

Reform of the ILC - extracts from the minutes of the Governing Body

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294th session of the Governing Body, November 2005, GB.294/PV (Draft)

Available shortly

293rd session of the Governing Body, June 2005, GB.293/PV

Fourth item on the agenda

QUESTIONS ARISING FROM THE 93RD SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

1. *The Employer Vice-Chairperson* said that improving the functioning of the International Labour Conference (ILC) was a question of great importance. The length of the Conference had been discussed on several occasions. The Workers and many Governments were against reducing the length, and other solutions should therefore be sought, for example, bringing the date of the Governing Body session forward in the last week of the Conference.
2. Regarding the ILC that had just ended, the Employers were very satisfied that the Conference had examined two subjects of genuine current interest: youth employment and occupational safety and health. However, much remained to be done to improve the discussion of the Global Report. In this connection, some means should be found of ensuring that governments, the social partners and also participating non-governmental organizations respected the parliamentary style expected in a debate of this sort.
3. As concerns plenary sittings and the discussion of the Director-General's Report, it would be useful if the Report could be sent out earlier, with a view to a more pertinent debate. The three days at the heart of the second week were too much given over to ministerial interventions, and the social partners should also be allowed to intervene if the tripartite nature of the assembly was to be properly respected. INGOs without consultative status should make combined statements.
4. Overall, work in the Committee on the Application of Standards had been more satisfactory, but improvements could be made through the punctual opening of meetings and in the time allocated to the various cases.

5. Finally, the important subject of work in the fishing sector should be dealt with through a realistic and applicable standard. This was why the Employers had accepted a third discussion in 2007. Nevertheless, before then, the Office, Governments, Employers and Workers must find a way of drafting a realistic, practical instrument.
6. In conclusion, this ILC had been better than others; but further efforts still needed to be deployed to increase the pertinence of the Conference and the Organization.
7. *The Worker Vice-Chairperson* regretted that it had not been possible for the Committee on the Fishing Sector to detect earlier the serious problems that had ultimately prevented the adoption of an instrument. The Workers stressed the need for a standard that guaranteed decent work for those in the fishing sector, as in other sectors.
8. Regarding the work of the Committee on Safety and Health, the Workers had a certain number of concerns in respect of the direction the draft Convention was taking. Safety and health questions had to be recognized and accepted by all.
9. The Workers noted the criticisms that had been made in respect of the Committee on the Application of Standards; however, it should be stressed that the quality of the work achieved had been acknowledged by all. The role of the Committee was important and should be universally recognized.
10. The discussion on the Global Report should be interactive, but unfortunately this was not the case in practice. Before the next ILC, an approach should be sought allowing better use of the available time and more substantive debates.
11. A certain number of voices had called for a shorter Conference. However, at the end of this session there had been a feeling of haste induced by lack of time. The problem arose partly because of the votes that were held on the last day, which were disproportionately lengthy. This was another area in which efforts towards greater efficiency should be made.
12. *A Government representative of Canada*, speaking on behalf of the governments of industrialized market economy countries (IMEC), expressed satisfaction at the improvements in the functioning of the Conference, in the availability of meeting facilities and services, in the distribution of documents, the use of new technologies and computers. She supported the working methods of the Committee on the Application of Standards, while calling for better use of available time.
13. Nevertheless, thought should be given to the functioning and structure of the Conference, to make it a high-level, cutting-edge event, where interactive exchange, dialogue and consensus were all possible. IMEC believed that committee work should start on the first day of the session, and the time available to the committees should be better managed. The Office should initiate informal tripartite consultations and submit a range of possible structures of the Conference to the 294th (November 2005) Session of the Governing Body. Better time management, together with a limited number of side events and a Global Report discussion reduced to a half-day, should make it possible to reduce the length of the Conference.

14. *A Government representative of Cameroon*, speaking on behalf of African governments, expressed satisfaction at the presence of two African Heads of State at the 93rd Session of the Conference; their participation bore witness to the African continent's support of ILO ideals.
15. *The Director-General* recalled the adoption of the Organization's Programme and Budget for 2006-07. It was highly satisfactory that the discussions had revealed general support for ILO programmes. In respect of budget reform, the ILO had been a pioneer in the field, by introducing the idea of a strategic budget as of 1999.
16. He endorsed the comments made regarding the need to reform the Conference and especially work in the committees. The Office would help in this, but could not take decisions; the constituents had to decide, in tripartite fashion, on the changes needed to make the Conference more attractive and more interactive.
17. ***The Governing Body took note of the comments regarding the functioning of the International Labour Conference made by the Employer and Worker Vice-Chairpersons, the IMEC governments, the Government representative of Cameroon and by the Director-General.***

292nd session of the Governing Body, March 2005, GB.292/PV

Third item on the agenda

THE FUNCTIONING OF DECISION-MAKING BODIES

(a) The International Labour Conference (GB.292/3/1)

18. *The Employer Vice-Chairperson* stated the importance of ensuring that the International Labour Conference remained relevant, dynamic and had the greatest impact possible on the world of work. It was vital for preserving the Organization's visibility and credibility.
19. If the ILO were to reflect the reality of the current labour situation, then the discussions that were going on during the Conference meetings could not function in the same way they had 50 years before. He called for greater use of modern technology, in particular with regard to the preparation of documents, which needed to be more concise and focused, and to the functioning of the technical committees, the need for which was not being called into question. Furthermore, the structure of the plenary sessions needed to be thoroughly overhauled, to avoid monologues being delivered to empty seats. During the discussion of the report presented by the Chairperson of the Governing Body and the Report of the Director-General, interventions should be strictly limited to the issue at hand and should not be diverted to national situations, which should be addressed at another time. The provisions in force did not make provision for reducing the duration of the Conference, but he recognized that it was very difficult for some participants to remain in Geneva for three weeks.
20. He suggested that, in the second week, interactive panels should be set up, with high representatives of governments, the employers and the workers, and, as the

case might be, special guests in attendance, to examine a given issue or a national situation, along the lines of the Seventh European Regional Meeting. To enable the maximum number of speakers to take the floor, interventions should be grouped together by region, or certain statements should be presented in written form.

21. He proposed expanding on paragraph 23 of the document presented by the Office, to make it clear that the Governing Body should not simply limit itself to taking note of the improvements that had already been made but, in light of the discussions of the present meeting, the Office should be entrusted to implement various practical measures aimed at improving the functioning of the Conference.
22. *The Worker Vice-Chairperson* stated that, for workers around the world, the International Labour Conference was the most important body in terms of international relations and the only guarantee of a moral commitment by the employers, governments, non-governmental organizations and the trade unions themselves with regard to the value of work and its role as a basis for the development of people all over the world. The principle enshrined in the ILO Constitution that work was not a commodity, was as true today as it was in 1919.
23. It was extremely important that, as had always been the case, the Conference should be held annually. It should be recalled that the Conference provided the workers with a place where they could meet with the political authorities and other social partners and a forum in which they could express, and have recorded, their views about the treatment they received in their home countries.
24. He asked the member countries to assist Worker delegates in travelling to Geneva, so that they might play an active part in the various activities that went on during the Conference. He recognized that it was difficult for some people to stay in Geneva for the whole three weeks. However, constituents should not be punished through the reduction of group meetings or others taking place as part of the Conference. The issues discussed by the tripartite delegations were of the utmost importance to the member countries and resulted in the adoption of measures leading to practical action. All participants should have the right to speak.
25. He recognized that, over the last few years, the Organization's profile had been raised, thanks to the work of the Director-General, the staff of the Office and the successive Chairpersons of the Governing Body. The same should be achieved for the Conference. In this regard, he agreed with the Employer Vice-Chairperson in that public interest in the Conference needed to be heightened, without the whole process being turned into a meaningless spectacle in which certain serious issues were sidelined because they did not create enough excitement. There was clearly a need to manage available time better and make the Conference more efficient. Thus, for example, the delegates should not simply come prepared to read out a speech but to adopt decisions in the interest of the people they represented.
26. As to the proposal that, from June 2006, the *Provisional Records* should no longer be printed on a daily basis, he considered that this measure was not an improvement and was not viable, given the interest that the written record of the discussions always generated.

