



Governing Body

312th Session, Geneva, November 2011

GB.312/INS/13

Institutional Section

INS

THIRTEENTH ITEM ON THE AGENDA

Report of the Working Party on the Functioning of the Governing Body and the International Labour Conference

Oral report of the Chairperson of the Working Party

1. The Working Party on the Functioning of the Governing Body and the International Labour Conference (WP/GBC) met on Wednesday, 9 November 2011. Mr Greg Vines, Chairperson of the Governing Body of the ILO, was in the Chair, while the Employer Vice-Chairperson of the Governing Body, Mr Daniel Funes de Rioja, and the Worker Vice-Chairperson of the Governing Body, Mr Luc Cortebееck, were Employer and Worker spokespersons, respectively. The Chairperson, following previous WP/GBC practice, invited general statements from the Chairperson of the Government group and from Regional Coordinators, followed by the Employer and Worker spokespersons, as well as individual Government members of the Working Party. The floor was then opened to governments that were not members of the Working Party. The Chairperson suggested that a guiding principle in the reform might be to avoid any measures that required amendment to the Constitution of the ILO, which was a lengthy and difficult process. There was broad agreement on this principle.
2. The Working Party had before it report GB.312/WP/GBC/1, which provided a factual summary of previous reforms of the Conference, a review of the constitutional framework, some statistics and trends, and possible, non-limitative, questions for debate. The Chairperson also invited the participants to provide guidance regarding the working methods and timelines for the WP/GBC. The report was well received by all as a basis for discussion, and all Governments expressed their willingness to engage with the social partners and work together to make the Conference, as the supreme executive organ of the ILO, a stronger, more relevant body, that better served its tripartite constituents. This was essential for the visibility, functioning and credibility of the ILO. There was tripartite agreement on the constitutional, political, technical, forum and assembly functions of the Conference.
3. The members of the Working Party put forward a number of issues for consideration. Firstly, Governments stressed that the reform should cover all aspects of the Conference,

and should not flinch from amending the Standing Orders of the Conference, should this prove necessary. The aim should be to strengthen the Conference, ensure that it remained topical and relevant, to enhance the transparency and efficiency of its procedures, to guarantee the predictability of its proceedings in plenary and committee, and to enhance the objectivity of documents and procedures. It was noted that the work of the Working Group on the Working Methods of the Conference Committee on the Application of Standards overlapped with the mandate of the WP/GBC, and that therefore the conclusions of the Working Group should be brought to the Working Party's attention.

4. It was important to focus on improving procedures, working methods and the functioning of meetings, especially in relation to setting the agenda, a process which should be subject to effective tripartite consultation. Agenda items put forward that attracted insufficient support in the Governing Body should not reappear year after year. The use of electronic expression of interest in items, in the form of an interactive portal, could be an option. The Office should identify current and emerging issues to which the Conference could develop concrete responses. The 2008 ILO Declaration on Social Justice for a Fair Globalization had put in place a series of recurrent discussions with a view to enabling the ILO to understand better the needs of its constituents. More weight should be given to these discussions in setting the agendas of the Conference, and in establishing their follow-up.
5. Governments suggested that the Conference plenary debate, as it is currently organized, did not inspire great interest, but the right of all delegates to speak must nevertheless be maintained. The most recent change, whereby the plenary had been moved to the third week of the Conference, had delivered savings, but these were being eroded by the holding of high-level panels in the third week, obliging recourse to plenary sittings in the second week of the Conference. The relationship between the Conference Committee on the Application of Standards' examination of the General Surveys and the work of the committees for the recurrent discussion items required further attention. A number of comments were made regarding the criteria and methods for selecting the list of cases for consideration by the Committee on the Application of Standards. The late publication of the list was damaging to the work of the Committee and needed to be corrected. Several Governments stressed that the Working Party should apply itself to improving the predictability, objectivity and transparency of the Committee. This could only enhance that body's essential supervisory role. Some Governments saw a linkage between the Conference and Regional Meetings. However, questions were raised as to the role of Regional Meetings and as to whether in their current form they contributed sufficiently to the work of the Organization. The Office should provide an in-depth analysis of the functioning and the role of Regional Meetings. Different opinions, both for and against, were voiced regarding imposing limitations on the size of delegations to the Conference, and it was noted that clear indications were given in article 3 of the Constitution.
6. In light of the financial situation resulting from the crisis, a number of Governments commented on potential Conference cost savings. The staff-to-participant ratio was seen as high. Disaggregated statistics should be provided on the cost of interpretation, short-term staff, and paid overtime. It was also felt that the purely procedural opening sitting of the Conference could be more quickly and efficiently dealt with. Better use of technology, such as the electronic projection of amendments, could improve efficiency; paper document production should be reduced, with a target set for such reduction; the Office should share draft documents with governments, via the Regional Coordinators, in the same way that the drafts were shared with group secretariats. Side events should be restricted in number, and be subject to the approval of the Officers of the Conference.
7. Some Governments felt that alternation between full Conference sessions and lighter sessions might be desirable or even essential, while other proposals were made to shorten the duration of the Conference, by holding preparatory consultations. Preparatory meetings

had then been held to assist in the drafting of the Maritime Labour Convention, 2006, which had been finalized in a single Conference session thereafter. One Government requested the Office to produce an analytical document showing the steps required for the systematic holding of preparatory technical conferences, to avoid the double discussion procedure and reduce the time required to finalize instruments at the Conference to five days. Sectoral meetings could perhaps serve as preparatory technical meetings or be replaced by them. General discussions could be dispensed with as far as possible, or dealt with in different forums, allowing the Conference to concentrate on its standard-setting activity. The discussion of the Director-General's Report should be reduced to two days, interspersed with round tables and high-level interactive debates.

