



THIRD ITEM ON THE AGENDA

The functioning of decision-making bodies**(b) The Governing Body****Introduction**

1. The last formal review of the functioning of the Governing Body took place in 1990-93. The reforms introduced at that time abolished a ten-day meeting in May and established the current committee structure, as well as a procedure to deal expeditiously with the reports of the committees. The review of functioning and structure of the Governing Body and its committees continued to be discussed informally for some time, and was formally placed on the agenda of the Governing Body as of its 288th Session in November 2003. This document provides an *état des lieux* of the decisions and understandings reached in those discussions and reports on the action taken in follow-up.
2. Consultations on the subject were also held in January to February 2004 with representatives of the Government, Employers' and Workers' groups. In March 2004, the Governing Body noted and approved the practices and proposals set out in the document submitted by the Office,¹ took account of the views expressed, and agreed that consultations should continue with a view to finding the best way of dealing with them. An oral report of the developments was presented to the Governing Body in November 2004. Throughout this process the indication was that any reform should lead to possible savings or be cost neutral, and further optimize the use of time and other resources allocated for the organization of the Governing Body.

Emphasis on governance

3. Governance has been emphasized as the main role and function of the Governing Body. There is a general consensus that the Governing Body should fully exercise its role as the highest decision-making body of the Organization between sessions of the International Labour Conference and should be in a position to deal with all strategic objectives as appropriate. It must give considered and well-prepared policy guidance, through focused policy discussions. Tripartism and improved interaction between the representatives of the Government, Employers' and Workers' groups, are essential in this high level decision-

¹ GB.289/3/2(Rev.).

making function. The Governing Body's role in supervising the implementation of international labour standards (including the procedure related to the Committee on Freedom of Association and articles 24, 26 and 33 of the Constitution) was also confirmed.

4. The policy-making role of the Governing Body is enhanced through specific policy discussions. Such discussions should be well prepared and should lead to decisions on further action. It was suggested that time could be set aside for policy discussions in the Governing Body work programme. While this idea was received favourably, there were questions on how to select topics. It was recognized that policy discussions appropriately take place in committees and in the Working Party on the Social Dimension of Globalization and that items deserving of full discussion in the Governing Body could be identified by the committees or in plenary. In any case, there should be a formal decision on the selection of the item and the manner of its preparation. It was agreed that policy discussions should not take place just for their own sake – any policy item selected should clearly contribute to the governance and decision-making role of the Governing Body. The Officers of the Governing Body and its committees could bear this in mind when deciding on their agendas. It was noted that in the event that a policy discussion was agreed in a particular session, the remaining agenda items would need to be reviewed to ensure that the policy debate did not add to the duration and consequently the cost of the session.
5. The Governing Body, as a decision-making organ of the ILO, needs an appropriate balance between decision-making items and information items so as not to let the Governing Body or its committees be overtaken by the flow of information papers. Care should be taken to identify the type and nature of the information that would be needed for the governance and oversight role of the Governing Body. This is an issue for both the Governing Body and its committees. There was also a suggestion to limit the extensive discussion on items submitted for information to those requested by a group or a certain number of Governing Body members, or in principle to hold such a discussion at a later stage either after exhausting the agenda items with points for decision or by placing the item on the agenda of a subsequent meeting. The process to be adopted on information papers should be determined by each chairperson in consultation with the vice-chairpersons on a case-by-case basis.

Time management

6. Time management can be further improved. Continuous attention should be paid to start all meetings on time. It has been agreed that members should make every effort, with guidance being provided from the chair, to ensure that statements are not repetitive, congratulatory statements are limited and obituaries are treated respectfully whilst avoiding excessive length. Agreement has seemingly been reached on the principle that where a group spokesperson has spoken on behalf of a member, that member should only take the floor if he/she has an additional substantive point to make.
7. The order of business should be known as far as possible in advance, with the groups being consulted on any substantive changes.
8. Conclusion of work on Thursday afternoon/evening instead of Friday (lunchtime), offers no savings to the Office as all services are required to be contracted for the full scheduled meeting period. It is however possible that with the approval of the Officers and subject to the extent of the agenda, a Thursday finish could on occasion be scheduled with consequent savings being achieved.

