

**FOR DEBATE AND GUIDANCE**

FIRST ITEM ON THE AGENDA

**Review of the functioning of the
Governing Body****Background**

1. At its 305th Session (June 2009), the Governing Body established a Working Party on the Functioning of the Governing Body and the International Labour Conference to consider how the governance functions of these organs could be improved in the light of the ILO Declaration on Social Justice for a Fair Globalization, 2008.¹ It agreed that the Working Party would consist of 16 Government members, eight Employer members and eight Worker members, to be appointed by each group prior to the 306th Session (November 2009) of the Governing Body. Other members of the Governing Body could participate in an observer capacity.²
2. In September–October 2009, preliminary consultations were held with the Government regional groups and with the Employers' and Workers' group secretariats. To serve as a basis for consultations on this issue, the Office prepared an informal discussion paper ("non-paper").³ It contains an overview of the reforms and discussions since 1993, when the current structure of the Governing Body was agreed upon. Some adjustments have been made since then and discussions have taken place to identify possible improvements which should enable the Governing Body to better fulfil its constitutional functions.
3. The aim of the informal paper was to explore the questions which the Working Party might focus on. While the mandate of the Working Party also covers the functioning of the International Labour Conference, the Office suggested that, in the first instance, it would be advisable to focus on the Governing Body.⁴ The Office remains prepared to furnish the

¹ Doc. GB.305/4.

² The list of nominations received for the titular members of the Working Party is appended (Appendix I).

³ See Appendix II.

⁴ It should be recalled in that respect that the present format of the Conference was first implemented in June 2007, further to the recommendations of a previous Working Group on the International Labour Conference, adopted by the Governing Body in March 2007.

Working Party with information on the experiences with the functioning of the Conference in 2008–09.

4. The preliminary discussions have led to a request to clarify the mandate of the Governing Body, as defined by the ILO Constitution in terms of governance, policy-making and oversight functions. The ILO Constitution contains many provisions referring to the role and functions of the Governing Body. These functions are divided between those of control over the International Labour Office and a number of functions of its own concerning the Organization, such as the election of the Director-General and the selection of Conference agenda items, as well as matters relating to international labour standards. A detailed list of the Governing Body roles and functions, referring to the relevant articles of the Constitution, is contained in Appendix III.
5. The preliminary discussions confirm that tripartism and effective interaction between the Government, Employers' and Workers' groups are critical to enabling the Governing Body to fulfil its governance function efficiently. Based on the informal paper, questions have been raised about the status and effect of decisions or recommendations adopted by the Governing Body over the past 20 years in order to improve the functioning of the Governing Body. While most decisions have been followed up, and the necessary directives have been given, there are roughly three kind of situations of insufficient or no implementation: (1) decisions or recommendations that have had no effect; (2) decisions or recommendations implemented that have not produced the expected results; and (3) recommendations or proposals which appeared to be widely supported within the Governing Body but which were not endorsed formally and did not lead into a change in practice.
6. A clear example of decisions without the expected effect is that of reducing by one quarter the number and length of documents prepared for the Governing Body, adopted by the Governing Body at its 286th Session.⁵ At its 292nd Session, a further reduction of 10 per cent was recommended and adopted by the Governing Body⁶. Without venturing into giving a reason for this non-implementation, it should be noted that apparently the level of detail requested from the Office for implementation and other reports, which are to enable the Governing Body to fulfil its monitoring function efficiently, is greater than what the targeted reduction of the volume of documentation would have permitted.
7. An example of decisions implemented without producing the expected results is the recommendation that committees establish a procedure to agree on their agenda for the following session.⁷ This procedure has been followed up but, for various reasons, it has not achieved the expected outcome, which was to ensure better planning, prioritizing and rationalization of the committees' work. There are several reasons for this. Urgent issues arise between sessions of the Governing Body; new issues arise while further debate on issues already on the agenda is needed; and the scope of issues covered by the committees varies. Also, while the agreed procedure helped with the planning of the work of each of the bodies, it did not contribute to coherence between the agendas of different committees.
8. The category of recommendations which have never been fully implemented includes the proposal for all groups to hold preliminary consultations between the first and second

⁵ See paragraph 13 of the Director-General's preface to the Programme and Budget proposals for 2004–05 (GB.286/PFA/9).