27. A *Government representative of Ethiopia* made a statement on behalf of the Government group. He pointed out that the most important challenge was finding a way to improve the quality of the participation of all constituents and implementing more effective arrangements. With regard to the plenary, he proposed that the Office should work closely with a team made up of Geneva-based representatives of the social partners and the Government group to address this issue in the run-up to the June session of the Governing Body and to seek practical solutions. Delegates should respect time limits on interventions.
28. The Government group requested the Office to improve the methodology employed with regard to the interactive discussion of the Global report. As to technical committees, he proposed that preparatory discussions be conducted on subjects that were to be studied in those committees, for example, by including such issues as extraordinary items on the agenda of the Governing Body's committees. The number of committees and the agendas of the various meetings should remain flexible.
29. The Government group requested the Office to present a document on possible modifications that could be introduced with regard to the points mentioned above. As to the distribution of documentation, the Office was also requested to ensure that documents were distributed in a timely and cost-effective manner. The Government group was in favour of limiting the number of side events and off-agenda activities to secure the smooth coordination of the Conference.
30. A *Government representative of El Salvador*, speaking on behalf of the Latin American and Caribbean Group (GRULAC), considered that the reduction in the duration of the Conference should not be carried out at the expense of the delegates' interventions, but should instead be the result of the implementation of more efficient working methods. The necessary cuts contained in the Programme and Budget proposals for 2006-07 should not affect the publication of the *Provisional Records*, as this would make the plenary sessions even less efficient: it would no longer be possible to have immediate access to a written version of the speeches made by the delegates. He agreed that the number of technical committees should be limited to two and that side events should not be organized. In this respect, it would also be useful to encourage greater participation on the part of the Governments and the social partners in the consultation process and the completion of questionnaires leading to the elaboration of standards. He recommended improving the way in which technology was used to streamline the discussion of the amendments and subamendments that were presented to the committees.
31. GRULAC reiterated the need to continue with the efforts that had already been made to improve the working methods of the Conference Committee on the Application of Standards. The lack of objectivity and transparency affecting the process of selection and discussion of some individual cases meant that there was a risk that the Committee's work might become politicized and that the credibility of the ILO's regular supervisory system might be endangered. Another factor to be taken into consideration was the extra time spent dealing with such cases in the plenary, when an issue that had already been looked at by the Committee, but not resolved, had to be discussed further. GRULAC requested the Office, using the practices followed within other international organizations as a model, to prepare detailed proposals regarding the optimization of the work of the Conference and its committees.

32. A Government representative of Malawi noted that paragraph 3 of the document presented by the Office revealed that there was widespread dissatisfaction with the general debate in the plenary but few suggestions as to how the problems should be addressed. He also stated, as was indicated in paragraph 4, that the three groups wished to maintain plenary speeches, in spite of the lack of significant interest on the part of the delegates to listen to such presentations. He proposed that this practice, which was popular with politicians, should be maintained until such a time as it might be replaced by something more appropriate. As to the publication of the *Provisional Records*, he confirmed that the daily distribution of those documents was an essential part of the Conference because it made it possible to keep the authorities of each country informed about events at the Conference and to prepare replies to some of the queries that certain delegations put forward in their speeches.
33. A Government representative of India associated his country with the statement made on behalf of the Government group. He reiterated his delegation's deep concern regarding the working methods of the Conference Committee on the Application of Standards and, in particular, the need for the criteria for selection of cases for discussion at that Committee to be more transparent and objective. Lack of transparency in the selection of countries had distorted the principle of tripartism, which was a cornerstone of the ILO, and had diluted the supervisory mechanism of the Conference Committee on the Application of Standards. The decision-making process should be entirely tripartite and the Governments should be given a role in the selection of cases for discussion.
34. The speaker considered that, as the report of the Committee of Experts on the Application of Conventions and Recommendations was presented to the Governing Body at its March session, the Governing Body was the appropriate forum in which to achieve a tripartite consensus on the selection of the cases to be discussed by the Conference Committee on the Application of Standards. The Governing Body would not only generate transparency but would also provide countries with adequate time to prepare their respective responses to the Conference Committee on the Application of Standards.
35. A representative of the Director-General, summing up the discussion, proposed that, at the end of the point for decision an addition should be made to read: "and request the Office to examine and propose other practical measures". He was confident that a solution to the problem of constituents addressing empty rooms could be found. On this and other issue, he proposed that, in March 2006, the Office should present the Governing Body with a paper containing proposals regarding further improvements to the functioning of the Conference and that, in the meantime, consultations should be held with the groups on that matter.
36. The Chairperson proposed to replace the word "improvements" in the point for decision by "changes".

Governing Body decision:

The Governing Body took note of the changes in the functioning of the International Labour Conference and requested the Office to examine and propose other practical measures. (GB.292/3/1, paragraph 23 and summary by the Chairperson.)

Third item on the agenda

QUESTIONS ARISING OUT OF THE 92ND SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

The Worker Vice-Chairperson called for improvements in the electronic voting system, and suggested that the personal identification number (PIN code) should be distributed to participants as they registered. The Workers' group proposed that a committee of experts on the fishing sector should be established.

The Employer Vice-Chairperson agreed that improvement was needed in the electronic voting system. He requested clarification for all interested parties of the rules which governed the participation of non-governmental international organizations in ILO meetings. In the plenary, it was important to ensure that speakers alternated, in strict compliance with the principle of tripartism. The Employers' group recognized the advances made in respect of the discussion of the Global Report, but that ways of improving the discussion should still be sought since the group believed that the follow-up under the Declaration on Fundamental Principles and Rights at Work was a matter of priority.

The Committee on Migrant Workers and the Committee on Work in the Fishing Sector had achieved excellent results in their respective sectors, and the ILO was now well prepared to hold an in-depth debate on both subjects. He approved the follow-up to the question concerning the fishing sector being placed in the hands of a committee of experts.

In respect of the Committee on the Application of Standards, he was aware of the need for more transparency in the debates of this body, with an explanation of the reasons why countries figured in the list of observations and information on the reports sent. Regarding the Committee on Human Resources, he explained that the Employers' group could not support a Recommendation, although approving its basis, on account of the text relative to collective bargaining at international level, which appeared in paragraph 5(f), for the reasons expressed during the debates.

He appreciated the efforts made in the last day's plenary discussion to allow the Workers' and Employers' groups to summarize their comments on the follow-up to the report of the World Commission. A number of issues had been frequently mentioned in the interventions, such as democracy, transparency, good governance, interplay between the local and the global, the informal sector of the economy, migration, and the reinforcement of the ILO's work programme in the framework of the strategic objectives. These matters could be of great assistance in guiding the discussions of the next session of the Governing Body, to be held in November 2004, and in the measures to be adopted.

The Director-General said that the impact of the report of the World Commission, both politically and in the media, had gone beyond all expectations. The European Commission had presented a communication to the European Council, to the new European Parliament and to the European Economic and Social Committee on better ways of working together. It was clear that the world's press was increasingly recognizing the ILO's role in the construction of fair globalization.

Since the publication of the report of the World Commission, the Office had concentrated its activities in three main spheres: making the report known and debated; inserting the report into the United Nations process; and identifying key areas of action for the ILO itself.

Regarding distribution of the report, it had already been sent to all Heads of State and a wide range of other economic and social actors. It had been supported at the highest political level by the notable political personalities present at the 92nd Session of the International Labour Conference: Ms. Halonen, President of Finland; Mr. Mpaka, President of the United Republic of Tanzania; Mr. Paronov, President of the Republic of Bulgaria; Ms. Clark, Prime Minister of New Zealand; and Mr. Rodríguez Zapatero, President of the Government of Spain. The report had also been warmly welcomed by other political leaders. Throughout the world, innumerable national or regional events were taking place or were planned, with a view to examining the report of the World Commission, or to draw on its content. It was worth mentioning, as an example, that it was examined in the World Trade Organization (WTO) public symposium on Multilateralism at a Crossroads (Geneva, 25-27 May 2004); in China, it was taken as one of the texts for the Employment Forum (Beijing, 28-30 April 2004); and in Burkina Faso, it would be used as a reference at the African Union Extraordinary Summit on Employment and Poverty Alleviation, to be held in Ouagadougou in September 2004. It was certainly possible to say that the report of the World Commission had generated a worldwide dynamic that the tripartite constituents of the ILO should keep alive in their respective countries.

With regard to incorporating the report of the World Commission in the United Nations process, it should be noted that in April 2004, the report was presented to the Chief Executive Board; President Halonen presented it at a meeting of the Economic and Social Council of the United Nations (ECOSOC) and the Bretton Woods institutions. The goal was for the General Assembly of the United Nations to approve a resolution placing the Commission's report on the agenda of the United Nations and its subsidiary bodies. The President and the Officers of the Governing Body could perform an important role in the contacts established by the ILO with the UN and the Bretton Woods institutions.

Two of the proposals formulated in the report of the World Commission which had been greeted with particular interest were the policy coherence initiative on growth, investment and employment, and the establishment of a globalization policy forum, with the assistance of the ILO, as the only Organization which bridged the gap between the inter-governmental system and private actors, through employers' and workers' organizations. The Director-General would keep the Governing Body informed of these initiatives.

Regarding the key areas of action for the ILO, the Report of the Director-General to the Conference already contained indications on the follow-up work within the ILO. The November 2004 Governing Body session would examine the Strategic Policy Framework for 2006-09 which would contain related elements. The goal was to identify the areas where the returns from investment would be highest, most closely reflecting constituents' priorities, and increasing the effectiveness of the Decent Work Agenda, and which most drew advantage from the ILO's unique tripartite structure.