8. *The Worker spokesperson* stressed that any reform should aim at strengthening the Conference, particularly its standard-setting function, and at reinforcing tripartism. The transfer of urgent resolutions to the Selection Committee, following the decision not to convene the Resolutions Committee, was not effective. The Resolutions Committee provided a space for topical, political debate. A possible solution might be to convene a Resolutions Committee every two years, in place of a general discussion. In plenary, events and panels, insufficient attention was given to the participation of Worker and Employer representatives. Tripartite participation should be enhanced. Panels should be used sparingly in committee work, with the focus more firmly on reaching negotiated, tripartite conclusions; in committees engaged in negotiating instruments, panels should not feature at all. Thought was needed as to how to give greater visibility, including through media coverage, to the ILO's work, especially that of the technical committees and the Committee on the Application of Standards, rather than only to the high-level guests attending the Conference. The Workers felt the staff-to-participants ratio at the Conference was high, and requested disaggregated figures showing clearly the distinction between staff and participants attending the Conference. In general, closer attention should be given to attendance by fully tripartite delegations, paid for by governments; gender balance in delegations was also an important question. International non-governmental organizations had their place at the Conference, but the focus of the ILO must remain on action and support to governments, trade unions and employers' organizations. The statistics given in the report appeared to show that the Workers' group's utilization of interpreting resources was very high. However, the Conference was a means of making connections between the unions of the world, and this should be encouraged. Meetings between Governments had also grown hugely. While interpretation had its cost, it was also a vital tool for an international organization. A cost evaluation of employing permanent rather than temporarily contracted interpretation staff should be conducted, and the idea of a pool of permanent interpreters, shared among UN agencies, could be considered.
9. Reviewing the list of questions proposed for debate, the Worker spokesperson said the group opposed the idea of a full Conference session alternating with a lighter session. The 2008 Declaration on Social Justice for a Fair Globalization was still in the early stages of implementation, and would certainly yield improvements in agenda setting. Standard-setting committees already functioned relatively well. The group saw no connection between reform of the Conference and of Regional Meetings; neither should Regional Meetings be used as preparatory meetings for the Conference. Their purpose was to monitor how Conference and Governing Body decisions were being implemented at country level and how the ILO was responding to regional needs. Given the very specific nature of the work of the Working Group on the Working Methods of the Conference Committee on the Application of Standards, it should not be integrated with that of the present Working Party.
10. *The Employer spokesperson* stressed that the Working Party should concentrate on creating a Conference able to face the challenges and new reality of the twenty-first century, to allow the ILO to remain relevant. It was important to stay within the framework of the

Constitution and ensure that the Conference was able to play fully the role given it by the Constitution, functioning in tandem with the Governing Body. The Working Party should proceed as for the reform of the Governing Body, working by consensus. Emphasis should be placed on true and active tripartite participation at the Conference; circumstantial presence simply to make up the quorum was not sufficient. The credibility of the Conference depended on a high level of participation and on the pertinence of its agenda. It could not be denied that the very much higher profile that the Conference had attained in recent years was largely the result of the financial and economic crisis.

11. The Employers suggested that the length of the Conference posed problems – it was clearly impossible to maintain a high level of interest, for Governments, Employers and Workers, over a three-week period. It was necessary to seek means of improving time management without harming technical or political objectives. At present, the Conference was split in two parts: a technical part and a political part, with little to bring the two parts together, and even with largely different participants, as those who came for the technical part tended to leave at the end of the second week, with those present for the political part arriving only for the last week. This was a matter for reflection and consideration, not only by Governments, Employers and Workers, but also by the Office. It was regrettable that executive directors did not participate as fully as they should do in the deliberations of the Working Party. This put the various departments of the ILO out of phase with the wishes of the constituents.
12. What was required today was a roadmap, a calendar and adequate, but not excessive, budgetary resources to allow the Working Party to move forward and achieve its objectives.
13. ***The Working Party recommends that the Governing Body request the Office:***
 - (a) ***to produce a document, as soon as possible, consolidating all points raised during the discussions of the Working Party;***
 - (b) ***to convene a meeting of the Geneva-based tripartite consultative group, in order to develop a plan of work, including timeframes, and to develop a paper identifying key elements and views related to the reform, for the consideration of the Working Party at its meeting during the 313th Session of the Governing Body, in March 2012.***

Geneva, 11 November 2011

Point for decision: Paragraph 13