Information technology

9. The Office is currently working towards the introduction at the November 2005 session of a system using the hardware purchased for the ILC electronic voting system to provide electronic access to the documents under discussion as well as Internet access. The only major obstacle to more widespread use is access to a continuous power supply as the batteries have only a limited time of operation.

Documentation

10. A major issue is the volume of documentation and the need to reduce it further. Documents should be clear, concise and focused, drafted in a direct style, with executive summaries for any lengthy document. Documents should be prepared and distributed in good time before the meetings in order to make it possible for the participants and the groups to benefit fully from them. It might be possible to discontinue certain papers that require no decision and are not essential for the main functions of the Governing Body. Electronic distribution of documents would be both efficient and would further enhance Governing Body members' preparation.
11. It might be possible to differentiate the production, distribution and consideration of documents depending on their contents, both at the committee level as well as in the Governing Body. For example, documents could be referenced according to their status ("action", "policy guidance" or "information") and rules could be devised to govern their submission and discussion. Similarly, in drawing up the agendas priority could be given to items according to their status, so that time available could be mostly devoted to the first two categories, leaving limited time for any comment on all the documents for information.
12. A new approach has been developed for this session of the Governing Body in that the minutes of the meeting and the record of decisions have been combined into a single document for reasons of coherence and efficiency.
13. Without reducing the accuracy and extent of information contained therein, the minutes of the Governing Body and reports of the committees should be more of a summary record than a verbatim transcript. Appropriate guidance has been provided to note takers and report writers accordingly.

Selection of Conference agenda items

14. An area identified for further improvement is how the Governing Body selects the items for the agenda of forthcoming Conferences. The treatment of this item in the Governing Body plenary tends to be time-consuming without allowing for proper consideration. It was suggested that all groups might have a preliminary discussion, so that their positions would be expressed initially to the Governing Body. Before a possible second discussion and decisions, representatives and coordinators for the groups could discuss together with the view of reaching agreement. As a rule, this would concern the discussions in the March sessions when the actual decisions on the agenda are normally taken. The Office could be tasked to undertake the facilitation of such consultation. It was also felt that instead of automatically carrying forward all the non-selected items to the following year, the Governing Body could indicate which proposed items it wishes to have dropped, to be resubmitted at the ensuing discussion, and those in need of further reflection or research, to be resubmitted at a later stage.

Role of the committees and their agendas

15. The main feature of the current structure of the Governing Body is that the committees meet prior to the plenary. This has proved to be an appropriate and efficient arrangement. The importance of the work of committees as an integral part of the Governing Body sessions should be underlined. This necessitates an adequately high-level participation at the committees as the matters discussed in the committees are submitted to the plenary for decision and are not meant to be reopened for discussion. The plenary does not normally discuss again items covered by the reports of its committees. The only exception is the CFA whose report is presented and discussed at the Governing Body.
16. Thought was given to the possible introduction of events and discussions that might raise the interest of senior national political officials who attend only the last week of the Governing Body. However, such events might distract the Governing Body from its main functions and thus no proposals have been retained.
17. As regards selecting the committee agendas, the Officers of committees, in consultation with Government coordinators, should determine the agenda for the next meeting before they leave Geneva. These decisions are taken in the knowledge of the availability of meeting time and translation resources. Obviously, some flexibility is needed to permit appropriate responses to unforeseen important issues. Where late changes are made, they are made in consultation with the Officers of the relevant committee and the Governing Body itself. In their considerations, Officers might be able to identify subjects that could be discussed once, rather than twice, every year. Better planning, prioritization, and preparation in setting the committee agendas can also serve to avoid repetitive discussions.
18. It has been suggested that the committees could more effectively plan their work if a meeting of the Officers of all committees were held at the commencement of the committee week to permit increased awareness of items in discussion, enhance coordination and eliminate overlap. While such a proposal has merit in theory, it has important practical and financial implications including the requirement that committee Officers should be present from the beginning of the committee week.