The third area of follow-up within the ILO was the Working Party on the Social Dimension of Globalization, which could pursue an in-depth discussion of the report of the World Commission in November 2004. With the agreement of

the Governing Body, the Director-General would propose, in consultation with the Officers, to select one or two important issues from the World Commission report and from the Report of the Director-General to the Conference, for examination at the November 2004 session of the Governing Body. The Office would prepare brief documents accordingly. The repercussions of the work of the World Commission could be discussed in ILO tripartite meetings, in the European Regional Meeting, to be held in 2005, and in the Turin International Training Centre, which was examining ways of taking advantage of the report in its training programmes.

The assets of tripartism, combined with the integrating power of the Decent Work Agenda, provided the most important basis on which the ILO could undertake these new activities. At the planning stage, current and prospective human and financial resources must be taken into account, and ways must be found to expand those resources through partnerships, extra-budgetary support and the multiplier effect of work done by the ILO. All this must be achieved without going beyond the Organization's mandate, while ensuring integrated action and collaboration with the organizations whose mandates intersect with, or affect, that of the ILO in any way.

A representative of the Government of Canada, speaking on behalf of the governments of the industrialized market economy countries, stressed that it was indispensable that the documents arrived in the hands of delegates between six to eight weeks before the opening of the Conference, to allow constituents sufficient time to appoint experts, conclude the necessary consultations and prepare themselves for the discussion. She thanked the Office for having organized the briefing session for delegates and technical advisers on committee rules and procedures. The regional groups should identify qualified chairpersons sufficiently early to enable them to benefit from preliminary briefing sessions.

The IMEC group insisted, in order to avoid costly evening sittings and an accumulation of unnecessary fatigue, that work in committees should begin on the morning of the first day of the Conference and that the sittings should start punctually. It was essential for the time restriction on each individual intervention and on the presentation and discussion of reports of the committees to be respected. Interventions should deal exclusively with the subject in question. To facilitate work in committees, nameplates should be provided. The possibility of limiting the Conference agenda to two technical committees should be examined.

The IMEC group called on the Office to review its document distribution policies, and proposed that documents be delivered to Government group meetings or made available at the distribution centre. The Office should examine further the suggestion made at the June 2003 session of the Governing Body, that draft committee reports should be sent by email to technical experts obliged to leave the Conference before the adoption of the report by the committee.

Regarding the discussion of the Global Report, it could not be said, despite the efforts made, that it had been either dynamic or interactive. To improve it, the Office should ensure planned and careful organization, and possibly seek inspiration in the interactive discussions held within the United Nations organization.

The IMEC group welcomed the outcome of the discussion on migrant workers, arrived at through tripartite discussions. However, the procedure

applied in the Committee on Migrant Workers had not been satisfactory, especially as regards the consideration of the draft conclusions by the tripartite drafting committee. The procedure adopted by the Employer and Worker members precluded any consideration of government concerns, and the draft conclusions drawn up by the Office for the drafting group did not appropriately reflect the discussions in the Committee. The ILO should ensure that the principle of tripartism was fully respected in the work of the committees. Conversely, she considered that the work carried out by the Resolutions Committee was a good example of how tripartism could produce effective results.

The IMEC group looked forward to the Governing Body considering, at its session in November 2004, concrete proposals for the follow-up both to the report of the World Commission and to the 92nd Session of the International Labour Conference.

Given the relevance of the accommodation of seafarers on board vessels to the second discussion on work in the fishing sector, to be held at the 93rd (June 2005) Session of the Conference, the IMEC group suggested that a proposal be put before the Programme, Financial and Administrative Committee (PFAC), to finance the holding of a tripartite meeting of experts on the fishing sector out of the technical meetings reserve fund. This meeting would be held in December 2004 and would examine the question of the accommodation of seafarers on board vessels, and any other pending issues that the Committee on the Fishing Sector had identified.

A Government representative of Malawi was satisfied with the way in which the Conference was organized in general, but was concerned that certain delegations had left meetings before the work of the committees was completed. The Regional Coordinators should inform the constituents on the functioning of the Conference committees. The Office should perfect the use of the electronic voting system, and ensure the availability of adequate resources for groups to conduct their business. Lastly, he requested that the necessary steps be taken to avoid a recurrence of what happened in the Committee on Human Resources, where one of the constituents called for a vote, and on being defeated in the vote, rejected the result. Such action endangered the principle of tripartism in the ILO.

A Government representative of India praised the work of all those who had laboured until late at night during the Conference so that documents and reports would be on time. He also requested that the organization of plenary should be rationalized and that evening sittings should be avoided.

A Government representative of El Salvador supported the proposal made by the IMEC group that a meeting of experts on the fishing sector should be held in December 2004, and that in November 2004 the PFAC should examine the possibility of financing this meeting from the technical meetings reserve fund.

A Government representative of Norway asked for measures to be adopted to avoid what seemed in his eyes virtually to have become a custom during the Conference, namely the holding of evening and Saturday sittings. It would be interesting to see the total cost of overtime hours paid as a result of Conference work. To gain time in the committees, a limit should be set on the number of amendments submitted, as the majority were in any case withdrawn. He repeated the request for screens to be placed in the committee rooms so that all participants could clearly see the text of the amendment as it was under

consideration, in order to avoid considerable confusion and loss of time. The Nordic countries were very satisfied that a resolution on the promotion of gender equality, pay equity and maternity protection had been adopted this year, and in this connection, thanks were due to the Workers' group for their excellent cooperation which permitted this resolution to see the light of day.

A representative of the Director-General, in reply to the proposal submitted by the IMEC group that a meeting of experts on the fishing sector be financed out of the technical meetings reserve fund, said that the Office proposed that this meeting of experts be held in December 2004, and that it be composed of six Government representatives, six Employer and six Worker representatives. The Office proposed inviting the Governments of Canada, Chile, Japan, Norway, South Africa and Spain, to send experts. The Employer and Worker experts would be nominated after consultations within the respective groups. There would be a reserve list of countries including Denmark, France, Germany, India, Namibia, Portugal, the Russian Federation, Thailand, the United Kingdom and the United States. The experts from the countries on the reserve list could attend at no cost to the ILO.

The Employer Vice-Chairperson was aware that the discussion planned for November 2004 was of great importance in respect of the adoption of decisions on the recommendations made by the World Commission. As regards the statement of the Government representative of Malawi, it should be clearly understood that the Employers' group had in no way obstructed the mechanism of adopting decisions by the Conference, but had limited itself to establishing unequivocally its opinion on the resolution submitted to vote.

The Worker Vice-Chairperson said that the Workers' group was in favour of holding the meeting of experts on the fishing sector in December 2004. The group agreed that the costs of the Conference should be reduced, but not by diminishing the number of technical committees. The elaboration of standards and the review mechanisms were essential activities. With regard to the organization of the Conference in general, it was important for participants to maintain a dignified attitude at all times and to express themselves in parliamentary language, with respect for the right of each person to speak freely.

The Chairperson noted the statements made by the representatives of the three groups regarding the Committee on the Fishing Sector. That Committee had considered and adopted conclusions on work in the fishing sector, and had agreed that a mechanism should be established to examine the fundamental question of accommodation of seafarers on board vessels, and deal with the issues that had been left pending. To a large extent, the success of the discussion on the fishing sector, planned for the 93rd Session of the International Labour Conference, would depend on this examination. To this end, the PFAC would receive a proposal in November 2004 for a meeting of experts on the fishing sector to be financed out of the technical meetings reserve fund.

The Governing Body expressed its intention to hold a tripartite meeting of experts on the fishing sector in December 2004, according to the modalities outlined above. The related proposal would be submitted to the Programme, Financial and Administrative Committee at its November 2004 session.

Third item on the agenda

THE FUNCTIONING OF DECISION-MAKING BODIES

(a) The International Labour Conference

The Worker Vice-Chairperson requested that chairpersons of the different Conference committees be identified as early as possible and orientation and training provided. This applied also to the President and Vice-Presidents of the Conference itself. The duration of the Conference could not be reduced and it was important to manage the time available. The Workers' view was that there ought not to be two simultaneous plenary sessions and that every care should be taken to ensure that delegates were provided with the opportunity to speak. At the same time, the Workers recognized the importance of the Global Report and did not want to see it relegated into a session that was unattended. The Director-General should therefore chair that session. He supported time limits on speeches, although five minutes seemed short. However, he did not accept the suggestion to limit the agenda of the Conference to one standard-setting and one general discussion item, nor the recommendation concerning the reduction of the duration of group meetings. Experience had shown that good preparation in the group meetings avoided long and tortuous discussions within the plenary discussions. He did support the suggestion to have the various documents well in advance and in accordance with the established rules. Regarding side events and special events, he agreed with the proposals contained in the Office paper and was looking carefully at the role of international non-governmental organizations (INGOs). The Workers had been able to work reasonably well with them in the past, but this was contingent upon the tripartite nature of the Organization being clearly asserted.

