



Governing Body

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

WP/GBC

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FIRST ITEM ON THE AGENDA

Improving the functioning of the International Labour Conference

Background

1. At its 323rd Session (March 2015), the Governing Body: (a) decided to propose to the Conference that it implement, on a trial basis, arrangements for a two-week session in June 2015; and (b) requested the Office to prepare for the 325th Session (November 2015) of the Governing Body an analysis of the trialled format of a two-week session in June 2015, which would allow the Governing Body to draw the lessons from this experience and take the appropriate decisions as regards the arrangements for future sessions of the International Labour Conference (ILC).

Overall assessment of the two-week format trialled in June 2015

1. Successful areas of reform

2. During the 324th Session (June 2015) of the Governing Body, the trial of a two-week session of the Conference was welcomed as a successful experience to be further refined and pursued. This success was acknowledged as the result of the joint efforts and commitment of the constituents and the Office. The following reforms were specifically outlined as having contributed to the success of the trial.

(a) Preparatory processes

Information: The communication of preparatory information at an early stage (Conference guides, committee registration forms), the briefing sessions and early posting on the Web of technical committees' tentative plans of work.

The final version of the *Conference guide* (published just before the session), containing practical information, proved extremely useful and allowed for the production of a shorter daily bulletin. The EPUB versions of the guide were produced and published on the Web (access statistics for both PDF and EPUB versions total up to more than 3,000 hits).

Early registration in committees: The number of early registrations received by the Office increased compared with 2014, with 103 registrations (59 in 2014) for the Government delegates; 92 (60 in 2014) for the Employers' delegates; and 33 (23 in 2014) for Workers' delegates.

Technical committees: The creation of individual web pages for each of the technical committees containing information and material prepared by the Office to facilitate the discussion; informal consultations on the reports submitted to the Conference and the well-organized preparation of the standard-setting discussion.

(b) In-session achievements

Time management: Improvements in time management in the plenary due to the strict discipline observed by the President and the efficient management of the discussions in the Conference committees without prolonged or evening sittings. It should however be noted that the standard-setting committee was holding its second discussion, and that first discussions may require longer debate, and therefore extended or additional sittings.

Committee on the Application of Standards (CAS): Timely agreement on the list of cases and adoption of conclusions on every case.

Technical committees: The three committees completed their work on time (the standard-setting committee finished one day earlier) and successfully adopted the outcomes of their discussions.

Plenary: 299 speakers (same number as 2014) participated in the discussion of the Report of the Director-General and the report of the Chairperson of the Governing Body.

World of Work Summit: The high attendance rate demonstrated the interest raised by the theme of the panel and the high-level addresses in the afternoon.

Side events: The holding of only one side event (on 5 June) on a topical theme (migration) was recognized as a positive development.

Information technology: The availability of screens in all committee rooms for the drafting groups as well as for the discussion of amendments in plenary.

Documentation: The timely distribution and availability on the Web of all documents submitted to Conference committees facilitated both the preparations and the in-session debate.

2. Areas for further improvement

- 3.** The move to a two-week format has clearly highlighted the importance of the preparatory processes and the need to develop a detailed calendar of the Conference preparations, with clear deadlines.

(a) Preparatory processes

4. Further improvements to the reforms trialled in 2014 and 2015 should be envisaged, as follows:
- (1) **Early nomination of committee chairpersons:** All efforts should be made to ensure that the identification of committee chairpersons is finalized by the month of April, subject to the final endorsement of those nominations by the relevant committee. The Employer and Worker vice-chairpersons of the committees should also be identified at this time to allow the Office to brief and consult the three Officers of each committee in coordination with ACTRAV, ACT/EMP and the secretariats of the Employers' and Workers' groups as appropriate. The nominations should be based on a clear understanding of the required profiles (expertise of the subject matter and experience of the chairpersonship or vice-chairpersonships of tripartite discussions). Early consultation with the Officers of the respective committees would allow the Office to make the draft plans of work available on the web pages of the committees as from the end of April preceding the ILC.
 - (2) **The advance registration process for committees** has produced better results this year but the text and format of the registration forms will be reviewed in the light of the specificities of each group of constituents and be available on the Web immediately following the March session of the Governing Body.
 - (3) **New technologies:** The use of mobile applications and IT facilities will be further explored.

