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Institutional Section

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FIFTH ITEM ON THE AGENDA

The Standards Initiative: Implementing the workplan for strengthening the supervisory system

Progress report

Purpose of the document

Report on progress, following consultations with the tripartite constituents, to implement the revised workplan for the strengthening of the supervisory system. The document presents concrete options concerning the actions prioritized for examination by the Governing Body – operation of the article 24 procedure (action 2.2); the streamlining of reporting (action 3.1); and the potential of article 19, paragraphs 5(e) and 6(d) (action 4.3) – and seeks guidance on actions concerning a regular conversation between the supervisory bodies (action 1.2); codification of the article 26 procedure (action 2.1); and further steps to ensure legal certainty (action 2.3) (see draft decision in paragraph 72).

Relevant strategic objective: All four strategic objectives.

Main relevant outcome/cross-cutting policy driver: Outcome 2: Ratification and application of international labour standards and cross-cutting policy driver concerning international labour standards.

Policy implications: Will depend on the outcome of the discussion by the Governing Body.

Legal implications: Will depend on the outcome of the discussion by the Governing Body.

Financial implications: Will depend on the outcome of the discussion by the Governing Body (paragraph 23 provides estimates on possible budget implications).

Follow-up action required: Will depend on the outcome of the discussion by the Governing Body.

Author unit: International Labour Standards Department (NORMES).

Related documents: GB.331/INS/3; GB.331/POL/2; GB.331/PFA/5; GB.331/PV; GB.329/PV; GB.329/INS/5; GB.329/INS/5(Add.)(Rev.); GB.328/PV; GB.328/LILS/2/2; GB.328/INS/6; GB.326/PV; GB.326/LILS/3/1; GB.323/PV; GB.323/INS/5.

1. At its 329th Session (March 2017), the Governing Body: (a) approved the revised workplan for the strengthening of the supervisory system; (b) requested the Office to take the necessary steps to implement the revised workplan based on the guidance provided and to report on progress made at its 331st Session (October–November 2017), following consultations with the tripartite constituents; and (c) decided to review the revised workplan, as it might be adjusted by the Governing Body during its 331st Session, in the context of its broader review of the Standards Initiative at its 332nd Session (March 2018).¹ At its 331st Session (October–November 2017), the Governing Body: (a) approved the measures and costs relating to the setting up of an electronic document and information management system for the supervisory bodies and the preparation of a guide on established practices across the supervisory system; and (b) deferred consideration of all remaining matters concerning the implementation of the workplan for strengthening the supervisory system to its 332nd Session (March 2018).
2. The Governing Body is to consider at its March 2018 session the following actions:²
 - (a) Three actions prioritized for examination: the operation of the article 24 procedure (action 2.2); the streamlining of reporting (action 3.1); and the potential of article 19, paragraphs 5(e) and 6(d) (action 4.3).
 - (b) Three actions submitted for guidance on the next steps: a regular conversation between the supervisory bodies (action 1.2); codification of the article 26 procedure (action 2.1); and further steps to ensure legal certainty (action 2.3). Proposals will be developed by the Office based on the guidance received as well as any informal consultations taking place before the 334th Session (October–November 2018) of the Governing Body for their examination by the Governing Body at that session.
3. These actions complement the ongoing work of the Committee on the Application of Standards (CAS), the Committee of Experts on the Application of Conventions and Recommendations (CEACR) and the Committee on Freedom of Association (CFA) to review their methods of work.³ These supervisory bodies will continue reporting to the Conference and the Governing Body respectively and the discussions on their working methods will feed into the implementation of the workplan.
4. The implementation of the workplan retains an integrated approach and fully reflects the interrelationship between the various supervisory procedures. In this respect, the guide on established practices, which the Office has started to prepare, is intended to provide a global and user-friendly overview.⁴ A visual representation of the supervisory system is provided in Appendix I.
5. Given that the Governing Body decided to defer consideration of the abovementioned actions to its 332nd Session (March 2018), the workplan for the strengthening of the supervisory system was adjusted accordingly. It is therefore suggested that the review of the implementation of the workplan in the context of the broad review of the Standards Initiative

¹ [GB.329/PV](#), para. 148.