The Employer Vice-Chairperson said that the forthcoming session of the Conference would be an opportunity to explore the effectiveness of the arrangements made for the discussion of the World Commission on the Social Dimension of Globalization. The Employers' foremost concern was that the Conference remained relevant to the world of work. The group was not against standards per se, but believed that they should be valid and realistic to achieve wide ratification. The debate on the Global Report and the follow-up to the Declaration should be retained. There should be more effective use of time in the Conference; and there was some time free in the third week that could be put to positive use. He also had serious concerns about Conference side events, which could stand in the way of full participation in the technical committees. Participation by INGOs should not undermine the tripartite nature of debates and decisions. INGO interventions often diverted the debate, and it was essential to retain a hold on the tripartite mandate. The Employers could make themselves available for side events, but it was essential to ensure that such events were pertinent. On deciding on the agenda, items needed to be of relevance and complementary. They could also be complemented by seminars on issues which were extremely topical. This would enable delegates from far away to profit most fully from the reality and experience of the Conference and was indeed a possibility for technical cooperation in the broadest possible sense of the words. The first week was fundamentally technical and worked well. The third week focused essentially on conclusions. The second week was the political week and

the Employers were not satisfied that many delegates came to deliver monologues to which nobody listened, and to express concerns which did not seem to be shared. It was time to make the process relevant. The second week had to be made effective and stimulating.

A Government representative of Ecuador, speaking on behalf of GRULAC, said that the document did not clearly establish the format for the discussion on the implications for the ILO of the report of the World Commission on the Social Dimension of Globalization. The proposed procedure for the appointment of chairpersons of the committees could also be useful in appointing the President and Vice-Presidents of the Conference. The other proposals for future meetings of the Conference should continue to be reviewed until consensus was reached on those which were felt to be truly viable and which would result in improved functioning of the Conference through stricter time limits on speakers; fine-tuning of the methods of the technical committees' work; continuing to review the working methods of the Committee on the Application of Standards of the Conference; reducing the length of group meetings to avoid night meetings; better preparation of the discussions of the Conference through prior consultations with the three groups; and a clearer orientation in establishing the Conference agenda. GRULAC believed that reform should be approached in the broadest possible context of the Conference and the functioning of its committees. The debate's priority should be results for the world of work.

A Government representative of Canada, speaking on behalf of the IMEC group, underlined the importance of disseminating reports and of advising constituents of any special arrangements for their discussion as early as possible. The timing of events and discussions should take into account the fact that ministers generally attended the Conference during the second week. IMEC welcomed the initiative to identify qualified committee chairpersons well in advance and to introduce briefing sessions for delegates at the June 2004 Conference. IMEC agreed that the focus should be on improving working methods rather than on shortening the duration of the Conference. In this connection, improving the Conference plenary discussions remained a challenge. The suggestions for an enforcement of time limits and reducing the length of presentations on committee reports, were improvements that should be implemented in June 2004. IMEC did not support the holding of preparatory conferences as this would place significant financial burdens on governments and on the Office. The number and nature of agenda items should be selected on the basis of current global issues and priorities and their linkage to ILO strategic objectives rather than predetermined formulas, such as one proposal for standard-setting and one item for general discussion. As agreed at the November 2003 session of the Governing Body, documents outlining options for Conference agenda items should clearly indicate the relevance of each proposal to the achievement of the strategic objectives of the ILO. It was good that the Office was already taking steps to implement the proposals for improving the working methods of the committees, including better use of information technology. IMEC endorsed the proposals on better preparation for Conference discussions, timely receipt and web-posting of documents, which should be implemented immediately. The proposals on the Conference's profile, on the restriction of side events and on INGO participation provided sound and reasonable advice to guide future Conference preparations.

A Government representative of Kenya agreed that the report of the Chairperson of the Governing Body, the Director-General's Report on programme implementation and activities, and the appendix on the situation of workers in occupied territories, should be discussed together in plenary with a five-minute

speaking limit. The report of the World Commission on the Social Dimension of Globalization should be discussed separately in order for it to be addressed in a more focused manner. The suggestion to organize briefings for Conference delegates was welcome. The current Conference duration could not be reduced without affecting the quality of results. In addition, certain Conference Committees, such as the Committee on the Application of Standards, could not effectively accomplish its supervisory duties within a shorter period. The five-minute limit for plenary speeches should be maintained; endeavours should be pursued to attract high-profile delegates to the Conference. The suggestion to introduce high-level plenary discussions or round tables instead of plenary speeches, or alternating political and technical discussions, required further debate by the Governing Body. The proposed changes in the work of the technical committees, such as the holding of preparatory meetings prior to the Conference, appeared positive. The various committees could also achieve a lot through enhanced use of information technology, development of applications to improve the clarity of committee debates and efficient voting procedures. To improve preparation for Conference discussions, various measures, including prior consultations with the representatives of the three groups, prior technical and expert meetings on the subject, better interaction with sectoral and technical meetings and programmes, and clearer guidance from the Governing Body when setting the agenda of the Conference, could be implemented. Documents should be received by delegates at least four weeks prior to the opening of the Conference and there was need for further rationalization of document production and distribution. The Conference profile depended on the agenda of the Conference itself, which should feature topical and relevant issues, and outcomes that were relevant to the world of work. Side events and special events organized during the Conference should be kept to a bare minimum. Prior consultations between the coordinators of the three groups would help to limit the side events. Participation by INGOs and other international organizations should be strictly controlled. Changes were needed in the working methods of the Committee on the Application of Standards, especially in the selection of countries to appear before the Committee. In this respect, a more transparent and fairer geographical distribution would be required.

A Government representative of Mali noted with interest the proposal by the Canadian Government on the production of a brochure on the rules and procedures of the Governing Body. Conference documents in French only reached French speakers a couple of days before the Conference and they therefore found it difficult to take part in discussions.

The representative of the Director-General said the Office was doing its best to hold preparatory meetings, not only with future chairpersons but future vice-chairpersons of committees, and had succeeded in the course of the Governing Body to have such meetings. This required early agreement on the chairpersons, but such agreement was sometimes reached only on the opening day of the Conference. This was why the Office had started early discussions with the regional coordinators to identify as many chairpersons and vice-chairpersons as possible. Better use of the last week of the Conference could be studied. On the issue of the second week, the problem with the plenary was that most speakers wanted an audience, but were not always willing to listen to others, and spent as little time as possible in Geneva. Some regions had been planning regional events in the second week, but plans had not been finalized. The Global Report discussion would probably take place on 10 June and would be the main activity of the plenary for that day. Regarding the working methods of the Committee on the Application of Standards, as decided and noted in the report of the

Committee last year, the Office would present a paper to the Committee which the Committee would no doubt discuss during the first week of its meeting. The questions regarding the work of technical committees were clearly not new and called for more discussion. They were part of a broader debate which had been taking place for quite some time and were also partly Governing Body issues, as the Governing Body set the agenda of the Conference. These issues would be returned to, but there would be no proposals for the November session.

288th session of the Governing Body, November 2003, GB.288/PV

Fourth item on the agenda

THE FUNCTIONING OF DECISION-MAKING BODIES

(a) The International Labour Conference

(b) The Governing Body

The Employer Vice-Chairperson said that efforts should be aimed at enhancing the quality of tripartism by improving the procedures of the ILO. A more systematic approach, through improved communication and the use of information technology, was needed to prevent duplicate discussions in the Conference and in the Governing Body. Documents should be relevant, condensed and intelligible. Efforts should be pursued to build on recent improvement in the timely distribution of documents. Chairs and Vice-Chairs should be appropriately prepared and briefed to ensure speaking time was respected, with correct application of the Standing Orders. This concerned not only the tripartite constituents, but also non-governmental international organizations wishing to participate in debates.

The Governing Body was more closely focused on the subjects before it than previously, but should manage its time better by concentrating more on policy discussion rather than on administrative questions. Reducing the length of sessions should not compromise the Governing Body's ability to arrive at consensus. The attainment of consensus was the ultimate aim, in the Governing Body and in the Conference.

Communication with the constituents on the work of the Governing Body should be improved. The role of ACT/EMP and ACTRAV should be consolidated, and governments should also have time to voice their concerns. Coordination with governments, prior to discussion in plenary, was important on delicate subjects to facilitate tripartite consensus. Informal consultations were essential between sessions of the Governing Body.

