Draft decision

Proposed amendments Employers- and Workers Group (final)

1. The Governing Body, based on the proposals set out in the document and the further guidance provided during the discussion:

   (1) Approves the following measures concerning the operation of the representations procedure under article 24 of the Constitution:

       (a) arrangements to allow for optional voluntary conciliation or other measures at the national level, leading to a temporary suspension, for a maximum period of 6 months, of the examination of the merits of a representation by the ad hoc committee. The suspension would be subject to the agreement of the complainant as expressed in the complaint form, and the agreement of the government. These arrangements would be reviewed by the Governing Body after a two-year trial period (paragraphs 9–10);

       (b) publication of an information document on status of pending representations at the March and November GB sessions (paragraph 14);

       New point (b1): GB Members of article 24 ad hoc tripartite committees need to receive all information and relevant documents from the Office 15 days in advance of their meetings and GB members should receive the final report of article 24 ad-hoc tripartite committees (3 or 5) days before they are called to adopt their conclusions;

       (c) ratification of Conventions concerned as condition for membership of Governments in ad hoc committees unless no Government titular or deputy member of the Governing Body has ratified the Conventions concerned (paragraph 15);

       (d) existing measures and possible other measures agreed by the GB where necessary for the integrity of procedure and to protect ad hoc committee members from undue interference (paragraph 16); and

       (e) reinforced integration of follow-up measures in the recommendations of committees and regularly updated information document on effect given to these recommendations for consideration by the Governing Body (paragraph 17), as well as continuing to explore modalities for follow-up action on the recommendations adopted by the Governing Body concerning representations.

   (2) Approves the measures proposed on the streamlining of reporting on ratified Conventions concerning:

       (a) thematic grouping for reporting purposes (Appendix VI) under option 2 (section 2.2.1.1) on the condition that the Committee of Experts will
further review, clarify and extend possibilities for breaking the reporting cycle with respect to technical conventions; and

(b) a new report form for simplified reports (section 2.2.2.1) and Appendix VII).

(3) Decides to continue to explore concrete and practical measures to improve the use of article 19, paragraphs 5(e) and 6(d), of the Constitution, including with the purpose of enhancing the functions of General Surveys and improving the quality of their discussion and follow-up, in particular by the Committee on the Application of Standards, as well as by the Governing Body (through a standing item in its agenda on a trial basis).

(4) Instructs Invites the Committee on Freedom of Association to examine article 24 representations referred to it according to the procedures set out in the Standing Orders for the examination of article 24 representations, in the context of its current examination of its working methods, to assess further its practice relating to the examination of article 24 representations and to propose any necessary measures or adjustments to the Governing Body to ensure that article 24 representations referred to it be examined according to the modalities procedure set-out in the Standing Orders.

(5) Invites the Committee of Experts to review the current operation of the safeguards allowing observations from the social partners to be addressed outside the regular reporting cycle (paragraph 41); encourages it to pursue the examination of thematically related issues in consolidated comments (section 2.2.1.2); and further invites it to make proposals on its possible contribution to optimizing the use made of article 19, paragraphs 5(e) and 6(d), of the Constitution (paragraph 60), in particular by considering measures to improve the presentation of General Surveys, so as to ensure a user-friendly approach and format that maximizes their value for constituents (paragraph 60).

(6) Invites the Conference Committee on the Application of Standards, through the informal tripartite consultations on its working methods, to consider measures to enhance its discussion of General Surveys.

(7) Requests the Office to present at its 334th Session (October–November 2018) following consultations with the tripartite constituents (paragraph 62):

(a) concrete proposals to prepare the discussion on to give effect to actions 1.2 (regular conversation between the supervisory bodies), 2.1 (consideration of the codification of the article 26 procedure) and 2.3 (consideration of further steps to ensure legal certainty);

(b) further detailed proposals on the use of article 19, paragraphs 5(e) and 6(d), of the Constitution, including in relation to the Annual Review under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work;

(c) report on progress towards the development of detailed proposals for electronic accessibility to the supervisory system for constituents (e-
reporting, section 2.1) bearing in mind the concerns raised by constituents during the discussion; and

(d) more information on a pilot project for the establishment of baselines for the Maritime Labour Convention, 2006, as amended and possibly other Conventions such as Convention No. 187 on OSH (section 2.2.2.2).