² [GB.329/INS/5\(Add.\)\(Rev.\)](#), para. 4; [GB.329/PV](#), para. 137.

³ [GB.329/INS/5](#), para. 22 and [GB.329/INS/5\(Add.\)\(Rev.\)](#), Appendix I.

⁴ The most recent global overview of the supervisory system is provided in the 2016 joint report of the Chairpersons of the Committee of Experts on the Application of Conventions and Recommendations and the Committee on Freedom of Association ([GB.326/LILS/3/1](#)).

– initially foreseen for the same 332nd Session ⁵ – be postponed to the 334th Session (October–November 2018).

I. Priority actions for examination by the Governing Body in March 2018

1. Consideration of the operation of the representations procedure under article 24 of the Constitution (action 2.2)

6. An assessment of the practice followed in relation to the procedure for making representations under article 24 of the Constitution may lead to the conclusion that its operation is reasonably satisfactory (see Appendix II for an overview based on factual information). However, with a view to contributing to the strengthening of the supervisory system, options to optimize the procedure are presented in this section, drawing on previous Governing Body discussions and recent informal consultations with constituents.
7. The options submitted are structured around the three main phases of the procedure: (i) the receipt of a representation and its processing until the Governing Body takes a decision on how it will be handled (for example, appointment of a tripartite committee); (ii) consideration of the merits of the representation and its outcome (for example, approval by the Governing Body of the recommendations of the tripartite committee); and (iii) follow-up to the procedure, including the implementation of the recommendations (for example, through technical assistance). Taking into account the comments made during the recent informal consultations, a proposed electronic form for representations is contained in Appendix III.

1.1. Receipt and processing of representations

8. Since the adoption in 1932 of the initial Standing Orders on the representation procedure (following the submission of the first representation), the consistent procedure followed by the Organization has been, upon receipt of a representation, to verify that the terms set out in article 24 are met and that specific reference is made to that article. These elements are clearly set out in article 2(2) of the Standing Orders on the representation procedure as the six conditions of receivability. ⁶ Some constituents have voiced concern about representations being submitted in certain instances without proper consideration of the applicable national mechanisms (judicial and other, including those of a tripartite nature). While the provisions of the Standing Orders for the representation procedure do not require exhaustion of national remedies, the existing regulatory framework allows flexibility to address this concern. Indeed, it is an existing practice of ad hoc tripartite committees assessing the merits of a representation to take into account national procedures related to

⁵ [GB.329/INS/5](#), paras 5–11.

⁶ “The receivability of a representation is subject to the following conditions: (a) it must be communicated to the International Labour Office in writing; (b) it must emanate from an industrial association of employers or workers; (c) it must make specific reference to article 24 of the Constitution of the Organisation; (d) it must concern a Member of the Organisation; (e) it must refer to a Convention to which the Member against which it is made is a party; and (f) it must indicate in what respect it is alleged that the Member against which it is made has failed to secure the effective observance within its jurisdiction of the said Convention.”

the allegations raised. In addition, committees can and do request additional information on these procedures and their outcomes. The information requested in the model form in Appendix III on the use of national procedures (item 5) should further facilitate such consideration by ad hoc tripartite committees. Building on this practice, and while preserving all the guarantees of access to the supervisory system for the organizations submitting representations, recourse to national mechanisms could be further considered by the Governing Body at an earlier stage, as proposed in the following paragraphs.