⁶ See page 107 of the Programme and Budget proposals for 2006–07 (GB.292/PFA/8(Rev.)).

⁷ GB.289/3/2(Rev.) and GB.292/3/2.

discussions on the selection of items for the agenda of the Conference.⁸ This proposal was highlighted as a way to improve the way in which this item was dealt with in the Governing Body but it has not been followed up in any systematic way. Other proposals which received wide support have related to the possible alternation of some of the committees between the March and November sessions. These proposals have been repeatedly discussed but they have never resulted in a formal decision.

9. There have also been proposals on issues for which it has proved, for various reasons, to be difficult to enforce a strict rule. Examples of such issues are time management and the length of interventions.

The way ahead

10. The Working Party faces a choice between two approaches. The Office can prepare proposals, or options, depending on the understanding that Working Party reaches on the basic parameters of the exercise.
11. One alternative is to build on previous discussions, and in particular those held since 2003, and engage in a detailed examination of the adjustments which could be made to the present structure of the Governing Body. This approach could cover such issues as the length and number of sessions of the committees and their scheduling at the two full annual sessions of the Governing Body; revisiting the mandate of committees (with the exception of the Committee on Freedom of Association (CFA) and the Programme, Financial and Administrative Committee (PFAC)); strengthening the policy concerning the documentation requested; information to be posted on the Web; and other matters.
12. Another option for the Working Party would be to examine the extent to which the current structure, with adjustments, and the functioning of the Governing Body ensures the coherence required by the ILO Declaration on Social Justice for a Fair Globalization adopted in 2008. The Governing Body will also have to take into account the need for it to follow up the Conference discussions on the recurrent items foreseen by the 2008 Declaration. This raises the question of the agenda and working methods of the Governing Body, including the committees it sets up, to enable the Organization to use all its means of action under each of the four strategic objectives.
13. After having explored and discussed the possible options and avenues for action, the Working Party may wish to give a mandate to the Office as regards the preparation of its next meeting during the 307th Session of the Governing Body, in March 2010. It should be understood that the preparation of possible proposals, or options, would involve ongoing consultations with all groups.

Geneva, 5 November 2009.

Submitted for debate and guidance.

⁸ GB.289/3/2(Rev.).

Appendix I

Working Party on the functioning of the Governing Body

Composition

(at 22 October 2009)

Employer members	Mr D. Funes de Rioja (Argentina) Ms R. Goldberg (United States) Ms R. Hornung-Draus (Germany) Mr E. Julien (France) Mr D. Lima Godoy (Brazil) Mr O Oshinowo (Nigeria) Mr J. de Regil (Mexico) Mr T. Suzuki (Japan)
Worker members	Sir L. Trotman (Barbados) Mr J. Gómez Esguerra (Colombia) Ms H. Yacob (Singapore) Mr U. Edström (Sweden) Ms S. Burrow (Australia) Mr A. Sidi Saïd (Algeria) Mr J. Zellhoefer (United States) Ms R. Diallo (Guinea)
Africa	Kenya Nigeria South Africa Tunisia
Asia and the Pacific	India Japan Jordan Singapore
Americas	Argentina Canada Mexico Bolivarian Republic of Venezuela
Europe	Lithuania Russian Federation Sweden United Kingdom

