



SECOND ITEM ON THE AGENDA

Date and agenda of the International Labour Conference

Strengthening the ILO's capacity to discharge its core missions and promote decent work for all at the outset of the twenty-first century (general discussion)

Introduction

1. At its 292nd Session, when the Governing Body discussed the agenda of the 96th Session (2007) of the International Labour Conference, it had before it an addendum to the proposals contained in the main paper.¹ That document was prepared as a follow-up to the preliminary discussion held at the 291st Session of the Governing Body “to consider whether and in what way the core missions of the ILO could be updated and reaffirmed in the light of the concept of decent work, with a view to enhancing their relevance and impact in the current context of economic globalization”.
2. After discussing the agenda, the Governing Body decided in March to defer its selection of items for the agenda of the 2007 session of the Conference to its 294th Session. As regards the topic referred to in the addendum in particular, it felt it would be appropriate for an “active phase” of the consultations to take place once the new Governing Body had taken office, so that it could examine more detailed proposals on the subject at its November 2005 session. This paper was prepared in response to that request.
3. The tripartite consultations referred to in the addendum submitted to the 292nd Session of the Governing Body were held as of mid-September, on the basis of a brief document outlining the relevant issues so as to enable the Governing Body to make an informed choice among the topics submitted for the 96th Session (2007) of the International Labour Conference. The consultations gave rise to a very useful dialogue, in the light of which the Office is now in a better position to clarify the purpose of the item proposed, as well as the arrangements to be made to ensure a tripartite consensus if the item is retained, and also to dispel potential misunderstandings.

¹ See *Date, place and agenda of the 96th Session (2007) of the International Labour Conference*, GB.292/2 and GB.292/2(Add.).

A. Objective of the proposed discussion

4. The general objective of the proposed item is to enable the tripartite constituents to look at ways in which the ILO, at the beginning of the twenty-first century and as it nears its 90th anniversary, can best fulfil its constitutional mandate in the service of objectives whose importance and priority were reaffirmed at the 2005 World Summit by the Heads of State and Government in the following terms:

47. We strongly support fair globalization and resolve to make the goals of full and productive employment and decent work for all, including for women and young people, a central objective of our relevant national and international policies as well as our national development strategies, including poverty reduction strategies, as part of our efforts to achieve the Millennium Development Goals. These measures should also encompass the elimination of the worst forms of child labour, as defined in International Labour Organization Convention No. 182, and forced labour. We also resolve to ensure full respect for the fundamental principles and rights at work.²

5. It is increasingly evident that, in the current context, the most effective way for the Organization and its Members to move forward towards the objectives enshrined in its Constitution is not to promote them in isolation from one another, or selectively, but to promote them in a coordinated and coherent manner, bearing in mind their interdependence. This is the essence of the concept of “decent work” and of the four strategic objectives.
6. That said, the purpose of the proposed discussion is not to engage in a theoretical debate, but to recognize this interdependence and draw practical implications to make the ILO’s work more effective.
7. It should be clearly understood that this objective fits within the existing legal framework and would rely entirely on the means of action available to the Organization to carry out its mandate.³ The intention is to examine, through discussion, how these means of action could be used more judiciously to promote this approach at three levels: (i) that of the member States and their representative organizations of employers and workers; (ii) that of the decision-making bodies, which should be given a clearer framework in which to coordinate the ILO’s means of action; and (iii) that of public perceptions, in regard to which a more coherent and up-to-date image of the Organization’s action should be promoted.
 - (i) The first and most important level is that of **the ILO’s member States and their representative organizations of employers and workers**. The aim of the discussion would be to look at how they can be encouraged to pursue, in a coherent manner and in the context of an open economy, an “integrated social policy” covering the ILO’s different strategic objectives. Of course, the Office is already endeavouring through its decent work country programmes to encourage some of its Members in this direction, on an ad hoc basis and, under the Programme and Budget for 2006-07, these programmes will be gradually developed as an institutional policy. However, it must go further in order to draw on the lessons learned from these experiences and meet the needs of all its Members. The proposed discussion could thus contribute “value added” in three ways:

² United Nations General Assembly, document A/60/L.1, 15 September 2005, para. 47.

³ It was pointed out during the consultations that not only are the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, 1998, as relevant as ever, but they may also serve as an inspiration in regard to the variety of means of action available to the ILO.

