



Governing Body

351st Session, Geneva, 15 June 2024

Institutional Section

INS

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Sixth item on the agenda

Review of the functioning of the Governing Body, identification of possible areas for improvement and arrangements and time frame for results-based follow-up action

Purpose of the document

This document presents the outcome of the tripartite consultations held as a result of the Governing Body's decision at its 350th Session (March 2024) to seek convergence on the areas for improvement in the functioning of the Governing Body, as well as proposals on the issues to be addressed and the arrangements for continuing the discussion (see the draft decision in paragraph 8).

Relevant strategic objective: All.

Main relevant outcome: Enabler B: Improved leadership and governance.

Policy implications: None.

Legal implications: None.

Financial implications: None.

Follow-up action required: Depending on the guidance of the Governing Body.

Author unit: Official Meetings, Documents and Relations Department (RELMEETINGS).

Related documents: [GB.350/INS/9](#); [GB.350/INS/8](#); [GB.334/INS/12\(Rev.\)](#); [GB.321/INS/3\(Rev.\)](#); [GB.311/7/1](#); [GB.311/8](#); [GB.310/9/1](#); [GB.310/PV](#); [GB.309/PV](#); [GB.306/PV](#); [GB.305/PV](#).

► Introduction

1. At its 350th Session (March 2024), the Governing Body took note of the document prepared by the Office¹ and requested the Director-General to organize tripartite consultations to seek convergence on the areas for improvement, and to prepare, on the basis of those consultations, proposals on the issues to address and the modalities for continuing the discussion, including options for the establishment of a time-bound working party, for consideration by the Governing Body at its 351st Session (June 2024).² Tripartite consultations were held on 2 May 2024, the outcome of which is outlined below.

► Areas of convergence

2. The areas that could be considered for further review and improvement which received support from several constituents and no major objections from any group are set out below. However, different views were expressed on the urgency of and practical manner in which each of these areas should be addressed.
 - (a) **Agenda-setting process:** There was convergence on the need to reduce the number of items on the agenda by reviewing the periodicity of recurrent items based on previous Governing Body decisions. It was also reiterated by some constituents that the agenda should be published in a timely manner following final approval by the Screening Group. Other issues were raised which did not receive full support, as follows: some suggested that the agenda could be streamlined by reconsidering the possibility of making use of electronic consultations on non-controversial issues; the role of the Office in the agenda-setting process was also raised by one constituent; some constituents also pointed out that a review of the existing procedures could be considered to enhance transparency, including the possibility of taking minutes of Screening Group discussions and clarifying the provisions guiding decision-making among the Officers of the Governing Body; the need to review the agenda-setting modalities for special sittings convened in accordance with the Standing Orders was also mentioned.
 - (b) **Time management:** There was convergence on the need to avoid extended sittings as much as possible. Views diverged, however, on the methods to be applied, such as extending the duration of Governing Body sessions. There was also convergence on the fact that efforts to improve time management could not make any progress without a review of the complexity and the number of items placed on the agenda. It was suggested that the Office could look at best practices for time management that are used in the discussions of the governance organs of other United Nations organizations. This information is provided in Appendix I. Constituents also requested the Office to provide

¹GB.350/INS/9.

²GB.350/INS/PV/Draft, para. 447.

information on the cost implications (including interpretation costs) of extended sittings to explore ideas to help foster consensus without the need for such sittings.³

- (c) **In-session consultations in small groups:** Some constituents felt that in-session consultations held within small groups or small drafting committees should be avoided as they were perceived to be non-inclusive and disruptive and could take considerable time away from a discussion. When needed, such consultations should be organized so as not to disturb the smooth running of the plenary sittings.
- (d) **Group statements:** Several constituents mentioned that statements on behalf of a group of Governments should clearly indicate the countries on whose behalf the statement is made.
- (e) **Use of the Committee of the Whole format and the High-Level Section:** Several constituents mentioned that the use of Committee of the Whole format and the High-Level Section could be reviewed.
- (f) **Composition of the Screening Group:** There was consensus that this topic should be put on hold until the discussion on the Government group concludes.
- (g) **Items pending from the Governing Body reform (2009–16) and review of their implementation:** There was convergence on the need to review implementation of the items which remained pending from the last Governing Body reform package, such as the need to give greater priority to and make more room for policy-related debate in the Governing Body's agenda; the need to improve time management during Governing Body sessions; the need for a more strategic planning and distribution of items within the five sections to increase transparency and encourage the proactive engagement of the tripartite groups; the need to give greater priority to intersessional consultations; and the need for enhanced Office support to Governments through dedicated support to the Chairperson of the Governing Body, the Chairperson of the Government group and the Regional Coordinators. The information on progress made in those areas was provided by the Office in document GB.350/INS/9 (see paragraphs 11–37). Improvement in the production of Governing Body documents was also mentioned, including the need to ensure timely and transparent publication and clarify measures to be applied when deadlines provided in the Standing Orders cannot be met. A summary of the decisions and changes already implemented is provided in Appendix II.

