

Voluntary conciliation in the context of the ILO's supervisory system

The purpose of the present note is to provide information on the measures adopted by the Governing Body and the ILO's supervisory bodies regarding the possibility of recourse to voluntary conciliation at the national level in order to resolve conflicts related to International Labour Standards. These conciliation procedures may be accompanied by technical assistance of the Office where deemed appropriate by the parties.

Representations under article 24 of the ILO Constitution

In November 2018, within the framework of the standards initiative, the Governing Body approved a series of measures to strengthen the supervisory system, including with regard to the operation of the representation procedure under article 24 of the ILO Constitution, among which “*arrangements to allow for optional voluntary conciliation or other measures at the national level*”. The Governing Body decided that recourse to conciliation would lead “*to a temporary suspension for a maximum period of six months of the examination of the merits of a representation by the ad hoc committee. The suspension would be subject to the agreement of the complainant as expressed in the [complaint form](#), and the agreement of the government*” ([GB.334/INS/PV](#), para. 288(1)(a)). As indicated in the complaint form, the ad hoc committee may decide on a limited further extension of the suspension should the initial conciliation or other measures need a further period of time to successfully resolve the issues raised. Interest in initiating a voluntary conciliation procedure can arise, therefore, after the ILO has received the representation.

The Committee on Freedom of Association of the Governing Body

“The Committee has been working diligently throughout its mandate for the period 2017– 2020 to streamline its procedures and working methods and render them more transparent and accessible to the constituents” ([GB.341/INS/12/1](#), para. 15). In this context, the Committee “*decided to adopt a similar approach of optional voluntary conciliation for complaints as has been adopted with respect to representations under article 24 of the ILO Constitution.*” The Committee stated that “*upon acknowledging a complaint and transmitting it to the government, an additional paragraph will be included pointing to the possibility of optional voluntary conciliation which, if agreed to by both parties, would lead to a temporary suspension of the examination of the complaint for a period of six months. Such cases will be noted in a special paragraph of the introduction of the Committee's report, demonstrating the willingness of the parties to attempt to find appropriate solutions at national level.*” ([GB.341/INS/12/1](#), para. 17). It should be noted that the invitation to possible voluntary conciliation in no way delays the procedure regarding the receivability of the complaint.

The **Committee of Experts on the Application of Conventions and Recommendations** has taken due note in a number of observations of the operation of the **national tripartite mechanisms**, which, among other things, provide to take forward the treatment and resolution of issues related to the application of International Labour Standards through dialogue and conciliation.

For questions or further information please contact: NORMES@ilo.org