Working Group on the Working Methods of the Conference Committee on the Application of Standards
(8th meeting)

Informal Tripartite Consultations

Saturday, 20 March 2010 (2:30 to 5:30 p.m.)
ILO, Room V

Proposed agenda

1. Improvements in time management


3. Possibility for the Committee to discuss a case of a Government which is not accredited or registered to the Conference

4. Balance in the individual cases selected by the Committee

5. Other questions
Background Document

1. In November 2009, as a follow-up to the June 2009 Session of the Conference, and in view of the preparation of the June 2010 Session, the agenda of the working group contained the following four points: (1) improvements in time management; (2) modalities for the discussion of the forthcoming General Survey on Employment in the light of the parallel discussion of the recurrent report on Employment during the June 2010 International Labour Conference (ILC); (3) the balance in the individual cases selected by the Committee; and (4) the possibility for the Committee to discuss a case of a Government which is not accredited or registered to the Conference.

2. The working group began discussion on points 1, 2 and 4 and decided to defer to its next meeting the discussion on point 3. It is proposed to continue the discussion on the same points, taking into account the preliminary conclusions reached in November (see a brief report in Annex I).

Time management

3. In view of the serious difficulties experienced by the Conference Committee at the last session of the ILC in June 2009, the question of improvements in time management was discussed by the working group in November 2009 as a matter of priority. In light of the outcome of this discussion, the following proposals are submitted for consideration:

- Cases should be evenly distributed over the second week of the session. Ideally, five cases should be discussed each day, from Monday to Friday.
- For that purpose, countries included in the final list would be automatically registered by the Office on the basis of a rotating alphabetical system (following the French alphabetical order).
- The Conference Committee could meet on Saturday of the second week, if necessary in order to avoid very late night sittings towards the end of the week.
- Time limits for the interventions should be expressly stated in the document D.1. On the basis of the existing practice, they could be the following: 15 minutes for the spokespersons of the Workers’ and the Employers’ groups, as well as the Government whose case is being discussed; 10 minutes for the Employer and the Worker member from the country concerned and for the spokespersons of government groups; 5 minutes for all other speakers. For concluding remarks, 10 minutes for the spokespersons of the Workers’ and the Employers’ groups, as well as the Government whose case is being discussed. Another suggestion discussed was the possibility to allocate a maximum time for each case. It is proposed that the Chairperson, in consultation with the other officers of the Committee, could decide on reduced time limits where the situation of a case would warrant it, for instance, where there was a very long list of speakers.
• Governments attention should be expressly drawn to the possibility for them to submit written replies, in addition to their oral replies, as the 15 minute time limit would be strictly enforced.

• Time limits referred to above should be strictly enforced with the help of an electronic system, similar to the one used in the plenary of the Conference. The Office has already taken action in this respect. The following installation will be put in place as early as June 2010: the Chairperson will have an electronic device on his/her table to monitor the speaking time; a tone to interrupt the speaker will be activated when the maximum speaking time has been reached; a screen located behind the Chairperson and visible to all delegates will indicate the remaining time available for the speaker.

• The General Discussion, except for the discussion on the General Survey, should be kept to a minimum.

4. As requested by the working group, these proposals are reflected in draft documents C.App/D1 (Work of the Committee - see Annex II) and C.App/D0 (Provisional working schedule - see Annex III). As it was done in the previous years, these documents will be sent to the Governments together with the preliminary list.

5. *The working group may wish to further discuss the issue of time management in light of the above proposals, and approve the changes included in the draft documents D.1 and D.0, making any adjustments that it considers necessary.*

**Modalities for the discussion of the forthcoming General Survey on Employment in the light of the parallel discussion of the recurrent report on Employment**

6. This year, for the first time, the subject of the General Survey has been aligned with that of the recurrent report to be prepared under the follow-up to the Social Justice Declaration. As a result, during the next Conference, the General Survey concerning employment instruments will be discussed by the Committee on the Application of Standards, while the recurrent report on employment will be discussed by a technical Committee, called the Committee on the Strategic Objective of Employment.

7. The Working Group started in November 2009 a discussion on the modalities of the discussion of the General Survey in order to ensure the best interaction of its outcome with the discussion of the recurrent report on Employment, including how any possible conclusions of the Committee on the Application of Standards can best be taken into account by the Committee on the Strategic Objective of Employment.

8. It was noted that while this is a new process and it is still to be seen how the recurrent discussions will develop, the intention is that the Committee on the Strategic Objective of Employment will discuss the recurrent report on employment and adopt a plan of action setting out priorities in this area, which would subsequently be submitted to the Governing Body for follow-up action. In order that the Committee on the Strategic Objective of Employment is able to consider the normative issues arising out of the General Survey concerning employment instruments, it was important to ensure that the necessary procedural rules are in place that would allow the discussion on the General Survey by the Committee on the Application of Standards be brought to the attention of

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1 GB.303/LILS/6 and GB.303/12.
the Committee on the Strategic Objective of Employment in sufficient time to be taken into consideration in the plan of action.

9. A number of considerations were mentioned in this respect: the need for the Committee on the Application of Standards to consider the possibility of adopting conclusions on the discussion on the General Survey; the importance to ensure that the General Survey is discussed at the beginning of the Committee’s session; and the modalities to enable the conclusions to be brought to the attention of the Committee on the Strategic Objective of Employment early enough, possibly on the Monday of the second week of the Conference. The conclusion of this first exchange was that procedures should be put in place and that the Office of the Legal Adviser (JUR) would be consulted accordingly.

10. With regard to a possible procedure to bring the conclusions on the General Survey to the attention of the Committee on the Strategic Objective of Employment, the opinion of JUR is the following: to facilitate the coordination between the two discussions, the conclusions adopted by the Committee on the Application of Standards on the General Survey may be presented as a formal input to the work of the Committee on the Strategic Objective of Employment. This official transmission between the two Committees can be arranged by the Selection Committee acting on behalf of the Conference under article 4(2) of the Standing Orders of the International Labour Conference (in an early meeting). In addition, the Committee on the Strategic Objective of Employment itself may invite the Officers of the Committee of the Application of Standards to present the conclusions.

11. Concerning the working schedule, it is proposed that the discussion on the General Survey take place on Thursday 3 June, second day of the Conference, and that conclusions are adopted on Friday 4 June, afternoon (see Annex III).

12. The working group may wish to further discuss the procedures to be put in place for the discussion of the forthcoming General Survey concerning employment instruments and the adoption of conclusions by the Committee on the Application of Standards, in the light of the parallel discussion of the recurrent report on Employment.

Possibility for the Committee to discuss a case of a Government which is not accredited or registered to the Conference

13. At the last meeting of the Working Group, it was recalled that during the last year’s Conference (June 2009), a country, which was included on the preliminary list and retained by the Employers’ group for the final list, was removed at the last moment as the country was not accredited to the Conference. It was noted that the Government in question was accredited on the third day of the Conference, after the adoption of the list.