► Other areas

3. There was no convergence on the following areas:

- (a) **Special sessions or meetings of the Governing Body:** In view of procedural issues that have emerged recently, the need to review the existing rules and address any gaps in the Standing Orders to ensure clarity in the future was raised. Information regarding the procedures followed in other UN organizations for special and extraordinary sessions of their respective governing bodies was requested. The information gathered by the Office is provided in Appendix I, which shows that the convening of a special session is provided

³ The Office calculated that the additional cost of the extended sittings of the 347th Session of the Governing Body (March 2023) (20 hours in total) was US\$140,000. By comparison, the Office calculated that adding an extra day to the Governing Body session (on the Friday of the second week) would cost approximately US\$80,000.

for in most of the rules of procedure of the executive organs of other UN system organizations under varied conditions reflecting the specific institutional aspects proper to each organization, although the convening of a special session at the request of a certain percentage of the membership seems to be a rather standard feature.

- (b) **Delegation of authority by the International Labour Conference:** Some constituents considered it important to review the existing delegation of authority of the Conference to the Governing Body to ensure that it is exercised in a manner reflecting the current governance setting of the ILO and that constituents are fully aware of the occasions on which the delegation of authority has been applied. A list of the delegations of authority granted by the Conference to the Governing Body to date was provided in March 2024.⁴

► Modalities and options on the way forward

4. Constituents' views were divided on the two options identified for the way forward:
 - (a) **Continued discussion through intersessional informal consultations:** Some groups felt that the areas for improvement on which there was agreement could be sufficiently addressed in informal tripartite consultations to be convened by the Office between Governing Body sessions.
 - (b) **Establishment of a working party:** Other groups considered that the establishment of a working party would be the only appropriate format for discussing the issues that had been agreed upon in a more inclusive manner. Some constituents reiterated the view that there should be a standing working party of the Governing Body to address the continuous improvement of procedural matters. Information concerning the composition and mandate of the previous Working Party on the Functioning of the International Labour Conference and the Governing Body is provided in Appendix III.
5. The Office was asked to assess the advantages and disadvantages of both options, including cost implications to the extent feasible, in order to inform further deliberations of the Governing Body on the possible way forward. Its analysis, based on the views expressed by constituents and the lessons learned from past practice, is presented in the table below.

► Advantages, disadvantages and cost implications of holding informal consultations and establishing a working party

Advantages	Disadvantages	Cost implications
Informal consultations		
• Can be convened at relatively short notice. • Do not require extensive discussion to define mandate and scope. • Flexibility to determine priorities to be considered.	• Less structured format. • Lack of formal mandate and scope may not be conducive to focusing the discussion and facilitating progress. • No clear time frame to produce agreed results.	For example, if it holds three 3-hour sessions per year, the estimated direct cost for interpretation is US\$15,900 annually. It will also entail indirect costs, which will depend on the frequency of informal

⁴ GB.350/INS/9, Appendix III.

Advantages	Disadvantages	Cost implications
• Can involve in-person consultations, consultations through electronic correspondence or any combination thereof. • Were implemented in 2017–21 for the comprehensive review of the Standing Orders of the Conference.		consultations and the support to be provided by the Office. There are more limited costs for consultations through electronic correspondence or meetings if interpretation is not required.
Working party		
• Pre-defined mandate, scope and time frame to structure the discussion. • Set-up could be based on the previous working party (2009–18). • Specific tasks could be assigned to members within the working party to undertake the review in a more inclusive manner.	• More complex set-up, which would require agreement on composition, mandate and scope. • Would require the discussion of a specific report at each Governing Body session where the working party meets. • If it meets at each March and October–November session, it will place an additional burden on an already full agenda.	For example, if it holds one 3-hour meeting at each session in March and October–November and also two online meetings per year, the estimated direct cost for interpretation is US\$21,200 annually. It will also entail indirect costs, which will depend on the support to be provided by the Office.