Appendix II

Discussion paper (non-paper): Improving the functioning of the Governing Body

I. Introduction

1. Over the past 20 years, this is the third time that the Governing Body is invited to engage in a review of its working methods and functioning in order to identify possible improvements which should enable it to better fulfil its constitutional functions and, in particular, to “determine the most effective balance between its policy-making and governance functions”.¹
2. The review to be undertaken by the Working Party of the Governing Body should become an opportunity to seriously examine proposals for: (1) strengthening the role of the Governing Body as a forum for high-level policy discussion and guidance on strategic social and labour challenges; and (2) enabling the Governing Body to exercise its governance and oversight functions effectively and in the most cost-efficient manner. Furthermore, the underlying concept of the 2008 Declaration on Social Justice for a Fair Globalization defines the four strategic objectives as inseparable, interrelated and mutually supportive. Consequently, it is imperative that the Governing Body has an integrated operative overview of the decent work approach.
3. This discussion paper (non-paper) is not a draft for a document for the Working Party on the Functioning of the Governing Body. It is aimed at facilitating a discussion on questions that the Working Party should focus on. A more limited document will be prepared for the Working Party itself, for the November 2009 session of the Governing Body, on the basis of feedback to this discussion paper. The aim of this paper is to explain the discussion – and decisions – since 1993 in order to set out the general background against which future improvements can be deliberated. It also shows that many of the issues that have been recently raised are not new. On a number of them, there have not only been discussions but also decisions and recommendations, with varying degrees of effective implementation.

II. Past reviews

4. The discussions since 1993 have taken place in the Governing Body and in a specific Working Group set up by it. Three phases can be identified: (1) the discussion held by the Working Party on improvements in the functioning of the Governing Body (November 1992–May 1993); (2) the discussion held in the plenary of the Governing Body on the functioning of decision-making bodies (November 2003–November 2005); and (3) a consultation on draft guidelines to improve the functioning of Governing Body meetings (November 2008–March 2009). The two first review periods resulted in major decisions and changes, which will be summarized below. The discussion itself has been an ongoing process in which various suggestions, comments and other observations have been formulated by Governing Body members. Although certain suggestions have not been retained, they illustrate the issues involved and remain relevant for any future discussion on the methods of functioning and the structure of the Governing Body.
5. The concerns and aspirations that have been recurrently expressed at least since 1993 may be summarized as follows:

¹ GB.305/4.

- there is a need to improve the capacity of the Governing Body to discharge efficiently and economically its constitutional functions which concern governance, policy discussion, including guidance for future action, and monitoring;
- there is a need to ensure that the structure of the committees corresponds sufficiently to the central functions of the Governing Body regarding governance and oversight of the Office's major activities; the mandates of the respective committees need to adequately cover the strategic objectives of the Organization;
- there is a continuing need to make sure that the Governing Body functions as effectively as possible; for this, the workload of the committees and the Governing Body plenary have to be distributed so as to avoid duplication and repetition;
- the quality of Governing Body documents has to be improved; documents have to be distributed in a timely manner; and the documentation needs to be pertinent; and
- ensuring effective time management remains a major issue of concern.

II.A. Review and changes in 1992–93

Working Party on improvements in the functioning of the Governing Body

6. In November 1992, a Working Party on improvements in the functioning of the International Labour Conference (ILC) was asked to also examine possible improvements in the functioning of the Governing Body. During its first meetings, in February 1993, the Working Party agreed to define the key functions of the Governing Body and then to consider the reforms which would enable it to perform such functions in the best way possible. Apart from certain quasi-judicial functions which the Governing Body performed through its CFA and ad hoc committees set up under article 24 of the Constitution, the three groups agreed that the Governing Body had the following functions to perform: decision-making; providing general policy guidance for ILO activities; and management (including monitoring). The Working Party discussed various proposals of reforms aiming at giving the Governing Body the means to discharge its essential responsibilities effectively. These possible reforms explored were a restructuring of Governing Body committees; determining the role of the plenary; advancing decisions on the agenda of the International Labour Conference; modifying the frequency and length of the sessions; and delegating certain functions to the Officers of the Governing Body.
7. Concerning the structure of the Governing Body, various options were discussed in the light of scheduling problems and overlapping in the respective terms of reference of the committees. Several possibilities were explored, including regrouping its committees (with the exception of the CFA and the PFAC) into larger committees; limiting the frequency of the meetings of all committees (with the exception of CFA and PFAC) to one meeting a year or redistributing the committees' workload between the sessions. At that stage, the Governing Body still held a one-week session in May before the International Labour Conference. There was a clear convergence of view in favour of reducing the number of committees from ten to six.
8. The Working Party agreed on the following distribution of the functions between newly established committees while reducing their number to six :
 - the Committee on Legal Issues and International Labour Standards (LILS) would combine the functions of the previous Committee on Standing Orders and the Application of Conventions and Recommendations, as regards constitutional issues, standing orders and the ILO's standards related work, with most of the functions of the former Committee on Discrimination and the Committee on Multinational Enterprises. At that stage it was understood that the LILS Committee would establish a Subcommittee on Multinational Enterprises (MNE) which would have the same mandate as the former Committee on Multinational Enterprises regarding the

