

Worker Comments

Functioning of the Governing Body

General Comments

In respect of the mandate of the Working Party (WP) the Workers' Group believes that the WP should in the first instance focus on the functioning of the Governing Body leaving the International Labour Conference aside. As to the way forward outlined in the document GB.306/WP/GBC/1 (paragraphs 11 and 12) we support the approach of examining the extent to which the current structure and functioning of the Governing Body ensures the coherence required by the Social Justice Declaration.

A discussion on improving the functioning of the Governing Body should be based on the following premises:

- 1) Improvements to the current structure and functioning of the Governing Body should have as an objective to strengthen the governance role of the tripartite constituents over the Office (both in the GB Committees and the Governing Body itself)
- 2) Improvements in governance also need to address the effective follow-up by the Office of decisions taken by the Governing Body and International Labour Conference
- 3) In light of the Social Justice Declaration, the structure and functioning of the Governing Body and its Committees should ensure that the four strategic objectives get covered in order to enable the ILO to use all its means of action to give effect to each component of the decent work agenda
- 4) The discussion should start by brainstorming first on what improvements are needed to ensure the coherence required by the Social Justice Declaration rather than by a discussion "in isolation" on the length of the Governing Body or the frequency of GB Committee meetings
- 5) The Governing Body should become a forum for political discussion which should lead to clear guidance to the Office, follow-up decisions and guidance on future work
- 6) When looking at the functioning of the Governing Body one should analyse whether the current functions of the respective committees are still relevant or if changes are needed. The functions of some committees may need some update which may lead to a modification of the committee functions, its abolition or creation of a new committee. In other cases, the functions as currently envisaged are relevant but are not implemented. In that case, a discussion on improving the functioning may also include how to ensure that the functions of the said committee are effectively carried out and that constituents can effectively exercise their governance role.

- 7) Some GB Committees are political (LILS, ESP), PFA is more managerial while others have a more operational function (TC, STM and MNEs) – the links between these functions and hence between these committees should be taken into account in the improvements of the functioning of the GB.

Governing Body Committees

The **CFA and LILS Committees** should remain unchanged.

ESP Committee: there could be a better balance between agenda items from the Employment and the Social Protection Sector (either within a session or between the March and November sessions). In light of the linkages between economic and social policies which is also consistent with the Global Employment Agenda and Social Justice Declaration our Group would not be in favour of splitting the Committee into an Employment Committee and a Social Protection Committee as was suggested in the past.

TC Committee: the current mandate of the TC Committee is relevant (review of ILO TC programme, recommend priorities and provide guidance for the ILO TC activities, promote active participation of workers' and employers' organizations in the design, implementation, evaluation of TC programmes, examine action to be taken on Conference decisions concerning TC matters, monitor ILO TC activities in the different regions, consider development in the UN system). The problem by and large is that there is little governance by constituents over this Committee. A discussion on the functioning of the Governing Body should seriously and urgently look at how to address such situation. A way to facilitate this could be to transform the TC Committee into a Subcommittee of the PFA Committee. The TC Committee would - like now - meet at the March and November sessions but with an improved governance and with a reporting to the PFA Committee both in terms of programmatic TC issues and resources.

Another option would be to abolish the Committee and have the issues discussed in the PFA Committee. Such option would allow all sources of funding (regular budget, regular budget of the technical cooperation and RBSA) to be reported into the PFA Committee hence providing an overall picture of how all resources – no matter the sources of funding – are used. Issues related to decent work country programmes are already discussed in the PFA (and this is where they should be rather than in the TC Committee) and issues related to the UN and broader developmental issues could be addressed in the GB.

STM Committee: At present this Committee deals to a large extent with sectoral and technical meetings reports and decides on sectoral activities for each biennium. However other important areas of social dialogue (labour administration and labour inspection, labour law and industrial relations) are currently not addressed in the STM and have been addressed on a number of occasions in the ESP Committee (with discussions on labour inspection or collective bargaining for example). There is therefore relevance in a proposal which was discussed a few years ago to expand the mandate of the STM Committee to address such issues.

