



Governing Body

328th Session, Geneva, 27 October–10 November 2016

GB.328/INS/16

Institutional Section

INS

Date: 9 November 2016

Original: English

SIXTEENTH ITEM ON THE AGENDA

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

Oral report of the Chairperson of the Working Party

1. The Working Party on the Functioning of the Governing Body and the International Labour Conference met on the afternoon of Thursday, 3 November 2016. As Chairperson of the Governing Body, I presided over the meeting, while the Employer and Worker Vice Chairpersons of the Governing Body, Mr Rønnest and Mr Cortebeeck, were Employer and Worker spokespersons, respectively. The Office had prepared three documents¹ for the Working Party, in response to the Governing Body's request at its 326th Session (March 2016). These covered respectively an analysis of the 105th Session of the International Labour Conference; a comprehensive review of the Standing Orders of the International Labour Conference; and a review of the role and functioning of the Regional Meetings. The Working Party considered that the documents had been well-prepared and provided a good basis for its discussions. I adhered to standard practice for this Working Party, by opening the floor on each item first to Governments, and then to the Employers' and Workers' groups.
2. The report of the informal tripartite consultations on the working methods of the Committee on the Application of Standards, which took place on Saturday, 5 November, is also included at the end of the report of the Working Party.

¹ GB.328/WP/GBC/1/1; GB.328/WP/GBC/1/2; and GB.328/WP/GBC/2.

Improving the functioning of the International Labour Conference

Analysis of the 105th Session (June 2016)

3. On the first item on the Working Party's agenda, I noted broad support for the analysis made by the Office of the 105th Session of the Conference and the manner in which both participants and the secretariat had dealt with the two-week format. The two-week format was unanimously supported but different views were expressed on the closing of the Conference on Friday or Saturday. The Workers' group also proposed an alternative which would consist to start and close the Conference in the middle of the week. The Working Party felt that the 2016 Conference had been a success and had achieved its aims without serious difficulty. It was also felt that the organization in 2016 was a clear improvement on that of the previous year. Certain reservations were however expressed regarding the recourse to night sittings of committees, made worse by the lack of public transport beyond a certain hour, as well as catering problems late at night. The Working Party therefore felt that there was still room for improvement, in particular with respect to time management and the use of information technology to keep everyone informed. With regard to dissemination of information, it was felt that the details of the World of Work Summit were released very late, and this should be avoided in future. The Working Party supported the proposal in the Office document to extend the time limit by one week for the submission of amendments by delegates to the résumés of their own interventions in committee reports. On the other hand, the proposal in the document to merge the committee and conference drafting committees met with varying degrees of approval or disapproval within the Working Party, due to the specific nature of each drafting committee's mandates. Strong support was given to the early identification of committee chairpersons – this was considered crucial by the Working Party, as well as to early and full advance preparation of agenda items, with prior tripartite consultation playing an important role, even if it should not supplant the global negotiation of texts that the Conference itself provided.
4. The Office took due note of all suggestions and comments made during the discussion and will consolidate these for future consultations and for the next session of the Working Party, and the Working Party made the following recommendation to the Governing Body.

Draft decision

5. *Following the discussion and lessons learned from the 105th Session of the Conference (2016), the Working Party on the Functioning of the Governing Body and the International Labour Conference recommends that the Governing Body should:*
 - (a) *continue to explore further improvements which could be trialled or implemented at future sessions of the Conference;*
 - (b) *request the Director-General to prepare for its consideration at the 329th Session (March 2017) a detailed plan of work for the 106th Session of the Conference (2017) based on a two-week format.*

Comprehensive review of the Standing Orders of the International Labour Conference