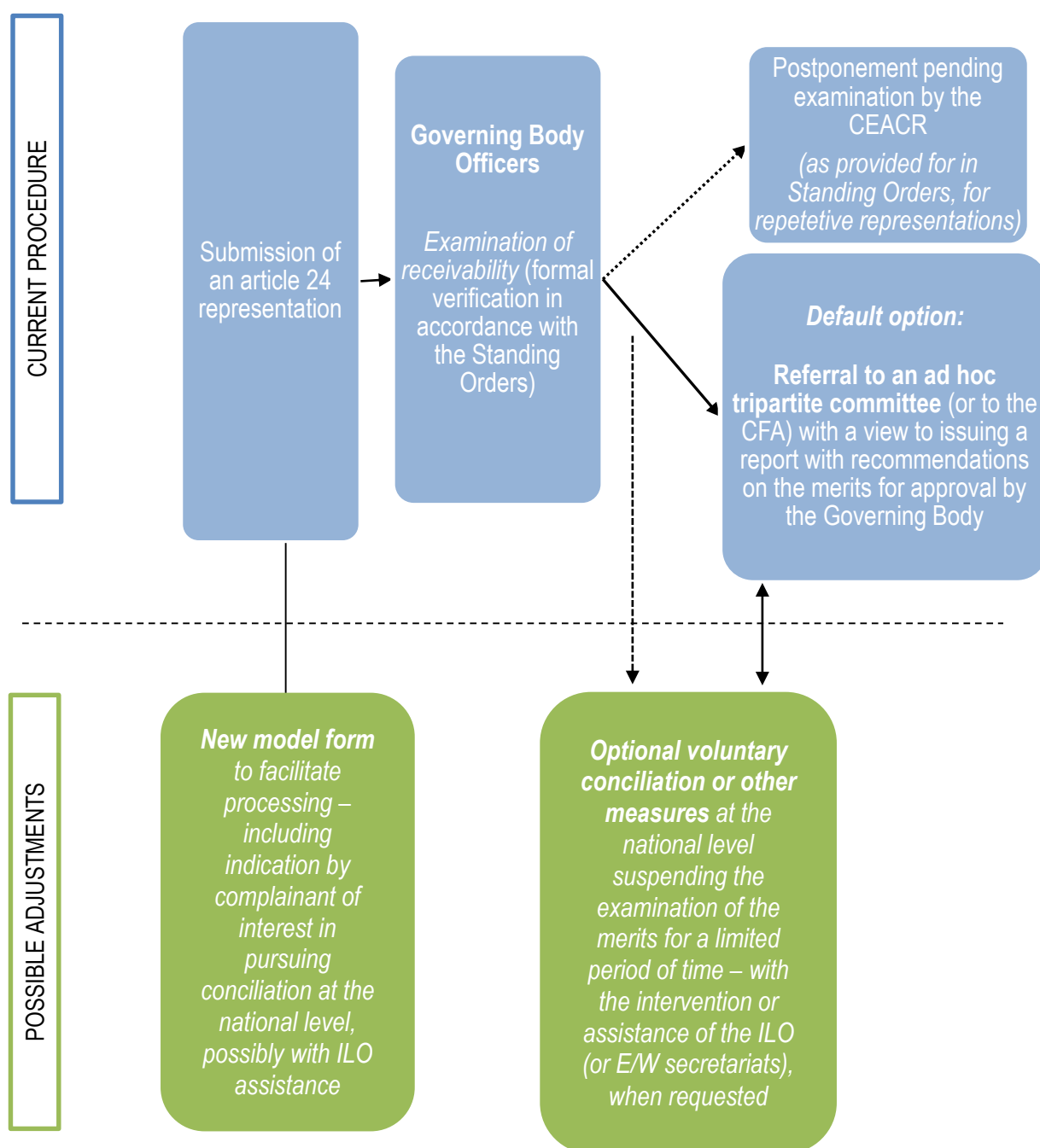
9. Once a representation is deemed receivable, the default course of action is the appointment of an ad hoc tripartite committee to examine its merits. The Standing Orders on the representation procedure only provide for other possibilities in two specific cases. First, when a representation relates to a Convention concerning freedom of association or collective bargaining, in which case it has consistently been referred to the Committee on Freedom of Association (CFA). Second, when the representation relates to facts and allegations similar to those that have been the subject of an earlier representation, in which case the appointment of a tripartite committee may be postponed pending examination by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) of the follow-up to the recommendations previously adopted by the Governing Body. So, while maintaining examination by an ad hoc tripartite committee as the default option, the Officers of the Governing Body could consider recommending that, having deemed the representation receivable, it is referred to an ad hoc committee and that, as a first step, a limited period of time is set to allow for or encourage conciliation or other similar measures at the national level provided the complainant is willing to do so and the government agrees. This decision could also be taken by the members of the ad-hoc committee themselves. Conciliation or other similar measures would need the willingness and the acceptance of the parties involved in the complaint. Other measures could include existing national legal procedures that could assist in resolving the matter and, where these operate, national conciliation mechanisms created to handle complaints submitted to the ILO. For this first step to proceed, the following steps and safeguards could be put in place:
 - (i) the complainant would need to indicate its interest and willingness to pursue conciliation or other measures at the national level. This could be explored through a section in the model form to that effect – see Appendix III. Alternatively, some Governing Body members have suggested that the complainant would be asked to indicate its interest and willingness to pursue conciliation for other measures at the national level once the decision to encourage conciliation, mediation or other similar measures has been taken by the Officers or the ad-hoc tripartite committee; others have suggested that any liaising by the Director-General with the government and the complainant to the effect of facilitating conciliation or other measures at national level (see subparagraph (iii)) should only take place on condition the complainant has indicated interest and the Government has subsequently agreed;
 - (ii) after having verified that the criteria for receivability are met, the Officers could recommend to the Governing Body that, at the same time that the procedure is initiated and an ad hoc committee appointed, the Director-General could liaise with the Government and the complainant concerning their willingness to engage in conciliation or other measures at the national level for a limited period of time (e.g. six months or less);
 - (iii) if the complainant and the Government agree to the conciliation or other measures, they would indicate whether they would like the Office (or the secretariats of the Employers' or Workers' groups) to intervene and/or provide any pertinent assistance for the conciliation or other measures envisaged;