follow-up of the 1977 Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy. This Subcommittee would, however, report directly to the Governing Body;

- the mandate of the Committee on Employment and Social Policy (ESP) would correspond to the terms of reference of the former Committee on Employment, extended to the “ILO policies and activities in the field of employment promotion, structural adjustment, training, enterprise development, industrial relations, working conditions and environment and social protection”;²
 - the Committee on Technical Cooperation (TC) would replace the Committee on Operational Programmes with a mandate which would be “broadened to cover not only the review of the ILO operational activities during the past year and the evaluation of selected projects, but also the provision of guidance for future ILO technical cooperation activities, particularly within the framework of the new active partnership policy”;³
 - the Committee on Sectoral and Technical Meetings (STM) would retain the mandate of the former Industrial Activities Committee which would be extended to cover other ILO meetings of a technical nature, such as meetings of experts (but reports of regional meetings would continue to be submitted directly to the Governing Body);
 - the International Organizations Committee (IO) would be abolished and its work would be redistributed between the STM and LILS Committees and an annual debate in plenary ; and
 - the questions relating to allocations which had been entrusted to the Allocations Committee would be dealt with by the Government members of the PFAC.
9. The Working Party envisaged at the time that the Committee on Legal and Standard-setting Questions and the Committee on Employment and Social Policy might, in view of their broader responsibilities, be required to meet at two sessions per year. Meetings of other committees could be redistributed between the November and February–March sessions, with each Committee meeting once a year.
10. In May 1993 the Governing Body adopted the following provisions:
- *abolition of the May session* and redistribution of the work between a full autumn (November) session and another in the spring (March). The CFA would in addition meet during the week preceding the opening of the General Conference and its report would be adopted during the brief session which would be held immediately after the Conference;
 - *the restructuring of Governing Body committees as indicated in paragraph 8 above;*
 - *a new procedure for the adoption of the reports of committees* (with the exception of the CFA reports, the reports of committees set up to examine representations under article 24 of the Constitution and the report of possible working parties); this implied that as a rule, the plenary would not reopen the discussions in the committees but simply adopt their reports;
 - *a new timing for the procedure for determining the agenda of the Conference:* it was agreed to bring forward by six months the date for determining the Conference agenda, from the November session to the March session (i.e. 24 months before the session concerned of the ILC), with a two-stage discussion. The purpose of the first stage of the discussion, which would be held at the autumn session, would be to

² GB.256/WP/IFGB/1.

³ *idem*.

identify the subjects from which a choice could be made, and a decision would be taken after the second discussion at the spring session; and

- *adjusting the role of the Officers of the Governing Body*: the Governing Body would delegate to its Officers a certain number of responsibilities, such as the approval of invitations of intergovernmental and non-governmental organizations to ILO meetings.

