

Matters arising out of the work of the 109th Session (2021) of the International Labour Conference: Analysis of the measures taken to promote the effective functioning of the Conference (GB.343/INS/3/3(Rev.1))

Group/member	Comments
Employers' group	<p>The Employers' group supports the decision point with the following comments. As an overarching point, all the proposals to enhance the functioning of in-person Conferences should be presented and discussed at the March 2022 GB session before any implementation. This includes but not limited to proposals in Paras 7,16,17, 22 and 26. At this stage, it's too early to introduce changes to physical session on the basis of a single virtual session. In that respect, we think the paper should have focused only on those improvements for the resumed part of the 109th session. On Para 9 of the document, we agree with the proposal to request an individual email address for all the persons accredited. We'd ask that these email addresses are shared with their respective groups' secretariat for coordination and communication purposes (the Office should include a clause in the registration form to fulfill data privacy requirements). On Para 24, while Employers could agree with the time limit of 4 mins for plenary interventions, this limit should be continuously monitored, in light of the number of registered speakers. On Para 28, we regret again that consultations for the World of Work Summit were conducted at the last minute. We stress again the importance of early preparation to ensure relevant speakers can participate in this event. On the section on "Time management", we insist on the importance of consulting groups' secretariats to ensure the ILC can conduct its work within the agreed working hours. Finally, we agree with proposals on Paras 29, 42, 49, 54.</p>
Hiroyuki Matsui (Employer member)	<p>I appreciate the efforts made by the Office to materialize virtual ILC meetings successfully. But there are more room to be improved. I understand that the Screening Group agreed to let this topic consider by correspondence, but I believe that this should be discussed thoroughly at this session of GB. By doing so the Office will have more views from the constituents and be able to reflect them to the modalities of the future sessions of ILC as well as GB meetings. As IOE VP for Asia I must reemphasize the difficulties which employer members in our region had faced when participating virtually because we are living in different time zones. The Office need to pursue firstly physical meetings, if it is not possible, hybrid meetings in order for constituents to more actively engage in discussions. I believe that informal exchange of views and corridors talks outside official settings are essential to build consensus when dealing with sensitive and difficult issues.</p>

Group/member	Comments
Maroc	<p>L'analyse faite par le Bureau sur les modalités appliquées a la première partie de la 109^e session est certes très pertinent mais ne devrait nullement mettre en cause l'importance des séances présentielle en termes de qualité des échanges et négociations en direct, de disponibilité du temps des discussions au sein des commissions aussi bien permanentes que techniques et normatives. Le facteur temps conduit, parfois, les mandants dans les commissions à statuer plus vite sur telle ou telle question ou amendement, par souci d'empressement, au détriment même de la qualité des échanges. Au niveau de la question de la sécurité et connectivite, et tout en notant le travail important fourni pour assurer la sécurité des connections et l'accès des délégués aux commissions et autres travaux de la conférence, il est recommandé de faire en sorte que les invitations soient adressées aux personnes accréditées en fonction de leur inscription auprès des commissions, et ce, en vue d'éviter les éventuelles confusions ou encombrements.</p>

Governing Body - 343rd Session, November 2021
Institutional Section

Workers' Group Comments

Document for Ballot by Correspondence

GB.343/INS/3/3(Rev.1)

Matters arising out of the work of the 109th session (2021) of the International Labour Conference

Analysis of the measures taken to promote the effective functioning of the Conference

When the Workers' Group agreed that this paper be submitted for a ballot by correspondence, we did so on the understanding that the document would draw lessons on the first part of the Conference with a view to improve the second part to be held in November. We are concerned that the document is of a very nature than what was previously indicated in the Screening Group. It now suggests to digitalize many aspects of future in-person Conferences. In light of this, the Workers' Group would have preferred this document to be discussed during the forthcoming Governing Body session.

We therefore ask the Office to take account of our comments in preparing the programme of work for the 2022 International Labour Conference that we will discuss at the March 2022 session of the Governing Body.

