



FOR DEBATE AND GUIDANCE

FIRST ITEM ON THE AGENDA

Improving the functioning of the Governing Body

A. Context

1. The consultations held between November 2009 and March 2010 on the functioning of the Governing Body have led to:
 - a shared vision of the roles and functions of the Governing Body: supervision of the operation of the Office; functioning of the Organization (including certain standards-related functions); and strategic governance of the Organization;
 - a common understanding that any reform has to respect the limits of the constitutional framework;
 - an emerging consensus about the main directions of a potential reform of the functioning of the Governing Body, which would entail:
 - a focus on supervision and governance of the Office but avoiding micromanagement;
 - ensuring tripartism with the full engagement of all three groups;
 - giving priority to policy and decision-making debates, including the follow-up of Governing Body and International Labour Conference decisions;
 - alignment with the ILO Declaration on Social Justice for a Fair Globalization; and
 - creating more space for a strategic discussion in the context of the challenges of globalization and the enhanced role of the ILO in the international and multilateral arena.
2. The present paper summarizes the main concepts behind the various proposals that have been put forward on the understanding that all documents and proposals submitted during the consultations remain on the table and that the debate is still evolving.

3. As requested, the paper focuses on the Governing Body structure and agenda setting but the mandate of the Working Party continues to cover the International Labour Conference as well.

B. Two approaches for the reform of the Governing Body structure

4. While there is an emerging consensus about the focus of the reform (as indicated above) and about the need to improve the agenda-setting mechanism (see paragraph 14), two possible approaches were considered during the consultations on how to reform the Governing Body structure:
 - **Approach 1:** Review of the committee structure in order to improve governance and ensure that the four strategic objectives are all covered. Reorganization of the plenary agenda in order to leave more time for policy discussion. This would by and large maintain the present structure of committees followed by a plenary.
 - **Approach 2:** Disbanding the committees and structure the Governing Body as one continuous plenary session (in which all Governing Body members participate) with two functions: policy development and oversight and implementation.
5. While the consultations did not lead to any final conclusions, the approaches are not mutually exclusive and many elements are, in fact, common to both, as can be seen from the possible scenarios outlined below.
6. In both approaches, the Governing Body would continue to meet in March and November (as well as for a half-day session in June after the Conference) but the sessions would not necessarily have the same duration. The Committee on Freedom of Association (CFA) would be maintained in both cases but there might be further discussion on the number of its sittings and their length.

Approach 1

7. In this approach a committee week would continue to be followed by a plenary week and the reform would consist of two main pillars:
 - *a reorganization of the Governing Body plenary agenda*, around two distinct parts:
 - Part A: Operation of the Office and functioning of the Organization,
 - Part B: Strategic governance of the Organization and policy debates;
 - *a review of the committee structure* to align it with the four strategic objectives and respecting the principle that *no major committee should take place at the same time*.

8. The plenary agenda could be divided in two parts as follows:

Part A: Operation of the Office and functioning of the Organization

This might include “standing” items such as:

- Approval of the minutes of the previous session.
- Report(s) of the Director-General.
- Review of annual reports under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work.
- Agenda of the Conference.
- Report of the Committee on Freedom of Association.
- Cases under articles 24 and 26 of the Constitution.
- Matters arising out of the Conference (June and November).

Part B: Strategic governance of the Organization and policy debate

This part would aim at strengthening the Governing Body’s role as a forum for high–level policy discussion and guidance. The agenda might change from session to session and include items such as:

- Items considered of strategic importance which are now only partially dealt with in committees but which are of key importance for the Decent Work Agenda (for instance: pension policy; functioning of labour markets; working time; etc.).
- Social dimension of globalization.
- Follow-up to the Global Jobs Pact and to the ILO Declaration on Social Justice for a Fair Globalization.
- Follow-up to recurrent items when a policy debate is called for.

9. The nature of the agenda would determine the length and sequence of each part. This would facilitate the presence of high-level participants such as ministers and heads of employers’ and workers’ organizations, who could organize their participation well in advance. Part A would be structured in the traditional way while Part B could use interactive approaches such as keynote speakers, panels and videoconferences. In terms of timing, Part B could be concentrated in the beginning and middle of what currently is the plenary week.

10. In order to better align the committee structure with the ILO Declaration on Social Justice for a Fair Globalization, the following adjustments could be contemplated:

- *General agenda adjustments:*
 - The technical committees (in particular the Committee on Employment and Social Policy (ESP Committee) and the Committee on Legal Issues and International Labour Standards (LILS Committee)) would continue to have in-depth discussions on topics within their mandate; part of their agenda could also be used to prepare the policy discussions that would take place in Part B of the plenary.
 - Respect of the rule that no major committee sittings should coincide; this would have a clear time management implication: meetings of the committees concerned would have to fit in ten slots per session (two per day over five days); this would decrease interpretation costs.

- The Programme, Financial and Administrative Committee (PFAC), the ESP Committee and the LILS Committee could continue to meet twice a year while the other committees would meet once a year, depending on their mandates.
- *Specific committee adjustments:*
 - The PFAC could include the governance part of technical cooperation, thus allowing for reporting on all sources of funding in the same committee.
 - Given the close links between social and economic policies, the ESP Committee would be maintained but a better balance between employment and social protection items could be achieved through improved agenda setting.
 - The LILS Committee would continue to deal with legal issues, standards policy, preparation of decisions on issues to be submitted to the Conference, Standing Orders questions and report forms under articles 19 and 22 of the Constitution.
 - The Committee on Sectoral and Technical Meetings and Related Issues (STM Committee) could enlarge its mandate to include social dialogue and industrial relations issues (such as labour law, labour administration and labour inspection), which up to now have no designated place in any of the committees.
 - Technical cooperation governance issues could be transferred to the PFAC, while the Committee on Technical Cooperation could meet once or twice a year for an overall discussion of technical cooperation activities.
 - The PFAC Information Technology Subcommittee would be abolished and information technology issues would be discussed in the PFAC.
 - The PFAC Building Subcommittee would meet as needed for the preparation of discussions and decisions by the PFAC.
 - The Subcommittee on Multinational Enterprises could become a fully-fledged committee, meeting once a year since in fact there does no longer seem to be a logical reason for its membership to be restricted.