6. From the above analysis, it appears that there are no significant differences in cost implications. Both options have been regularly used in the past to undertake the work of the Governing Body, depending on the circumstances and issues at stake.
7. Depending on the discussion during the session, the Governing Body is invited to provide guidance to the Office on:
 - (a) the identification of the issues to be considered for possible improvements, including the order of priority and possible grouping of topics;
 - (b) the proposed modalities for reviewing the functioning of the Governing Body through the establishment of a time-bound working party or through tripartite consultations between sessions.

► Draft decision

8. The Governing Body:

- (a) requested the Office to prepare for its consideration at the 352nd Session (October–November 2024) an issues paper containing an analysis of the matters outlined in paragraph 2 of document GB.351/INS/6 and relevant recommendations, taking into account the guidance provided during the discussion;
- (b) decided to continue its discussion on the form and modalities of the review of the functioning of the Governing Body at the 352nd Session (October–November 2024),

and, to this end, requested the Office to prepare for further decision by the Governing Body:

- (i) procedural proposals for the composition, terms of reference and duration of a working party;**
- (ii) a roadmap and timeframe for tripartite intersessional consultations.**

► Appendix I

Comparative information from other UN entities: Key findings

Time management in governance organs

In May 2024, the Office conducted a short survey among the members of the United Nations Governing Bodies Network concerning time management practices in their governance organ.¹

► Table 1. Time management practices

Questions	Responses
Do you have any rules concerning the speaking time for members of the governance organ?	- There are rules concerning the speaking times in most organizations. However, in many instances, such rules are unwritten. Chairpersons use informal guidelines and delegates are informed accordingly. - The most frequently recommended time limits are three minutes for individual speakers and five minutes for statements made on behalf of a group of Member States.
What measures are taken if the time allotted is exceeded?	- The chairperson may interrupt to ask a speaker to conclude. - The countdown is visible to all delegates. - The microphone is cut (in one organization).
What is done if an item has not been dealt with within the time allotted?	In most cases, an item which has not been completed within the time allotted is dealt with: - the next day, - on another occasion within the session, or - in an extended (evening) sitting.
What is done if, at the end of the session of the governance organ, the agenda has not been exhausted?	- At times, the governance organ may schedule additional sittings to complete the work programme of a session. - In some organizations, uncompleted items are deferred to a future session. - The chairperson can defer items to a future session or exceptionally convene a special session for important items. - One organization used to hold extraordinary sessions when decisions could not be reached by the end of a session, but has since replaced this practice with electronic voting by silence procedure (consensus-based).

¹ The following 11 organizations responded to the ILO survey: European Space Agency (ESA), Gavi Alliance, International Civil Aviation Organization (ICAO), International Fund for Agricultural Development (IFAD), Joint United Nations Programme on HIV/AIDS (UNAIDS), United Nations Educational, Scientific and Cultural Organization (UNESCO), Office of the United Nations High Commissioner for Refugees (UNHCR), United Nations Office for Project Services (UNOPS), World Tourism Organization (UN Tourism), World Health Organization (WHO) and World Meteorological Organization (WMO).

Special and extraordinary sittings of governance organs

Across the United Nations system, different entities have different arrangements for convening special/extraordinary sessions of their executive body. In some cases, the executive head of the secretariat may call such a special session, either at their own discretion or specifically to respond to emergencies. The chairperson/president of the executive body may also call for a special session, either on their own initiative or specifically in cases of vacancies or urgency. Depending on the organization, the convening of a special session by the executive head or the chairperson may require consultations. More generally, a special session may be arranged upon request/agreement of the request by a certain percentage of members of the executive body, ranging from 10 per cent to 50 per cent. In limited cases, a special session may be called by only one member of the executive body, in specific circumstances a Member State that is not a member of the executive body, or by other elected officials of the Organization.