14. With respect to countries whose cases have been selected but which are not present at the Committee, the document D.1 currently distinguishes between countries present and those not present at the Conference and states as follows: “On the last day of the discussion of individual cases, the Committee shall deal with the cases in which governments have not responded to the invitation. Given the importance of the Committee’s mandate, assigned to it in 1926, to provide a tripartite forum for dialogue on outstanding issues relating to the application of ratified international labour Conventions, a refusal by a Government to participate in the work of the Committee is a significant obstacle to the attainment of the core objectives of the International Labour Organisation. For this reason, the Committee
may discuss the substance of the cases concerning governments which are registered and present at the Conference, but which have chosen not to be present before the Committee. The debate which ensues in such cases will be reflected in the appropriate part of the report, concerning both individual cases and participation in the work of the Committee. In the case of governments that are not present at the Conference, the Committee will not discuss the substance of the case, but will bring out in the report the importance of the questions raised (emphasis added). In both situations, a particular emphasis will be put on steps to be taken to resume the dialogue.” (Document D.1, page 8, footnote 12)

15. The working group may wish to consider possible amendments to the above text in order to prevent the situation described in paragraph 13 from becoming a general practice in the future and in particular to determine to what extent the substance of a case of a government which is included in the preliminary list could be discussed by the Committee when this government is not accredited or registered at the Conference.

**Balance in the individual cases selected by the Committee**

16. Information contained in Annex IV shows the large proportion of cases related to fundamental Conventions - and, among the fundamental Conventions, freedom of association and collective bargaining Conventions - that are selected each year by the Conference Committee. It should be noted that this situation reflects the importance of these Conventions. As the Social Justice Declaration recalls, the fundamental principles and rights at work are both rights and enabling conditions that are necessary for the full realization of all of the strategic objectives, and freedom of association and the effective recognition of the right to collective bargaining are particularly important in this respect. At the same time, other Conventions are recognized as key for the realization of the Decent Work Agenda and the Social Justice Declaration put a special emphasis as regards the ratification and implementation of governance Conventions, in addition to the core labour standards.

17. In light of the above, the working group may wish to start a discussion on the question of a possible improved balance in the Conventions selected by the Conference Committee in the context of the individual cases.

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3 Section I, A (iv).
4 Section II, B (iii).
Annex I

Working Group on the Working Methods of the Conference Committee on the Application of Standards (7th meeting)

Informal Tripartite Consultations
Saturday, 14 November 2009 (2.30 to 5.30 pm)

Brief report

Proposed agenda

- Improvements in time management
- Balance in the individual cases selected by the Committee
- Possibility for the Committee to discuss a case of a Government which is not accredited or registered to the Conference
- Other questions

1. Agenda

1. **The Director of NORMES** (Ms Doumbia-Henry) clarified that the fourth item on the possibility for the Committee to discuss a case of a Government which is not accredited or registered to the Conference had been included after the circulation of a first draft of the Agenda, following a suggestion of the Employers’ group and in agreement with the Workers’ group. This second draft was also circulated.

2. The proposed agenda was adopted.

2. **Improvements in time management**

3. **The Employers’ group** referred to pages 28-29 of Provisional Record No 20 (ILC 2009) which reflected the position and suggestions they made for the purpose of improving time management. Firstly, concerning ways to create more time at the beginning of the Committee’s work, they suggested that the General Discussion be eliminated as other occasions to make general comments existed and discussion on the first part of the CEACR report continued to decrease (resulting in less than half a day last Conference). However the discussion on the General Survey should be retained. Secondly, concerning time management, the main question to be answered was how the Committee should organize its work to discuss 25 cases in 5 days, especially since all governments preferred that their cases be considered at the end of the week. They pointed out that the preliminary list enabled the 35 to 40 governments concerned to prepare in advance. Independent of the complexity of the cases, the maximum limit of 5 cases per day had to be maintained. In the event that five governments had already registered on one day, other governments concerned
would have to choose another day. The possibility of having regular sessions on the Saturday should also be looked into. The D.1 document, while providing some information on time limits, was not sufficient. The Chairperson of the Committee had also to remind the Committee of the time limits at the start of their work. They saw a particular problem in the enforceability of the time limits. It could not be the sole responsibility of the Chairperson to enforce these limits and other means, such as the use of a timer with a tone as done in the plenary, should be explored.

4. The Workers’ group stressed that the respect of reporting obligations was of the utmost importance and had to be discussed during the General Discussion. The distribution of cases throughout the Committee’s work was also a matter of concern. Although the situation this year was optimal, since the list of cases was adopted on the second day, the fact that only two cases had been considered on the first day of the sitting of the Committee had resulted in delays that had accumulated until the Friday. It was therefore necessary to start with five cases on Monday and the Secretariat had to use all slots available and avoid situations where government’s try to arrange to be heard on a later day of the week. This was necessary as discussions in the early hours of Saturday morning, as occurred this year, could not be taken seriously and were not effective. A regular sitting on the second Saturday could be considered as a possible solution. They agreed to include in Document D.1 time limits and to use technical means to limit speaking time. It was necessary to become especially strict so speakers kept the time limit. Without such strict enforcement, when one Government was allocated more time, others would claim the same right. They wondered whether allocating 15 minutes to the Government whose case was under discussion, as well as 15 minutes to the Workers’ and Employers’ Vice-Chairpersons, and 10 minutes for other governments’ interventions would be considered sufficient. They also emphasized that it was becoming increasingly difficult to include cases of progress in the list of 25 cases and these should be placed in another list and dealt with separately.

5. The representative of the Government of Egypt declared that it was necessary to define a maximum number of cases that could be discussed each year by the Committee and suggested limiting the list to twenty cases, allowing for the examination of four cases per day – two in the morning followed by two in the afternoon. The cases that could not be discussed should be retained for examination in the following year. Concerning the speaking limit, stricter enforcement was necessary in order to ensure respect of the imposed limits. Governments concerned should be urged to submit written information if they felt that their allocated time was insufficient. This would also allow the Committee to benefit from more complete information.

6. The representative of the Government of Cuba requested clarifications concerning the proposals presented. Firstly, he wished to know how to make the distinction between a complex case from a simple case, which would imply a different speaking time for the cases under examination. Secondly, he emphasized that the reason why cases were not distributed in a balanced manner during the course of the week remained a substantive issue related to the date on which the definitive list was issued. Each Government that was on the list needed time and used the time available to defend its case appropriately. He added that the international situation was also important and it was difficult for a developing country to arrive with a large delegation for the Committee, including experts, even when it was included on the preliminary list. He insisted on the need for discipline in the work of the Committee and the need to adopt a methodology. He referred to the Universal Periodic Review (UPR) mechanism used by the United Nations to examine human rights practices. This mechanism included a methodology and a specific time for each case without any difference being made between one case and another. He supported the proposal made by the representative of the Government of Egypt to reduce the number of cases to be
examined. That would lighten the work of the Committee. Finally, he called on the Office to consider the introduction of a methodology which would allow a specific number of cases to be examined every day.

