

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

▶ Background note: The role and functioning of the tripartite Screening Group, and the Officers of the Governing Body

Introduction

1. This document provides information on the role and functioning of the tripartite Screening Group and on the Officers of the Governing Body, as requested by the members of the tripartite working group on the full, equal and democratic participation in the ILO's tripartite governance ("the Working Group") at its fifth meeting (February 2022).¹

Role and functioning of the tripartite Screening Group

2. The tripartite Screening Group is expressly provided for in paragraph 3.1.1 of the [Standing Orders of the Governing Body](#), which reads as follows:

The agenda for each session shall be drawn up by a tripartite screening group composed of the Officers of the Governing Body, the Chairperson of the Government group, the regional coordinators representing the governments, the secretaries of the Employers' and the Workers' groups, or their representative. This group will be assisted by the Director-General or other senior officials selected by the Director-General.
3. In addition, paragraphs 3.1.3 and 3.1.5 of the Standing Orders provide that the Screening Group must be consulted before the Officers add any urgent matters arising between the sessions or during a specific session to the agenda of the Governing Body.
4. Further details on the functioning of the Screening Group are provided in the non-binding introductory note to the Standing Orders. According to paragraphs 30 and 31 of the introductory note, before each session of the Governing Body, the Screening Group receives an annotated list of proposed items for the agenda for one or more future sessions and meets following each full Governing Body session to establish a provisional agenda (in March/April for the next June and November sessions, and in November for the next March session). Moreover, under paragraphs 42 and 44, the Screening Group approves side events and decides, upon request, whether documents submitted for information only will be discussed. Finally, according to paragraph 28, the Screening Group takes its decisions by consensus; if no consensus can be reached, the matter is referred to the Officers of the Governing Body.
5. The Screening Group was introduced under the reform package of 2011 as a planning and consultative mechanism responsible for filtering and validating the agenda of each Governing Body session. It constituted one of the main innovatory tools to improve the smooth and efficient preparation of Governing Body meetings. It was designed to serve a dual purpose: on

¹ [GB.344/INS/9](#), para. 12(c), and [Summary record of proceedings](#), Fifth meeting of the tripartite working group on the full, equal and democratic participation in the ILO's tripartite governance (February 2022).

the one hand, it established an improved agenda-setting mechanism for the Governing Body and, on the other hand, it responded to the desire of the governments to be more active as a group, with more effective participation in the work of the Governing Body in both the preparatory and the decision-making processes. It was envisaged, from the beginning, that the mechanism would entail a screening procedure to assess the agenda items initially proposed and determine the agenda of the next session. In addition to the Officers of the Governing Body – who had until then been responsible for deciding the agenda of the Governing Body – the screening procedure was to involve the regional coordinators and the secretariats of the Employers and the Workers. The mechanism aimed at enhancing inclusiveness and transparency in planning the order of business of each Governing Body session. The objective was to ensure an integrated and coherent approach to setting the agenda of all Governing Body meetings, which would avoid duplication or gaps in discussion, provide for transparency and tripartite inclusion and focus on policy- and decision-making debates.²

6. At its 320th Session (March 2014), the Governing Body reviewed the reform. It was noted that, while the reform had contributed to a stronger sense of ownership of the agenda-setting process, the operation of the Screening Group was becoming more complex due to the large number of items proposed for the Governing Body agenda. Some further improvements were proposed. It was also considered that the composition of the tripartite Screening Group, as provided by the Standing Orders, should be maintained to ensure that it was representative of all groups and not too large. The Workers stressed at the time that its composition should be respected.³ The Governing Body took note of the follow-up action to be undertaken.⁴
7. More recently, in the context of the COVID-19 pandemic, and because of the extended disruption of meetings due to travel and public health restrictions, the tripartite Screening Group assumed additional responsibilities at an institutional and operational level. As the 338th Session (March 2020) of the Governing Body had to be deferred, the Governing Body delegated to its Officers the authority to make decisions, or made decisions by correspondence, always after consultation with the Screening Group.⁵ This “upgraded” role of the Screening Group was maintained throughout the period during which the Governing Body met virtually or in a hybrid manner, namely from its 340th Session (October–November 2020) to its 344th Session (March 2022). [The special arrangements for hybrid sessions of the Governing Body](#) (March 2022) provide for several instances in which the Screening Group should be consulted by the Officers, namely, before setting the tentative programme for the session (para. 19); before recommending that items on the agenda be submitted for a decision by correspondence and, in such cases, on the proposed draft decision (para. 27); and, where consensus is not reached, whether the item should be referred to the Governing Body during the same session or a future session, or submitted to a vote by correspondence (para. 28(b)).
8. Throughout this period, the Screening Group was convened at an unprecedented frequency. It reviewed draft decisions in Governing Body documents before deciding whether to put them for adoption through ballot by correspondence. Operating on a practically continuous mode, it facilitated decision-making, but may have also led to an “overheating” of the governance structure and to open-ended Governing Body sessions.