► **Table 2. Means of convening special and extraordinary sittings**

Organization	Executive head	Chairperson of the body	Percentage requesting
Food and Agriculture Organization of the United Nations (FAO)	Discretion	Discretion	31%
International Atomic Energy Agency (IAEA)	Discretion	Discretion	3% ¹
International Civil Aviation Organization (ICAO)	–	Urgency	50% ²
International Fund for Agricultural Development (IFAD)	Discretion	–	33% ³
International Maritime Organization (IMO)	–	Discretion	10%
International Telecommunications Union (ITU)	–	Vacancy	50%
United Nations Educational, Scientific and Cultural Organization (UNESCO)	–	Discretion	10%
United Nations Industrial Development Organization (UNIDO)	–	–	50%
World Tourism Organization (UN Tourism)	–	–	50%
World Health Organization (WHO)	Emergency	–	29% ⁴
World Intellectual Property Organization (WIPO)	Discretion	Discretion	25%
World Meteorological Organization (WMO)	–	–	50%

Notes: ¹ one member; ² initiative by President or any single Contracting State; ³ of voting power; ⁴ ten members

► Appendix II

Progress made on the outstanding objectives identified during the 2014 review of the four pillars of the reform package adopted in 2011

Situation before and after the 2011 reform

Areas identified for further improvement during the 2014 review ¹ and progress made to date

First pillar: An improved agenda-setting mechanism

Until 2011, the draft agenda was approved by the Officers of the Governing Body and was based on:

- items decided by the Officers of the respective committees at the previous session;
- a compilation of additional items for the plenary resulting from discussions held during previous sessions prepared by the Office (similar to items in the current Institutional Section);
- occasional items proposed by the Office after consultation with the Officers.

As a result of the 2011 reform, the Screening Group was created:

- **Mandate:** to assess proposals for the agenda of the Governing Body, in accordance with the request from constituents for an integrated, coherent, transparent and inclusive approach to the agenda-setting process;
- **Composition:** Officers of the Governing Body, Government group Chairperson or representative, Regional Coordinators and secretariats of the Employers' and Workers' groups.

1. More balanced distribution of items across different sections and segments, a more manageable agenda, avoidance of duplication of subjects in several sections and increased time for policy debates on topical issues

The number of items fell from 69 in March 2011 to 41 in October 2013. Since then, the average number of items on the agenda ranges between 40 and 45. Of these, between 24 and 27 items are standing/recurrent items. ² Other items that may be added to the draft agenda arise from Governing Body decisions on items such as developments relating to complaints under article 26 of the Constitution and mid-term reports requested by the Governing Body, as well as from proposals received from the groups.

2. Extent to which the Office can and should provide guidance and propose agenda items

For items proposed by the groups for inclusion in the agenda of the Governing Body, the Office provides an assessment of the time required to produce a document of high-quality technical content that would facilitate a meaningful discussion by the Governing Body.

The average number of items proposed by the Office is between one and two per session.

3. Maintenance of institutional memory to ensure follow-up to decisions adopted by the Governing Body and the Conference

Since 2013, the Office has submitted to the October–November session an annual report on the action taken by the Office to give effect to decisions adopted by the Governing Body.

4. Process for the deferral of agenda items already scheduled

When it is considered that the agenda for a given session is already too full, the Screening Group, in consultation with the Officers, has agreed on occasion to defer items placed on the agenda by the Governing Body to a later session. Such decisions are always taken by consensus and in situations where more urgent items have been added to the agenda by the Governing Body.

¹ GB.320/WP/GBC/2.

² GB.350/INS/9, Appendix II.

Situation before and after the 2011 reform

Areas identified for further improvement during the 2014 review ¹ and progress made to date

5. Composition and mandate of the Screening Group

The composition of the Screening Group has not changed since its inception. The Screening Group assumed an enhanced role during the COVID-19 pandemic to facilitate the adoption of decisions upon delegated authority by the Governing Body, but has since returned to its original agenda-setting mandate.

Second pillar: A new Governing Body structure

Before the reform, each session lasted three weeks. The first two weeks were allocated to the work of the various technical committees, which submitted their reports to the plenary in the third week.

The committees met in parallel, which posed difficulties for smaller delegations.

As a result of the reform:

- The duration of sessions was reduced to two weeks.
- No meetings take place in parallel. There is a continuous plenary structured in sections and segments allowing all Governing Body members to attend.