7. The representative of the Government of Bangladesh supported the statement made by the representative of the Government of Cuba and emphasized that it was necessary to come up with solutions using result-based indicators as promoted by the ILO. He agreed with the suggestion made by the representative of the Government of Egypt to reduce the number of cases to be treated from 25 to 20. He was also in favour of looking for solutions in the model of time management used by the UPR system. While the UPR foresaw a slotting for cases, it initially allocated 10 minutes to the Government whose case was under consideration. Other Governments were allocated time depending on the number of interventions to be given. It was the responsibility of the Chairperson to enforce the limits. Regarding the slotting of the cases to be examined evenly over the five days, he suggested that the Committee follow the alphabetical order based on the name of the country. This could rationalize the system and countries on the preliminary list could prepare their case accordingly.

8. The representative of the Government of Canada noted that time management tended to be reduced to enforcing strict time limits to be respected by the speakers. This responsibility could not be placed on the Chairperson alone. She agreed that an independent timing system was necessary. In addition, it was important to start meetings on time. Hence, if the spokespersons of the Workers’ and Employers’ groups were not available, the nomination of deputies to stand in to ensure a timely start to the meeting had to be considered. Regarding the General Discussion, she saw no consensus to eliminate it altogether. She suggested that some issues merited discussions and these could be determined by the Officers in advance. While generally supporting the slotting of cases and the introduction of a fair system based on alphabetical order, special circumstances of Governments had to be taken into account, such as arrivals of Ministers invited to present the case for the government. Limiting the list of speakers was difficult to achieve, but a time limit of 5 minutes for each government would certainly help. A solution could also be to encourage governments to submit written submissions. However, care would have to be taken to ensure that the Office was not overburdened with translations, and further reflection was required as to how these submissions would be reflected in the Committee’s report. She was of the opinion that often members of the Workers’ group made many interventions and this needed to be addressed. In addition, a set amount of time should be allocated to group statements.

9. The representative of the Government of Austria recalled that in the past it had always been possible to deal with the discussion on the General Survey, automatic cases and the General Discussion in the first part of the Conference Committee’s work. The Office had to determine which cases were to be considered in the second week. She agreed with the proposals made by the representatives of the Governments of Canada and Bangladesh and added that the alphabetical system should be rotating, thus start with “A” in 2010 and “B” in 2011 etc. To facilitate this approach, governments should receive the preliminary case list 4 to 5 weeks before the ILC so they could prepare. She requested information from the Office whether the existing time limits had already been fixed in written form. Finally, she added that limiting the list of speakers would contradict the Conference Committee’s principle to ensure the right of freedom of speech for all. A solution could be found in the representative of the Government of Bangladesh’s suggestion to allocate a total time for each case and to reduce the time for individual interventions to ensure that each speaker had a chance to speak. For the overall allocation of time per case, it was necessary to take into account the political importance of the case and its level of complexity. Furthermore, Saturday should be scheduled as a possible working day. She proposed that the allocated time frame per case be based on the presumption that a government was given 15 minutes each for the introductory
statement and the concluding remarks, speakers from the groups were given an additional 30 minutes and Worker and Employer representatives each got 20 minutes. She also wished to clarify whether the 5 minute time limits would also apply to group statements, e.g. by IMEC, GRULAC, EU.

10. The Director of NORMES explained that the time limits for the interventions were known to the Committee and announced at the beginning of each sitting. They were, however, not included in the section on time management in the DI document.

11. The representative of the Government of Bangladesh stressed that it was important that the Chair conveyed the time limits to participants beforehand and that specific rules for time allocation existed and were enforced by a traffic light system. Regarding the concerns expressed by the representative of the Government of Canada, he explained that the UPR had set up a word limit for written submissions by the governments, NGOs or other entities. In regard to the number of speakers, he explained that in the UPR if there were too many speakers for a country, those speakers who had registered late were asked to submit their statement in writing to be posted on the website. A government reviewed by the UPR received three occasions to speak: 30 minutes for an introductory statement, time to provide replies to questions during the debate and time to conclude at the end. Concerning the order of cases, he supported a rotating alphabetical approach, but also suggested that a system based on lottery or seating arrangements, as practiced in the UN system, was also feasible.

12. The Workers' group supported an alphabetical approach to the slotting of cases. However, it was important that the secretariat was able to accommodate specific requests of governments. It was in everyone's interest to have a good balance of cases, taking into consideration both the diversity of Conventions and regional balance. Limiting the selection to 25 cases was already a challenge and reducing the number to 20 would create further difficulties. Currently, the Employers' and Workers' Vice-Chairpersons, as well as the Government whose case was being discussed, were given time to speak at the end of the discussion of each case. For the Employers' and Workers' Vice-Chairpersons this was only a short statement (5 minutes) about the elements they wanted to see reflected in the conclusions.

13. The Employers' group invited the Office to present a draft for a text on time management to be included in the D.1 document at the next meeting of the Working Group in March 2010. They confirmed that the time limits were known to the Committee and emphasized that these had to be put in writing. In their view, time limits for concluding remarks also had to be imposed. While 15 minutes was too long, 10 minutes was appropriate and the draft text should reflect this. He agreed to avoid making the Chairperson a referee and supported the introduction of an independent timing system. There was a consensus that dealing with 25 cases was feasible and that it was necessary to distribute them more evenly over 5 days. Concerning the General Discussion, they were uncertain whether it was possible for the Employer and Worker Vice-Chairpersons to come up with a list of agreed subjects before the meeting. They agreed with the representative of the Government of Bangladesh that the time remaining, after the interventions of the Government concerned and groups, should be divided evenly between the other speakers. They agreed with the Workers' group that some aspects of the General Discussion should be kept but some other elements could be dealt with at a later stage. In regard to the remark made by the representative of the Government of Canada, they emphasized that delays in starting the Committee's meetings on time had never been caused by the Workers' or Employers' groups, but rather by other issues in the Committee. They highlighted that the Workers' group, especially in the last 5 years, had become very responsible in limiting the number of speakers despite the fact that in many countries various federations wanted the opportunity to speak and support fellow unions in
14. The Director of NORMES concluded that it was necessary to improve the working methods of the Committee in order to enhance its impact and the question of time limits had to be addressed. The ILO was open to look for solutions to improve time management in the new UN procedures, as the UN had so often done using ILO systems as models. The Office would produce a document before the next meeting of the Working Group in March 2010, which would include more concrete suggestions to modify document D.1. It could be envisaged to have more specific guidance on time limits, e.g. 15 minutes for the spokespersons of the Workers’ and the Employers’ groups, as well as the government whose case was being discussed, and also for the groups. This could result in less time for individual interventions by members of the Employers’ or Workers’ groups. A maximum speaking time of 10 minutes could be sufficient for the government groups. As regards the General Discussion, it was agreed that its duration had to be kept to a minimum and a final proposal would be presented in March. She explained that the lighting system for time management used in the plenary of the Conference could also be used for the Conference Committee, together with any other time management system. She noted that there seemed to be a consensus on the viability of examining 25 cases and recalled that the Conference Committee used to have a session on the Saturday of the second week. It was necessary to distribute the slotting of five cases evenly over the five days. Using a system based on the French alphabetical order, as is the ILO’s general practice, was a good idea. This would help to ensure that sufficient cases were considered on Monday and Tuesday as the distribution of cases from Wednesday to Friday had not been problematic so far. It was also crucial that the Office receive the preliminary list as soon as possible. Following the meeting of the Working Group in March, a modified version of document D.1 would be sent to governments to inform them of the proposed time limits and encourage them to come prepared if their country was mentioned on the preliminary list. She referred to the fact that the CEACR Report was published at the end of February.