The Workers' Group agrees with the document that the first part of the virtual International Labour Conference (ILC) was successful given the exceptional circumstances. However, we wish to reiterate that our Group agreed to a virtual format of the Conference in 2021 only due to the very exceptional context created by the pandemic. We strongly believe that once the health situation allows, we will need to go back to the essence of democratic negotiations with all delegates and technical advisers present in Geneva. We thus support a full in-person Conference for 2022 and beyond should the health situation allow.

In this regard, we wish to reiterate the commitment taken in the global call to action for a human-centred recovery from the Covid-19, for urgent and coordinated action, including in the multilateral context, to ensure that people in all regions have timely, equitable, affordable and global access to quality, safe and effective COVID-19 vaccines, as this will certainly facilitate the holding of in-persons meetings in Geneva with proper representation from all continents.

We agree that no adjustments to the special arrangements and procedures is required for the resumed part of the Conference, besides technical improvements.

The document makes some suggestions for the next and future sessions of the Conference taking into account the experience of the virtual format of the 109th Session. The Workers' Group expresses great concerns at attempts to "digitalize/virtualize" future International Labour Conferences.

We are also concerned that the document is silent on the challenges that many constituents, and workers' organizations in particular, currently face in terms of access to the adequate technological infrastructure and equipment to fully participate in ILO digital events.

Paragraph 7 proposes to extend the practice of holding preparatory meetings well before the start of the Conference and its Committees to future in-person sessions of the Conference, thus allowing committees to start their substantive work as of the first day of the session. This proposal should be read in conjunction with the information provided on attendance. In this regard, it is interesting to note that the average number of delegates who attended the plenary and committee sittings was quite low: only 37% of accredited delegates were connected on average to the plenary or committee sittings, which certainly shows the challenges of ensuring an effective participation in a Conference with a virtual format. Moreover, holding preparatory meetings virtually favours those workers' colleagues with easy on-line connections and undermines a proper exchange amongst all workers' delegates on an equal footing. We are therefore not in favour of the proposal made in paragraph 7.

Paragraph 16 proposes to limit the accreditation to the physical sessions of the Conference to persons with an institutional role on a trial basis. Other persons from national or observer delegations could follow the proceedings remotely or be given access on request as visitors sponsored by national constituents. Before agreeing to this proposal, we would need to understand better its implications for the workers' delegation. Should its principle be accepted, we would support the option of providing access to people as visitors.

We do not support the combined approach suggested in paragraph 17 of physical presence and remote participation. One thing is a Minister who prefers to send a video message for the plenary. A complete different thing is the actual tripartite delegation discussing in the CAS or in a technical Committee. Moreover, tripartite constituents – with the facilitation of the ILO – may use the opportunity to be in Geneva to meet outside the official Conference meetings. This important opportunity would be totally lost if some people would not travel to Geneva anymore. As the document also rightly indicates, a hybrid format would entail a challenge for those following the proceedings remotely from other time zones and would create discrimination amongst participants.

While we know that the Palais is going to be under renovation, other arrangements can be found in Geneva in terms of venue rather than relying on a hybrid format of the Conference.

Paragraph 22 proposes to split the formal, procedural opening of the Conference from the more substantive and ceremonial opening of the Conference. If this means having this first meeting virtually, we do not support it, as it would imply to work under greater pressure to nominate the workers' officers of the Conference and rely, again, on virtual means for our workers' preparatory meetings with the related constraints to ensure open, democratic and representative discussions.

We support the Office initiative of finding another system for links to connect to Committees, Group meetings and plenary for the second part of the Conference as the system used during the first part of the Conference created a lot of confusion. We appreciate the willingness to clarify, ahead of the second part of the Conference, this and other aspects that were not easy to understand for delegates and which impacted greatly on ACTRAV's workload.

In respect of paragraph 36, we would need to get more details on the proposed adjustments in the amendments' validation process before agreeing to them.

We support the rationale for reducing the amount of paper printed during the Conference. However, we do not think the conditions are met for a full paperless Conference. A limited

number of documents (such as amendments for instance at least for the Officers and supporting teams of the Committees) still require printing.

