



Governing Body

320th Session, Geneva, 13–27 March 2014

GB.320/INS/13

Institutional Section

INS

Date: 24 March 2014

Original: English

THIRTEENTH 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) sat firstly, on Wednesday, 19 March, and secondly, on Monday, 24 March 2014. As Chairperson of the Governing Body, I chaired the sittings, while Mr Funes de Rioja and Mr Cortebeek, Employer and Worker Vice-Chairpersons of the Governing Body, spoke on behalf of their respective groups.

Improving the functioning of the International Labour Conference

2. The Working Party welcomed the document ¹ prepared by the Office for this session, which took into account the suggestions and concerns that had been expressed at the Working Party's sittings during the 319th Session of the Governing Body, as well as the contributions of the inter-session meeting of the Geneva-based consultative group, ² held on 14 February 2014. This document was divided into two parts: the first part dealing with proposed arrangements for the 103rd Session of the International Labour Conference, and the second part dealing with a possible two-week scenario for the Conference. The Working Party addressed the two parts in order.

¹ GB.320/WP/GBC/1.

² This group consists of the Regional Coordinators and the secretaries of the Employers' and Workers' groups.

Proposed arrangements for the 103rd Session of the International Labour Conference

3. *Government representatives* gave broad support to the proposed arrangements for the 103rd Session of the Conference as set out in the document. Many members stressed that good time management would be critical to ensure timely completion of the work of the committees and of plenary. The group of Latin American and Caribbean countries (GRULAC) governments regretted recourse to work at weekends, night sittings and lunchtime information sessions. While acknowledging that these were sometimes inevitable, it was important to ensure that they did not become institutional. They also requested clarification regarding approval of committee reports by the committee officers, on the time limit for submission of amendments to web-posted reports, and on the relationship between the present Working Party and the Tripartite Working Group on the Working Methods of the Committee on the Application of Standards. Particular support was expressed by the Asia and Pacific group (ASPAG) and the group of industrialized market economy countries (IMEC), and others, for the consultative approach used during the reform process. This had greatly contributed to achieving consensus. IMEC urged revisiting the working methods of the committees. Information technology could be used to facilitate discussions on amendments by presenting a single document reflecting all amendments. Drafting groups should begin their work after the second committee sitting.
4. Governments also appreciated that proposals calling for information to be diffused well in advance of the Conference had been heeded: the advance information document that had been sent out with the convocation letter to the Conference was useful. In this connection, it was suggested that information could be shared electronically, perhaps by establishing a dedicated web page from which documents could be downloaded. The possibility of advance registering for membership of technical committees was also considered to be a useful, time-saving facility, and the commitment to early posting of tentative plans of work for committees was thought positive. A number of governments welcomed the savings that had accrued from the deferred trilingual publication of the Conference *Provisional Records*, as reported in the document, commenting that such reporting on savings should continue. A general call for a “paper smart” approach was made. There was overall support for the holding of the World of Work Summit this year as outlined in the appendix to the document and approval of its theme: “Jobs and Development – The World of Work in 2014”. The secretariat should keep constituents updated as information concerning the Summit became available. Side events should be strictly limited and only those with strong tripartite support should take place. It should also be made clear exactly what constituted a side event. It was noted that the report did not address ways to make the plenary more interactive. Plenary should provide the opportunity for a substantive exchange of views. A number of speakers called for more focused, tightly worded conclusions.
5. *The Employer coordinator* also commented on the transparent consultative process put in place for the Working Party: all three groups had contributed to the structure of the reform. The Employers supported the proposals made in the paper for the 103rd Session of the Conference as well as the move towards a two-week Conference. The focus should now be on working methods and on maximizing the use of time. As some governments had suggested, innovative solutions using information technology could enhance working methods. Chairpersons of Conference committees should be selected early, to allow them to be briefed on procedures and issues. Good time management was essential. The World of Work Summit should be trialled again this year; its content should be relevant, and it should permit lively, interactive debate. A thorough evaluation should be made to assess its impact. Efforts should be made to safeguard delegates’ right to make individual statements in plenary, at the same time as promoting interactivity and better attendance. Only essential side events should be held. Governments had called for shorter, more focused conclusions. If this were respected, there would be less occasion for multiple amendments.