The Conference should deal with major issues of current political importance rather than of technical interest. More attention should be paid to time management, especially in the third week. Plenary debate was a sequence of dull monologues and should be more interactive. The system for the discussion of the Global Report could be extended. The political week could be given a more important role, enhancing its relevance for workers, governments and employers alike. Enhancing the pertinence of the Conference would also raise its visibility.

Conference committees should be balanced and truly tripartite. Agendas should be designed to allow full tripartite participation in the work.

The Worker Vice-Chairperson suggested that, as the Governments seemed to be moving towards a regional organization, then the traditional opening remarks by the Employer or Worker Vice-Chairperson on each Governing Body agenda item might give way to first remarks by the spokesperson for a regional group of governments. The Workers' group in no way diminished the role of Governments in tripartism; conversely, it expected respect for trade unions and fewer attempts to undermine tripartism. Delegations to the Conference should uphold the distribution of two Government members to one Employer and one Worker member.

As regards the Governing Body, it might be possible to streamline existing committees to make room for the subject of social protection, not properly covered at present. Closer scrutiny of time management might also yield benefits.

The aim of the Conference should not be to seek attention by covering high-profile subjects. The statements made during the plenary discussion were important, even if they often failed to catch broad attention. However, efforts should be made to stop speakers from making elaborate congratulatory compliments to the Chair. There was also a great need to achieve a better gender balance in participation. The roles of ACTRAV and ACT/EMP should be reconfirmed.

A Government representative of India, on behalf of the Asia-Pacific group, said the discussions at the Conference on the Global Report and the Report of the Director-General were not fruitful enough to provide a basis for solving the issues. Four reports would be discussed at the 92nd Session in June 2004: the Office should plan the timing of these important discussions carefully to ensure high-level participation. The criteria for the selection of cases for discussion by the Committee on the Application of Standards should be more transparent and objective. Lack of transparency in the selection of country cases had distorted the principle of tripartism and undermined the supervisory mechanism of this Committee. The process should be tripartite, and governments should be allowed a voice in the selection of cases. The group supported further consultations by the Director-General with the constituents on the review of the Conference and on special arrangements for the 92nd Session.

The Governing Body's committee structure was necessary but the plenary should concentrate on policy orientation and development, and should delegate discussions on technical issues to the committees. Time management was critical. The agendas of the Governing Body and its committees should not be overloaded and should take account of the time available and past experience of similar discussions. Meetings should start on time, statements should be brief and to the point, documentation concise and focused, with an executive summary. Hard copies did not need to be sent to those wishing to receive documents by e-mail. The group supported the decision points.

A Government representative of Ecuador, on behalf of GRULAC, approved the point for decision concerning the Conference, but stressed that the reforms should not only be considered in the context of the debates to be held in 2004, albeit very important, but in the broader context of the functioning of the Conference and its committees. The Committee on the Application of Standards

should also be the subject of informal consultations. Improvement there, and in the technical committees, would impact positively on the work of the Conference as a whole. Work at the Conference should be relevant to the world of labour, and the instruments it produced should tackle real problems facing the world of work. Reform should give a new dynamic to the debates, and be accompanied by better time management. Regarding the Governing Body, GRULAC approved the action proposed in the document. The Committee on Freedom of Association should report to the Governing Body on its examination of its working methods.

A Government representative of Canada, on behalf of IMEC, said the Governing Body should concentrate on a higher level of political decision-making. Governing Body agendas should include key strategic issues for policy discussion as well as specific points for decision on important questions of governance and administration. The Governing Body should have opportunities to review all of the ILO's activities, programmes and policies. Committees should cover the four strategic objectives through restructuring, without creating additional organs. There should be better use of the tripartite process in fixing agendas, with the full involvement of Governments. In addition to informal consultations between the Office and Governments through regional coordinators, there should be direct tripartite consultations on key issues. Governing Body and committee agendas should be shorter and more focused with substantive points for decision whenever appropriate. Information documents and Office reports which required no decision or discussion, should not be agenda items but made available for information only. IMEC agreed that a review of the Governing Body should focus on measures to improve its functioning, enable it to operate better and enhance its authority and visibility. IMEC welcomed the proposed consultations with all groups, with a view to the submission of specific proposals for reform to the March 2004 session of the Governing Body. Direct tripartite consultations should also be envisaged on this important subject.

Regarding the functioning of the Conference, IMEC referred the Governing Body to its suggestions for improvement made at previous sessions.

A Government representative of New Zealand supported the statements by the Asia-Pacific group and IMEC. Optimum use should be made of the current duration of the Conference. A particular focus should be on facilitating meaningful debate. The timing of discussions on agenda items was particularly important for countries fielding small delegations, and multiple meetings timed simultaneously should be avoided. The work of the technical committees was just as important as the high-profile debates on the standing items of the Conference's agenda, so clashes between discussions on standing and technical items should be avoided.

The Government of New Zealand supported the proposal, in respect of Governing Body reform, for providing forums for tripartite regional discussions and dialogue, given the four-year gap between regional meetings. The speaker asked how such discussions might be organized within the Governing Body, and wondered whether they would provide guidance in respect of regional priorities.

A Government representative of Germany agreed with the Worker Vice-Chairperson that raising the profile of the Conference was not an end in itself. The level of interest contained in the Director-General's Report would ensure high-level participation. A more lively debate should be encouraged on that Report. The Conference committees required far-reaching changes.

In view of the workload, it would not be possible to shorten Governing Body sessions. The Committee on Sectoral and Technical Meetings and Related Issues already dealt partly with social dialogue, and could be adjusted to cover the subject fully.

A Government representative of Japan supported the statements by the Asia-Pacific group and by IMEC. Lack of transparency in the selection of cases for the Committee on Application of Standards had distorted the principle of tripartism. The Chairperson, who might come from the Government group, could be involved in a choice based on objective criteria. The interactive discussion of the global report had only been a limited success. Better results might be achieved by debating in a smaller group. The Governing Body would improve with better time management. Social protection could be added to the mandate of an existing committee.

A Government representative of China supported the statement by the Asia-Pacific group. In recent years a number of major reforms had been made to the functioning of the Conference and these should be given a chance to prove their worth. Any reforms should be entered into the ILO Constitution and the Standing Orders. The Conference's profile should be raised by the selection of pertinent subjects, rather than by constantly changing the format. Care should be taken that informal consultations did not lead to neglect of the governments' opinions. The agenda should be better planned to avoid replication of discussions and waste of time. Some papers for information did not need to be submitted to the Governing Body. Attention should also be paid to adequate provision of Chinese-language documents; this should be taken into account in the reform of the Governing Body.

A Government representative of France endorsed the IMEC statement. The quality and interactivity of the Conference discussions in plenary should have more impact on the ILO's audience. The Office should innovate, and the Governing Body should show confidence in the Office's ability to do so. The report contained no mention of the examination of the work of the Committee on the Application of Standards. The Committee was one of the rare instruments of international social governance and therefore very important.

The Governing Body committees were increasingly overloaded and should be rationalized. Their structure, and their interaction were not clear. Agendas should be limited, and an order given to points for debate and those for information. The current structure could be reviewed, without creating new committees. The strategic role of the Governing Body needed strengthening. However, the debates should remain free, and not be strictly regulated. The decision points required better drafting. Discussions on certain cross-cutting subjects, such as technical cooperation, should not remain the monopoly of one single committee. Better interaction between the Governing Body and its committees could be achieved by programming their agendas over several sessions, or by periodically hearing the chairpersons of the committees. When considering improvements in working methods, the importance of cultural diversity should be recognized.

A Government representative of Nigeria suggested that the floor did not need to be taken by the Employer or Worker Vice-Chairperson in priority, but subjects could be opened from the Government benches.

A Government representative of Mali asked for documents to be made available on time in the working languages.

A Government representative of Kenya said that the current duration of the Conference could not be reduced. Speeches should be limited to five minutes only, and there should be far less side events. Reporters' and committee officers' speeches should also be limited. The right of non-governmental international organizations to participate should be strictly controlled. A better choice of agenda items for discussion would ensure high-level participation and raise the Conference's profile. The current method of document production and distribution could be improved. Changes were needed in the working methods of the Committee on the Application of Standards. The selection of cases to come before the Committee should be on the basis of a fairer geographical distribution.

The Governing Body should be a place for discussion on policy orientation and strategy. A critical review should be conducted of its committee structures, composition, size and functioning, and how they prepared their recommendations for approval by the Governing Body. Changes were needed, for example, in the composition and size of the Governing Body Subcommittee on Multinational Enterprises. All major policy issues should be debated and decided in the Governing Body, not in the various committees.

A Government representative of the Russian Federation called for improvements in the transparency of the functioning of the supervisory machinery with the selection of cases for examination being made on an objective basis, with the early participation in the dialogue by governments.

A Government representative of Venezuela called for the review of the working methods of the Committee on the Application of Standards. The cases should be selected through an objective and transparent process, and considered in full respect of the spirit of international cooperation and technical assistance.