(b) In-session processes

Group meetings on the opening day

- Time allocated to group meetings before the opening of the Conference was in general considered as being sufficient, although some government regional groups have requested their group meetings start earlier on Monday morning.
- In June 2015, all government regional groups held meetings from 9 a.m. to 10.30 a.m., with interpretation services, followed by a one-hour Government Group meeting prior to the opening of the Conference. Compared with the experiences of June 2013 and 2014, the time allotted to the regional groups for their meetings on the opening day was therefore 30 minutes longer.
- The Employers' and Workers' groups of technical committees met from 10.30 a.m. for the rest of the morning, in parallel with the opening plenary. The afternoon and early evening period was occupied by further group meetings, opening sittings of four Conference committees, and the Finance Committee. Accordingly, the interpretation services available to the Conference were fully utilized on the opening day of the Conference.
- Any modification of the programme requiring an increase in interpretation services would therefore have considerable cost implications. Moreover, in June 2016, the recruitment of additional interpreters will be challenging as a share of the available interpretation resources will still be engaged in servicing the Executive Board of the World Health Organization, following the World Health Assembly.

Opening date

- Holding preliminary group meetings on a Sunday remains problematic for the Government group. An alternative solution, proposed by some regional groupings, would be to start the Conference on a Tuesday or Wednesday in order to avoid having to work on three successive weekends.

Shortening of the opening sitting

- The arrangements trialled this year to reduce the duration of the opening sitting to 90 minutes proved successful and should be considered for further improvement. For example, pending the adoption of any amendment to the Standing Orders, the proposed suspensions to the provisions of the Standing Orders will be presented in a *Provisional Record* to be published before the opening of the Conference.

Plenary

- Concurrent sittings of the plenary and committees remains a problem for the attendance in plenary, especially for small delegations.
- While the sequence of the four plenary periods should remain unchanged, some readjustments in the scheduling of individual speeches within the plenary periods II (discussion of the Reports of the Chairperson of the Governing Body and of the Director-General), III (World of Work Summit) and IV (formalities and adoption of the committees' reports) should be considered in order to optimize time management and attendance.
- Further consideration is required to avoid the situation of having speakers before and after the adoption of reports or speaking in an empty room in the afternoon
- The programme of the last two days of the Conference should also be reviewed to keep the momentum and avoid the "anticlimax" of the last day. In that regard, closing the Conference on Friday afternoon instead of Saturday at noon requires further attention.

Programme implementation report

- Pending the adoption of the relevant amendments to article 12 of the Standing Orders, suspensions will be proposed to allow the Director-General to present, on the first year of a biennial financial period (such as 2016), his Report on a social policy theme in addition to the Programme implementation report.

World of Work Summit

- While the topical theme of the panel and the panellists' contributions were welcomed, the interactivity of the debate needs further consideration. As far as possible, the visit of the dignitaries should all be scheduled on the same day (World of Work Summit) with one special sitting taking place before the lunch break and no more than three special sittings scheduled in the afternoon. When the situation permits, the special sittings should be clustered to allow individual speakers to address the plenary either before or after those special sittings.

Committee on the Application of Standards

- The experience of 2015 has demonstrated that the work of the CAS can be completed within the framework of a two-week session. On the basis of the positive developments, such as the timely agreement on the list of cases and adoption of conclusions on every case, further improvements in the working methods (allowing, for example, the Conference to adopt the CAS report on Friday afternoon) will be discussed prior to the 2016 session of the Conference. The Informal Tripartite Working Group on the Working Methods of the Conference Committee on the Application of Standards will meet in March 2016 to prepare the June 2016 session.

Credentials Committee

- While the Credentials Committee was able to complete its work, the reduced number of working days put considerable strain on the capacity of the Committee members and the secretariat, as well as on Governments, which were asked to provide information and comments on cases within very tight deadlines. As it may not be possible to further reduce the time limits for submitting objections and complaints, an improvement of the situation will continue to depend on the willingness and ability of employers' and workers' organizations to submit their cases as early as possible in advance of the deadlines and on the capacity of the secretariat to process the cases very quickly. In addition, consideration could be given to introducing a possibility to reject as irreceivable, by unanimous decision of the Committee, objections and complaints that do not put forward sufficient facts, evidence or arguments to support them.

Access to Conference information

- The Office should explore ways to password protect ILC committees' web pages and to restrict access to members of the committees concerned. Greater visibility needs to be given to the EPUB versions of the *Conference guide*.

Standard-setting committees

- The experience of 2015 has demonstrated that a standard-setting committee can complete its work within this two-week format with the same amount of time (nine days), sequence, number of sittings and group meetings as previously available.
- Prior to the opening of the committees' substantive discussions and following the practice adopted for most standard-setting discussions, a half-day period (morning or afternoon) should be dedicated to group meetings.
- Without delaying the submission of the first batch of amendments, standard-setting committees should hold a half day of general discussion – including the preliminary statements – before entering into the discussion of amendments.
- Where possible, the printed version of the report of the standard-setting committee containing the draft instrument should be available as early as possible on the day before its adoption by the plenary of the Conference in the form of a *Provisional Record*.
- One of the major challenges remains however the finalization of the proposed instrument and its timely distribution following review by the Committee Drafting Committee. The process of finalization of international labour standards will have to be further reviewed in view of the fact that in June 2015 the two-week format did not allow for a full review of the instruments by the Drafting Committee of the

Conference before the final vote. Since there will be no instrument to be finalized through the regular process at the forthcoming session (June 2016) of the Conference, further proposals in this respect will be submitted at a later time.