6. Appropriate distribution of the time allotted to sections and segments and advance provision of a tentative programme to members

The tentative order of business contains an indicative time allocation for the discussion of each item and recommended speaking times. It is made available earlier than in the past, after consultation with the three groups, in order to allow members to better prepare for the discussions.

7. Fluid running of the sittings

Moving to the next item when the preceding item is concluded earlier than planned continues to be a challenge.

8. Duration of the sessions

Since March 2013, sessions have ended on the Thursday of the second week, with the following exceptions: March 2015 and 2017, which included the consideration of programme and budget proposals; March 2022, which included the election of the Director-General; and the virtual and hybrid sessions during the COVID-19 period (2020–21), in which there was only one daily sitting.

9. Process for submitting amendments to draft decisions and displaying them during the discussion

The measures put in place after the 2014 review are now established practice:

- amendments are submitted by email 24 hours before the consideration of the item concerned in order to ensure a timely circulation among all members;
- amendments are displayed on screen in the three official languages.

10. Time management

Time management measures introduced during the COVID-19 period were well received, including the recommended limits on speaking times, and have now become accepted practice. The sittings continue to start late, by an average of 15 minutes in the morning and 20 minutes in the afternoon (resulting in a delay of at least 5 hours at the 350th Session (March 2024)). Avoiding extended sittings continues to be a challenge. The Office no longer presents the document at the start of the discussion, as was the case in previous years, and only takes the floor at the end of the discussion to respond to questions raised.

Situation before and after the 2011 reform

Areas identified for further improvement during the 2014 review ¹ and progress made to date

11. Clarification of the mandates of the High-Level Section and the Working Party on the Social Dimension of Globalization

The 2009 Working Party recommended that the mandate of the High-Level Section be kept under review, that better use be made of the Strategic Policy Segment and that the setting for the Working Party on the Social Dimension of Globalization be more flexible.

Discussions are continuing on the frequency of and rationale for holding a High-Level Section and the use of the Committee of the Whole format. Some constituents have called for a review of the rules so as to ensure inclusiveness in important Governing Body discussions.

Third pillar: Enhanced transparency and Office support to tripartite constituents

Before the reform, briefings for Permanent Missions on the agenda of the Governing Body and the Conference were organized for every session and other briefings were organized upon request.

As a result of the reform:

- There is full tripartite participation in the agenda-setting mechanism.
- Documents for consultation and relevant information are shared with the three constituent groups through the Bureau for Workers' Activities (ACTRAV) and the Bureau for Employers' Activities (ACT/EMP), the secretariats of the Employers' and Workers' groups, the Government group Chairperson and the Regional Coordinators.
- There should be a dedicated facility to promote by all possible means the full participation of governments, in particular the Government group Chairperson and Regional Coordinators.
- Effective and early consultations should be held with Governments on issues, documents and relevant information submitted by the Office for consultations.
- Information should be provided about ILO activities for the main official meetings, including training courses and information sessions for Government representatives who are new to Geneva.

12. Enhanced support to governments to ensure the same degree of involvement of the three groups in the preparatory discussions for Governing Body discussions

- Information sessions are conducted systematically in advance of important meetings and events (the Conference, Governing Body, sectoral and other meetings).
- Briefings on specific subjects are organized upon request.
- A one-day orientation seminar for newly arrived diplomats is held yearly and updated to reflect the feedback received from participants and evolving priorities.

However, there have been renewed calls from some regional groups for further support from the Office similar to the services provided to the social partners by ACTRAV and ACT/EMP.

13. Consultation process

Consultations are held through what is known as the Geneva-based Tripartite Consultative Group, which is composed of the representatives of the Employers' group, the Workers' group, the Regional Coordinators and the Government group Chairperson, but is not a decision-making organ.

The number of consultations has increased significantly over the last ten years, and with it the number of related group meetings. The Office provides technical support for those meetings, including interpretation services to the extent possible.

The Office has committed to providing documents for consultations at least one week before the scheduled date, in the three official languages, and has complied with the request, with rare exceptions.

Situation before and after the 2011 reform

- Briefings should be organized on request and contacts facilitated.
- Consultations should be facilitated between Governments and the Employers' and Workers' groups.