A Government representative of the Republic of Korea submitted a written statement. Changes should be introduced within the existing structure and should focus on increasing efficiency. Significant gains could be made through stricter time-management, concise interventions and focused documents. Government members were less long-serving on the Governing Body than their Employer and Worker counterparts and, consequently, acquired less Governing Body expertise; interests differed from one country to another and there were different levels of development even among States from the same region. This made it hard for the group to speak with a united voice. If Government group meetings were not purely procedural, but concentrated on substantial issues, it could go some way towards remedying this situation. The Office should seek other ways of enhancing the role of Governments in the decision-making process. The Government of the Republic of Korea supported the point for decision, but wished to see fully tripartite decisions in the selection of cases for the Committee on the Application of Standards; more reductions in the production and distribution of documents; raised profile and visibility of the Conference and of the Governing Body; shorter Governing Body sessions, especially the session discussing the biennial budget.

The representative of the Director-General said that informal consultations could be scheduled for the end of January/early February 2004. In response to certain specific questions, he explained that it had been suggested that meetings of regions might be held, conducted or arranged by the regional directors, within the margins of, or linked to, the Governing Body. Regarding the Conference, a suggestion had been put forward that a full discussion of a committee report at the end of a first year was not required under the double-discussion procedure.

Two rounds of consultations had been held last year on the functioning of the Committee on the Application of Standards, which resulted in a paper discussed by the Committee in the first week of the 2003 session of the Conference. The Office recognized that that opinion was clearly in favour of continuing this discussion.

287th session of the Governing Body, June 2003, GB.287/PV

Third item on the agenda

QUESTIONS ARISING OUT OF THE 91ST SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

The Worker Vice-Chairperson said that the four technical items on the agenda of the 91st Session of the International Labour Conference had been dealt with in an efficient and balanced manner. The Director-General's Report, *Working out of poverty*, was an excellent piece of work, and the report on the occupied Arab territories went some way towards easing tensions in the region. It was to be hoped that the special fund that had been established would be of assistance in alleviating the problems of the people in the occupied Arab territories. During the discussion of the Global Report on the elimination of discrimination in occupation and employment, Governments, Employers and Workers had all made good suggestions, which should be included in the plan of action that would result from the discussion. The Workers' group was pleased that the zero real growth budget had been accepted. The ILO needed such support if it was to continue to bring real changes to society. The group had issued a unanimous statement regarding the rehabilitation of Iraq, and hoped that account would be taken of this by governments concerned with affairs in that country. The Workers had lodged a complaint against the Government of Belarus under article 26 of the ILO Constitution, and requested that the appropriate action should be taken in this connection, to be reported at the 288th Session of the Governing Body in November 2003.

Some time should be given over to an examination of the decisions of the 91st Session of the Conference. The subject of occupational safety and health was extremely important, and an instrument in the field should be envisaged, with work beginning before 2005. The Office should prepare a paper on this for presentation in November 2003. At the same session the report from the Credentials Committee should be taken into account, and the work carried out by that Committee should be examined.

The Employer Vice-Chairperson complimented the outgoing Chairperson on his guidance of the Governing Body over the previous year. Although the group had reservations as to the establishment of a commission of inquiry in Colombia, the excellent spirit of cooperation that had been built up between the Employers, Workers and Governments, would certainly continue.

The Conference had benefited from first-class organization with the timely provision of appropriate secretariat services. The Director-General's Report, on a subject of great interest to all: overcoming poverty, had provoked constructive dialogue. The creation of jobs and of enterprises, in the struggle to defeat poverty, was a central concern for employers, and critical to the political agendas of all governments around the world. The technical committees had taken up

complex subjects in a spirit of consensus. The discussion on occupational safety and health showed that the new integrated approach was the way to obtain effective and widely implemented standards. The issue itself was one of great importance, and the discussions had shown what measures should be taken to make progress in the field. The instrument that had resulted from the discussions on improved security of seafarers' identity papers, once ratified, would greatly facilitate identification of seafarers. The ILO should work to promote the ratification of this Convention.

With regard to the multiple side-events scheduled during the Conference, the ILO should not be distracted from its principal activities or its particular tripartite mandate. The quality of the special guests who had visited the Conference this year – President Lula of Brazil, President Mbeki of South Africa and King Abdullah II of Jordan – was a testimony to how highly the Organization was valued.

Though overall the Conference had been impressive, a small incident had taken place towards the end, which might have been avoided. Certain criticisms had been levelled at enterprises and bodies that were not present at the Conference, and therefore were unable to reply. In the interest of fruitful discussion, the limits of such denunciations should be carefully respected.

A Government representative of Canada, speaking on behalf of the IMEC group of governments, said that the early selection of well-qualified technical committee chairpersons, appropriately briefed by the Office, contributed significantly to the smooth functioning of the Conference. Improved availability of meeting rooms and interpretation had facilitated governments' participation in technical committees. Time could be used more efficiently if substantive committee work started on the first morning of the Conference, and meetings commenced on time to avoid costly evening sittings. New IT installations should be introduced to facilitate committee work and voting, and the reports for discussion should be available at least four weeks before the Conference.

At future Conferences, the Office should brief group support staff and Government delegates on drafting of amendments and procedure. Draft committee reports should be made available on the Internet or sent out by email to technical experts obliged to leave the Conference before their publication in the third week.

The IMEC group had appreciated participating in consultations on the working methods of the Committee on the Application of Standards, and welcomed the changes introduced, such as the time limit for interventions. Consultation should continue to identify further changes to make this important body more effective.

Now that the first cycle of Global Reports had been completed, the Governing Body should review Declaration follow-up procedures and set clear objectives. IMEC was ready for consultations prior to the 288th Session in November 2003. The integrated approach initiated in the discussion on occupational safety and health had proved interesting and had provided valuable conclusions. Follow-up should be timely. Future reports for integrated approach discussions should be issued well in advance to allow the necessary consultations and preparations prior to the Conference. IMEC would welcome continuing discussion with the Office on these issues prior to the 92nd Session of the International Labour Conference.

A Government representative of Belarus regretted the move by the Workers' group to lodge a complaint against his country's Government under article 26 of the ILO Constitution. The Government should have been given the right to reply to the complaint, as provided under article 24. During the Conference, the Government and the Minister of Labour and Social Security had indicated willingness to hold consultations with the ILO, and had invited an ILO delegation to visit Belarus, if possible before November 2003, in support of social dialogue in the country. The Minister had attended the Governing Body meeting in March 2003 as well as the Conference in June, bearing witness to the importance Belarus attached to the supervisory machinery of the ILO. Belarus wished to improve its labour legislation and work more closely with its social partners, and the Governing Body should be constructive and cooperative in respect of the complaint lodged by the Workers.

A Government representative of China suggested that all discussion on the question of the article 26 complaint lodged against the Government of Belarus should be postponed to the November session.

A Government representative of the Libyan Arab Jamahiriya called on the international community to show solidarity in combating poverty and unemployment. He deplored wastage at the Conference caused by over-distribution of documents. Distribution should be more strictly controlled. Time was also wasted unnecessarily. During the Committee on the Application of Standards, procedures had been followed that were not based on written rules. Committees required financial and other resources to accomplish their work. Before deciding to establish a committee, very clear information regarding available resources was needed. More discipline should be applied, to allow decisions to be taken on the basis of clear analysis and good organization. States should be encouraged to ratify Conventions rather than obliged to do so: incentives should be sought.

A Government representative of the Russian Federation agreed that the Government of Belarus had shown that it attached great importance to improving national legislation governing freedom of association, and wished to work with the ILO in a technical cooperation programme to this end. An ILO delegation had been invited to Minsk. In the discussion in the Committee on the Application of Standards, the Government had been supported by the Worker and Employer representatives of Belarus, and the question of article 26 proceedings had not been raised. A more constructive approach should be adopted.

Mr. Daniel Funes de Rioja, Employer Vice-Chairperson, assumed the Chair.

The Worker Vice-Chairperson said that his group did not want a debate in the Governing Body at the present session, but had called on the Office to prepare the background information for a decision to be taken in November 2003. The Government of Belarus had made a very positive statement, and now had some months before it to take the action necessary to show, by November, that there was no need for further investigation. However, since the complaint had already been filed, the right to reply under article 24 could not be invoked.

The Director-General noted with interest the comments made regarding the functioning of the Conference. The question of how to use time and facilities better would certainly be examined, and some changes introduced for the next Conference. Many participants had expressed great appreciation of the team effort that had

produced a successful Conference, and these messages would be passed on to all the staff. However, today, the opening of a short Governing Body session had been delayed because of failure to reach a decision on a question which could and should have been dealt with a year ago: the groups should also respect the work of the Office.