11. This reform, as approved by the Governing Body, is in place today. Sixteen years later, the structure of the Governing Body still reflects the decision adopted in 1993, with the addition of a working party incorporated in June 1994 under the title of “Working Party on the Social Dimensions of the Liberalization of International Trade”. This title was modified⁴ in March 2000 to better reflect the concerns arising out of globalization. One of the priorities of the Working Party is to “provide an international forum to discuss, gain a better understanding and deepen the knowledge base of the issues arising out of globalization, in particular its social dimensions”⁵. Also, in practice the Subcommittee on Multinational Enterprises (MNE) is now independent of the LILS Committee and it has frequently met at the same time as LILS. Since 2002 it has met twice a year, with a broader agenda than the original function linked to the effect given to the 1977 Declaration.

II.B. Discussion in 2003–05

Discussion in the plenary on the functioning of decision-making bodies

12. Based on the results of the 1993 reform, a review of the Governing Body was discussed at its November 2003 session.⁶ The purpose of this review was: “(a) to determine the extent to which Governing Body structures cover the Organization’s strategic objective and ensure that all main Office activities come under the oversight of the Governing Body; (b) to explore and recommend alternatives for increasing the scope for sufficient and effective high-level policy debate in the Governing Body plenary; (c) to identify duplications and gaps and propose remedies, with special attention to the planning and prioritization of matters brought before the Governing Body and its committees; and (d) to consider and recommend options for better time management and, to the extent possible, for a reduction in the duration of Governing Body sessions”.

13. In March 2004 specific proposals for improvements⁷ were identified. These proposals covered the following issues :

- the policy-making role of the plenary of the Governing Body should be strengthened through specific policy discussions. Time could be set aside, for example, half a day, for identified policy discussions.
- it was proposed to review the discussion on the selection of items for the agenda of future Conferences and to encourage representatives and coordinators for the groups to reach an agreement between the first discussion in November and the second discussion in March;
- a procedure for setting up a realistic agenda should be introduced in each Committee. To exercise effective oversight, the Governing Body and its committees should be

⁴ Working Party on the Social Dimension of Globalization.

⁵ *Introduction to the Governing Body*, May 2008.

⁶ GB.288/4/2.

⁷ GB.289/3/2(Rev.).

able to discuss issues related the four strategic objectives. This was seen to have implications regarding two of the strategic objectives:

- regarding social dialogue, it was proposed that the mandate of the Committee on Sectoral and Technical Meetings and be expanded to cover issues dealing with social dialogue, labour law and labour administration;
- regarding social protection, the alternatives were seen to be arranging the meetings of the ESP Committee with clearly separate agendas for employment and social protection questions, with a decision on timing of the sessions to cover each of them, or to set up a new social protection committee;
- the need was expressed to consolidate in a single text the different rules and practices of the Governing Body; and
- the Government group, based on views by regional groups, expressed the desire for a more effective participation in the work of the Governing Body. The communication between the Government group and the Employers' and Workers' groups could be enhanced through meetings involving both non-governmental groups and the Officers of the Government group as well as the regional coordinators.

14. In March 2005, a document ⁸ prepared by the Office summarized for each of the areas of possible improvements discussed since November 2003 and the action taken as follows:

- policy discussions appropriately take place in committees and the Working Party on the Social Dimension of Globalization. Items deserving full discussion in the Governing Body should be identified by the committees or by the plenary itself;
- time management should be further improved. It was agreed that Members should make every effort, with guidance being provided by the Chair, to avoid repetitive statements. Concerning the length of the Governing Body sessions, with the approval of the Officers and subject to the extent of the agenda, a Thursday end could be scheduled with consequent savings being achieved;⁹
- the volume of documentation was a major issue. Documents should be clear concise and focused, drafted in direct style with executive summaries. Documents could be referenced according to their status (“action”, “policy guidance” and “information”). In drawing up the agendas, priority could be given to items according to the status of documentation, so time could be mainly devoted to the first two categories. The minutes and record of decisions had been combined into a single document for reasons of coherence and efficiency;
- the selection of Conference agenda items was identified for further improvements, as it was a time-consuming exercise. Before a possible second discussion and decisions, representatives and coordinators for the groups could discuss together with a view to reaching agreement;
- the Officers of committees, in consultation with Government coordinators, should determine the agenda for the next meeting before they left Geneva. Better planning, prioritization and preparation could serve to avoid repetitive discussions in the committees;
- the committee structure should be compatible with the central function of the Governing Body regarding the governance and oversight of the Office's major activities. Concerning social dialogue, the solution proposed, which was to expand the mandate of the current STM Committee to cover issues pertaining to social

⁸ GB.292/3/2.