Areas identified for further improvement during the 2014 review ¹ and progress made to date

Fourth pillar: Better presentation of documents and timely publication

Before the reform, documents were considered to be overly long and published too close to the date on which they were discussed, leaving too little time for members to prepare appropriately for the discussion. There were three categories of documents: "for decision", "for debate and guidance" and "for information".

As a result of the reform:

- Documents should be more concise and decision-oriented, with a reader-friendly format. All documents should include on the first page the key issues, any follow-up action envisaged, financial and policy implications, and the author unit.
- By default, all items should be for decision or debate and guidance. Documents labelled as "for information" are not discussed, unless requested by a Governing Body member.
- Documents should be published online 15 working days prior to the start of the session in the three official languages; ³ programme and budget proposals should be published 30 working days in advance.

14. Further improvements in the preparation of draft decisions

The Office has put in place a policy governing official documents to improve the quality of documents and ensure that they are published on time. Authors of documents receive guidance to ensure that draft decisions are not open-ended, but focused and clear, to ensure that follow-up action from the Office is clearly indicated.

15. Paperless policy

- Governing Body documents are no longer printed.
- The ILO Events app is increasingly used for timely dissemination of information.

³ Exempt from the deadlines are documents subject to consultations or arising from meetings, missions and initiatives close to the opening of the session.

► Appendix III

Background of the 2009 Working Party on the functioning of the Governing Body and the International Labour Conference (2009–18)

1. **Background:** During the 350th Session of the Governing Body, as well as during the informal consultations held in May 2024, some constituents referred to the possibility of re-activating the Working Party on the functioning of the Governing Body and the International Labour Conference that had been established by the Governing Body in 2009. ¹ The Office clarified that the question of the renewal of the mandate of the Working Party had not been raised in June 2021 when the current Governing Body was elected. Therefore, the mandate of the Working Party had not been renewed and it ceased to exist at that time. The establishment of a new working party would require a new decision of the Governing Body.
2. **Composition:** The Working Party was composed of sixteen Government members, eight Employer members and eight Worker members. Other members of the Governing Body could participate in an observer capacity, with permission to speak if authorized by the Chairperson.
3. **Working arrangements:** The programme of work of the 2009 Working Party included the following steps: (i) the preparation by the Office of an issues paper based on the matters raised during the first meeting of the Working Party; (ii) informal tripartite consultations on the issues paper; (iii) a meeting of the Working Party to discuss the issues paper during the session of the Governing Body; (iv) the submission by the Working Party of an interim report to the Governing Body; and (v) the submission by the Working Party of its final report containing recommendations and an implementation plan to the Governing Body.
4. The Working Party met during Governing Body sessions (only one meeting was held outside a session of the Governing Body). The meetings lasted half a day or a full day. Within one session of the Governing Body, the Working Party could hold two sittings on different days. The Working Party presented a report to the Governing Body at the same session, through its Chairperson. The report included a summary of discussions and specific recommendations, adopted by consensus within the Working Party, for decision by the Governing Body. Informal tripartite consultations between the meetings of the Working Party were included in the arrangements as from the first meeting of the Working Party.
5. **Terms of reference:** When the 2009 Working Party was established, the following terms of reference were adopted: ²
 - (a) review the functioning of the Governing Body in order to determine the optimal way in which the Governing Body and the Office can be guided in their responsibilities by the outcome of the recurrent item discussions at the Conference;
 - (b) determine the most effective balance between the Governing Body's policymaking and governance functions;

¹ GB.305/4.

² GB.305/4, para. 4.

- (c) identify means to increase the coherent development by the Governing Body of the Organization's policy, including by identifying duplication or inefficiencies in its current working methods and structures;
- (d) propose such adjustments as may be necessary in its committee and plenary structures as well as in its working methods;
- (e) ensure that in preparing proposals to this effect, sufficient consultation with all of the groups takes place; and
- (f) discuss further improvements to the functioning of the International Labour Conference in the light of experience gained from its format since 2007 and taking into account the introduction of the scheme of recurrent item discussions.

These terms of reference led to a reform package, which was adopted by the Governing Body at its 310th Session (March 2011).³ At that time, the reform focused on four pillars: an improved agenda-setting mechanism; a new Governing Body structure; enhanced transparency and Office support to tripartite constituents; and better documentation presentation and time management.

³ GB.310/9/1 and GB.310/PV, para. 129.