spontaneous question and answer session was preferable to a sequence of prepared statements.
7. *The Worker spokesperson* supported early interaction with committee chairpersons and with the Worker Vice-President of the Conference; ACTRAV should be involved in this. Advance posting of the committees' tentative plans of work, following early consultations, was welcome; ACTRAV and the Workers' group secretariat should be kept informed in this connection. The Workers' group would work with ACTRAV to improve its members' pre-registration. The group did not agree with posting the forms to submit amendments on the ILO public website, which could lead to confusion regarding who was or was not entitled to submit amendments. Nor did it agree with measures to reduce recourse to night sittings and it required clarification as to what such measures might be. Some time-saving measures were welcome, but time management should not be at the expense of content. If the daytime discussions did not allow completion of work, then a night sitting should be held. Buses should be made available after night sittings that went beyond last public transport times to take participants into Geneva. The paper smart policy should not go too far: hard copies of conclusions and amendments were still necessary in group meetings, as not all delegates had computers. The group supported the idea of conducting post-first sitting work of the Selection Committee by email except where one of the officers requested a face to face meeting, but had reservations regarding the non-convening of the Conference Drafting Committee. This might be acceptable in the case of adoption of a Recommendation, but not in that of a Convention, where the committee deals not only with consistency between the English and French versions, as for a Recommendation, but also had responsibilities regarding the final provisions. The group supported the proposals for the World of Work Summit set out in Appendix II of document GB.323/WP/GBC/1; however, the programme stipulated that ministers on the panel should come from regions not represented by the Employer or Worker representatives. The latter, speaking for their groups, did not represent regions. Moderators should be familiar with the ILO and its tripartite nature. This was not always the case even with prominent journalists. The group stressed that 2015 would be a trial year, and the results of the two-week format would be assessed by the 325th Session of the Governing Body.
8. *A representative of the Director-General* (Deputy Director-General for Management and Reform (DDG/MR)), said that amendments to committee reports could be received up to the closing of the Conference; reports would be adopted subject to amendments submitted by speakers to their own interventions. Most of the routine work of the Selection Committee could be dealt with electronically. However, it would certainly meet face to face where necessary. The Office would make efforts to ensure interaction between the CAS Working Group and the present Working Party in its discussions on the standards initiative; it had not been possible to schedule the meeting of the CAS Working Group prior to the Working Party at the present session. The report submitted to the November Governing Body would detail any savings or additional costs occasioned by the new format of the Conference. All efforts would continue to be made to coordinate closely with UN security staff. The earlier the Office received nominations for chairpersons, the easier it was to ensure their adequate briefing and preparation of Committees' workplans. The Government

group had indicated that the full list of nominations would be supplied during the current session: this was much appreciated. Outlines of the committees' plans of work, reflecting the information submitted in November 2014 to the Working Party, would be web-posted immediately. More detailed plans would be posted in April, once the chairpersons were known and the Officers of the committees had been consulted regarding arrangements. The theme of the World of Work Summit would be related to climate change and its impact on work. The intention was to group addresses by Heads of State on the one day of the Summit, and there were a potential three acceptances so far. All efforts would be made to ensure the panel discussion was dynamic. IMEC had noted that some of its previous comments did not feature in the paper. This was because many of them were covered by improvements in the working methods of the committees, to be undertaken by the committees themselves. As suggested, should linguistic amendments be submitted to a non-standard-setting committee, the committee could set up a very small drafting group to ensure language compatibility. The Office would endeavour to post reports by the morning of 11 June, notwithstanding the work of writing, reviewing and translating these texts. Limiting report presentation speeches was under consideration, but some groups had felt the need for flexibility. Side events would be kept to a minimum. In answer to the Workers' concern at posting the forms to submit amendments on the ILO public website, the Office was investigating restricted access functions for Conference tasks. The issue of night sittings was one for individual committees to consider in establishing their own schedules. The Office would look into the question of providing late-night transfers to central Geneva if committee sittings ended after the closure of public transport services. The paper smart policy would not prevent hard copies of documents being available where required. The issue of establishing a Conference Drafting Committee would need to be readdressed in the case of a Conference that was adopting a Convention.