- (iv) the examination of the merits of the representation would be suspended temporarily but the ad hoc committee could decide, if it considered it appropriate, to meet during such period in order to monitor progress;
 - (v) after the expiry of the period set out for conciliation or other measures at national level, or whenever at an earlier stage the complainant indicates the failure of any such measures and its request to resume the procedure, the ad hoc tripartite committee would move to the next phase of the procedure to assess the merits of the representation.
- 10.** In the exercise of its responsibility for managing the procedure, and determining the bodies that are to examine the merits of article 24 representations (for example, ad hoc tripartite committees or the CFA), the Governing Body may wish to adopt the approach outlined above on a trial basis. This procedural adjustment could be trialled and assessed for a period of two years. During that period, the possibility of voluntary conciliation or other measures at the national level outlined above would be applied as an interim arrangement to supplement the existing Standing Orders. Should its results then be deemed satisfactory, the Governing Body could decide to eventually review the Standing Orders and the Introductory Note accordingly – together with any lessons learned during the trial period. In accordance with the common principles guiding the strengthening of the supervisory system,⁷ these safeguards would ensure adequate guarantees for, and avoid undue pressure being exerted on complainant organizations. In particular, in the absence of tripartite consensus on the suitability of a period for conciliation or other measures at the national level, the procedure would continue to operate as it does at present, with the default option of referral to a tripartite committee. Moreover, the consent of the complainant organization would be necessary in order to proceed with the temporary suspension, and at any point during the process the complainant could request to resume the procedure and have the merits of the representation be examined by the tripartite committee. For illustrative purposes, the following figure outlines the existing procedure for the handling of representations (in blue), and highlights (in green, below the dotted line) the option presented above for consideration.⁸

⁷ [GB.329/INS/5](#), paras 6–11.

⁸ The possibility to request conciliation with the support of the ILO may occur at an even earlier stage – for example prior to the examination of receivability by the Officers. This was the case, for example, of a recent 2016 representation alleging non-observance by Brazil of the Collective Bargaining Convention, 1981 (No. 154) and the Labour Inspection Convention, 1947 (No. 81).