6. *The Worker spokesperson* supported the proposed arrangements for the 2014 Conference. Possibly pre-registration would aid the exchange of views prior to the Conference, but this would also need to be evaluated. It was important to avoid government interference in registration for committee membership. In view of last minute changes and discussions regarding the composition of delegations, final registration would still have to take place at the Conference. He suggested that a specific event should be organized during the plenary on 12 June to mark World Day against Child Labour. Advance notice of side events should be communicated to the secretariats of the groups, to enable them to identify speakers for such events. The Working Party should remain the decision-making body in respect of major changes to Conference committees' work, without prejudice to the committees' prerogative in decisions related to working methods. The group did not support abolishing the formal submission procedure for amendments in recurrent discussion committees. Dealing with such amendments in plenary was unlikely to prove productive. The Workers also had concerns about reducing the time allocated for group meetings. They did agree with the direct submission of committee reports to plenary, following approval by the committee officers, but disapproved limiting the time allowed for presenting these reports, especially as regards the report of the Committee on the Application of Standards. The group supported deferred publication of the *Provisional Records*, and was in favour of the World of Work Summit at the 2014 Conference.
7. *The representative of the Director-General* (Deputy Director-General for Management and Reform (DDG/MR)) assured the Workers' group that the arrangements for pre-registration in committees would be carefully monitored. Regarding working methods of committees, the Working Party should fix the basic operational principles, but the Office would expand some of the options available to allow a degree of internal flexibility of a practical nature for the committees. In respect of concerns on the procedure for submitting amendments to plenary rather than passing them through the committee, this was an option, rather than a concrete proposal. The precise procedure might be determined by the nature of the business before the committee. A realistic approach would clearly need to be adopted regarding time restrictions for presenting reports to plenary. The Office would continue to seek ways to reduce the opening sitting, and would welcome suggestions from constituents to improve the interactivity of plenary debates. The Office would also aim at conveying to committees the need to keep conclusions short and focused, and encourage the early dissemination of their workplans. Side events would be kept to a strict minimum.

A possible two-week scenario for the International Labour Conference

8. *Government representatives* supported the two-week scenario as presented by the Office in the second part of the document, highlighting the suggestions that they perceived as helpful, including the arrangements for pre-registration, the early holding of group meetings before the Conference, strict adherence to timekeeping, and observance of the speaking-time allocation in plenary. All efforts should be made to reduce the length of the opening ceremony, possibly by revisiting article 25 of the Standing Orders. Pre-registration in committees might make it possible to begin consultations within the committees in advance by electronic means. The Africa group stressed the importance of making the list of cases to be considered by the Committee on the Application of Standards well in advance. IMEC governments had reservations on scheduling group meetings on the Sunday prior to the Conference. These could be held on the morning of the first Monday, with the opening ceremony of the Conference held that afternoon. The resulting half-day lost to committees could be made up through efficient working methods. IMEC welcomed the arrangements that made it possible to hold the closing ceremony of the Conference on the morning of the second Saturday, which in turn allowed the holding of the post-Conference Governing Body session on the Saturday afternoon.

9. *The Employer coordinator* said that his group strongly supported the two-week scenario. While each committee had its particularities, their functioning should be as similar as possible, to allow delegates to become familiar with it. This would ease the emergence of new generations of delegates, essential to the vitality of the Conference, to come forward to take leading roles in drafting groups and among the Officers. The group concurred with calls for shorter, more focused committee conclusions, and felt that the Office could lead the way with similarly tightly-drafted reports for the committees. Electronic media should accelerate preparations for the Conference, and governments should facilitate this process. The agenda of the post-Conference Governing Body session should be kept to a minimum. The 2014 Conference would provide an excellent transition to the two-week Conference in 2015.
10. *The Worker spokesperson* said his group was pleased to see that the proposed two-week scenario allocated the same time for committee discussions as during longer Conferences. Any reduction in this time was opposed by the group. He welcomed the proposed holding of the post-Conference Governing Body session on the afternoon of the second Saturday. The two-week scenario should be trialled and fully evaluated before any adjustments to the Standing Orders were put into motion. Group meetings on the Sunday before the Conference were essential to the Workers' pre-Conference preparation.
11. *The representative of the Director-General* stressed that 2015 would be a trial two-week Conference. Further changes, such as those suggested by IMEC, could be made subsequently. The Office recognized the need felt by both Employers' and Workers' groups for time to hold group meetings, and had therefore made time available for these on the Sunday prior to the Conference. In response to the query from GRULAC governments, the speaker said that the findings of the Tripartite Working Group on the Working Methods of the Committee on the Application of Standards would be returned to the present Working Party before formalizing final recommendations. The Office was making all efforts to keep Office reports for committees concise and focused, while maintaining quality. The support for holding the post-Conference Governing Body session on the afternoon of the final Saturday, with as short an agenda as possible, had been well noted.
12. *The Working Party, having analysed the proposed arrangements for the 103rd Session of the International Labour Conference (28 May–12 June 2014), as described in paragraphs 3 and 4 of the document GB.320/WP/GBC/1, as well as the proposals made for a possible two-week scenario for the ILC in paragraphs 7–13 of the same document, recommends that the Governing Body:*
- (a) *recommend to the Conference that it implement, on a trial basis, the proposed arrangements for the 103rd Session of the International Labour Conference as presented in the document GB.320/WP/GBC/1;*
 - (b) *request the Office to prepare for its 322nd Session (November 2014);*
 - (i) *an analysis of the arrangements trialled at the 103rd Session of the Conference;*
 - (ii) *a detailed programme and tentative plan of work for the two-week session of the Conference that will be trialled in 2015; and*
 - (iii) *a consolidated summary of all proposals on which a tripartite agreement has been reached and of issues that require further consultations and discussion.*