285th session of the Governing Body, November 2002, GB.285/PV

Third item on the agenda

THE FUNCTIONING OF THE INTERNATIONAL LABOUR CONFERENCE

The Worker spokesperson said the group had not finished its deliberations on this point. It had embarked on an examination of its own position, its relation to the basic membership, relationship with the house, and the Conference. Shortening the Conference to 18 days would not allow sufficient time to complete the agenda, and the group also had some concerns regarding the staff's ability to cope with the overall workload, but wished to continue its own discussions before taking a position.

The Chairperson sought advice on how to take the dialogue forward: through informal consultations, with a further report by the Office, or by forming a working party.

The Employer Vice-Chairperson said the document was interesting and full of information on the question of NGO participation, the duration of the Conference, and the method of work in the committees. Given the presence of the permanent missions in Geneva, and in-house knowledge on the question of standards, integrated approach and social security, informal consultations would be a viable way to move forward. Deliberations within the Governing Body should be suspended until the Workers had had an opportunity to discuss the issues fully.

A Government representative of Canada, speaking on behalf of IMEC governments, requested the Office to provide constituents with sufficient advance notice of the date for the informal consultations on the working methods of the Committee on the Application of Standards to enable them to make meaningful contributions. IMEC also looked forward to examining options in March 2003 for the format of the global report discussion in March 2003. The group encouraged the Office to continue to experiment with the format at the June 2003 ILC so that a wide range of experiences would be available for the overall review in November 2003. Significant improvements to the functioning of the ILC could be realized through practical adjustments within the current overall framework. These should support one or more of the following objectives: quality conference outputs; effective supervision of standards; enhanced ministerial participation; efficient use of time and resources; reduction of cost and workload for the Office and for member States.

Further reductions in the length of the Conference would not be practical, and it was clear from the report that the deadline for adoption of committee reports could not be advanced. The Committee on the Application of Standards traditionally completed its work by the Saturday afternoon of the second week. Fixing a reasonable deadline for completion of the technical committees' work

might help focus discussions, encourage earlier resolution of issues and result in cost savings.

The plenary discussion could be moved to the first week, if special care was taken, by limiting the number of sessions in advance, to ensure it did not simply expand to cover the entire second week. However, allowing submission of statements in written form only would dilute the importance of the plenary and of ministerial attendance. The suggestion to have plenary discussions in programme implementation years arranged around a number of sittings on a chosen subject, in a committee-type discussion, merited further consideration. Side and special events should continue to be limited, and the role of the plenary would be improved by limiting the time for speeches by committee reporters and committee officers.

The committees should start work early in the first week, preferably Tuesday morning. The suggestion in paragraph 20 of the paper for technical preparatory conferences required further clarification. It was not clear what the outcome of such a meeting would be, to which body the report would be submitted and what would be the follow-up procedure. In addition, this approach could have significant cost implications for the Office and for governments, which might have to pay for additional technical advisors. The advantages of extending committee discussions over a longer period were doubtful. Efforts should be directed at a more efficient and effective use of the current time allotted to committee work.

IMEC had previously endorsed better use of information technology and the need for orientation sessions for chairpersons as well as appropriate training for staff. Holding early consultations aimed at identifying qualified chairpersons for the 2003 ILC would also be a positive step.

Extending the sittings of the Resolutions Committee to full days would not improve the functioning of that body, but current committee procedures might well merit review. The representatives of civil society should be allotted time to speak in Conference committees in accordance with the rules established by the Governing Body. Any proposals on the rationalization of document production and distribution would be welcome; the Office might consider issuing all Conference reports in a standard size and format.

These issues should be followed up in a paper for discussion in the Committee on Legal Issues and International Labour Standards at the forthcoming March 2003 Session of the Governing Body, with a view to the introduction of reforms at the June 2004 International Labour Conference.

A Government representative of the Republic of Korea, on behalf of the Asia-Pacific group of governments, said that no matter whether the option of a working party or that of informal consultations were chosen, the views of the governments should be communicated to the secretariat so that the Office could prepare a paper on this issue for the next Governing Body.

There was a need to improve the operation of the Conference. The current discussion should focus on improving its efficiency within the existing framework, without compromising the scope and intensity of discussions. The overall length of the Conference could be reduced through sound governance. As it was, its expense placed a heavy burden on member States and the Organization. Rather than by changing fundamental methods of work, one or two

working days could be cut from the committees by respecting the starting times of meetings more strictly. The committees operated inefficiently by failing to respect schedules in the first week. It would not be difficult to avoid wastage and inefficiency in production and distribution of Conference documents, for example by introducing vouchers or credit notes for delegates that could be used for obtaining their document set. The Office should hold more consultations with the regional coordinators and the Employers' and Workers' groups on issues relating to the organization of the Conference.

A Government representative of the Islamic Republic of Iran endorsed the statement made by the Asia-Pacific group.

A Government representative of India also supported that statement. His Government was not in favour of the proposal to submit speeches in writing. This would only undermine the importance of the Conference.

A Government representative of China endorsed the statement made by the Asia-Pacific group. The Conference should not be concluded hastily for the sake of a reduction in length. Ministers and representatives of workers and employers came from their member States to address the Conference and exchange experiences. It would be inappropriate merely to submit speeches in writing. On the other issues, the suggestions put forward in paragraph 14 of the document could be used as a basis for discussion.

The current arrangements for the discussion of social policy reports should be retained. The suggestions put forward in paragraph 16 on time limits for speeches by reporters or officers of the various committees were positive, and could shorten the Conference by a day. Committees should start their work immediately after the opening ceremony of the Conference, given that delegates were already in Geneva for this ceremony. Prolonging the duration of the Resolutions Committee was inappropriate and unnecessary.

The existing rules and practices with regard to the participation of NGOs should be retained, and the Office should submit a detailed report to the next Governing Body, based on the discussion of the present meeting, explaining possible reforms and related legal, financial and other issues.

A Government representative of Brazil welcomed the initiative to promote informal consultations and a study on the working methods of the Committee on the Application of Standards, to be dealt with at the next Conference. The possibility should be analysed of regional and government coordinators actively participating in the selection of individual cases and changing the way in which the automatic cases were introduced, because they took up a considerable amount of time.

The current length of the Conference was good, but ways should be devised to make the best possible use of the time available with the utilization of computer technology and by enabling staff members to guide the committees in their work. The reports should be adopted on the Saturday of the second week to avoid the Conference plenary being forced to take controversial decisions under severe time pressure. Submitting plenary speeches in writing would damage the exchange of views among delegations. The committees could begin their work earlier in order to make best possible use of the time available and their reporters should render their reports within reasonable time limits. Establishing preparatory technical conferences or parallel groups during the Conference

would increase costs for delegations and the Organization, increasing the number of technical advisors necessary. The proposals made at the current meeting could be discussed at the 286th Session in March.

A Government representative of Japan supported the IMEC and Asia-Pacific statements. The Conference should be more efficient and shortened. There was a need for NGO input but not so many organizations should participate in the Conference discussions. As the document pointed out in its paragraph 27, “revision of existing rules and practices would be required” if more NGO participation was to be allowed.

A Government representative of South Africa said that the present duration of the Conference should be maintained. However, further options needed to be explored to ensure that the Conference covered the work effectively and efficiently.

Given the difficulties committees had in completing their work within the maximum number of sittings available to them, the Office should consider reducing the technical committees to one standard-setting committee or one single or double discussion committee within the integrated approach. This would allow the Office to allocate effectively the resources required by the integrated approach and would also reduce the burden imposed on the Office in producing provisional records. The Office should explore the legal implications of such an arrangement.

The report on programme implementation was important in allowing member States to express their views and to measure the impact of policy decisions related to the implementation of activities. The Office should examine the possibility of a committee-type discussion. High-level tripartite participation should not be compromised.

The Resolutions Committee was important for the future work of the Organization and the time allocated for the committee should be increased to full days.

If the proposal to obtain nominations of the chairpersons of the 2003 Conference committees before the end of 2002 were to be agreed upon, the Office should take account of the timing of the consultative processes of the African Union’s Labour and Social Affairs Commission, which unfortunately only convened in April of each year.

The Employer Vice-Chairperson said the Employers would provide their input on reform of the Conference in writing by a date fixed by the Office. Before the production of a document, it would be preferable to hold informal consultations.

The Worker Spokesperson made the commitment that the content of the Workers’ discussions on the Conference would be shared with governments, through the regional coordinators, the Employers and the Office.

The representative of the Director-General noted that on the basis of the current discussion, it would be extremely difficult to make any significant changes for the Conference in 2003. One item to be debated was the way in which the Global Report would be discussed, and this would be on the agenda of the LILS Committee in March 2003.