15. The Director of NORMES noted that the General Survey on Employment was going to be discussed by the Conference Committee next year. At the same time it was expected that the technical Committee of next year’s Conference discussing the recurrent report on employment would adopt a plan of action setting out the priorities in this area, which would subsequently be submitted to the Governing Body for implementation. This technical Committee had to be able to consider the normative issues arising out of the General Survey for inclusion in the plan of action. Therefore it was important to establish a method to ensure that the discussions on the General Survey by the Conference Committee be brought to the attention of the technical Committee in sufficient time to be taken into consideration for the plan of action. Appropriate procedural rules would be needed in this respect.

16. The Workers’ group stressed that it was important that the Committee adopt conclusions on the General Survey as otherwise, the Committee would run the risk of weakening the importance of the discussion, and the linkage with the recurrent report might be lost.

17. The Employers’ group supported the alignment of the General Survey and the recurrent discussions and, to ensure this was done effectively, suggested that the General Survey be discussed at the beginning of the Committee discussions. The situation of this year where the conclusions on the OSH General Survey were only available at the end of the discussion had to be avoided. They also raised the possibility of selecting the same Employer
spokesperson for both the General Survey and the recurrent discussion to increase the synergies between the discussions, but were aware that this could create logistical problems.

18. The representative of the Government of Austria felt that finding a consensus for the conclusions on General Surveys could be a challenge as they would cover complex matters such as future standard-setting, needs for revision and technical assistance. She questioned what the main task of the conclusions was and considered that it would be difficult for the Committee to identify the need to update certain international labour standards. She agreed that it was important to have a mechanism to enable conclusions to be brought to the attention of the technical Committee and suggested that this could take place on the Monday of the second week of the Conference.

19. The representative of the Government of Canada suggested that the General Survey be discussed on the first day. She recalled that previous attempts to link up with other Committees had failed – either there was no input or the input was not satisfactory. Before deciding on arrangements for collaboration between the two committees, the Committee needed to know precisely how the recurrent discussion on employment was going to be organized.

20. The Director of NORMES replied that as this was a new process it was still to be seen how the recurrent discussions would develop. The Governing Body had decided that employment would be the theme for the first recurrent report, and that the General Survey would be aligned to the subject of the recurrent report. While the General Survey would provide a global picture on law and practice relating to ILO employment instruments, the recurrent report, prepared by the Office, would deal with Office activities relating to the strategic objective in question. She added that the technical Committee would propose a plan of action that, if adopted, would provide guidance to the Governing Body until the next time the strategic objective was discussed. This plan of action had to adopt an integrated approach and hence also include the standards-related components. For the first time the Conference Committee was given the opportunity to draw conclusions from the discussion of the General Survey, which would serve as a basis for future Office action. Since the CEACR report, which included the General Survey, would already be available in February, there was ample time for constituents to prepare and see where common ground could be found. Hence, it was important to further reflect upon the necessary institutional and procedural arrangements to bring these conclusions to the attention of the technical Committee discussing the recurrent report.

21. The representative of the Government of Bangladesh agreed that effective institutional and procedural arrangements needed to be adopted, and supported the suggestions that the General Survey be discussed on the first day. He suggested that half a day could then be allocated for the drafting of conclusions. Regarding the linkage to the technical Committee, he queried whether concentrating on conclusions would narrow the focus of the discussion on the General Survey, loosing the broader picture and added that this approach could lead to a duplication of discussions in the committees regarding standards-related issues.

22. The Employers' group recalled that the Conference Committee focused on legal discussions, whereas the technical Committee would discuss the topic from a broader perspective. They added that the conclusions of the General Survey should follow the same formula as the conclusions for the individual cases, reflecting areas of consensus and disagreement.

23. The Director of NORMES concluded that the queries raised confirmed the need for procedures to be put in place. The Office would make proposals next March to deal with the
issues raised. She indicated that, in the new article 19 questionnaire for the General Survey on employment, all member States were asked to give their views about standards gaps, technical assistance, and new standards. Hence, the General Survey response would depend on member States' responses (i.e., whether there were responses and what those responses indicated). When the members of the Conference Committee receive the General Survey, they will have sufficient time to reflect on possible conclusions before coming to the Conference. NORMES could draw the attention of the Office to the need to put in place arrangements for next year's Conference to allow for the possible interaction between the Conference Committee and the technical Committee on employment. A consensus existed to this effect and the Legal Office (JUR) would be consulted accordingly.

4. Balance in individual cases selected by the Committee

24. The Workers' group noted that the issue relating to double footnotes would be discussed inter alia when the Vice-Chairpersons of the Conference Committee meet with the CEACR. The question as to how cases of progress should be included in the list of cases was still pending.

25. Upon the proposal of the Employers' group, it was agreed to defer this matter to March, since further discussions between the Workers' and Employers' groups were necessary on this point.

5. Possibility of the Committee to discuss a case of a Government which is not accredited or registered to the Conference

26. The Employers' group recalled that at last year's Conference they wanted to place a country on the final list, because it was a serious case. However, at the last moment it was decided to remove the case as the country was not accredited to the Conference and instead the Workers' group placed a different country on the list. If at next year's Conference a similar situation would arise, the Employers' group would insist that the case be included in the final list. A case of a country not accredited to the Conference was essentially the same as a case in which a Government accredited to the Conference decided not to appear before the Committee. It should be noted that the Government in question was accredited on the third day of the Conference, after the adoption of the list.

27. The Workers' group agreed that such situations threatened the ability of the Conference Committee to work effectively. They suggested that upon receipt of the provisional list, countries had to be reminded what the implications and expectations were, in order to improve cooperation.

28. The representative of the Government of Cuba indicated that it was not general practice, but a special case, and that the many reasons for the absence of a Government needed to be examined. He emphasized that being accredited but not being present in the Committee on the Application of Standards was different from not participating in the Conference at all. He expressed the opinion that his Government would not agree to the Committee discussing the case of a Government which was not accredited to the Conference or not registered.

29. The Director of NORMES recalled that, in this context, it was the mandate of the Conference Committee, according to the ILO Constitution, to monitor the application of standards. For this purpose, the Committee had the report of the CEACR from which it selected 25 cases. Nothing legally prevented the Committee from examining a case if the country in question was not accredited to the Conference.
30. **The representative of the Government of Canada** understood that this Working Group had already decided that cases where member States legitimately did not attend the Conference could not be examined. However, cases could be examined where countries accredited decided not to appear before the Committee. She suggested that if the former case appeared again in the future, it had to be investigated whether the country intended to come to the Conference or not.

31. **The Workers’ group** noted that while this could have been an exceptional case, measures had to be taken to avoid this from becoming general practice in the future. The absence of a member State in such a situation went against the spirit of dialogue of the Conference Committee. They suggested that a government that showed up late should be put back on the list.

