

Tripartite working group on full, equal and democratic participation in the ILO's tripartite governance

▶ Questionnaire

At the first meeting of the Tripartite working group on full, equal and democratic participation in the ILO's tripartite governance (TWGD), which was held on 11 December 2020, it was agreed that the members of the working group would be invited to express their views on the understanding and scope of the notion of democratization of the ILO's governance for the purpose of informing the discussions of the second meeting of the working group to be held in January 2021 and developing a possible programme of future work.

Accordingly, the Office has prepared the following questionnaire, bearing in mind that the Centenary Declaration and its accompanying Resolution are the framework within which the TWGD should carry out its work. The Office would be grateful if the replies could be sent by Wednesday 6 January 2021 to JUR@ilo.org.

1. Do you consider that the notion of democratization refers to aspirations of Member States regarding specific aspects of the functioning of governance organs, such as composition, decision-making, voting power, organization and access to meetings? Please elaborate and provide concrete examples.

The 1986 Instrument for the Amendment of the ILO Constitution had already identified four main issues to be addressed, namely:

- **the composition and governance of the Governing Body of the Office;**
- **the procedure for appointment of the Director-General;**
- **voting at the International Labour Conference; and,**
- **rules governing how the Constitution may be amended.**

Accordingly, we are of the view that the notion and scope of democratization should focus on giving effect to the commitments in the Centenary Declaration and Resolution in terms of the ratification and entry into force of the 1986 Amendment.

2. Do you consider that 'democratization of tripartite governance' concerns the ILO Governing Body only or should also cover the International Labour Conference and other aspects of ILO governance?

The Resolution on the ILO Centenary Declaration for the Future of Work which was adopted on 21 June 2019, clearly stipulates in Article 3 that the functioning and composition of the governing bodies of the ILO should be definitively democratized. In light of this, we are of the view that the democratization of the tripartite governance should be confined to the ILO Governing Body.

3. Based on the above, which aspects of democratization – in addition to those addressed in the 1986 constitutional amendment – would you consider the TWGD should examine in priority? Please specify.

As pointed out under question 1 above, the essence of the democratization process is clearly brought out in the 1986 amendment i.e., composition and governance of the Governing Body, procedure for appointment of the Director-General, and rules governing how the Constitution may be amended.

Accordingly, we are of the view that, based on the Governing Body Decision in its 338th session of March 2020, (GB.338/INS/15/1(Rev.1), the mandate of the Technical Working Group (TWGD) has to focus on finding solutions as to how best the 1986 amendment shall be realized. That said, however, full, equal and democratic participation in ILO governance should be carefully interpreted to ensure that the commitments of the Centenary declaration and its Resolution along with the 1986 Amendment of the ILO Constitution are taken on board.

4. In your view, which are the core principles that should be guiding ILO's action towards democratization of its governance? Please specify.

As provided in the preamble of the Centenary Declaration for the Future work, ensuring a fair representation of all regions and establishing the principle of "equality among member States" should be guiding the ILO's action towards democratization of its governance.

More specifically, the ILO's action towards democratization of its governance may be guided by the following principles:

- **Fair and balanced Regional representation in the ILO's Tripartite Governance;**
- **Equality of Member States;**
- **Transparency;**
- **Tripartism;**
- **Social dialogue.**

5. Do you have any concrete proposals for the second meeting of the TWGD and/or its future programme of work?

We are of the view that the future programme of work of the TWGD has to focus on the 1986 Amendment with time-bound plan of action that aims at enhancing the ratification of the Amendment with a particular emphasis on Members of chief industrial importance.