Structure of the committees

19. The structure of the committees should be compatible with the central function of the Governing Body regarding the governance and oversight of the Office's major activities. The need for the Governing Body to adequately cover all the strategic objectives has been underlined. Exercising effective oversight means that the Governing Body plenary and its committees have to be able to discuss issues related to all four strategic objectives. Questions were raised on the extent to which the present committee structure would enable the discussion of issues related to the strategic objectives of social protection and social dialogue. The solution appears to be an expansion of the mandate of the current STM Committee to cover other issues pertaining to social dialogue. Proposals regarding the expansion of the terms of reference of the STM will be made in June 2005 when the new Governing Body sets up its committees.
20. As regards social protection, two alternatives have been considered: to arrange the meetings of the ESP Committee well in advance with separate agendas for employment and social protection, with a decision on timing of the sessions to cover each, or have two separate committees – employment and social protection. The latter alternative would have cost and other implications for the Governing Body. It could also have implications on how individual Governing Body members and groups would be able to cover the Committee discussions effectively. The ESP made arrangements both in November 2004

and this current session to cover employment in two sittings and social protection in a third, separate sitting.

21. The Governing Body will, at this current session, receive a recommendation from the Multinationals subcommittee (MNE) as to its membership structure. If accepted, this new structure will be implemented in the new Governing Body as from June 2005, assuming that its meetings can be scheduled so that the overall cost will not increase.
22. There was also agreement that there should be no other committee meetings parallel to any part of the PFAC. To accomplish their work other committees will have to meet, at least to an extent, in parallel, but efforts should be made to ensure that the order of the committee agendas makes it possible for individual members of the Governing Body and small delegations to participate fully in major committee debates.
23. There are certain ongoing discussions within the Technical Cooperation Committee on the work of that Committee. Issues related to IPEC have also been subject to a number of comments, proposals and decisions pursuant to the evaluation of that programme by the Governing Body. The Technical Cooperation Committee will discuss the report of the IPEC Steering Committee only in March each year rather than twice a year. Currently, the Steering Committee, which is tripartite and, on the Government side composed of donor and recipient countries, meets in November. This meeting is not formally part of the Governing Body session. Previously, an oral report was made to the Technical Cooperation Committee at the November session and a written report to the same Committee in March. The oral report was discontinued as of November 2004.

Consolidation of Governing Body rules

24. The Governing Body also requested the Office to make proposals for preparation of a text which would consolidate the rules and practices pertaining to composition, structures and procedures of the Governing Body. At present such information is not contained in a single text. Some are long-standing practices or understandings not specifically included in any legal text (regional distribution of seats in the Government group, extent to which committee reports may be discussed by the Governing Body, role of the Officers of the Governing Body, etc.), but rather spread into a number of documents or decisions of either the Conference or the Governing Body. Others are contained in the standing orders of the Governing Body, or in specific sets of rules (such as the rules governing representations under article 24 of the ILO Constitution or the rules of procedure of the Committee on Freedom of Association). In addition, some of these legal texts are not comprehensive and, in certain cases, procedures are determined by analogy (for instance, the procedure in relation to Governing Body committees, as express provision is only made in relation to the PFAC). The Governing Body preferred the option of bringing together this information into a single text rather than an attempt to codify the established practices into the standing orders of the Governing Body. This work is currently being undertaken by the LILS Committee.

Increased interaction between the groups

25. The social partners have welcomed the wish expressed by the Government group to be more active as a group. The Government group, including the regional groups, has expressed the desire for more effective participation in the work of the Governing Body both in the preparatory and the decision-making processes. Recently, the Government group decided to hold a meeting in advance of the work of the committees, i.e. the Monday of the week in which the Governing Body committees would be working, as well as its

usual meeting the following week. Communication between the Government group and the Employers' and Workers' groups has been enhanced through meetings involving the representatives of both non-governmental groups and the Officers of the Government group and the regional coordinators.

- 26. *The Governing Body may wish to take note of these improvements in the functioning of the Governing Body and request the Director-General to pursue their implementation, taking into account any further views expressed.***

Geneva, 7 February 2005.

Point for decision: Paragraph 26.