Review of the implementation of the Governing Body reform

13. I invited the Working Party to turn to the second task on its agenda, which was to carry out a review of the implementation of the Governing Body reform introduced in November 2011, as foreseen in the reform package. The report³ prepared for the discussion was divided into five parts, with four parts devoted to the four pillars of the reform: an improved agenda-setting mechanism; a new structure for the Governing Body; enhanced transparency and Office support to tripartite constituents; and improved presentation and timely distribution of documentation. I invited the Working Party to review these sections of the report against the fifth section, entitled “The way forward”, which summarized measures to address issues arising out of the reform.
14. All three groups expressed strong support for the reform, commenting that it had strengthened tripartite participation in the Governing Body and enhanced its governance function, its transparency and its decision-making. The Working Party also strongly supported the report prepared by the Office, including the measures set out in its section “The way forward”. Particular emphasis was placed on time management of the sittings, including the issue of speaking-time, and the efforts made by the Office to ensure that participants received documents well in advance, to allow them to prepare fully for sessions.

An improved agenda-setting mechanism

15. Some concerns were voiced about the role of the Screening Group. The Employers said that it was not for the Office to provide guidance to the Screening Group. The Office’s role should be limited to advising and helping with procedural matters. The group stressed that it was important that the Screening Group should have sufficient time to perform its function. Both Employers and Workers agreed that the Screening Group should meet in the week following the Governing Body session, thus allowing more time for preparation. The Screening Group should guide the Office in reducing the number of items on the agenda, and avoiding duplication by grouping themes under one single item, rather than individual items on the agendas of several sections or segments. The question of thematic grouping was also supported by governments. There was broad support for supplying the Screening Group with an annotated list of agenda proposals for the following Governing Body. IMEC and ASPAG wanted shorter agendas; indeed, there was a general call for shorter agendas across the three groups, although progress made in this direction was acknowledged.
16. The Screening Group should be representative of all groups, but should not become too large. The Workers stressed that its composition should be respected. The Worker spokesperson said that more time should be devoted to policy debates on topical issues. He said that the Office had an important role in proposing agenda items. The Workers felt that the Screening Group should only make recommendations in respect of prioritizing items; any final decisions should be taken by the Officers. The Officers should maintain this role, while remaining in contact with the Regional Coordinators and the secretariats of the groups, throughout the Governing Body session; they should also take decisions regarding the deferral of items. IMEC governments called for greater balance between the agendas of the various sections. A tentative order of business for the entire Governing Body would be useful. Information made available to the Officers should be shared with Governing Body members earlier to allow them to confer with their capital cities.

³ GB.320/WP/GBC/2.

A new structure for the Governing Body

17. *Government representatives* agreed that the mandates of the High-Level Section and the Working Party on the Social Dimension of Globalization (WPSDG) should be clarified. The Africa group said that the High-Level Section would benefit from more dynamic debate, and not serve simply as a platform for presentations by ministers. The Employers' group felt that the High-Level Section and the WPSDG should focus on questions of political importance and impact that were connected to issues dealt with elsewhere in the Governing Body. The Workers' group appreciated the widening of the mandate of the Social Dialogue Segment to include labour law, collective bargaining, labour administration and inspection. The Workers and the Employers agreed that agendas of the Employment and Social Protection Segment, the Technical Cooperation Segment and the Multinational Enterprises Segment should be strengthened to include more substantial items, as suggested in the report. The WPSDG provided a flexible setting for dealing with difficult topics and gave the Governing Body the possibility of interacting with other agencies or with governments. Thought should be given as to how this function could be improved. The Strategic Policy Segment had so far been used to deal almost exclusively with the financial crisis: it should cover other topics. The Workers' group also stressed that Vice-Chairpersons should be able to chair sections where government representatives were unable to do so. Individual group members should be able to speak, even where group statements had been made. The Employer and Worker spokespersons should also be able to make closing comments on items. GRULAC warned against the excessive rigidity that could result from establishing a prior list of speakers. Others might wish to take the floor on an ad hoc basis during a lively debate. The Workers stressed that both they and the Employers required more time for group meetings.