⁹ The total estimate cost of one day of GB meetings is currently of US\$71,000 per session (US\$284,000 per biennium).

dialogue was not retained. There was agreement that it be examined later in conjunction with the Governing Body elections, as it is the prerogative of the newly elected Governing Body to decide on the non-statutory committees to be set up. As regards social protection, the Governing Body expressed its preference for arranging the meetings well in advance with two separate agendas – one on employment and one on social protection. It was noted that, since November 2004, the ESP Committee was covering the employment agenda in two sittings and the social protection agenda, in one sitting. Some recommendations were made concerning MNE's membership structure, and it was decided that the TC Committee would only discuss IPEC activities on the basis of the report of its Steering Committee in March;

- the Governing Body preferred to consolidate its rules and practices in a single text. This work has since been completed by the LILS Committee;
- the Government group expressed the desire for more effective participation in the work of the Governing Body both in the preparatory and the decision-making processes. A first meeting Government group was thus scheduled in advance of the work of the committees, and communication between the Government group and the Employers' and Workers' groups was to be enhanced.

15. The Governing Body requested the Director-General to pursue the implementation of these improvements, taking into account any further views expressed during the discussion. Further improvements were called for regarding time-management issues, the establishment of committees' agendas, and limiting the volume of documentation. The overlapping of discussions between committees was raised, and the frequency of the committees' meetings in November and March was mentioned as an item to be further discussed.¹⁰

16. In November 2005, the Governing Body was informed that informal consultations suggested that the current mandate of the STM Committee should be maintained. A discussion took place during which it was stated that the terms of reference of the STM Committee could be extended to labour administration but not to social dialogue, which should remain a cross-cutting issue to be taken up by the Governing Body itself.¹¹ Again, the Governing Body stressed the early distribution of documents; the need to ensure that agendas of all committees were directly related to the governance function of the Governing Body; increased use of information technology in order to reduce the printing and distribution cost of documents and to speed up their distribution; and time-management in particular in the committees' discussions.

International Labour Conference consultation 2008–09

Guidelines to improve the functioning of Governing Body meetings

17. In November 2008, further to the request by the Government group and endorsed by the Governing Body in March 2008, the Office prepared draft guidelines¹² on practical steps which, within the current format of the Governing Body, could meet the expectations and needs of Members and enable them to make the best use of the time available for the meetings of the Governing Body and its committees. The draft guidelines were structured in the light of the major objectives to be reached in each of the key areas. At the same session, a Governing Body forum was established to enable Governing Body members to

¹⁰ GB.292/PV, para. 47.

¹¹ GB.294/PV, para. 89.

¹² GB.303/19/5.

post their comments on the Governing Body web-site and to react to the ideas and comments of other members.

18. The suggestions and comments posted on the online forum emphasized the following principles and concerns:
- the primary role of the Governing Body is governance, discussing fundamental policies and decision-making;
 - agendas must be relevant to the constitutional role of the Governing Body and should focus on policy and decision-making;
 - there should be flexibility in agenda setting, which could result in some committees taking less time or even not being held at every session of the Governing Body;
 - holding meetings of two committees at the same time should be avoided;
 - the focus should be on producing quality documents, clear and concise; and the length of the documents should be reduced (it was however recognized that some issues may require more in-depth treatment than others); and
 - chairpersons need to exercise more control on time-management.