Approach 2

- 11.** Another possible approach consists of discontinuing the current committee structure (with the exception of the CFA) and conducting the whole Governing Body in a plenary with two main sets of agenda items: an oversight agenda and a high-level policy agenda.

Oversight agenda

The aim would be to give effective guidance to the Office, focused on monitoring programme implementation, impact and evaluation (including technical cooperation), budget expenditure, and policy development.

This might include:

- significant parts of the agendas presently treated by the PFAC, the LILS Committee and the Committee on Technical Cooperation;
- operational and policy development parts of the present agendas of committees such as the ESP Committee and the STM Committee;
- operation of the Office and functioning of the Organization, presently treated in the plenary (and referred to as Part A in Approach 1) such as: reports of the Director-General; review of annual reports under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work; agenda of the Conference; report of the CFA; cases under articles 24 and 26 of the Constitution.

High-level policy agenda

This part would aim at strengthening the Governing Body's role as a forum for high-level policy discussion and guidance. This corresponds, by and large, to the items referred to as Part B of the plenary in Approach 1, such as:

- items considered of strategic importance which are now partially dealt with only in committees, in particular in the ESP Committee, and which are of key importance for the Decent Work Agenda (for instance: pension policy; functioning of labour markets; working time; etc.);
- the social dimension of globalization;
- follow-up to the Global Jobs Pact and the ILO Declaration on Social Justice for a Fair Globalization;
- follow-up to recurrent items when a policy debate is called for.

12. Under this approach items selected for a Governing Body agenda could be identified as falling within either function. The flexibility of the approach would also allow items to be discussed in a way that crosses both functions. There would not be, in and of itself, a fixed line of separation.
13. The nature of the agenda would determine the length of each part. Sequencing the parts would be done in a manner to facilitate the presence of high-level participants such as ministers and heads of employers' and workers' organizations, who could organize their participation well in advance. The high-level policy agenda could also use interactive approaches such as keynote speakers, panels and videoconferences.
14. In this approach:
 - Simultaneous committee meetings would be avoided and there would be no reporting from committees to the plenary.
 - Overlaps would be less likely and items could be more easily grouped together.
 - Some items and the technical preparation for a Governing Body discussion could be dealt with through inter-sessional work for which rules and modalities would need to be clarified.
 - While per diem and travel costs would not be reduced, savings would be made on interpretation costs.

C. An improved Governing Body agenda-setting mechanism

15. Independently of the approach to be adopted for the Governing Body structure, there appears to be a consensus regarding the need for an improved agenda-setting mechanism for the entire Governing Body. This would aim at:
 - defining the strategic matters to be discussed;
 - having a comprehensive vision;
 - improving transparency and timely consultation; and
 - focusing on policy debate and decision-making, including the follow-up of decisions.

16. The new mechanism could be composed of the following elements:

- **A screening procedure** to assess all proposed agendas together; this could involve increased transparency by having, towards the end of the second week, a meeting of the Officers of the Governing Body with the Regional Coordinators and the secretariats of the Employers and the Workers. Consideration should also be given to the way in which the whole Governing Body would be informed about and involved in this process.

The screening procedure would ensure, in particular:

- a definition of the strategic matters to be discussed at the next Governing Body session (or sessions);
 - a global vision in order to: avoid overlap; allow grouping of items for the purpose of a coherent discussion; and to ensure the link between technical preparatory work and strategic debates.
- **A consultation and interaction mechanism**, well ahead of the Governing Body sessions, between the Officers, the Regional Coordinators and the secretariats of the Employers and the Workers to determine the agenda and tentative order of business of each session.
 - **A first meeting of the Officers of the Governing Body**, at the beginning of each Governing Body session, to deal with all procedural matters; this would be followed by a report to the Governing Body “for information only”.

D. Consensus elements of improvement

17. There is a consensus on the need to remove from the agenda those items which are purely procedural or informative and do not call for a Governing Body discussion. Nevertheless, further discussion might be needed regarding the modalities for dealing with Governing Body documents that are for information only.

Governing Body documents could continue to be organized into three different categories: “for information”; “for debate and guidance”; and “for decision”. Only the last two categories would be directly linked to an agenda item. Information papers regarding items such as: programme of meetings; information notes on symposia and seminars; and certain reports of the Officers of the Governing Body would be distributed to Governing Body members during or outside a session but would not be on the agenda unless specifically requested.

18. The Office will improve secretariat support for the Government group and Regional Coordinators. During the consultations there was broad tripartite agreement on the need to improve such support and the Office has already taken some steps in this direction together with the Regional Coordinators. The Africa group has called for the establishment of a government liaison unit.

19. The Office will also make more extensive use of information technology in relation to the Governing Body, particularly through the Governing Body web site.

20. The format for Governing Body papers will be streamlined and will include executive summaries for long papers.

21. The consultations seemed to have reached the following consensus regarding side events during the Governing Body: they should be an exception and add value to the Governing Body session; they should not coincide with Governing Body sittings and could therefore take place only at lunchtime or in the evening; and all side events should be approved by the Officers.
22. Other issues, such as government representation among the Officers, composition of committees and working groups or time limits for speeches, require further consultation and discussion.

Geneva, 16 March 2010.

Submitted for debate and guidance.