32. **The Director of NORMES** confirmed, following a query from the representative of the Government of Bangladesh, that inquiries on whether or not a government would attend the Conference were made right up until the last moment. She also recalled that document D.1, on page 7, footnote 12 read: “In the case of governments not present at the Conference, the Committee will not discuss the substance of the case, but will bring out in the report the importance of the questions raised.”

33. **The representative of the Government of Canada** asked whether, under the current arrangements, such a case was to be removed from the list.

34. **The Employers’ group** noted that the opportunity was lost to highlight the situation at the time. In this case, two principles had to be applied. First, the Conference Committee could decide to discuss any of the observations in the CEACR report, and second, when member States ratify ILO Conventions they also committed themselves to the obligation to report to the ILO on their implementation. He proposed that if a selected country was not accredited to the Conference, full reflection should still be given to the case and the concerns of the Workers’ and Employers’ group as well as governments included in the report. This was not a question of due process. During the Cold War there were many cases in which member States decided not to appear before the Committee but it was decided to discuss them anyway. They considered that this process had to be changed now because there was no difference between cases of countries not accredited and cases of countries who decided not to appear before the Committee. In reply to the question of the representative of the Government of Canada, they clarified that under the current arrangements such a case could be placed on the list, but not discussed. While noting that the information document did not contain any information on this point, they proposed to return to this issue in March.

35. **The Director of NORMES** agreed that the Office would prepare a note on this issue for the next meeting of the Working Group in March, without including the particulars of the case which occurred last Conference.
Work of the Committee

I. Introduction

The purpose of this note is to indicate briefly the manner in which the work of the Committee is carried out. In this regard, it should be noted that since 2002, ongoing discussions and informal consultations have taken place concerning the working methods of the Committee. In particular, following the adoption of a new strategic orientation by the Governing Body in November 2005, new consultations were held in March 2006 regarding numerous aspects of the standards system, starting with the question of the publication of the list of individual cases discussed by the Committee. A Working Group on the Working Methods of the Committee was set up in June 2006 and has met eight times. The last meeting took place on 20 March 2010. On the basis of the recommendations of the Working Group, the Committee has made certain adjustments to its working methods.

Since June 2007, the early communication to Governments (at least two weeks before the opening of the Conference) of a preliminary list of individual cases has continued. Following the adoption of the list of individual cases, the Employer and Worker Vice-Chairpersons have held an informal briefing session for Governments to explain the criteria used for the selection of cases. Changes have been made to the organization of work so that the discussion of cases could begin on the Monday morning of the second week. Governments have been invited to register as early as possible and in any event by the Friday of the first week at 6 pm at the latest and the Office was authorized to slot countries that had not registered by the deadline. Guidelines to improving the management of time in the Committee have been adopted and put into effect. Improvements have been introduced in the preparation and adoption of the conclusions relating to cases. In addition, the Conference Committee’s report has been published separately to increase its visibility.

In June 2008, new measures were adopted for the cases in which Governments were registered and present at the Conference, but have chosen not to be present before the Committee. In particular, the Committee may now discuss the substance of such cases.

1 See documents GB.294/LILS/4 and GB.294/9.


3 See below, Part V, E.
Specific provisions have also been adopted concerning the respect of parliamentary rules of decorum.4

In March 2009, the Working Group confirmed that all these changes were very positive. It discussed further possible improvements in the adoption of the final list, including efforts that could be made by the Employers’ and Workers’ Groups to reach a consensus earlier on a final list; the need for a better balance of cases between fundamental and technical Conventions, as well as between fundamental Conventions themselves and among countries; and the line to be drawn between simple lobbying and unacceptable pressure from the countries listed. It was noted that the definition of what was considered to be unacceptable pressure was set out in the letter, sent along with the preliminary list to constituents, stating “that the provision of the preliminary list should not give rise to any form of pressure or other prejudicial act against unions coming from the countries listed, nor should these countries unduly interfere in the work of the Conference Committee in this regard”. The Working Group also held a first discussion concerning the implications of the follow-up to the ILO Declaration on Social Justice for a Fair Globalization on the working methods of the Conference Committee.

In November 2009 and March 2010, the Working Group discussed the following questions: (1) improvements in time management; (2) modalities for the discussion of the forthcoming General Survey on Employment in the light of the parallel discussion of the recurrent report on Employment during the June 2010 International Labour Conference; (3) the balance in the individual cases selected by the Committee; and (4) the possibility for the Committee to discuss a case of a Government which is not accredited or registered to the Conference. (to be completed on the basis of the conclusions of the Working Group - see changes proposed5 in Part V, A, B and E; footnote 12 is also to be discussed by the Working Group).

II. Terms of reference of the Committee

Under its terms of reference as defined in article 7 of the Standing Orders of the Conference, the Committee is called upon to consider:

(a) the measures taken by Members to give effect to the provisions of Conventions to which they are parties and the information furnished by Members concerning the results of inspections;

(b) the information and reports concerning Conventions and Recommendations communicated by Members in accordance with article 19 of the Constitution;

(c) the measures taken by Members in accordance with article 35 of the Constitution.

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4 See below, Part V, D, footnote 12 and Part V, F.

5 Proposed additions are underlined, proposed deletions are stricken out.
III. Working documents

A. Report of the Committee of Experts

The basic working document of the Committee is the report of the Committee of Experts on the Application of Conventions and Recommendations (Report III (Parts 1A and B)), printed in two volumes.

Volume A of this report contains, in Part One, the General Report of the Committee of Experts (pages 5-37), and in Part Two, the observations of the Committee concerning the application of ratified Conventions and the submission of Conventions and Recommendations to the competent authorities in member States (pages 41-802). At the beginning of the report there is a list of Conventions by subject (pages v-x), an index of comments by Convention (pages xi-xix), and by country (pages xxi-xxx).

It will be recalled that, as regards ratified Conventions, the work of the Committee of Experts is based on reports sent by the governments.8

Certain observations carry footnotes asking the government concerned to report in detail, or earlier than the year in which a report on the Convention in question would normally be due, and/or to supply full particulars to the Conference.7 The Conference may also, in accordance with its usual practice, wish to receive information from governments on other observations that the Committee of Experts has made.

In addition to the observations contained in its report, the Committee of Experts has, as in previous years, made direct requests which are communicated to governments by the Office on the Committee’s behalf.8 A list of these direct requests can be found at the end of Volume A (see Appendix VII, pages 845-857).

Continuing the new practice established in 2009, the Committee of Experts has highlighted cases of good practices to enable governments to emulate these in advancing social progress and to serve as a model for other countries to assist them in the implementation of ratified Conventions.9

Furthermore, the Committee of Experts has also continued to highlight the cases for which, in its view, technical assistance would be particularly useful in helping member States to address gaps in law and in practice in the implementation of ratified Conventions, following-up on the practice established by the Conference Committee in this regard since 2005.10

Volume B of the report contains the General Survey by the Committee of Experts, which this year concerns employment instruments in light of the 2008 Declaration on Social Justice for a Fair Globalization, including the Employment Policy Convention, 1964 (No. 122), the Human Resources Development Convention, 1975 (No. 142), the

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6 See paras. 23-26 of the Committee of Experts’ General Report.