III. The way ahead

19. It is justified to say that, if the earlier decisions, and particularly those stressed in the discussions during the current decade, were scrupulously observed, this would go a long way into making the Governing Body more efficient in its different functions. Improvements do not necessarily call for changing structures. For instance, reviewing procedures (both within the Office and with the Officers of the committees) of setting agendas could lead into significant improvements in terms of time and resources for the preparation of documentation; cohesion of discussions; and time-management of committees and the whole Governing Body. Similarly, prioritizing documentation for discussion and reducing documents for information could have the same effect.

20. Even though the 1993 reform and the discussion held between 2003 and 2005 have resulted in considerable improvements, as shown in the first part of the document, there are two critical issues which have been recurrently examined. These are the scheduling of the committees meetings during November and March sessions and the adequate coverage of the four strategic objectives. Various options have been proposed in that regard which could be further explored.

21. If the Working Party wishes to pursue this discussion, one scenario, based on a proposal¹³ already discussed in May 1993, could consist in redistributing the meetings of Governing Body committees between November and March sessions, taking into account that the CFA Committee and the PFAC will meet at each session. The LILS and ESP Committees should also meet at each session after having clearly identified the items or part of the agenda which should be discussed at each time. The committees could also, when appropriate, have shorter sessions which would be devoted to issues which are either topical or call for action by the Governing Body. This scenario could ensure that no major committees hold their meetings in parallel. It would affect directly the STM and TC Committees and the MNE Subcommittee. It would also have implications on the agendas of the LILS and ESP Committees.

¹³ GB.256/WP/IFGB/1.

22. Concerning the ESP Committee, and further to a proposal discussed in March 2004,¹⁴ it might be feasible for that Committee to discuss on a rotating basis, in November and March, the two parts of its agenda dealing respectively with employment and social protection issues.
23. In budget years, the PFAC might not need to meet for a whole week. The next programme and budget discussion is scheduled for March 2011. Arrangements could be made for the PFAC discussion process to take no more than three days.
24. It is to be noted that a discussion on the agendas and frequency of committees' meetings is directly linked to the resources needed for preparing the relevant documentation. Now that documents are increasingly on schedule, which is a positive development, it is also important to make sure that the Office has enough time for the research, preparation and quality control needed.
25. Over the last few years, the number of agenda items and the number and total length of documents has increased substantially despite the consensus that a reduction is desirable. The decision taken by the Governing Body in the Programme and Budget for 2004–05 to reduce the total length of documentation by 25 per cent has thus not been respected. (The documentation for and during the Conference has increased even more rapidly.) In addition to the important cost implications in terms of editing, translating and publishing documents, considerable time is spent by officials throughout the Office in preparing documents, which reduces the time available for other activity, including direct services for constituents.
26. In view of the imbalance between the number and length of documents and the real possibility of an in-depth discussion of them in the committees, the Office will make a study on the costs and use of governance documentation. The purpose is to offer the Governing Body an analytic basis for possible decisions concerning the number of agenda items that can realistically be dealt with, the length and format of documents for these items, and the modalities of their discussion.
27. The importance of reviewing the way in which the committees and the Governing Body plenary function in relation to one another has been underlined, among others, by the process for preparing the 2009 Conference and the Global Jobs Pact. The discussion on the follow-up to the 2008 Social Justice Declaration has raised the same issue of cohesion. The recurrent items at the Conference as of 2010 will focus on how to use all ILO's means of action to assist Members in achieving each strategic objective in relation to the others and in the context of promoting gender equality and non-discrimination. The Governing Body will need to handle the output of the annual general discussion in a way which is coherent regarding the different means of action (the technical and research capacity of the Office, technical cooperation, standards-related and supervisory activity). This is one further factor pointing out to the need to ensure that the agendas of the Governing Body and its committees are set, and sessions conducted, in a manner which is consistent with the aims of the 2008 Declaration.
28. The experience of the last years has also demonstrated that Governing Body sessions have regularly ended on Thursday night (with one exception). The recent practice which consists of grouping the agenda items by theme for the purpose of the plenary discussion has certainly played a significant role in that respect. Furthermore, redistributing the committees' workload between the sessions could result in a significant reduction in agenda items and volume of documents. Taking both these factors into consideration, the

¹⁴ GB.289/PV.

shortening by one day of the March and November sessions¹⁵ might be an option to be reconsidered.

