



## Governing Body

332nd Session, Geneva, 8–22 March 2018

GB.332/WP/GBC/1

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

WP/GBC

Date: 30 January 2018

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### FIRST ITEM ON THE AGENDA

## Composition of the Governing Body: Update on the status of ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO

1. At its 331st Session (October–November 2017), the Governing Body continued discussing the question of the composition of the Governing Body – a matter of long-standing concern in particular since the category “Members of chief industrial importance”, referred to in article 7, paragraph 2, of the ILO Constitution, does not include Members from all geographical regions. The Governing Body requested the Director-General to continue promotional efforts for the ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO (the 1986 Amendment), to solicit Members concerned for explanations on the reasons which prevent or delay the ratification, and to report at its March 2018 session on the replies received.<sup>1</sup> A circular letter was sent on 7 December 2017 to the 65 governments that had not replied to the earlier communications of 5 April and 1 August 2017 soliciting their comments.
2. As at 18 January 2018, 108 ratifications and acceptances have been registered, including two from Members of chief industrial importance (India and Italy).<sup>2</sup> Since the last report to the Governing Body in November 2017,<sup>3</sup> two new acceptances have been registered (Brunei Darussalam and the Cook Islands). A further 17 ratifications or acceptances, including at least three from Members of chief industrial importance (from among Brazil, China, France, Germany, Japan, Russian Federation, United Kingdom and United States), are required for the 1986 Amendment to enter into force.
3. The Office has received ten replies from governments to the Director-General’s letter of 7 December 2017 inviting them to provide information regarding the reasons which prevent

<sup>1</sup> [GB.331/PV/Draft](#), para. 478.

<sup>2</sup> For more information, see [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---jur/documnts/genericdocument/wcms\\_448705.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---jur/documnts/genericdocument/wcms_448705.pdf).

<sup>3</sup> [GB.329/WP/GBC/1](#).

or delay the ratification of the 1986 Amendment. This brings the total number of replies to 25, which represents 30 per cent of the governments to whom letters had been sent.

4. One government (Brunei Darussalam) informed that it had just approved the instrument of acceptance while two governments (Portugal and Spain) indicated that they had initiated or would shortly begin the ratification procedure. One government (Slovakia) would start the ratification process once the currently pending or scheduled legislative processes had been completed. Two governments (Jamaica and Viet Nam) were undertaking national consultations on possible ratification and another two governments (Lao People's Democratic Republic and Oman) were reviewing the possibility to accept the 1986 Amendment. One government (Yemen) stated it was unable to ratify because of the suspension of the work of its Parliament due to the current conflict. Another government (Estonia), while stressing the importance of making the Governing Body more representative and providing more opportunities for smaller countries to be involved in the decision-making process, regretted that it was not in a position to ratify the 1986 Amendment because it considered the text outdated in view of the reference to "socialist states of Eastern Europe".
5. Since the last report to the Governing Body in November 2017, the Office has continued its promotional activities for the ratification of the 1986 Amendment. It has replied to queries from member States and taken steps to engage its regional and country offices in promotional activities where relevant. The Office continues to maintain the dedicated website<sup>4</sup> and is currently preparing a promotional media presentation on this matter.

## Draft decision

6. *The Working Party recommends to the Governing Body that it request the Director-General to continue promotional efforts for the ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO, including through direct contacts with member States.*

<sup>4</sup> [http://www.ilo.org/global/about-the-ilo/how-the-ilo-works/departments-and-offices/jur/legal-instruments/WCMS\\_448693/lang--en/index.htm](http://www.ilo.org/global/about-the-ilo/how-the-ilo-works/departments-and-offices/jur/legal-instruments/WCMS_448693/lang--en/index.htm).