

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

## ▶ Questionnaire

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At the first meeting of the Tripartite working group on full, equal and democratic participation in the ILO's tripartite governance (TWGD), which was held on 11 December 2020, it was agreed that the members of the working group would be invited to express their views on the understanding and scope of the notion of democratization of the ILO's governance for the purpose of informing the discussions of the second meeting of the working group to be held in January 2021 and developing a possible programme of future work.

Accordingly, the Office has prepared the following questionnaire, bearing in mind that the Centenary Declaration and its accompanying Resolution are the framework within which the TWGD should carry out its work. The Office would be grateful if the replies could be sent by Wednesday 6 January 2021 to [JUR@ilo.org](mailto:JUR@ilo.org).

### **Workers and Employers joint response to the Office questionnaire**

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

The ILO Centenary Declaration and Resolution are unambiguously clear when referring to the notion of democratization.

The preamble of the Centenary Declaration states "*Desiring to democratize ILO governance by ensuring a fair representation of all regions and establishing the principle of equality among member States*". In addition, paragraph 3 of the ILO Centenary Resolution "*calls for the completion, at the earliest opportunity, of the process of ratification of the Instrument of Amendment to the ILO Constitution, 1986.*"

In light of this, we are of the view that the notion and scope of democratization should focus on giving effect to the commitments taken in the Centenary Declaration and Resolution in terms of the ratification and entry into force of the 1986 Constitutional amendment.

We recall that the 1986 Constitutional amendment concerned changes that affect 11 of the 40 articles within the Constitution of the International Labour Organisation (ILO) addressing four main areas:

- I. the composition and governance of the Governing Body of the Office;
- II. the procedure for appointment of the Director-General;
- III. voting at the International Labour Conference; and,
- IV. rules governing how the Constitution may be amended.

The principal aim of the proposed Amendment was to make membership of the Governing Body more representative by providing a means of appointment that takes into account the various geographic, economic and social interests of its constituent groups.

If the Constitutional amendment enters into force, there will be an increase in the total number of elected GB members from the current 122 members to 132. The GB would be composed of 56 Government members **without distinction between regular and deputy**; 28 regular Employers members and 10 deputy Employers members; and 28 regular Workers and 10 deputy Workers members. There would no longer be seats guaranteed for the member States of chief industrial importance. This will ensure the much sought democratization and equal treatment among ILO Members States.

Also, under the 1986 Amendment, the Director-General of the ILO would continue to be appointed by the GB, but subject to the International Labour Conference's approval.

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

We want to reiterate that the democratization of the tripartite governance should focus only on the ILO Governing Body based on the content of the 1986 constitutional amendment. .

Enter here your reply.

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

None. Please refer to answers under questions 1 and 2

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

The democratization of the ILO Governing Body should be guided by the principle of fair representation and equality among Member States which is consistent with the provisions of the Centenary Declaration mentioned above.

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

We would like to invite the Office to report on any developments since the last meeting of the WG on the ratification of the Constitutional Amendment and propose possible ways to eliminate obstacles to the ratification of the Constitutional Amendment with a particular focus on countries of chief industrial importance. India and Italy which have ratified the amendment could be invited to share their experience with others.