



Governing Body

328th Session, Geneva, 27 October–10 November 2016

GB.328/LILS/2/2

Legal Issues and International Labour Standards Section
International Labour Standards and Human Rights Segment

LILS

Date: 10 October 2016

Original: English

SECOND ITEM ON THE AGENDA

The Standards Initiative

Follow-up to the joint report of the Chairpersons of the Committee of Experts on the Application of Conventions and Recommendations and the Committee on Freedom of Association

Purpose of the document

In light of the decision taken at its 326th Session (March 2016), this document invites the Governing Body to request the Director-General to prepare and organize consultations on the further strengthening of the supervisory system and on this basis, to submit specific recommendations for its consideration at its 329th Session (March 2017) (see the draft decision in paragraph 6).

Relevant strategic objectives: All four strategic objectives.

Policy implications: Will depend on the outcome of the discussion of the Governing Body.

Legal implications: Will depend on the outcome of the discussion of the Governing Body.

Financial implications: Will depend on the outcome of the discussion of the Governing Body.

Follow-up action required: Will depend on the outcome of the discussion of the Governing Body.

Author unit: International Labour Standards Department (NORMES).

Related documents: GB.328/INS/6; GB.326/PV; GB.326/LILS/3/1; GB.323/PV; GB.323/INS/5.

1. At its 326th Session (March 2016), and in relation to the Standards Initiative, the Governing Body received a report¹ on the interrelationship, functioning and possible improvement of the various supervisory procedures related to articles 22, 23, 24 and 26 of the ILO Constitution and the complaints mechanism on freedom of association that, at its 323rd Session (March 2015),² it had requested from the Chairperson of the Committee of Experts on the Application of Conventions and Recommendations (CEACR), Judge Abdul Koroma (Sierra Leone), and the Chairperson of the Committee on Freedom of Association (CFA), Professor Paul van der Heijden (Netherlands). The joint report was submitted to the Governing Body following an intensive tripartite consultative process.
2. The discussion in the Governing Body reaffirmed the commitment of constituents to a further strengthening of the supervisory system as well as their willingness to contribute in this respect, in particular through their participation in consultations leading to specific recommendations for the consideration of the Governing Body. During the discussion, members of the Governing Body raised a broad range of issues that could be further addressed in efforts to make possible improvements to the supervisory system. Notably, in addition to specific issues relating to the functioning of each of the supervisory procedures and bodies,³ these included the question of ownership of the supervisory system and the need to make it meaningful to the constituents,⁴ as well as the need to address the functioning and the interrelationship between the various supervisory procedures⁵ and for ensuring clarity, transparency and efficiency.⁶ It was noted that the depth of the comments reflected the complexity of the issue under discussion.⁷
3. In light of its discussion of the joint report, the Governing Body requested the Director-General to undertake further consultations on issues related to the joint report with a view to formulating recommendations for consideration by the Governing Body.⁸
4. The overall objective of these ongoing consultations is to consolidate tripartite consensus on, and ownership of, an effective and authoritative supervisory system. Building on the tripartite commitment to strengthening the system with the constituents' active participation, the consultative process aims to respond to the constituents' expectation of innovative, ambitious and concrete proposals on the supervisory system that look to the future.⁹ Such process would be guided by the ILO Declaration on Social Justice for a Fair Globalization,

¹ GB.326/LILS/3/1.

² GB.323/PV, para. 84(h).

³ GB.326/PV, paras 485 (Workers' group), 490 (group of Industrialized Market Economy Countries (IMEC)), 496 (the representative of the Government of Turkey) and 497 (representative of the Government of Spain).

⁴ GB.326/PV, paras 486 (Employers' group), 485 (Workers' group), 494 (representative of the Government of Brazil).

⁵ GB.326/PV, paras 486 (Employers' group), 490 (IMEC) and 492 (the Asia and Pacific group (ASPAG)).

⁶ GB.326/PV, paras 486 (Employers' group), 488 (group of Latin American and Caribbean States (GRULAC)), 490 (IMEC), 491 (European Union and its Member States) and 492 (ASPAG).

⁷ GB.326/PV, para. 501 (representative of the Director-General).

⁸ GB.326/PV, para. 502.

⁹ GB.326/PV, para. 485 (Workers' group), 486 (Employers' group) 489 (Africa group).

2008, and its emphasis on the role of standards as a useful means of achieving the constitutional objectives of the ILO.¹⁰

5. To that effect, a paper will be prepared by December 2016 for consultations in January and February 2017 with a view to developing proposals to be submitted to the Governing Body for its consideration at its 329th Session (March 2017) on the issues related to the report, including those raised by constituents during the first stage of the consultative process. These proposals will include a process for the ongoing engagement of the constituents in their concrete and time-bound follow-up to enable the Governing Body to undertake a meaningful review of the Standards Initiative in March 2018.¹¹

Draft decision

6. *The Governing Body requests the Director-General to prepare and organize consultations on the further strengthening of the supervisory system and, on this basis, to submit specific recommendations for its consideration at its 329th Session (March 2017).*

¹⁰ The 2016 Conference resolution on Advancing Social Justice through Decent Work refers to the Standards Initiative in its subparagraph 15.1.

¹¹ GB.328/INS/6, para.16.