Figure 1. Possible adjustments to the processing of representations



11. Finally, with regard to the referral of representations concerning freedom of association or collective bargaining to the CFA (as consistently decided by the Governing Body in order to benefit from an established body with expertise on the subject, avoid procedural duplication and ensure coherence), questions have been raised by some constituents, particularly on whether sufficient distinction is made between the handling of

representations and regular CFA complaints.⁹ Some members of the Governing Body have questioned the practice of automatically referring representations to the CFA, considering that such referrals have blurred the lines among two distinct procedures (article 24 representations and complaints before the CFA) and do not sufficiently take into account the choice of procedure made by the complainant. In this respect it may first be recalled that the Standing Orders of the representations procedure provide for the referral as an *option* – not an obligation – to be determined by the Governing Body upon recommendation of its Officers: “(a) if the representation relates to a Convention dealing with trade union rights, the Governing Body may decide to refer it to the Committee on Freedom of Association for examination in accordance with articles 24 and 25 of the Constitution (article 3, paragraph 2)”.¹⁰ The Governing Body already had occasion to consider the appropriateness of the examination by the CFA of article 24 representations in 1955, following the receipt of the first representation on a freedom of association Convention adopted only a few years previously. On that occasion, the Governing Body decided to refer the representation to the CFA, considering that “it would seem inappropriate that such matters should be dealt with by the Governing Body by two parallel procedures”.¹¹ Thereafter, the Governing Body has constantly confirmed the CFA as the most suitable supervisory body to assess compliance with freedom of association or collective bargaining Conventions under the article 24 procedure, as acknowledged when it amended the Standing Orders on the representation procedure. It may also be recalled that the CFA submits representations in separate reports to the Governing Body. The Governing Body could invite the CFA, in the context of its current examination of its working methods, to assess its practice in this regard and to formulate proposals with a view to treating referred representations in the same format and according to the same procedure as is foreseen in the Standing Orders for article 24 representations. Alternatively, the Governing Body could decide to instruct the CFA to examine representations referred to it according to the procedures set out in the Standing Orders for the examination of article 24 representations. This would imply that the CFA examines the merits of the complaint in separate meetings (before or after the CFA session); that the CFA is ensured access to all the relevant details of the representation, including the complaint, the legislation and additional information on the case; and that it has at its disposal all the time needed to examine the case, even if examination of the case requires more than one session.

1.2. Consideration of the merits of representations: Improvements in the functioning of ad hoc tripartite committees

12. During the recent informal consultations, strong doubts, and even resistance, were expressed concerning the creation of a standing committee to examine all representations. This option is not therefore explored further.
13. With reference to enhancing efficiency and procedural consistency, there was no consensus on the introduction of general pre-established time limits for the processing and examination

⁹ Since 1996 (inclusive), 14 art. 24 representations have been submitted concerning freedom of association or collective bargaining. Of these, five were considered not receivable and nine were referred to the CFA.

¹⁰ Para. 12(a) of the Introductory Note of the “Standing Orders concerning the procedure for the examination of representations under articles 24 and 25 of the Constitution of the International Labour Organisation” in Annex I of the *Compendium of rules applicable to the Governing Body of the International Labour Office*.

¹¹ See Minutes of the 130th Session of the Governing Body, p. 47. The Standing Orders on the representation procedure were subsequently amended to explicitly provide for this possibility.

of representations. Under the Standing Orders on the representation procedure, an ad hoc tripartite committee may set time limits during the procedure, for example for the receipt of statements from the government and additional information from complainant organizations. With a view to safeguarding this flexibility, the Office, in its role as secretariat, will continue to optimize the processing of representations by ensuring harmonized treatment, including in relation to correspondence, time frames and deadlines for receiving replies, and the convening of committee meetings. The Office is particularly mindful of the need for timely provision of documents to committee members prior to their examination of the representation. Attention is also drawn to the impact that the composition of ad hoc tripartite committees may have on the duration of the procedure and its cost, which can vary considerably in view of translation and interpretation needs, as well as the need for Governing Body groups to appoint members rapidly to avoid delay.¹² Measures could be envisaged by constituents for this purpose. For example, an incoming Governing Body could establish a roster of potential members of tripartite committees based on their expertise. Within the context of these considerations, a review of current practice seems to indicate that harmonized procedural treatment is ensured, with the necessary flexibility and taking into account the availability of resources. With regard to substantive consistency, it is the responsibility of the Office, in accordance with its mandate, to provide the necessary technical expertise and support.