Non-standard-setting committees (general/recurrent discussion)

- The Standing Orders of the Conference contain no provision regulating the working methods of a non-standard-setting discussion. Under the current practice, the tentative plan of work of the general and recurrent discussions is based by default on the same division into four major parts of the time available to such committees: (1) general discussion in plenary of the committee (three days); (2) drafting group (two days); (3) submission of amendments (one day); and (4) discussion of the amendments in plenary of the committee (two days). This scheme can however be revised at any time by the committee itself.
5. During the previous discussions of the Working Party, views have been expressed regarding:
- the need to differentiate the recurrent discussion from the general discussion in the light of the specificities of their respective mandates;
 - the need to improve the structure of the non-standard-setting discussions as well as their working methods;
 - the need to start at an early stage (one year before) the tripartite consultation process on the report and the key issues to be submitted for discussion and to communicate the dates of these tripartite consultations well in advance;
 - the need to ensure that the questions raised to stimulate the debate (points for discussion) are policy- and action-oriented and focus on the ways to move forward;
 - the need to ensure, through better preparation, that non-standard-setting discussions focus on substantive issues;
 - the need to ensure that the outcome document (usually conclusions) is policy- and action-oriented;
 - the need to keep the initial tentative conclusions (zero draft submitted to the drafting group) prepared by the Office as short as possible.
6. The conclusions which can be drawn from the previous discussions in the Working Party as well as from the most recent experience of non-standard-setting discussions in June 2015 are: (1) there should be no one-size-fits-all format for all recurrent and general discussions; (2) the format should be defined once an agreement has been reached on the nature and scope of the expected outcome; and (3) the preparation of such discussions should include, at an early stage, tripartite informal consultations on the content of the report, the expected outcome and the points for discussion.

The way forward

7. In light of the agenda of the forthcoming 2016 session of the Conference, the following elements should be kept in mind for future reforms.

8. The agenda of the 105th Session (June 2016) of the Conference contains two non-standard-setting discussions:
- (a) Due to the very specific nature of the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization, 2008, the format of the discussion will be determined following broad tripartite consultations about the scope and the expected outcome of this evaluation. Discussion on this matter is included in the document¹ on the preparation of this evaluation to be submitted to the Governing Body at its present session.
 - (b) The preparations of the general discussion on decent work in global supply chains have already started with informal consultations of the three groups of constituents. At the request of the Governing Body, innovative processes have been put in place to optimize the consultative process and to allow the tripartite groups of constituents to provide feedback on the anticipated structure of the report and draft points of discussion to be presented to the Conference Committee.²

(a) Preparatory processes

9. Due to the specific nature of each of the non-standard-setting discussions scheduled for June 2016, the preparations, which are well under way, will follow different patterns which may be applied for the preparation of future recurrent or general discussions.
10. Depending on the nature of the topic and the time available, the following measures could be explored for future sessions of the Conference to engage the three groups of constituents in the preparatory process.
- A simplified questionnaire could be sent by the Office to all member States at least one year before the discussion to collect the inputs on the main elements to be developed in the report, reflected in the points for discussion and the outcome document; or
 - a number of broad themes could be sent by the Office to all member States at least one year before the discussion to collect the inputs of the three groups of constituents on the main issues related to those themes which, in their view, should guide the discussion, and structure the outcome document.
 - The replies to the questionnaire or the inputs received from the constituents would then be incorporated into the report and could also be posted on the web page of the committee. Those inputs would allow the Office to refine and develop the draft points for discussion to be submitted to the committee. The points for discussion would then reflect the main concerns, expectations and priorities of the tripartite constituents and would provide a solid basis to the general discussion.

¹ GB.325/INS/3.

² GB.320/INS/2, para. 22.

(b) In-session processes

11. In order to ensure that: (1) the general discussion is well structured and focused on the points for discussion; and (2) all the committee members feel involved, through a more focused general discussion and improved channels of communication in the elaboration of the resulting conclusions, the following scenarios could be explored.