Draft decision

9. *The Working Party on the Functioning of the Governing Body and the International Labour Conference, having examined the proposed arrangements contained in document GB.323/WP/GBC/1, as well as the proposed plan of work for the 104th Session (June 2015) of the Conference, recommends that the Governing Body:*
- (a) *propose to the Conference that it implement, on a trial basis, the proposed arrangements for a two-week session of the International Labour Conference in June 2015;*
 - (b) *request the Office to prepare for the 325th Session (November 2015) of the Governing Body an analysis of the trialled format of a two-week session in June 2015, which would allow the Governing Body to draw the lessons of this experience and take the appropriate decisions as regards the format arrangements for the future sessions of the International Labour Conference.*

Improving the functioning of the Governing Body: Follow-up to the review of the implementation of the Governing Body reform

10. *Speaking for GRULAC*, a Government representative of Venezuela recalled his group's reasonable doubts in respect of mandating the Officers of the Governing Body to decide to defer an item already placed on the agenda, as set out in the office paper. GRULAC

considered that, as stipulated in the Standing Orders of the Governing Body, the Officers were mandated to include items on the agenda, but not to exclude or defer their consideration. Neither the Officers nor the Screening Group could modify decisions taken by the Governing Body, which was the higher instance. However, notwithstanding GRULAC's reservations, the group could accept the practical solution proposed by the Office, providing there was tripartite consensus in the Working Party. In this case, consideration should be given to paragraph 21 of the introductory note to the *Compendium of rules applicable to the Governing Body of the International Labour Office*, under which the Officers must consult with the Chairperson of the Government group, or his or her representative. GRULAC agreed with replacing the term "technical cooperation" with "development cooperation" and in consequence revise the introductory note accordingly. The group further agreed that the High-Level Section should only meet under particular circumstances, to discuss questions of great strategic importance to the ILO and the world of work, taking care at all times to avoid confusion between when it was operating as the Strategic Policy Segment and when as a Committee of the Whole, as when it was the Working Party on the Social Dimension of Globalization. The group supported the other proposals in the document. Finally, it requested that the Office, when publishing revised or corrected versions of documents submitted to the Governing Body, to enable readers to locate the modifications made and thus avoid having to read the entire document once again. To this end, he suggested that full details of the modifications introduced should be communicated to the secretariats of the social partners and to the Regional Coordinators.

11. *Speaking for ASPAG*, a Government representative of China welcomed the progress made so far on the four pillars of the reform of the Governing Body. However, a number of issues required further improvement. The High-Level Section should be needs-based and focus on emerging issues affecting the Decent Work Agenda. Constituents should be consulted regarding its format. The agenda of the Governing Body should be kept within a manageable size and focus on governance issues. A balance between the different sections and segments should be sought. Amendments to draft decision points should be submitted at least 36 hours before the discussions took place, in order to allow for consultations, including with member States' capitals. The Office might wish to consider releasing the English version of documents before the translations into French or Spanish were ready, in order to avoid delays in distribution and allow delegates to study the documents in advance of the meetings.
12. *Speaking for IMEC*, a Government representative of Australia expressed satisfaction at the progress made regarding the follow-up actions identified in the report submitted to the Working Party at the 322nd Session of the Governing Body (November 2014). The group felt that there was little scope for Governments to alter the number of items included in the agenda of the Governing Body once the Screening Group had met. More consultations needed to be held with Governments in relation to the addition of new items to the agenda and restraint must be exercised regarding the number of items included if the Governing Body was to function efficiently. IMEC welcomed the provision of an annotated list of items put forward for inclusion in the agenda and their rationale prior to Governing Body sessions, with an update towards the end of the session. This allowed for more meaningful consultations within groups and enabled Screening Group members to be better prepared. In the case of new items being put forward for inclusion in the agenda, consideration should be given to an advance written-notice requirement to enable coordinators to consult their groups, as was done with the most recent set of proposals by the Office. The late circulation of documents, particularly those related to country cases, remained an impediment to the holding of timely consultations and to the effectiveness of the Governing Body. IMEC nonetheless welcomed the progress recently achieved through the distribution of early information documents and the convening of the meeting of the Officers of the Governing Body prior to the beginning of the Governing Body proper. The circulation of preliminary drafts was likely to be more fruitful than the delayed circulation of final documents. IMEC agreed that a common understanding of the purpose and usefulness of the High-Level

Section was still lacking. A well-developed concept note, including a clear description of its rationale and format, should be a prerequisite to any decision by the Screening Group to place an item on its agenda. IMEC supported the view that the Supplementary Report of the Director-General on the follow-up to the decisions of the Governing Body should be a concise, outcome-focused document, if it was to be an effective tool. Ideally, it should consist of a tabular report, indicating the item reference, a summary of the decision adopted and the planned follow-up actions, and appropriate hyperlinks to relevant background information. It should be kept up to date and items should no longer be reported after two years, unless they required further action. IMEC supported the review of the text of the Standing Orders by the Office, with a view to producing a more contemporary and flexible document reflecting the intent of the reforms. The proposed timing of March 2016 to review these amendments was deemed appropriate, but early circulation of the revised document would be essential if adequate and thorough consultations were to be held. IMEC supported replacing the term “technical cooperation” with “development cooperation”, given that the ILO’s work was broad and comprehensive rather than exclusively technical. This more inclusive language should also characterize the review of the Standing Orders of the Governing Body.