14. With regard to enhancing the transparency of the representation procedure, and in accordance with the rule that all the steps of the procedure before the tripartite committee are confidential (article 3(4) of the Standing Orders), the Governing Body could be kept informed of the status of pending representations, and the follow-up to representations already examined, through an information document (see next section).
15. With reference to the expertise of the members of ad hoc tripartite committees, during the recent consultations and Governing Body discussions many constituents proposed that tripartite committee members from the Government group should be from member States that have ratified the Convention or Conventions concerned, unless no Government titular or deputy member of the Governing Body had ratified the Conventions concerned. The Governing Body could decide to endorse this measure pending an eventual review of the Standing Orders and the Introductory Note in the context of assessing the two-year trial period of optional voluntary conciliation or other measures at the national level noted above. An analysis by the Office of the representations received, processed and closed in the last ten years suggests the measure is feasible but may tend to reduce the reliance on expertise from member States that have ratified fewer Conventions. Half of the 36 representations processed were examined by committees of which all three members originated from countries having ratified the Conventions concerned. In the other 18 cases, at least one member originated from a non-ratifying country and in four cases, all three members

¹² During the recent consultations, some Government representatives raised the possibility of modifying the composition of ad hoc tripartite committees, so as to have as many members from the Government group as from the Employers' and Workers' groups together (2:1:1 ratio). In this regard, it is recalled that the procedure for the examination of article 24 representations has always been to maintain an equal number of members from each group. For example, when the earlier provision of the Standing Orders concerning composition ("composed of three of its members chosen respectively from the Government, Employers' and Workers' groups") was modified in 1980 to allow for flexibility in the size of committees, emphasis was placed on the equal ratio (article 3 currently reads "composed of members of the Governing Body chosen in equal numbers from the Government, Employers' and Workers' groups."). This structure is common to the Conference and the Governing Body, in which committees have an equal ratio composition (1:1:1), while the respective plenary, to which the recommendations of committees are submitted for adoption, has a composition giving governments twice the number of representatives (2:1:1). This includes approval by the Governing Body plenary of article 24 or CFA reports, and the relationship between the committees and plenary of the Conference.

originated from non-ratifying countries. Only in one case (and only for one member) would it not have been possible to find a qualified alternate committee member as none of the titular or deputy Governing Body members from that group originated from a country having ratified the Convention concerned.

16. As to the integrity of the procedure, bearing in mind the concerns expressed by certain constituents regarding the need for procedural safeguards to ensure that Governing Body members discharge their duties in article 24 tripartite committees in an objective and impartial manner, simple measures could be considered. For example: (i) the Introductory Note to the Standing Orders on the representation procedure could recall that members of tripartite committees, while bringing the knowledge relative to their particular group, are appointed solely to ensure the objective supervision of the application of the international labour standards concerned, and not to represent the interests of any party in the procedure; and (ii) measures could be envisaged to protect committee members from undue interference by any of the parties to the procedure (for example, through a declaration to this effect by members when accepting such supervisory duties on behalf of the Organization).

1.3. *Follow-up to representations*

17. A survey of representations over the past ten years and their outcomes reveals certain weaknesses in the traceability of follow-up, including whether technical assistance was offered or provided, and whether there has been tripartite follow-up at the national level.¹³ Several proposals may be put forward for consideration in this respect:

- (a) **An information document could be published and updated regularly** on the ILO website to allow the Governing Body to monitor the follow-up to the recommendations adopted in the context of article 24 procedures (see the illustrative table below on the status and follow-up of article 24 representations, based on hypothetical examples). In addition to fostering transparency, such an information document would allow the Governing Body and the governments and complainants concerned to be kept informed of the evolution of current representation procedures (including whether any information is still pending from either party) and their follow-up. However, the document would only indicate whether follow-up action has been taken, and would not in itself be an assessment of the outcome of such action.