7 See paras. 51-53 of the Committee of Experts’ General Report.

8 See para. 45 of the Committee of Experts' General Report.

9 See paras. 64-65 of the Committee of Experts’ General Report.

10 See paras. 66-67 of the Committee of Experts’ General Report.

B. Summaries of reports

At its 267th Session (November 1996), the Governing Body approved new measures for rationalization and simplification of reporting. In this connection, it adopted changes along the following lines:

(i) information concerning reports supplied by governments on ratified Conventions (articles 22 and 35 of the Constitution), which now appears in simplified form in two tables annexed to the report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part IA) (Appendices I and II, pages 805-820);

(ii) information concerning reports supplied by governments as concerns General Surveys under article 19 of the Constitution (this year concerning employment instruments) appears in simplified form in a table annexed to the report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part IB) (Annex B, pages 195-198);

(iii) summary of information supplied by governments on the submission to the competent authorities of Conventions and Recommendations adopted by the Conference (article 19 of the Constitution), which now appears as Appendices IV, V and VI to the report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part IA) (pages 830-844).

Requests for consultation or copies of reports may be addressed to the secretariat of the Committee on the Application of Standards.

C. Other information

In addition, as and when relevant information is received by the secretariat, documents are prepared and distributed containing the substance of:

(i) supplementary reports and information which reached the International Labour Office between the meetings of the Committee of Experts and the Conference Committee;

(ii) written information supplied by governments to the Conference Committee in reply to the observations made by the Committee of Experts.

IV. Composition of the Committee, right to participate in its work and voting procedure

These questions are regulated by the Standing Orders concerning committees of the Conference, which may be found in section H of Part II of the Standing Orders of the International Labour Conference.
Each year, the Committee elects its Chairperson and Vice-Chairpersons as well as its Reporter.

V. Schedule of work

A. General discussion

1. General Survey. In accordance with its usual practice, the Committee will discuss the General Survey of the Committee of Experts, Report III (Part 1B). This year, for the first time, the subject of the General Survey has been aligned with the strategic objective that will be discussed in the context of the recurrent report under the follow-up to the 2008 Social Justice Declaration. As a result, the General Survey concerns employment instruments and will be discussed by the Committee on the Application of Standards, while the recurrent report on employment will be discussed by the Committee on the Strategic Objective of Employment. In order to ensure the best interaction between the two discussions, including how any possible conclusions of the Committee on the Application of Standards can best be taken into account by the Committee on the Strategic Objective of Employment, adjustments are proposed in the modalities for the discussion of the General Survey and a procedure to present the conclusions on the discussion on the General Survey as a formal input to the work of the Committee on the Strategic Objective of Employment has been established.

The arrangements proposed are the following: (to be completed on the basis of the conclusions of the Working Group).

2. General questions. In addition, the Committee will hold a brief general discussion which is primarily based on the General Report of the Committee of Experts, Report III (Part 1A) (pages 5-37).

B. Discussion of observations

In Part Two of its report, the Committee of Experts makes observations on the manner in which various governments are fulfilling their obligations. The Conference Committee then discusses some of these observations with the governments concerned.

Cases of serious failure by member States to respect their reporting and other standards-related obligations

Governments are invited to supply information on cases of serious failure to respect reporting or other standards-related obligations for stated periods. These cases are considered in a single sitting. Governments may remove themselves from this list by submitting the required information before the sitting concerned. Information received both before and after this sitting will be reflected in the report of the Conference Committee.

11 Formerly “automatic” cases (see Provisional Record No. 22, International Labour Conference, 93rd Session, June 2005).
Individual cases

A draft list of observations (individual cases) regarding which Government delegates will be invited to supply information to the Committee is established by the Committee’s Officers. The draft list of individual cases is then submitted to the Committee for approval. In the establishment of this list, a need for balance among different categories of Conventions as well as geographical balance is considered. In addition to the abovementioned considerations on balance, criteria for selection have traditionally included the following elements:

- the nature of the comments of the Committee of Experts, in particular the existence of a footnote (see Appendix I);
- the quality and scope of responses provided by the government or the absence of a response on its part;
- the seriousness and persistence of shortcomings in the application of the Convention;
- the urgency of a specific situation;
- comments received by employers’ and workers’ organizations;
- the nature of a specific situation (if it raises a hitherto undisputed question, or if the case presents an interesting approach to solving questions of application);
- the discussions and conclusions of the Conference Committee of previous sessions and, in particular, the existence of a special paragraph;
- the likelihood that discussing the case would have a tangible impact.

Moreover, there is also the possibility of examining one case of progress as was done in 2006, 2007 and 2008.

Supply of information\textsuperscript{12} and deadline for automatic registration.

1. Oral replies—Deadline for registration. The governments which are invited to provide information to the Conference Committee are requested to take note of a preliminary list and register as soon as possible and in any event not later than 6 p.m. on Friday 5 June, for their intervention before the Committee which will occur in the course of the second week. The government which will be registered before the expiration of this deadline may choose the date and time of their intervention. After this deadline, the Office will be authorized to set the schedule for the discussion of the cases of those governments which may not have yet been registered, prepare for the eventuality that they may be called upon to appear before the Conference Committee. Cases included in the final list will be automatically registered and evenly distributed over the week by the Office on the basis of a rotating alphabetical system, following the French alphabetical order. This year the registration will start with the countries beginning with the letter “XX”. Representatives of governments which are not members of the Committee are kept informed of the agenda of the Committee and of the date on which they may be heard:

\textsuperscript{12} See also section E below on time management.
(a) through the Daily Bulletin;
(b) by means of letters sent to them individually by the Chairperson of the Committee.

2. Written replies. The written replies of governments – which are submitted to the Office prior and in addition to oral replies – are reproduced in the documents which are distributed to the Committee (see Part III, C above).

Adoption of conclusions

The conclusions regarding individual cases are prepared and proposed by the Chairperson of the Committee, who should have sufficient time for reflection to draft the conclusions and to hold consultations with the Reporter and the Vice-Chairpersons before proposing the conclusions to the Committee. The conclusions should take due account of the elements raised in the discussion. The conclusions should be adopted within a reasonable time limit after the discussion of the case and should not be very long.

C. Minutes of the sittings

No minutes are published for the general discussion and the discussion of the General Survey. Minutes of sittings at which governments are invited to respond to the comments of the Committee of Experts will be produced by the secretariat in English, French and Spanish. It is the Committee’s practice to accept corrections to the minutes of previous sittings prior to their approval by the Committee, which should take place 36 hours at the most after the minutes become available. In order to avoid delays in the preparation of the report of the Committee, no corrections may be accepted once the minutes have been approved.

The minutes are a summary of the discussions and are not intended to be a verbatim record. Speakers are therefore requested to restrict corrections to the elimination of errors in the report of their own statements, and not to ask to insert long additional passages. It would be helpful to the secretariat in ensuring the accuracy of the minutes if, wherever possible, delegates would hand in a written copy of their statements to the secretariat.