6. The Working Party had before it for the first time, as requested in the Governing Body decision taken at its 325th Session (November 2015), a review of the Standing Orders of the International Labour Conference. The proposal was that the amendment of the Standing Orders should be done in two stages: the first stage would allow the International Labour Conference to function in its two-week format without recourse to multiple suspensions of its Standing Orders; the second stage would be to make additional amendments to the Standing Orders with a view to simplifying and modernizing them.
7. As perhaps is normal, given that it was the first time the Working Party turned its attention specifically to the revision of the Standing Orders, there was less evident consensus on this paper and its proposals, notwithstanding a wide level of support for certain measures. Members of the Working Party made a number of very detailed points regarding the proposed amendments, which I shall not include here as the Office has taken full note of all suggestions and will of course reflect them fully in any future documentation for tripartite consultations or the Working Party. The principal concern felt by the Working Party was that changing the Standing Orders before the new format of the Conference had been tested in a session adopting a Convention supplemented by a Recommendation was both premature and risky. As regards the proposed merging of the Conference Drafting Committee and the Committee Drafting Committee, before amending the Standing Orders, a trial could take place in 2017 with a stand-alone Recommendation and, if necessary, in 2018. Likewise, some uncertainty was provoked with regard to the management of complaints submitted to the Credentials Committee and the time-limits applied to these and, once again, in respect of changes to the composition of the Conference drafting committee. These two areas in particular appeared to require further reflection. I did however note broad support that the role of the Resolutions Committee, suspended since 2006, should be taken up by the Selection Committee in respect of resolutions not related to a Conference agenda item. Certain, specific proposals were put forward in this connection.
8. It was thus apparent that more work would be needed in this field, and the Working Party made the following recommendation to the Governing Body.

Draft decision

9. *In light of the discussion on possible improvements to the functioning of the International Labour Conference, especially as regards the confirmation of the two-week duration for future sessions, the Working Party on the functioning of the Governing Body and the International Labour Conference recommends that the Governing Body:*
 - (a) *request the Office:*
 - (i) *to review and report to the next session in March 2017 in light of the discussion of the Working Party on a first set of amendments to the Standing Orders of the Conference in the appendix of document GB.328/WP/GBC/1/1, which are aimed at ensuring the effective functioning of the International Labour Conference in its reduced two-week format;*

- (ii) *to informally consult with all groups on a revised first set of amendments before publishing the official Governing Body document submitted to the next session;*
- (b) *request the Office to consult on additional draft amendments for simplification and modernization of the Standing Orders of the Conference, taking into account the views expressed and guidance provided during the discussion, for its consideration at its 331st Session (November 2017).*

Review of the role and functioning of the Regional Meetings

10. The third subject before the Working Party was the review and functioning of the Regional Meetings. The Working Party held a lively discussion on this issue, and presented a wide range of ideas to the Office. I observed strong support for Regional Meetings as forums where issues of importance to the regions were discussed and ideas exchanged at regional level. It was noted that Regional Meetings had maintained a high level of participation. Participants believed that significant changes had been introduced in the format of Regional Meetings since the 9th European Regional Meeting (Oslo, Norway, 8–11 April 2013), and that further improvements had been introduced at the subsequent Regional Meetings in Lima, Peru (13–16 October 2014), and Addis Ababa, Ethiopia (30 November–3 December 2015). These included a focused plenary sitting, with no parallel sittings taking place; shorter, policy and action-oriented outcome documents; improved organization by a preparatory task force; wider regional consultations, and a paper-smart policy. Members felt that care should be taken to ensure that Regional Meetings promoted the strategic objectives of the ILO and that there should be closer linkages to the other governance organs of the Organization, the Conference and the Governing Body. Some speakers felt that the four-day duration of the Meetings was adequate, others suggested lengthening them to five days. One group called for an in-depth financial analysis of the nature and cost of Regional Meetings. Concerns were also expressed with regard to the effective functioning of the Credentials Committee at Regional Meetings.
11. The question of the composition of Regional Meetings was raised with respect to attendance at the Meetings of delegates of member States responsible for the external relations of overseas territories in the region. No homogeneous opinion emerged from the exchange of views that took place, though a number of suggestions were put forward as possible solutions, and the Office has taken note of all these.
12. Overall, I believe that the Working Party's suggestions and ideas in respect of the role and function of Regional Meetings will provide an excellent basis for the Office to produce a consolidated paper on the prevailing issues and, where possible, make recommendations for progress in each area.