29. Rationalization and savings are a desirable result but should not be the main goal of this exercise. It is however to be noted that the budget for the Governing Body has already been reduced from US\$5,280,000 (2008–09) to US\$4,890,000 (2010–11). In addition, one has to take into consideration the fact that heavy structures and extended agendas have not only direct cost implications but also entail opportunity costs. In fact, when preparing a long series of documents, requiring a great deal of research and consultations, part of the Office is working exclusively for the Governing Body, thus reducing the technical resources available for more direct support to the constituents.

¹⁵ Already discussed in March 2005.

Appendix III

Governing Body roles and functions

Functions of control over the International Labour Office (in the Constitution)

- Approval of regulations governing the staff (article 9(1)).
- Directions concerning the Office's activities (article 10) .
- Control over expenditure of funds (article 13(5)).
- Adoption of rules concerning preparation by the Office for the work of the Conference (article 14(2)), including time limits for the despatch of reports for the Conference (article 15(2)).

Functions concerning the functioning of the Organization (in the Constitution)

- Election of the Director-General (article 8(1)).
- Place of meetings of the Conference (article 5).
- Agenda of the Conference (article 14(1)).
- Requesting reports on unratified Conventions and Recommendations under article 19(5)(e), (6)(d) and (7)(b)(iv) and (v) (continued overleaf).
- Form of reports presented under article 22.
- Examination of representations (articles 24 and 25).
- Filing of a complaint against a Member (article 26(4)).
- Communication of a complaint to the government in question (article 26(2)).
- Appointment of a Commission of Inquiry (article 26(3)).
- Recommendations to the Conference to secure compliance with the conclusions of a Commission of Inquiry (articles 33 and 34).
- Making and submitting to the Conference rules providing for the appointment of a tribunal for the interpretation of a Convention (article 37(2)).
- Drawing up rules for regional conferences (article 38(2)).

Functions assigned by the Conference

The Conference has assigned a number of functions to the Governing Body; these are set forth either in the Standing Orders of the Conference (SO) or in the Financial Regulations (FR). They are as follows:

- Decisions concerning representation of non-governmental international organizations at the Conference (SO, article 2(4)).
- Communication of its opinion on proposals involving expenditure submitted to the Conference (SO, article 18).
- Reduction of the interval for the preparation of international labour standards (SO, articles 38(3) and 39(5) and (8)).

- Examination and approval of the budget estimates presented by the Director-General for submission to the Conference (FR, articles 5 and 6).
- Consideration of the contribution rates for each Member of the Organization (FR, article 9).
- Authorization of the use of the Building and Accommodation Fund (FR, article 11(3)) and the Special Programme Account (FR, article 11(9)).
- Approval of expenditure charged against an appropriation without specification of the purpose for which it is to be applied (FR, article 15).
- Authorization of transfers from one item to another in the same part of the budget (FR, article 16).
- Authorization of payment of obligations in respect of a preceding financial period (FR, article 17(2)).
- Authorization of expenditure from the Working Capital Fund to finance contingencies and emergencies (FR, article 21(1)(a)) or to contract loans or advances (FR, article 21(1)(b)).
- Recommendation for an additional assessment on member States for the Working Capital Fund (FR, article 21(3)).
- Appointment of the External Auditor (FR, article 35).
- Approval of the Financial Rules (FR, article 40).
- Approval of temporary provisions where urgently required (FR, article 41).

This list is not limitative and does not include the functions assigned directly to the Officers of the Governing Body by the Standing Orders, such as consultation on draft resolutions submitted to the Conference (SO, article 17(1)).