D. Special problems and cases

For cases in which governments appear to encounter serious difficulties in discharging their obligations, the Committee decided at the 66th Session of the Conference (1980) to proceed in the following manner:

1. Failure to supply reports and information. The various forms of failure to supply information will be expressed in narrative form in separate paragraphs at the end of the appropriate sections of the report, and indications will be included concerning any explanations of difficulties provided by the governments concerned. The following criteria were retained by the Committee for deciding which cases were to be included:

   - None of the reports on ratified Conventions has been supplied during the past two years.
   - First reports on ratified Conventions have not been supplied for at least two years.
   - None of the reports on unratified Conventions and Recommendations requested under article 19, paragraphs 5, 6 and 7, of the Constitution has been supplied during the past five years.
No indication is available on whether steps have been taken to submit the Conventions and Recommendations adopted during the last seven sessions of the Conference to the competent authorities, in accordance with article 19 of the Constitution.

No information has been received as regards all or most of the observations and direct requests of the Committee of Experts to which a reply was requested for the period under consideration.

The government has failed during the past three years to indicate the representative organizations of employers and workers to which, in accordance with article 23(2) of the Constitution, copies of reports and information supplied to the Office under articles 19 and 22 have been communicated.

The government has failed, despite repeated invitations by the Conference Committee, to take part in the discussion concerning its country.

2. Application of ratified Conventions. The report will contain a section entitled “Application of ratified Conventions”, in which the Committee draws the attention of the Conference to:

- cases of progress (see Appendix II), where governments have introduced changes in their law and practice in order to eliminate divergences previously discussed by the Committee;

13 This year the sessions involved would be the 89th-95th Sessions (2001-2007).

14 In conformity with the decision taken by the Committee at the 73rd Session of the Conference (1987), as amended at the 97th Session of the Conference (2008), for the implementation of this criterion, the following measures will be applied:

- In accordance with the usual practice, after having established the list of cases regarding which Government delegates might be invited to supply information to the Committee, the Committee shall invite the governments of the countries concerned in writing, and the Daily Bulletin shall regularly mention these countries.

- Three days before the end of the discussion of individual cases, the Chairperson of the Committee shall request the Clerk of the Conference to announce every day the names of the countries whose representatives have not yet responded to the Committee’s invitation, urging them to do so as soon as possible.

- On the last day of the discussion of individual cases, the Committee shall deal with the cases in which governments have not responded to the invitation. Given the importance of the Committee’s mandate, assigned to it in 1926, to provide a tripartite forum for dialogue on outstanding issues relating to the application of ratified international labour Conventions, a refusal by a Government to participate in the work of the Committee is a significant obstacle to the attainment of the core objectives of the International Labour Organisation. For this reason, the Committee may discuss the substance of the cases concerning governments which are registered and present at the Conference, but which have chosen not to be present before the Committee. The debate which ensues in such cases will be reflected in the appropriate part of the report, concerning both individual cases and participation in the work of the Committee. In the case of governments that are not present at the Conference, the Committee will not discuss the substance of the case, but will bring out in the report the importance of the questions raised (emphasis added – to be discussed by the Working Group). In both situations, a particular emphasis will be put on steps to be taken to resume the dialogue.
discussions it had regarding certain cases, which are mentioned in special paragraphs of the report;

- continued failure over several years to eliminate serious deficiencies in the application of ratified Conventions which it had previously discussed.

E. Time management

- Every effort will be made so that sessions start on time and the schedule is respected.

- Maximum speaking time for speakers are as follows:

  o Fifteen minutes for the spokespersons of the Workers’ and the Employers’ groups, as well as the Government whose case is being discussed.

  o Ten minutes for the Employer and Worker members from the country concerned.

  o Ten minutes for government groups.

  o Five minutes for the other members.

  o Concluding remarks are limited to 10 minutes for spokespersons of the Workers’ and the Employers’ groups, as well as the Government whose case is being discussed.

- However, the Chairperson, in consultation with the other officers of the Committee, could decide on reduced time limits where the situation of a case would warrant it, for instance, where there was a very long list of speakers.

- These time limits will be announced by the Chairperson at the beginning of each sitting and will be strictly respected.

- During interventions, a screen located behind the Chairperson and visible by all speakers will indicate the remaining time available to speakers. Once the maximum speaking time has been reached, a tone to interrupt the speaker will be activated.

- The governments whose case is discussed, while submitting complete information, are invited to make an oral presentation as concise as possible to be completed in view of the above limits on speaking time. Governments whose case is discussed are invited to submit complete information by a written document which will be submitted to the Office in advance (see section B above).

- Before the discussion of each case, the Chairperson will communicate the list of speakers already registered.

F. Respect of rules of decorum and role of the Chairperson

- All delegates have an obligation to the Conference to abide by parliamentary language and by the generally accepted procedure. Interventions should be relevant to the subject under discussion and should avoid references to extraneous matters.

- It is the role and task of the Chairperson to maintain order and to ensure that the Committee does not deviate from its fundamental purpose to provide an international tripartite
forum for full and frank debate within the boundaries of respect and decorum essential to making effective progress towards the aims and objectives of the International Labour Organisation.
Appendix I

Criteria for footnotes

At its November–December 2005 session, in the context of examining its working methods, and in response to the requests coming from members of the Committee for clarification concerning the use of footnotes, the Committee of Experts adopted the following criteria (paragraphs 36 and 37):

The Committee wishes to describe its approach to the identification of cases for which it inserts special notes by highlighting the basic criteria below. In so doing, the Committee makes three general comments. First, these criteria are indicative. In exercising its discretion in the application of these criteria, the Committee may also have regard to the specific circumstances of the country and the length of the reporting cycle. Second, these criteria are applicable to cases in which an earlier report is requested, often referred to as a “single footnote”, as well as to cases in which the government is requested to provide detailed information to the Conference, often referred to as “double footnote”. The difference between these two categories is one of degree. The third comment is that a serious case otherwise justifying a special note to provide full particulars to the Conference (double footnote) might only be given a special note to provide an early report (single footnote) in cases where there has been a recent discussion of that case in the Conference Committee on the Application of Standards.

The criteria to which the Committee will have regard are the existence of one or more of the following matters:

- the seriousness of the problem; in this respect, the Committee emphasizes that an important consideration is the necessity to view the problem in the context of a particular Convention and to take into account matters involving fundamental rights, workers’ health, safety and well-being as well as any adverse impact, including at the international level, on workers and other categories of protected persons;
- the persistence of the problem;
- the urgency of the situation; the evaluation of such urgency is necessarily case-specific, according to standard human rights criteria, such as life-threatening situations or problems where irreversible harm is foreseeable; and
- the quality and scope of the government’s response in its reports or the absence of response to the issues raised by the Committee, including cases of clear and repeated refusal on the part of a State to comply with its obligations.