Cuestiones derivadas de las labores de la 109.^a reunión (2021) de la Conferencia Internacional del Trabajo Análisis de las medidas adoptadas para promover el funcionamiento eficaz de la Conferencia (GB.343/INS/3/3(Rev.1)

Comentarios del Grupo de países de América Latina y el Caribe (GRULAC)

1.- El Grupo de países de América Latina y el Caribe (GRULAC) acoge con satisfacción el informe relacionado con las cuestiones derivadas de las labores de la 109^a reunión (2021) de la Conferencia Internacional del Trabajo. Nos habría gustado que este tema se discutiera en detalle durante la 343^a reunión del Consejo de Administración, como fue solicitado por nuestro grupo, aunque reconocemos que la agenda de esta reunión tiene muchos temas para discusión.

2.- Instamos al Consejo de Administración a analizar los aprendizajes que hemos logrado a partir del COVID-19 y las adecuaciones que ha sido necesario implementar en las normas de procedimiento de la conferencia internacional del trabajo.

3.- Esta experiencia nos presenta una oportunidad para repensar la manera como se desarrollarán las conferencias en el futuro y las mejoras que se pueden hacer. Invitamos a todos los miembros de la organización a tener una discusión abierta y con altura de mira que nos permita una mejora continua en la manera como trabajamos, asegurando siempre una participación lo más igualitaria y democrática posible.

4.- En algunos aspectos este formato ha permitido tener avances. Por ejemplo, nos parece que la gestión del tiempo, considerando que las sesiones plenarias fueron más reducidas, ayuda a tener debates más acotados al objetivo. El adelanto de la inauguración oficial de la reunión de la Conferencia permitió realizar una labor preparatoria antes del inicio de las sesiones de las comisiones, lo que redujo el tiempo asignado a las formalidades de apertura en cada comisión y empezó pronto las labores sustantivas. Asimismo, para la cumbre del mundo del trabajo se contó con importantes invitados que no sería fácil conseguir en un formato totalmente presencial.

5.- Pero este formato también ha presentado desafíos como son el proceso de acreditación, el bajo nivel de participación y de interés de algunas delegaciones, solo un 37% de los delegados acreditados se conectaron a algunas de las sesiones plenarias o comisiones programadas cada día. Otro problema fue las dificultades de seguridad y conectividad y otras medidas que afectan a algunos países y que impiden la participación de todos en igualdad de condiciones, especialmente de capital, lo que hizo que la participación de algunas delegaciones se viera mermada. Es necesario seguir mejorando estos aspectos para asegurar una participación igualitaria.

6.- Destacamos la iniciativa del Departamento de Comunicación e Información al Público de la OIT, que puso en práctica una estrategia de comunicación para la Conferencia que aprovechaba al máximo las nuevas tecnologías y las plataformas en línea para presentar la primera reunión virtual a interlocutores prioritarios de la OIT, trabajando en estrecha coordinación con las oficinas regionales y en los países.

7. GRULAC está de acuerdo con el punto de decisión e insistimos en la necesidad de discutir en el Consejo de Administración de marzo de 2022 mejoras que puedan realizarse a las futuras conferencias internacionales del trabajo.

Cuestiones derivadas de las labores de la 109.^a reunión (2021) de la Conferencia Internacional del Trabajo Análisis de las medidas adoptadas para promover el funcionamiento eficaz de la Conferencia (GB.343/INS/3/3(Rev.1)

COMENTARIO DEL GOBIERNO DE LA REPÚBLICA DE CUBA:

I. A- Designación de la Mesas

Los Párrafos 5 y 6 se admitirán por la delegación cubana si la designación con tiempo se realiza previo cumplimiento de los procesos de consultas a los diferentes grupos.

I. B- REUNIONES DE LOS GRUPOS

Párrafo 7- Si la reunión fuera presencial, las reuniones de los grupos también lo serían y en tal caso el "tiempo suficiente de antelación" no puede ser aplicado porque requeriría que las delegaciones arriben antes de la fecha prevista para el inicio de la Conferencia Internacional del Trabajo con antelación, a la fecha prevista, lo que implicaría gastos no previstos por los gobiernos. Por tanto, la fórmula es válida para reuniones virtuales, no así para reuniones presenciales.