Enhanced transparency and Office support to tripartite constituents

Improved presentation and timely distribution of documents

18. The Working Party supported the efforts made so far in these fields of the reform, as well as the measures set out in part V of the report.
19. *The representative of the Director-General* noted overwhelming support for the reform, and recognition of the improvements. No major restructuring had been called for. Some issues had been raised concerning the Office's administration. These were noted and could be dealt with internally. Other issues: time management, the continuous plenary and the role of Vice-Chairpersons in chairing parts of the meetings, needed to be referred to the Officers. There appeared to be a desire to build the agenda thematically, by combining items from different sections and segments. The question of the mandate of the High-Level Section, the value of which had been recognized by a number of speakers, could be dealt with by the Officers and the Screening Group. The call for shorter agendas had been well noted, as had the emphasis laid on time management. A reduced agenda would free up time for more group meetings.
20. *The Working Party, having analysed the proposed measures described in the document GB.320/WP/GBC/2 under each of the four pillars (sections I, II, III and IV) and summarized in the fifth section entitled "The way forward", and the additional requests formulated by its members, recommends to the Governing Body to request that relevant follow-up action be taken by the Officers, the*

Tripartite Screening Group and the Office, as appropriate with regards to the following issues:

(a) the Officers:

- (1) the process for consideration of the deferral of agenda items where the Governing Body has previously determined that an item be considered at its next session (40(j));*
- (2) enhancing the role of the Officers (26) and addressing the early communication of information submitted to the Officers meetings (27); Ensure a greater fluidity of the Governing Body (43) by the adoption of time-management procedures (43(e)), a strict observance of starting time of the sittings and the role of the Chairperson, Vice-Chairpersons and Government representatives in chairing parts of the meetings (43(c)); the mandate of the High-Level Section should be kept under review and a better use should be made both of the Strategic Policy Segment and of the more flexible setting of the Working Party (16); The option of starting the Governing Body autumn sessions during the last week of October (as in 2014) should be retained (28);*

(b) the Screening Group:

- (1) the composition and timing of the Screening group (40(a) and (c)); the need to ensure that the agenda is of a manageable size, that there is no duplications of topics and debates in several sections and segments and that an appropriate balance is reached between the number of items allocated to the various sections and segments (40(e) and (h)); the need to structure the agenda thematically;*
- (2) an appropriate planning and distribution between the sections/segments in order to ensure a governance-oriented approach and effective use of the respective mandates (41(a)); the Social Dialogue Segment should pay more attention to labour administration and labour law issues, the Technical Cooperation Segment give more importance to strategic policy issues, the agendas of the Employment and Social Protection Segment and Multinational Enterprises Segment should be strengthened to include more substantial items (42). The High-Level Section should be utilized only when required and its agenda should ensure a more efficient use of the Strategic Policy Segment and of the more flexible setting of the Working Party; sufficient time should be provided for group meetings;*

(c) the Office:

- (1) an annotated list of agenda proposals for the following Governing Body, indicating clearly the rationale for each proposed item, any previous decisions to which they refer and the estimated time needed for the discussion of each item, should be provided to the Screening Group (40(b)); the same degree of involvement should be ensured between the three groups and any change in the proposed list of items should be concurrently communicated to all members of the Screening Group*

(40(d)); maintaining the institutional memory to ensure appropriate follow-up of Governing Body and International Labour Conference previous discussions (40(i)); providing advice to the Screening Group on the appropriate scheduling of Governing Body consideration of agenda items (40(k));

- (2) a tentative order of business for the entire Governing Body as well as a consolidated programme, including an assessment of the time required for the discussion of each item should be communicated at an early stage to the three groups to enable the delegates to adequately plan their attendance (43(a)); the three groups should be promptly consulted when changes to the programme or the order of business are anticipated (43(b)); the process for submitting amendments to draft decision points, and the presentation of the proposed amendments should be improved;*
- (3) the same degree of involvement should be ensured for the three groups in the preparatory discussions for the Governing Body debates (44(a)); the consultation process through the Geneva-based Tripartite Consultative Group should be enhanced (44(b)); initiatives such as the organization of a one-day orientation seminar in Geneva for diplomats newly arrived in Geneva should be pursued (44(c));*
- (4) ensure that the Governing Body papers are reader-friendly and decision-oriented (45(a)); efforts to move toward a paperless policy should be continued (45(b)); due to the heavy workload of some sections consideration should be given to extending the deadline for the posting of the draft minutes (45(c)).*