At its 76th Session, the Committee decided that the identification of cases in respect of which a special note (double footnote) is to be attributed will be a two-stage process: the expert initially responsible for a particular group of Conventions may recommend to the Committee the insertion of special notes; in light of all the recommendations made, the Committee will take a final, collegial decision on all the special notes to be inserted, once it has reviewed the application of all the Conventions.
Appendix II

Criteria for identifying cases of progress

At its November–December 2005 session, the Committee of Experts defined criteria for identifying these cases in the following manner (paragraphs 42, 43 and 46):

[...] The Committee has developed a general approach concerning the identification of cases of progress. In describing the approach below, the Committee wishes to emphasize that an expression of progress can refer to many kinds of measures. In the final instance, the Committee will exercise its discretion in noting progress having regard in particular to the nature of the Convention as well as to the specific circumstances of the country.

Since first identifying cases of satisfaction in its report in 1964, the Committee has continued to follow the same general criteria. The Committee expresses satisfaction in cases in which, following comments it has made on a specific issue, governments have taken measures through either the adoption of an amendment to the legislation or a significant change in the national policy or practice thus achieving fuller compliance with their obligations under the respective Conventions. The reason for identifying cases of satisfaction is twofold: to place on record the Committee’s appreciation of the positive action taken by governments in response to its comments, and to provide an example to other governments and social partners which have to address similar issues. In expressing its satisfaction, the Committee indicates to governments and the social partners that it considers the specific matter resolved. In so doing, the Committee must emphasize that an expression of satisfaction is limited to the particular issue at hand and the nature of the measure taken by the government concerned. Therefore, in the same comment, the Committee may express satisfaction on a particular issue, while raising other important issues which in its view have not been satisfactorily addressed. Further, if the satisfaction relates to the adoption of legislation, the Committee may also consider appropriate follow-up on its practical application.

[...]

Within cases of progress, the distinction between cases of satisfaction and cases of interest was formalized in 1979. In general, cases of interest cover measures that are sufficiently advanced to justify the expectation that further progress would be achieved in the future and regarding which the Committee would want to continue its dialogue with the government and the social partners. This may include: draft legislation before parliament, or other proposed legislative changes not yet forwarded or available to the Committee; consultations within the government and with the social partners; new policies; the development and implementation of activities within the framework of technical cooperation projects or following technical assistance or advice from the Office. Judicial decisions, according to the level of the court, the subject matter and the force of such decisions in a particular legal system would normally be considered as cases of interest unless there was a compelling reason to note a particular judicial decision as a case of satisfaction. The Committee may also note as cases of interest progress made by a State, province or territory in the framework of a federal system. The Committee’s practice has developed to a certain extent, so that cases in which it expresses interest may now also encompass a variety of new or innovative measures which have not necessarily been requested by the Committee. The paramount consideration is that the measures contribute to the overall achievement of the objectives of a particular Convention.

15 See para. 16 of the report of the Committee of Experts submitted to the 48th Session (1964) of the International Labour Conference.

16 See para. 122 of the report of the Committee of Experts submitted to the 65th Session (1979) of the International Labour Conference.
PROVISIONAL WORKING SCHEDULE
(See Daily Bulletin for actual time schedules)

**Individual cases:** The Governments concerned are invited to register with the Secretariat no later than 18:00 on Friday, 4 June, indicating the day and session (morning, afternoon or evening) they would like their case to be discussed before the Committee. Once this period has expired, the Secretariat will be authorized to schedule the cases of those Governments which have not registered. Cases included in the final list will be automatically registered and evenly distributed over the second week by the Office on the basis of a rotating alphabetical system, following the French alphabetical order. This year the registration will start with the countries beginning with the letter “XX”.

| Wednesday, 2 June | to be determined | - Opening Sitting  
|                  |                 | -  Election of Officers  
|                  |                 | - Statement by the Representative of the Secretary-General  
|                  |                 | - Statement by the Chairperson of the Committee of Experts  
|                  |                 | - Informal Information Meeting  
|                  | to be determined | Group meetings  
| Thursday, 3 June | 09:00 - 11:00  | Group meetings  
|                  | 11:00 - 13:00  | - Adoption of Methods of Work (D.1)  
|                  |                 | - General Survey concerning employment instruments  
|                  | 15:00 - 18:00  | - General Survey concerning employment instruments  
|                  |                 | - General Discussion  
|                  |                 | - Adoption of List of Cases (D.4)  
|                  |                 | - Information session for Governments (Room II)  
| Friday, 4 June   | 10:00 - 13:00  | - Discussion of cases of serious failure by member States to respect their reporting and other standards-related obligations  
|                  | 15:00 - 18:00  | - Adoption of the conclusions on the General Survey  

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<tr>
<th>Date</th>
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<tr>
<td><strong>Saturday, 5 June</strong></td>
<td>10:00 – 13:00</td>
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<td>- Reply of the Chairperson of the Committee of Experts</td>
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<td>- Reply of the Representative of the Secretary-General</td>
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<td><strong>Monday, 7 June</strong></td>
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<td>Adoption of Report by the Committee</td>
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<td><strong>Thursday, 17 June</strong></td>
<td>to be determined</td>
<td>Adoption of Report in Plenary of the ILC</td>
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Annex IV

List of Conventions selected by the Conference Committee on the Application of Standards in the context of the individual cases since 1999

1999 - 25 cases

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<tr>
<th>Convention No.</th>
<th>87</th>
<th>98</th>
<th>29</th>
<th>111</th>
<th>81</th>
<th>118</th>
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<th>107</th>
<th>102</th>
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18 fundamental Conventions, including 12 on freedom of association and collective bargaining
1 governance Convention
6 "technical" Conventions

2000 - 24 cases

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<th>Convention No.</th>
<th>87</th>
<th>98</th>
<th>29</th>
<th>105</th>
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20 fundamental Conventions, including 12 on freedom of association and collective bargaining
2 governance Conventions
2 "technical" Conventions

2001 - 26 cases

<table>
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<tr>
<th>Convention No.</th>
<th>87</th>
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<th>81</th>
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20 fundamental Conventions, including 13 on freedom of association and collective bargaining
2 governance Conventions
4 "technical" Conventions

2002 - 25 cases

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19 fundamental Conventions, including 16 on freedom of association and collective bargaining
2 governance Conventions
4 "technical" Conventions

2003 - 25 cases

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17 fundamental Conventions, including 12 on freedom of association and collective bargaining
2 governance Conventions
6 "technical" Conventions

2004 - 24 cases

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18 fundamental Conventions, including 11 on freedom of association and collective bargaining
2 governance Conventions
4 "technical" Conventions

2005 - 26 cases

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19 fundamental Conventions, including 14 on freedom of association and collective bargaining
3 governance Conventions
4 "technical" Conventions
### 2006 - 27 cases

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20 fundamental Conventions, including 12 on freedom of association and collective bargaining
1 governance Convention
6 "technical" Conventions

### 2007 - 26 cases

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20 fundamental Conventions, including 14 on freedom of association and collective bargaining
3 governance Conventions
3 "technical" Conventions

### 2008 - 24 cases

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20 fundamental Conventions, including 10 on freedom of association and collective bargaining
2 governance Conventions
2 "technical" Conventions

### 2009 - 26 cases

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20 fundamental Conventions, including 12 on freedom of association and collective bargaining
2 governance Conventions
4 "technical" Conventions