² GB.307/WP/GBC/1, paras 16 and 17; GB.309/WP/GBC/1, para. 8; GB.310/9/1, para. 8.

³ GB.320/WP/GBC/2, para. 11, and GB.320/INS/13, para. 16.

⁴ GB.320/PV, para. 255.

⁵ Minutes of the meetings of the Screening Group held in preparation of decisions made by correspondence by the Governing Body between March and October 2020 (Rev.5).

9. As noted above, governments are represented in the Screening Group by the regional coordinators. There are six recognized regional coordinators working under the overall coordination of the Chairperson and Vice-Chairperson of the Government group: five coordinators representing each of the regions and subregions mentioned in article 7(3) of the 1986 Instrument for the Amendment of the ILO Constitution (Africa, the Americas, Asia and the Pacific, Western Europe and Eastern Europe) and one representing a trans-regional group, the group of industrialized market economy countries (IMEC).⁶
10. In fact, there is nothing to prevent governments from coordinating their positions in ILO meetings based on considerations other than geographical. Accordingly, they may form groupings expressing common political or economic interests without being confined by strict regional criteria (for example, the grouping of Brazil, the Russian Federation, India, China and South Africa as the BRICS countries). In addition, the composition of groups may overlap. For instance, the members of the Western European group are also members of IMEC, and the members of the Association of Southeast Asian Nations (ASEAN) are also members of the Asia and Pacific group (ASPAG).
11. The IMEC group was formed in the mid-1970s and is recognized as a group by other ILO Members and the two non-governmental groups. It is traditionally coordinated by Canada. Membership of IMEC is determined by IMEC itself, as is the case with other non-regional groups.
12. Against this factual background, the Working Group may wish to consider and develop recommendations on any aspects not currently covered by the existing legal framework, including:
 - the number of regional coordinators;
 - participation rights of groups other than geographical groups and the question of “overlapping” representation;
 - criteria or a process for determining regional groups for the purposes of the functioning of the Governing Body;
 - codification of the current practice in the Standing Orders, especially as regards the enhanced role of the Screening Group.

Officers of the Governing Body

13. Article 7(7) of the ILO Constitution provides that:

The Governing Body shall, from time to time, elect from its number a chairman and two vice-chairmen, of whom one shall be a person representing a government, one a person representing the employers, and one a person representing the workers.
14. This provision is closely reflected in paragraph 2.1.1 of the Standing Orders of the Governing Body:

The Officers shall consist of a Chairperson and two Vice-Chairpersons chosen one from each of the three groups. Only regular members of the Governing Body may be elected Officers.
15. As explained in paragraph 15 of the introductory note, the principle of fair geographical rotation of the office of Chairperson of the Governing Body was recommended by the Working Party on Structure and implemented as of June 1968 according to the following four-year cycle: Americas, Africa, Asia and Europe. In practice, when a Worker or Employer member is elected

⁶ IMEC comprises nearly 40 Member States, including the main contributors to the ILO budget.

as Chairperson of the Governing Body, geographical rotation is suspended for the duration of that member's term of office. Rotation is then resumed, beginning with the region that would have presented a candidate if the Worker or Employer member had not been elected.

16. When improvements to the functioning of the Governing Body were discussed in 2010, in particular the need for greater involvement of governments in decisions by the Officers of the Governing Body, and taking into account the neutrality traditionally attached to the function of the Chairperson, the possibility was presented of instituting a new Vice-Chairperson representing the Government group, thus increasing the number of Officers from three to four. Alternatively, it was suggested that informal arrangements, such as consultations with the regional coordinators, could be organized by the Chairperson before each Officers' meeting, under modalities to be determined.⁷
17. It was ultimately agreed that the composition, roles and functions of the Officers of the Governing Body as established by the ILO Constitution would not be altered under the reform package.
18. However, in order to enhance active participation by all groups, it was decided that the Office should ensure that any consultations to be held or any information to be submitted should involve simultaneously the secretariats of the Employers' and the Workers' groups, the Government group Chairperson and the regional coordinators. In addition, the Chairperson of the Government group and the regional coordinators should participate in consultative procedures and, in particular, in a tripartite Screening Group (introductory note, paras 19 and 20). Moreover, the Chairperson of the Governing Body should ensure that consultations take place with the Chairperson of the Government group or his or her representative on any matter on which he or she deems it necessary to consult, during the session, the Officers on the conduct of any item of the business of the Governing Body (introductory note, para. 21). Lastly, a dedicated facility within the Office should ensure effective and early consultations of, and provide support to, government representatives (introductory note, para. 22).
19. As noted above, due to the constraints related to the COVID-19 pandemic, the Officers of the Governing Body, also as members of the tripartite Screening Group, assumed a greater role in the work of the Governing Body.
20. Against this factual background, the Working Group may wish to consider and develop recommendations on any aspects not currently covered by the existing legal framework, including:
 - expansion of the role and functions of the Government group Chairperson to be more closely associated with those of the Officers of the Governing Body;
 - eligibility criteria and process of nomination of the Government group Chairperson.

⁷ GB.309/WP/GBC/1, para. 28.