



Governing Body

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Legal Issues and International Labour Standards Section
Legal Issues Segment

LILS

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FIRST ITEM ON THE AGENDA

Composition of the International Labour Conference: Proportion of women and men on delegations

Purpose of the document

For the purpose of promoting gender parity in delegations to ILO meetings, the Governing Body is invited to approve action at three levels: (a) more detailed reporting by the Credentials Committee of the Conference on the gender composition of the Conference; (b) regular reports by the Director-General to the Governing Body based on inquiries to constituents on measures taken and experiences concerning gender parity in Conference delegations; and (c) continued encouragement and assistance by the Office to constituents' efforts towards gender parity in delegations.

Relevant strategic objective: Gender equality (cross-cutting).

Policy implications: Regular review by the Governing Body foreseen in the draft decision (paragraph 13(b)).

Legal implications: None.

Financial implications: None.

Follow-up action required: See action required by decision point.

Author unit: Office of the Legal Adviser (JUR).

Related documents: First report of the Credentials Committee of the 101st Session (2012) of the International Labour Conference (*Provisional Record* No. 4B); relevant ILC resolutions and GB documents (cited below).

Introduction

1. In its reports on the composition of the International Labour Conference over the last 30 years, the Credentials Committee of the Conference has reported on the proportion of women and men among the delegates and advisers accredited at each session.¹ At the 101st Session (2012) of the Conference, in view of the figures for that session, the Credentials Committee made the following statement:

The Committee notes with deep concern that the proportion of women among delegates and advisers has decreased. The Committee deeply regrets that the participation of women in the Conference has again not achieved the target the United Nations set in 1990 of increasing the proportion of women in decision- and policy-making bodies to at least 30 per cent. The Committee also notes that the ILO Director-General's convocation letter had yet again urged the member States to make every effort to achieve a gender balance in delegations. *In light of this lack of progress, the Committee would like to request the Governing Body, through the Conference, to consider concrete measures to improve the situation in this respect.*² (emphasis added)

2. The participation of women in ILO meetings has been an essential aspect of the ILO since 1919. The drafters of the ILO Constitution were of the view that "women could be appointed for any purpose under the convention on a footing of complete equality with men",³ although the only requirement included in the Constitution in this respect provides that "when questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman" (article 3, paragraph 2, of the Constitution). In 1975, 1981, 1991 and 2009, the Conference adopted resolutions addressing the participation of women in the Conference (see box).

Relevant resolutions adopted by the International Labour Conference (excerpts)

"Measures should be taken to ensure that women are considered for and appointed to delegations on the same basis and by the same standards as men, whether to the International Labour Conference, to regional conferences of the ILO or to other national and international meetings convened under the auspices of the ILO and other intergovernmental organizations."

(Resolution concerning a plan of action with a view to promoting equality of opportunity and treatment for women workers, ILC, 60th Session (1975), section 10, paragraph 2.)

"[The Conference] urges that measures be taken to secure the widest possible participation of women at the International Labour Conference on the same footing as men and that, in accordance with this principle, efforts be made in all member States to include women in national delegations among both Government and non-government delegates and advisers."

(Resolution concerning the Participation of Women in ILO Meetings, ILC, 67th Session (1981).)

¹ For statistics for 2006–12, see http://www.ilo.org/gender/Informationresources/WCMS_184881.

² ILO: *Provisional Record* No. 4B, International Labour Conference, 101st Session, Geneva, 2012, para. 7.

³ ILO: Commission on International Labour Legislation, Minutes of Proceedings No. 5, *Official Bulletin*, 1919–20, Vol. I, p. 28.

“[The Conference] appeals to governments and employers’ and workers’ organisations [...] to include more women in their delegations to the International Labour Conference as well as to other major ILO meetings [and ...] invites the Governing Body of the International Labour Office to request the Director-General [...] to study concrete proposals for increasing the number of women attending ILO meetings and activities and to urge governments and employers’ and workers’ organisations to increase, in accordance with the principle of equality of opportunity, the participation of women in their delegations to attend ILO meetings and activities.”

(Resolution concerning ILO action for women workers, ILC, 78th Session (1991), paras 1(b) and 4(d).)

“Regarding social dialogue and tripartism, the ILO should [...] through concrete measures, improve the representation of women at all levels, in all ILO meetings – including sessions of the Governing Body and the International Labour Conference [...]”

(Resolution concerning gender equality at the heart of decent work, ILC, 98th Session (2009), paragraph 55(c).)

3. Certain resolutions of United Nations bodies are also relevant to the ILO. For some years, the Director-General’s letter of convocation to the Conference has been referring to United Nations Economic and Social Council (ECOSOC) resolution 1990/15, which requested governments, political parties, trade unions, professional and other representative groups to “aim at targets to increase the proportion of women in leadership positions to at least 30 per cent by 1995, with a view to achieving equal representation between women and men by the year 2000”.⁴ In Resolution 58/142 of 10 February 2004, the United Nations General Assembly urged member States “to promote gender balance for their delegations to United Nations and other international meetings and conferences”.