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- first, by offering all its Members, irrespective of whether or not they have a country programme, a *common frame of reference* built on tripartite consensus within the Organization. Experience suggests that the countries that are most successful in achieving progress on both the economic and social fronts are those which, in the context of an open economy and constant technological development, strive to move forward on the different strategic objectives in a coherent and coordinated manner. Accordingly, the proposed discussion could provide the ILO’s official endorsement of such a “cross-cutting” approach. Needless to say, this does not imply transplanting experience from one country to another; the aim would be to encourage each State to pursue, in full autonomy, in the light of its own potential and needs (including economic development needs) and based on social dialogue and tripartism, an “integrated social policy” covering all of the Organization’s objectives, as set forth in the standard-setting instruments and other relevant documents;
 - second, by *providing Members more systematically, in accordance with the express mandate enshrined in the ILO Constitution, with the relevant empirical data and studies*, which they need in order to make informed decisions in defining and implementing such a policy, *as well as with the opportunity to benefit from one another’s experience*. This could be done at minimal cost through a more judicious use of existing mechanisms or procedures. Two possible improvements were presented during the consultations to illustrate this potential, and were received with interest:
 - the first would consist of providing, at regular intervals, reliable, up-to-date information, validated by tripartite analysis, on trends and developments in regard to the strategic objectives, other than the promotion of fundamental rights at work (already covered by the global reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work);
 - the second would take the form of an in-depth study of relevant national experiences in cooperation with the authorities and the social partners in the countries concerned, to enable others to benefit from that experience, to better understand the synergies between the objectives, and, where appropriate, to draw more general lessons learned on a tripartite basis;
 - third, by giving such practical support to Members’ efforts as may be called for by strengthening bilateral or multilateral cooperation, in the form that appears best suited to their situation and wishes; the discussion should thus also look at how the ILO could contribute more effectively to providing its Members such support, for example in the form of direct assistance, encouraging mutual cooperation in the framework of multilateral or regional agreements; or by developing its cooperation, in accordance with its mandate, with other private and public international actors – including intergovernmental organizations – that might influence these efforts.
- (ii) The second level of value added would be **the decision-making bodies and tripartite constituents**. The proposed item and the document (see below) that could result from it would provide a universally accepted and recognized frame of reference and hence a management tool that would make for greater transparency, ease and coherence in setting priorities in future programmes and budgets, coordinating specific means of action (standards, assistance, research, dissemination of information) and assessing the impact of activities.

- (iii) The third and last level is that of **public perceptions** of the ILO's role and action. Faced with certain lack of understanding, and sometimes scepticism, the proposed discussion and the document that could result from it would provide an opportunity for the International Labour Conference, with all the authority of its tripartite composition and universal character, to reaffirm two key aspects of the ILO's message. First, that the ILO's objectives and action are more relevant than ever in the current context as, on the one hand, for its objectives touch on aspirations that are fundamental to the daily life of each individual, each family and each community; and, on the other, its action is aimed at making them compatible with the realities of an open economy. Second, its approach, based on dialogue and conciliation under the responsibility of States between the divergent points of view of employers and workers, when they are able to organize, express themselves and negotiate freely, is still the most realistic and effective means of achieving these objectives in a world so complex and rapidly changing as to be refractive to solutions imposed from outside or above.

B. Proposed procedure and possible outcome of the discussion

8. Three important points should be made in the light of the consultations.

- (i) It should be understood that this item was proposed with a view to a general discussion at the 2007 session of the Conference, without excluding the possibility, should a tripartite consensus develop (see below), of going further with a view to the adoption of an "authoritative document".
- (ii) Clearly, the undertaking will only be meaningful if it develops on the basis of tripartite consensus, and if any subsequent authoritative document is itself adopted on such a basis. It was agreed in this connection that the term "authoritative document" embodied two aspects: on the one hand, it would be a document designed to express the official point of view of the Organization through an appropriate procedure; on the other, it would not be authoritative unless all the tripartite constituents fully subscribed to it. It was also agreed that, depending on the consensus reached, the document could eventually – possibly, the following year – take one of several forms: conclusions, a declaration or even a recommendation. The importance of discussing an appropriate follow-up was also highlighted during the consultations.
- (iii) If it is to be productive and lead to a tripartite consensus, the discussion – in view of its purpose and nature – requires adequate preparation, so that the report that the Office will eventually send to Members with a view to discussion, as well as any proposals it may contain, will themselves be based on the widest possible consensus, in particular as regards the delimitation of the subjects addressed. It was agreed that consultations would be continued as soon as the Governing Body session began so as to settle the details of this process as soon as possible should the item be approved.

C. Concluding remarks

- 9.** It would appear useful, in the light of the consultations, to make it clear that the proposed discussion is intended neither to open a new debate on globalization – although that is obviously an essential part of the context – nor to follow up on the report of the World

Commission on the Social Dimension of Globalization⁴ – although the latter does contain several references to possible ILO action.⁵ While the analysis and conclusions of the World Commission provided an invaluable contribution to the debate, they are still those of an independent body. Now it is for the tripartite constituents, as part of their constitutional responsibility, to discuss, and if possible to agree on, the ways in which the ILO, in the current context, could fulfil its constitutional mandate and meet its Members' needs more effectively. But they cannot do so unless the appropriate preparatory work and legal framework are provided for such discussion. This is precisely the object of the proposed item.

⁴ World Commission on the Social Dimension of Globalization: *A fair globalization: Creating opportunities for all* (Geneva, ILO, 2004).

⁵ The appendix to the report of the Director-General: *A fair globalization: The role of the ILO*, lists all the direct and implied references to the ILO in the World Commission's report, indicating the subject and paragraph number of each reference (ILO: *A fair globalization: The role of the ILO* (Geneva, 2004), pp. 57-59).