MNE Subcommittee: this Subcommittee should be maintained and consideration could be given to the talks that took place a few years ago among some governments to transform the Subcommittee into a Committee. This is justified in light of the increasing prominence that

multinationals are having in the process of globalization as well as discussions taking place in international fora (ISO, OECD, UN) and the importance for the ILO to influence these debates.

PFA Committee: the indication in the paper that was submitted for the WP discussion in November (page 12) that in budget years the PFAC might not take more than three days instead of 5 seems overly optimistic and runs the risk of undermining the oversight function of constituents on what is a key committee.

Building Subcommittee: until a decision is taken on the renovation plans for the building it is recommended to keep the Subcommittee. However, in light of the important investment envisaged for the renovation of the building there should be more transparency and also more debate in the PFA Committee on this issue.

IT Subcommittee: the Subcommittee was set up a few years ago to allow a more detailed discussion on IT than the one that could take place in the PFA and a better governance over these issues. However this goal has proved impossible to achieve as it has been extremely difficult if not impossible to get precise information on a wide range of issues. It is therefore proposed to abolish this Subcommittee and to bring the issues back into the PFA Committee

Governing Body

The Governing Body (GB) should become the place where policy discussions and appropriate guidance is provided to the Office. There should be more topics on the agenda of the Governing Body that allow for the discussions of topical items for the world of work without creating duplication with the items discussed in the GB Committees. Enhancing the role of the GB as a policy forum would also attract a higher level of representation from governments.

The GB should also become the forum where a policy discussion is taking place on the effect given to the Social Justice Declaration including in relation to the follow-up to the Conference cyclical reviews. Such discussion should become a regular item for discussion (once or twice a year) with the necessary delegation to the different GB Committees for follow-up action. Such a discussion would safeguard the integrated nature of the four strategic objectives and would also allow a regular assessment by constituents of the effect given to the Social Justice Declaration.

A debate on the follow-up to decisions of the International Labour Conference could also take place in the GB but in a more detailed and policy-focused way than is currently the case now (with here as well delegation if appropriate to one of the GB Committees for follow-up).

The good functioning of the GB depends mostly on joint communication with the workers' and employers' group secretariats as well as the government regional coordinators. Such communication has been lacking in the past and should be improved.

Documentation

The timing for documents to be available should be improved. As a rule documents should be made available 15 days before the start of the specific GB Committee (ESP, PFA, etc) (NB: as of now the rule is 15 days before the start of the GB). This is the time needed to read the document

and prepare positions over it. Key documents should be made available one month before the GB.

The discussion here again should not strictly focus on the reduction in the number and length of documents (the programme and budget for 2008-2009 set a target of 5% reduction in the number and length of GB documents). The criteria should be what is needed to allow constituents to exercise their governance function. In some occasions lengthy documents provided they are well conceived and allow for a fruitful discussion at the GB are required. And the length of the document and subsequent discussion in the GB should be seen as the recognition that the topic is important and deserves a proper debate with appropriate guidance for the Office to follow-up. Budgetary consideration while important cannot be the only criteria at the time of deciding the type of document which is required. What is needed are documents of high technical quality, that rely on a good body of research and that contain policy options for the consideration of constituents (something along the lines of the crisis document submitted to the ESP/WPSDG and GB in March 2009).

Rationalization and savings while desirable should not become the main goal of this exercise. The budget of the GB has already been reduced by USD 390'000 between the 2008-2009 and 2010-2011 biennium.

The presentation of important papers should also be sequenced (not all the papers at one session) in order to allow sufficient preparation and time for discussion.

Side events

Side-events should as a rule not be organized during the Governing Body (Committee week and GB itself). If exceptionally proposals were to be made they should be transmitted for approval to the Officers' of the Governing Body. As a rule such events should be limited to the minimum in order for constituents to allocate their attention to the GB and its committees.

ITUC/rg/15.12.2009