Draft decision

13. *The Working Party on the Functioning of the Governing Body and the International Labour Conference recommends that the Governing Body request the Office to prepare for its 329th Session (March 2017) a consolidated report on the reform of Regional Meetings, taking account of the issues identified during the discussion held in the Working Party, together with recommendations for improvements in those areas.*

Informal tripartite consultations on the working methods of the Committee on the Application of Standards

14. The consultations took place on Saturday, 5 November 2016. The meeting reviewed the functioning of the Committee on the Application of Standards (CAS) in June 2016, including measures that were implemented on an experimental basis, and examined the issues that would ensure its continued effective functioning.
15. The meeting noted that, in 2016, the CAS was able to successfully complete its work within the shorter two-week session of the Conference due to better use of technology and strict time management, while recognizing that the CAS members and the secretariat continued to work under time pressure.
16. The meeting discussed and reviewed the improvements made to time management and agreed to pursue the following measures in June 2017:
 - the Chairperson, in consultation with the Officers of the Committee, should continue to decide on reduced speaking time limits by providing early notice;
 - the list of speakers should continue to be made visible on a screen.
17. With respect to possible further improvements to time management, it was recalled that speaking time was reduced in the 2016 session of the CAS, in certain cases that had a long list of speakers, from five to three minutes for individual interventions. It was suggested that the reduction of speaking time limits could apply by taking into account the number of speakers of a particular group. For instance, if a given group only had four or five speakers mentioned on the list of speakers with respect to a case being discussed, those speakers would not see their speaking time reduced. Speaking time would therefore only be reduced for the following speakers of that same group. Government members were of the view that clear rules should apply respecting the right to speak of each member State and that, should speaking time limits be reduced by the Chairperson, early notice should be provided. The meeting agreed to examine possible further improvements to time management, including speaking time limits, at its next meeting.
18. The meeting explored the possibility of pursuing the practice of adopting draft minutes in a “patchwork” version (that is, each intervention is reflected only in English, French or Spanish) and extending this practice to the adoption of the CAS report as regards the minutes on the individual cases. Taking into account time pressure encountered in the reduced two-week session of the Conference, the meeting discussed and accordingly agreed with the adoption of the CAS report in a “patchwork” trilingual version, although with the conclusions appearing in the report in the three working languages and requiring that the translated report be made available ten days following its adoption. With respect to the adoption of the CAS report, Government members highlighted the fact that the adoption of the report in 2016 had conflicted with the timing of the World of Work Summit, calling for such a situation to be avoided in the future.
19. With respect to the transmission of amendments by delegates, the meeting agreed with the intended aim to go fully electronic in a transitional manner. It was agreed that, in 2017, amendments would continue to be submitted both electronically and on paper. The secretariat would assist delegates to move towards the electronic transmission of amendments as the only means to submit amendments in the future.

- 20.** The meeting acknowledged that the modalities and criteria for the establishment of the list of cases which had been applied in 2016 had allowed for the timely adoption of that list. It therefore agreed that the same modalities should be applied in 2017. The preliminary list of cases should be available no less than 30 days before the opening of the International Labour Conference. The final list should be agreed upon by the Employer and Worker spokespersons on the Friday before the opening of the Conference and should be adopted after discussion and adoption in the Employers' and Workers' groups, ideally no later than the second sitting of the CAS.
- 21.** With respect to the list of cases, the meeting also examined the possibility of including cases of progress in that list. The Workers' group stressed that such cases of progress should be discussed in addition to the list of 24 cases, since there were so many serious violations to address, and the Employers' group stressed that, as per the 2015 agreement, there was no possibility to include additional cases to the list of 24 cases. As a result, the meeting decided that this issue would be further examined at a later stage.
- 22.** Acknowledging that improvements had been made to the establishment and adoption of the preliminary and final list of cases, the meeting discussed possible further improvements, including the geographical balance of member States included in the list and prior notice given to governments appearing on the final list, indicating that these issues would be further examined at its next meeting.
- 23.** With respect to the preparation and adoption of conclusions, the meeting considered that the same modalities as those applied in 2016 for the preparation and adoption of conclusions should be applied in 2017. It welcomed the better use of technology in this regard.
- 24.** The meeting discussed the follow-up of conclusions by the CAS by means of a summary table which would include information on whether or not, following requests made by the CAS in its conclusions, reports have in fact been submitted to the Committee of Experts on the Application of Conventions and Recommendations, ILO missions have been undertaken and technical assistance has been provided. This table would be prepared by the secretariat and no additional reporting burden would be placed upon governments in this regard. The meeting agreed that the table would be made available on the web on 1 April 2017 and would then be regularly updated prior to the commencement of the Conference.
- 25.** With respect to the discussion of the General Surveys by the CAS, the meeting agreed that the CAS should maintain the current format of discussing the General Survey.
- 26.** The meeting also discussed the issue of participation in these informal consultations and decided that this issue would require further examination at its next meeting.