I. D- INSCRIPCIÓN EN COMISIONES

Párrafo 10- Las inscripciones, tal como se realizaron en la 109 CIT, funcionaron debidamente. Retornar a inscripciones individuales es posible solo en reuniones presenciales. No estamos de acuerdo con revisar el Reglamento de la CIT para este punto.

Párrafo 11- El hecho de que los ministros u otras personalidades de alto nivel no puedan realizar intervenciones en las comisiones, sí debe ser revisado en el análisis del Reglamento.

II- ASISTENCIA

Párrafo 16- Esta formulación no es válida y pudiera entrar en contradicción con la Constitución de la OIT que regula la designación de los participantes en la Conferencia. En las reuniones presenciales los delegados y consejeros técnicos no deben recibir el tratamiento de observadores ni de visitantes. No admitimos esta propuesta.

Párrafo 17- No consideramos atinada la propuesta de reuniones en formato híbrido, para reuniones que pueden realizarse de forma presencial, debido a una mejora de la situación sanitaria. Todos los delegados consideran de máximo interés poder asistir y participar, de forma presencial, en las sesiones.

SEGURIDAD Y CONECTIVIDAD

El bloqueo económico, comercial y financiero que los Estados Unidos mantiene contra Cuba es el principal impedimento para un mejor flujo de información y un más amplio acceso a internet y a las tecnologías de la información y la

comunicación en general. Esta política de hostilidad imposibilita el acceso a más de 50 sitios web, encarece la conectividad, prohíbe el acceso a determinadas plataformas y tecnologías, entre ellas ZOOM, dificulta la participación de cubanos en eventos *on-line* y la atención a cursos a distancia.

Cuba está imposibilitada de participar en eventos *on-line* en igualdad de condiciones que el resto de los Estados miembros de la Organización de Naciones Unidas y de la OIT.

Por tal motivo, a los mandantes cubanos les resulta imposible participar desde Cuba en cualquier evento o reunión *on-line* que la OIT organiza mediante plataformas que aplican medidas de restricciones de conectividad a Cuba. La OIT debe asegurar la conectividad, en igualdad de condiciones, de todos sus mandantes.

III. B- COMISIONES

Párrafo 35- La Comisión de Aplicación de Normas, dadas sus características, no siempre podrá aplicar las reglas establecidas para una reunión virtual y en tal sentido, los gobiernos deben tener la posibilidad de decidir si presentan la información por escrito o no.

The Islamic Republic of Iran's Comment on Item INS/3/3 (Rev1)

The Islamic Republic of Iran expresses gratitude to the Office for preparing the background paper for Item INS/3/3 (Rev 1) and endorses the Screening Group's decision point in paragraph 55. However, we would like to draw the Governing Body's attention to paragraph 20 of the paper on security and connectivity issues at the 109th International Labour Conference, which refers to "a few cases of connectivity problems due to limited bandwidth in the delegate's location." We believe that the paragraph does not adequately represent the connectivity issues encountered by our delegation who took part in the 109th ILC from the capital. As our representative at the ILO frequently stated during the 109th ILC's preparatory sessions, the Zoom company refrains from providing services to Iranian IPs and users in compliance with the illegal sanctions imposed on our people. As a result, our delegation encountered numerous difficulties while attending the Plenary and Committee sessions of the conference, including poor, unstable, and frequently disrupted connections, which will continue through the ILC's second part of sessions in December 2021 if necessary measures are not taken.

We believe that the restrictions on our delegation's participation in ILO events violate an ILO member state's inalienable right to contribute to the organization of which it is a founding member. Additionally, it is manifestly incompatible with the spirit of multilateralism. As such, it is expected that the Office's paper to the March 2022 Governing Body session will adequately address the issue and that the Office will take all necessary measures to ensure our delegation's full and effective participation in the second section of the 109th ILC in December 2021, as well as all future ILO virtual events.