The Office noted some of the points made regarding the technical and practical planning for the next Conference, but, given the deadline for sending out the Memorandum to conference participants, it was too late to change the Conference in 2003. Further consultations could be held in the autumn of 2003 or spring 2004. By “consultations” the Office meant that it was always available for discussions with the regional groups and the Workers’ and Employers’ groups. Periodically the Office held consultations to which delegations from the Employers’ and Workers’ groups were invited, chaired by the Chairpersons of those groups, to focus on specific issues. Meetings with Government groups were held at the same time.

Regarding the question raised by IMEC regarding the informal consultations on the working methods of the Committee on the Application of Standards, these would probably take place in the third week of February 2003; if the groups had written contributions, these would be appreciated by the end of January 2003.

284th session of the Governing Body, June 2002, GB.284/PV

Fourth item on the agenda

QUESTIONS ARISING OUT OF THE 90TH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

A Government representative of Canada, speaking on behalf of the IMEC group, regretted that although the Conference had opened a day earlier than usual, Committee work mostly began only on Wednesday and was largely concentrated into the second week of business, a week already heavy due to the presence of ministers and the abundance of side events. This made it hard for Governments to participate actively in technical committees. One answer would be to start committee work earlier and make the second Saturday the deadline for adoption of all reports, so that plenary work could be started and completed earlier. Another would be to move ministerial attendance and side events forward into the first week.

The experience of the interactive approach to the Global Report discussion had been positive, though the formal statements took up a considerable time. Further experimentation could be carried out on the organization of the discussion when a full cycle of Global Reports had been completed.

The IMEC group looked forward to participating in informal consultations on the working methods and procedures of the Committee on the Application of Standards and to the further discussions on these in June 2003.

The group upheld its view that successful Conference committees required skilled chairpersons. Governments thus shared a responsibility to identify qualified candidates early, to allow the Office to provide adequate briefing in the Standing Orders and procedures. The introduction of new information technology would facilitate committee work on amendments and voting.

IMEC noted that availability of meeting rooms for subgroups was lower this year. The 2003 agenda contained an additional technical item, and the Office should take the steps necessary to cope with the increased demand for rooms that this would entail.

A Government representative of the Libyan Arab Jamahiriya said that the organization of the Conference should be rethought. The present method of discussing the reports of the Chairperson of the Governing Body and of the Director-General was not satisfactory. On one evening there were less than ten delegates present in plenary at 8 p.m. listening to the speakers. Neither was the five-minute restriction on speaking time realistic. Moreover, from the amount of documents left lying around the Palais des Nations, there appeared to be considerable wastage in this respect.

The Employer Vice-Chairperson said the points made regarding the organization of the Conference needed very close analysis. It was perhaps time that this was undertaken in a specifically constituted working party. Overall, the Conference had gone well. Tripartite decisions had been taken as to the allocation of funds, and this had involved making policy and not purely budgetary decisions.

The Employers' group gave its wholehearted support to the Declaration, and felt that the interactive discussion of the Global Report had been valuable. The method would need adjustments bearing in mind the other subjects to be covered, but child labour was an issue that attracted emotional and rational consensus among the constituents. The problems regarding the elimination of child labour did not therefore stem from a lack of political will, but rather from poverty, marginalization, lack of education, poor nutrition, lack of clean water and so forth.

Discussions of the kind held in the technical Committee on the Informal Economy helped to bridge the gap between work outside the formal economy and work within. The challenge of globalization was not simply to bring the developed world and the developing world closer together, but also to bring the informal economy closer to the formal economy, and allow informal economy workers to gain access to some of the advantages, such as technology, of the formal economy.

The interest of the discussion on the promotion of cooperatives and the Recommendation that had been its outcome, lay in the way it helped workers, employers and governments to consider new forms of business and enterprise management. The Employers' group had however expressed reservations regarding the inclusion of an annex from a source outside the ILO. The work being done in the Working Party on the Revision of Standards and in the LILS Committee would no doubt ensure that the instruments adopted were appropriate.

The discussion on occupational accidents and diseases was also extremely useful. Employers were committed to improving health and safety at work and reducing the number and impact of work-related accidents. The predominant issue was that of respect for human life, as an asset to the collective as well as to the individual. For this reason, the group strongly supported the Recommendation concerning the list of occupational diseases and the recording and notification of occupational accidents and diseases. The Employers' abstention in the vote on the Protocol of 2002 to the Occupational Safety and Health Convention, 1981 (No. 155), was on account of their disagreement with the type of instrument chosen. Too few member States had ratified Convention No. 155 to justify adding a Protocol to it.

The resolution concerning tripartism and social dialogue was of critical importance. To face up to an increasingly complex world in which the development of communications could imply quasi-instantaneous responses, it

was essential that employers' and workers' organizations should be sufficiently representative to allow them to play a role through social dialogue at national and international level. The emphatic terminology of the resolution would help to consolidate tripartism, and should also reinforce ACTRAV and ACT/EMP within the ILO. These two departments of the ILO provided invaluable support to the groups, and also assisted the building of employers' and workers' organizations in developing or transitional countries, and should be given the material resources they needed to carry out their work.

The chief merit of the Conference lay in the fact that it allowed a constructive response to a highly complex international situation to be made on the basis of a reasoned tripartite approach. The Employers' group fully supported the Director-General's report on the issue of the occupied Arab territories. The ILO should continue to strive to promote peace in the region using the tools at its disposal. Help should be given through all possible technical cooperation programmes that the Organization could provide.

Three very important discussions were planned for the year ahead: the first two were the integrated approach in the field of health and safety and the new standard-setting policy. Close coordination was called for between the standard-setting sectors and the others, and between the groups as well, if progress was to be made. Lastly, the discussion on human resources development, and the revision of the Human Resources Development Recommendation, 1975 (No. 150), was a substantive discussion of great importance. A good labour relations strategy based on in-depth knowledge of human resources development issues was absolutely essential if relations were to be based on cooperation and dialogue, and not on confrontation.

The Worker spokesperson regretted that it had proved impossible to reach consensus on the Protocol to the Occupational Safety and Health Convention: full agreement would have helped significantly.

It might be advisable to consecrate some time at the Governing Body meeting in November 2002 to a review of the Conference, since all the points raised in this respect by the previous speakers seemed valid. The Director-General's Report lent itself to an examination of how the entire Conference, and not simply the Committee on the Application of Standards, might be restructured. The work done in the Committee on Freedom of Association also needed review at a future date. However, the aim of such a review must be to improve the functioning of the Organization, and not in any way to distort its original purpose, as a tripartite standard-setting institution, working to bring social justice across the world.

The group welcomed the discussion on tripartism, and supported the proposal that immediate measures should be implemented regarding technical assistance in the occupied Arab territories.

A Government representative of the Islamic Republic of Iran regretted that under the present system of dealing with draft resolutions a list was established, fixing the priority of the texts, which were then revised in turn. However, in this instance, of the five resolutions put forward for discussion, the time allotted only allowed completion of one of the texts. The credibility of the Conference suffered, if ministers' speeches were limited to five minutes, but there was no limit on discussions on resolutions. The time should either be divided between the draft resolutions, to allow each to be discussed, or priority should be given to

one single resolution, to which all the time should be devoted. A Governing Body working group might be established to deal with this question.

A Government representative of India also deplored the small number of delegates left attending plenary at the end of the day's work. Ministerial speeches should be programmed at specific times to prevent such an eventuality.

The spokesperson of the Workers' group read out the following statement in respect of the occupied Arab territories:

The Workers' group believes that the ILO should actively contribute on the issues of employment, social protection and social dialogue in collaboration with the tripartite constituents and with other international organizations. To this end, the Workers' group of the ILO urges the Organization to implement immediate measures as well as to enhance its medium-term programme of technical cooperation. Further, the Workers' group asks that ILO member States would contribute generously towards the establishment of a Palestinian fund for employment and social protection and the Director-General should be directed to make use of the financial surplus currently available to start the ball rolling in that direction.

The Employer Vice-Chairperson endorsed this statement fully.

The Director-General welcomed the important points that had been raised regarding the functioning of the 90th Session of the Conference. It would be necessary to study the working methods, from plenary to the standing committees. To allow the Office to assemble the various suggestions, all members of the Governing Body should send in their comments in writing. Consultations could then take place with Governments and with the Officers of the Governing Body, and it might be possible to bring the question before the 285th Session. The Office could play a role in consensus building by facilitating consultations and discussions between the groups, and in identifying difficult issues well in advance, to allow time to find solutions to them. In this way, preparation for the Conference could be more effective.

It was good that the question of the occupied Arab territories had been brought up, since it was important that the Office's mandate should be supported not only by the Conference, but by the Governing Body, to which the Director-General reported regularly on the subject. However, simply backing a proposal was not enough: resources were needed as well. The ILO was not a funding organization, and it was important that those Governments that had approved the proposals made should come forward and provide funding. The vast majority of Palestinians and Israelis wanted parents at work, children at school, security in the streets and peace in the community: the ILO would make every effort to assist in attaining this aim.