- The preliminary inputs received from the constituents should provide a framework to the general discussion. They would enable the general discussion to be better structured and focused on the points for discussion. The organization of the discussion should allow both the committee members and the secretariat to have, at the end of each sitting, a clear understanding of the elements of the discussion to be reflected in the outcome document. If needed and feasible, those elements could be summarized at the end of each sitting by the chairperson or the representative of the Secretary-General.
- Following a recent practice, the Office could organize, at the end of each day of general discussion, a short informal meeting with the Officers of the Committee to identify the key issues discussed during the day which should be retained in the tentative text to be prepared by the Office.
- As in previous sessions of the Conference, the general discussion would start on Monday afternoon and conclude on Thursday, in the middle or at the end of the day. On the basis of the guidance provided by the Officers, the secretariat would then elaborate a zero draft of the outcome document (tentative conclusions) to be considered by a tripartite drafting group on the Saturday and, if necessary, on the Sunday. In 2015, the drafting groups met on Friday and Saturday.
- As the committee will have concluded the first part of its work (the general debate based on the points for discussion), the Friday could be devoted to sharing national, subregional or regional experiences through a panel discussion. If so requested, the Office could also present some specific projects related to the issue under discussion. During that day, the secretariat of the committee could finalize the tentative conclusions to be submitted to the tripartite drafting group in English, French and Spanish and distribute them to the members of the drafting group on Friday evening or Saturday morning.
- To the extent possible, the drafting group should finish its work by Sunday noon, enabling the Office to finalize the translation of the draft conclusions before the end of the day. On Monday morning, the draft outcome document would be distributed to the groups and posted on the web page of the committee.
- During the second week (Monday to Wednesday afternoon), the committee might choose between various alternatives depending on the level of consensus reached in the drafting group, such as:
 - (1) go through the usual process of amendments, with group meetings on Monday morning and submission of amendments on Monday afternoon; or
 - (2) resume its work in plenary on Monday with a late morning sitting during which the Employer and Worker vice-chairpersons and the Government members of the drafting group (or one Government spokesperson) would present the draft text resulting from the tripartite discussion in the drafting group, explaining how the consensus has been reached on the proposed text. This information would help the members of the committee that were not part of the drafting process to understand better how the text has been elaborated. In light of this information,

the members of the committee would still be given the possibility, if so requested, to submit formal amendments to the draft conclusions in the afternoon.

- During the two remaining days (from Tuesday morning to Wednesday afternoon – four sittings), the committee would then discuss either the amendments received or the proposed text paragraph by paragraph, with the possibility, if so decided by the Officers of the committee, to reconvene the drafting group on Tuesday evening to re-examine conflicting amendments and reach an agreement on a consensus text to be submitted the next day to the plenary of the committee and which would then be open to subamendments.

12. The purpose of the abovementioned proposals is to stimulate the reflection on alternative methods of work, knowing that every discussion involves different challenges which may require different formats.

(c) Proposed suspensions and amendments to the Standing Orders

13. The Office will submit to the 326th Session (March 2016) of the Governing Body a set of proposed suspensions to the Conference Standing Orders necessary to continue implementing the two-week format together with any further adjustment resulting from the Working Party and Governing Body considerations. The Office is ready to undertake a more comprehensive review of the Standing Orders of the Conference with a view to codifying the changes necessary to formalize the two-week format and to proposing other possible improvements and updates to the text. If so decided by the Governing Body, formal amendments to the Standing Orders could be submitted to the November 2016 session of the Governing Body.

Draft decision

14. *In light of the discussion held on the trial of a two-week session in June 2015 and on possible improvements to be implemented at future sessions of the Conference, the Working Party on the Functioning of the Governing Body and the International Labour Conference recommends to the Governing Body:*
 - (a) *to confirm the two-week duration for future sessions of the International Labour Conference;*
 - (b) *to request the Office to prepare for the 326th Session (March 2016) of the Governing Body a detailed plan of work for the 105th Session (June 2016) of the Conference, based on a two-week format;*
 - (c) *to request the Office to undertake a comprehensive review of the Standing Orders of the Conference with a view to submit to the 328th Session (November 2016) draft amendments to the Standing Orders to the International Labour Conference.*

Appendix

Agenda of the 105th Session of the International Labour Conference

Standing items

- I. Reports of the Chairperson of the Governing Body and of the Director-General
- II. Programme and budget and other questions
- III. Information and reports on the application of Conventions and Recommendations

Items placed on the agenda by the Conference or the Governing Body

- IV. Decent work in global supply chains (general discussion)
- V. Decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71) (standard setting, double discussion)
- VI. Evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization, 2008
- VII. Maritime matters:
 - Approval of amendments to the Code of the Maritime Labour Convention, 2006¹
 - Amendments to the annexes of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)²

¹ If the proposed amendments are adopted by the Special Tripartite Committee established under Article XIII of the Maritime Labour Convention, 2006 (MLC, 2006), at its meeting in February 2016.

² If the proposed amendments are adopted by the Ad Hoc Tripartite Maritime Committee for the amendment of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), at its meeting in February 2016.