¹³ The Recommendations of ad hoc tripartite committees do not often explicitly invite countries to avail themselves of the technical assistance of the Office (of 42 representations examined since 2006, in five cases the Government was invited to avail itself of the Office's technical assistance, and in two of these cases the provision of assistance was noted in the follow-up by the supervisory bodies). Moreover, it is difficult, based on the information published by the supervisory bodies, to assess systematically whether and what tripartite follow-up has been undertaken at the national level.

Table 1. Status and follow-up of article 24 representations (hypothetical examples)

Date submitted	Country	Convention No.	Report and GB decision/status	Examination by CEACR	ILO technical assistance/mission	Follow-up at national level?
1 February 2017	X	181	Government reply received – pending examination	N/A	N/A	N/A
2 January 2010	Y	169	GB decision March 2011 Report	No (awaiting information from the government)	Requested	
5 June 2009	Z	111	GB decision November 2010 Report	Follow-up in 2012 (noting with satisfaction full compliance with recommendations)		Consultation at national and regional levels in September 2011
6 June 2008	K	87	GB decision November 2009 to refer to CFA Separate CFA report	Follow-up in 2011	ILO technical assistance by field office from March to October 2010	

Yellow: In progress.

Green: Received/completed.

Red: Not received/refused.

- (b) **Reinforced integration of follow-up into recommendations.** In representations in which the Governing Body recommends the government to take action, follow-up measures could be more systematically integrated into the text of the recommendations contained in the reports of tripartite committees, including the provision of technical assistance and tripartite follow-up at the national level. To facilitate its introduction and identification, this could be a standard optional section (where appropriate and subject to the decisions of the tripartite committee concerned) in the reports of ad hoc tripartite committees. Similarly, where action has been recommended, the Office, in the letter transmitting the recommendations adopted by the Governing Body, could invite the government to avail itself of the technical assistance of the Office,¹⁴ particularly through its field specialists, with a view to developing a time-bound action plan to facilitate, where applicable, reporting on follow-up to the recommendations as part of article 22 reporting (thus not increasing the reporting burden on the country concerned). Such follow-up, particularly if it is of a tripartite nature at the national level, could also be integrated into Decent Work Country Programmes (DWCPs).

- 18.** Some Governing Body members have proposed that, in order to uphold tripartite governance and ensure the most effective follow-up to representations, ad hoc tripartite committees should retain the possibility to follow up on the action taken on the recommendations concerning a representation adopted by the Governing Body, considering that such committee is most familiar with the matter and thus best suited for its follow-up. Appendix IV outlines the main features and implications of this possibility. Other Governing Body members have questioned the practicability of the ad hoc committees continuing to follow up over time or have felt that such follow up could usefully complement but not replace follow up supervision by the CEACR. Certain members considered that legal

¹⁴ This latter aspect is common to other supervisory procedures, and should be considered alongside follow-up at the national level (action 4.2) and within the supervisory system (action 1.2).

certainty required the representations procedure to be closed in timely fashion and that such closure could be hampered by continued supervision by ad hoc committees.

2. The streamlining of reporting (action 3.1)

19. The streamlining of reporting responds to the need to enhance the relevance and efficiency of the supervisory system and to guarantee its sustainability. Based on a technical and financial feasibility assessment, and consultations with the tripartite constituents, options are presented below for:

- (i) the full computerization of the supervisory system, including the efficient electronic management of the work of the supervisory bodies and the secure online submission of reports and other documents by governments and employers' and workers' organizations; and
- (ii) the streamlining of reports and information, both to facilitate the fulfilment of reporting obligations by member States and to achieve gains in terms of effectiveness, quality and efficiency.¹⁵

2.1. Computerization of the supervisory system – E-reporting

20. At present, while certain electronic resources are used by the supervisory system (such as submission of article 22 reports on a secure e-platform or submitting them by email), its operation is still chiefly paper based. A technical and financial feasibility assessment, undertaken with the support of the ILO's IT Department (INFOTEC) identified two linked sets of measures to enhance the IT facilities supporting the work of the supervisory bodies: (i) a document and information management system for the supervisory bodies, which was approved by the Governing Body at its 331st Session (October–November 2017); and (ii) electronic accessibility to the supervisory system for constituents, notably through e-reporting.¹⁶ The following paragraphs provide additional information on the proposed electronic reporting system for constituents.