Action by the Credentials Committee

4. Since 1982, the first report of the Credentials Committee has provided information on the number of women and men accredited to each session of the Conference. From 2001 on, the Credentials Committee evaluated the situation in a general way, noting positive developments and more often “regretting” or even “deploring” the continually low proportion of women in delegations, while at times calling upon constituents to take action in this regard. The Credentials Committee has also recalled the ECOSOC target of a proportion of 30 per cent women in leadership positions (see paragraph 3 above).
5. The Credentials Committee has stressed that the responsibility for attaining gender balance in delegations lies with both the government and the social partners. While governments are encouraged to call on the social partners to bear gender equality in mind when choosing their representatives, the government cannot impose the nomination of more women on them. In accordance with article 3, paragraph 5, of the ILO Constitution, it must accept the most representative organizations’ choice regarding the persons to be nominated as the Employers’ and the Workers’ delegates.
6. In considering future action that might give more prominence to the issue, the Credentials Committee could provide more detailed figures in its report. For example, it could specify the figures for substitute delegates (currently included in the figure for advisers), provide figures by region and by member State.

⁴ ECOSOC: Resolution 1990/15 of 24 May 1990, *Recommendations and conclusions arising from the first review and appraisal of the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women to the year 2000*, Annex, Recommendation VI.

Action by the Governing Body

7. The Governing Body has also addressed the issue of the participation of women in ILO meetings. Following discussions in the then Committee on Discrimination at four Governing Body sessions between May–June 1991 and November 1992, at its 256th Session (May 1993), the Governing Body called on constituents to appoint more women as participants in ILO meetings and to adopt certain sensitization, information and training measures. It further requested the Director-General to invite women speakers to ILO meetings, to organize activities in connection with ILO meetings to address the gender representation issue and to study the possibility of childcare arrangements during ILO meetings.⁵
8. At the 261st Session of the Governing Body (November 1994), the Committee on Legal Issues and International Labour Standards drew the Governing Body's attention to the need for further action to promote increased representation of women in ILO meetings and the International Labour Conference,⁶ but no further action was taken.
9. As the desired result has not yet been attained, future measures could include setting up a regular mechanism enabling the Governing Body to review the matter. This could be done by requesting the Director-General to carry out inquiries concerning any action taken by constituents to send gender-balanced delegations to the Conference and other ILO meetings, and any obstacles encountered by them and to periodically report to the Governing Body. It may be noted that a system based on periodic inquiries is currently in place for reporting to the Governing Body on absent or incomplete (i.e. not tripartite) delegations at the Conference.⁷
10. The Director-General could in particular regularly write to all member governments, which would in turn request input from the most representative employers' and workers' organizations in the country. Questions would include whether the government and employers' and workers' organizations have any system in place to monitor the gender aspect of their nominations, any measures to encourage and ensure gender parity in delegations and whether they have encountered any obstacles in pursuing this objective. Information based on the replies could be submitted to the Governing Body to inform a review on the progress and effectiveness of measures taken by the Office and the constituents.

Action by the Office

11. The ILO Programme and Budget for 2012–13 provides that the Office will “continue to encourage constituents to achieve greater gender balance in the delegations attending the Governing Body and the International Labour Conference”.⁸ The Office, through its Bureau for Gender Equality (GENDER), has produced a trilingual document that reflects the situation as regards gender parity in ILC tripartite delegations. The figures and graphs reflect the need to secure higher levels of participation of women as delegates and advisers at the Conference. The Office is continuing to disseminate these data so that governments

⁵ See GB.256/12/23, para. 19 and GB.256/205, para. 36.

⁶ See GB.261/LILS/7/5, para. 31 and GB.261/5/27, para. 99.

⁷ ILO: *Compendium of rules applicable to the Governing Body*, Annex VI (Geneva, 2011).

⁸ ILO: *Programme and Budget for the Biennium 2012–13*, (Geneva, 2011) para. 386.

and social partners are sensitized to the actual figures over time. For example, the Office distributed a questionnaire on the good practices of the 22 member States with delegations of notable gender parity. The replies, highlighted in GENDER's 2012 publication,⁹ identified common elements of success including a government policy, plan of action or strategy on gender equality and/or women's empowerment; a high-level adviser or ministry on gender equality and/or women's empowerment; and an informal commitment or tradition of gender parity in delegation appointments. Some replies credited the ILO's encouragement in Conference information and briefing sessions as a factor in this respect.

12. Further concrete activities on a cost-effective basis by the Office could commence with GENDER and the Relations, Meetings, and Document Services Department (RELCONF) offering exchanges with all Geneva-based labour attachés, including data-rich handouts to share with their ministries and, in particular, opportunities for sharing experience between governments for the benefit of Members with a history of very low female representation. The Office could also prepare trilingual kits for distribution across regions during Regional Meetings; dedicated high-level colloquia prior to ILC sessions with speakers from States having achieved gender parity in ILC delegations, highlighting initiatives by employers' and workers' organizations and hosted by high-level ILO officials; and half-day technical clinics could be designed, on demand, to share the effective measures and practices already identified by States and employers' and workers' organizations.

Draft decision

13. *The Governing Body decides to:*

- (a) *invite the Credentials Committee of the International Labour Conference to consider more detailed reporting on the proportion of women and men accredited in Conference delegations;*
- (b) *request the Director-General to carry out inquiries, including through measures such as a regular questionnaire to Members, and to periodically report to the Governing Body concerning any measures taken by Members to send delegations with a balanced number of men and women accredited as delegates and advisers to sessions of the International Labour Conference and to Regional Meetings and other ILO tripartite meetings, and on any obstacles encountered by them and actions that proved useful in achieving parity;*
- (c) *invite the Office to continue to encourage and give assistance to concrete measures to be taken by governments, employers' and workers' organizations with a view to achieving gender parity in delegations to ILO meetings.*

⁹ See note 1 above.