13. *Speaking for the Africa group*, a Government representative of Zimbabwe said his group supported the action proposed by the Office as set out in the paper as well as the draft decision.
14. *The Employer spokesperson* said, firstly, that his group supported a system under which the Chairperson had greater discretion on securing a continuous discussion and retaining the chair for short periods in order to deal with the resumption of items belonging to another section or segment. Secondly, the group believed the High-Level Section could be very useful; however there was a lack of clarity as to its purpose, and this called for further discussion. Thirdly, the group supported the comments made regarding the composition and timing of the Screening Group in the Office paper.
15. *The Worker spokesperson* said that there had been very few occasions where items approved for a Governing Body agenda had had to be deferred. The group was not certain that the Standing Orders required amendment for such rare occurrences. The holding of the Officers’ meeting prior to the Governing Body should facilitate Governments’ work in respect of a number of items. The Chairperson should take case-by-case decisions regarding the chairing of brief resumptions of discussions belonging to other sections or segments. The mandate and purpose of the High-Level Section were quite clear, as was the difference between the Strategic Policy Segment and the Working Party on the Social Dimension of Globalization. There would be more merit in discussing topics to be debated in this section and segment than in discussing their value. Alternatively, the Strategic Policy Segment could sit in March and the Working Party in November. The group agreed with starting the autumn Governing Body sessions in the last week of October. When the Officers were unable to attend the Screening Group, they could be represented by their group secretaries. This need not require amendment to the Standing Orders. The Workers felt that the presence of Executive Directors, of the Legal Adviser and the Treasurer was important in ensuring the necessary strategic linkages between agenda items. Consideration should be given to balancing the content of the sections and segments. The Social Dialogue Segment had only one item at the present session (sectoral activities), and should cover issues such as collective bargaining, labour laws, labour administration and inspection. The Multinational Enterprises Segment should also be discussed at every session of the Governing Body and be given more weight. A possible topic for that segment was global supply chains. The Legal Issues and International Labour Standards Section was also insufficiently substantial. The Office should take this into account when suggesting agenda items to the Screening Group. The Workers agreed with replacing “technical cooperation” with “development cooperation”, and supported the other suggestions made in the paper, but were not convinced that the Governing Body Standing Orders required comprehensive

review. The Governing Body was functioning efficiently and there was no point in remaining in constant review mode.

16. *A representative of the Director-General (Deputy Director-General for Management and Reform (DDG/MR)), responded to GRULAC by saying that the Office would provide more clarification when issuing revised versions of documents by indicating the nature of the revisions. The suggestion from ASPAG that a document be released in its original language before the translations were ready posed problems as it had not encountered wide support when suggested in the past. All three groups received the draft proposed items for the Governing Body agenda at the same moment. All efforts were made to limit late documents to those which required last-minute consultations or very current updates. All other documents for the current session had been released on time. The Office was not proposing a full review of the Standing Orders, but had detected some disparities between the content of the introductory note and that of the provisions themselves, and the practices of the Governing Body. Before any amendments to its Standing Orders be submitted to the Governing Body, there would be full tripartite consultation. This would begin in the latter half of the present year, which would allow time for the groups to decide which amendments were needed. A document on possible amendments to the Standing Orders would be submitted to the 326th Session of the Governing Body (March 2016) and that would conclude the current review of the Governing Body reform.*

Draft decision

17. *In the light of the above text, the Governing Body:*

- (a) decides that the words “technical cooperation” should be replaced with “development cooperation” where it is appropriate and that the title of the Technical Cooperation Segment should be readjusted accordingly;*
- (b) requests the Office to improve the current format of the Supplementary Report of the Director-General describing the follow-up action taken by the Office as a result of previous decisions through the implementation of the improvements proposed in paragraph 8 as well as by any additional improvement which could serve the objective of the relevant report;*
- (c) requests the Office to review the text of its Standing Orders, including the Introductory Note, and to propose amendments, including those needed to implement the agreed changes, to its 326th Session (March 2016).*