21. Regarding the electronic accessibility component, it should be recalled that the whole rationale behind e-reporting is to alleviate the ever-increasing reporting burden on governments. Proposals to reverse that trend have included the extension of the reporting cycle, an option that is currently examined which will generate some reporting efficiency gains. Looking at longer term sustainable reporting efficiency gains, another avenue to reduce and simplify the reporting exercise would be through better use of technology. Any new system that would create undue and additional clerical burden on governments would have no added value and should not be pursued. In full consultation with the tripartite constituents, including through pilot testing at various stages, the idea would be to consider developing a smarter e-reporting system that would provide, when possible, more simple options through the e-report forms. The aim would be to provide a dynamic electronic form that can be easily filled out and that takes into account the operational constraints raised by some governments, in particular where national processes involve multiple drafters and internal clearance requirements. This could include various possibilities, such as the option

¹⁵ [GB.329/INS/5](#), paras 30–31.

¹⁶ At present, the reports submitted by governments, for example under article 22 of the Constitution, and the observations of the social partners, are examined by the supervisory bodies without being made public.

of not repeating information that has already been submitted, active and inactive fields with simple options such as indicating “no changes since last report”, the possibility to reply directly to the CEACR’s comments, etc. Any major changes in the current report forms that would derive from future technological enhancements would of course have to go through the approval of the Governing Body. Furthermore, the question of the submission of the comments of the social partners would have to be examined with particular attention in order to find flexible and optimal solutions to maintain this key aspect of the reporting system. Some members of the Governing Body suggested to maintain the option of submitting reports and comments of the social partners electronically but “off-line” (i.e. by email). All these issues will need to be addressed at an early stage, during the analysis and scoping of such a possible project.

22. A comprehensive online reporting system that meets the needs of the ILO constituents would not only offer simplified reporting obligations, but would also lead to easier management of electronic archiving, both at the national level and for the Office. The Office would of course consider States’ technological capacities and would develop tailored training tools in that regard. All this could translate into considerable time and cost savings in the future. It should also be stressed that by automating processes and facilitating communication between the ILO tripartite constituents and the secretariat of the CEACR through smarter e-reporting, efficiency gains or improvements should be expected, including faster report management and improved monitoring by the secretariat, compliance with the paper-smart policy, faster assessments of relevant content and secure access to all of the information available. This would be fully in line with the overall IT Strategy that has been approved by the Governing Body.¹⁷
23. The implementation of this more comprehensive online reporting system, integrated through the existing NORMLEX platform, would require process analyses, specifications, the design of security modules and further technical developments, as well as training for constituents in the use of the new system. At present, the cost of the e-reporting system for the submission of article 19 and 22 reports is estimated to amount to some US\$423,000. This amount may be broken down through the following items and work-time estimates:
 - (1) Analysis and scoping of project (ten days).
 - (2) Review of individual forms (20 days).
 - (3) Development of security module (ten days).
 - (4) Article 19 – Generic Forms Module (30 days).
 - (5) Article 22/35 – Development of report forms module for all instruments (100 days).
 - (6) Country Reporting Dashboard in three languages (40 days).
 - (7) Management Dashboard (35 days).
 - (8) Post go-live support and minor enhancements (35 days).

¹⁷ Within the framework of the steps taken by the Office to introduce IT improvements, and as a pilot under of the Follow-up to the 1998 ILO Declaration on Fundamental Principles and Rights at Work, the Office is in the process of launching an optional online tool to facilitate reporting under the Annual Review, and particularly to shift from baselines compiled by the Office on the basis of the reports submitted by governments to baselines updated directly by governments online, with observations from the social partners being inserted. It is hoped that the implementation of this online tool will benefit from the broader e-reporting developments referred to in this section.

Table 2. One-off costs for a comprehensive electronic reporting facility to the CEACR

	US\$
Technical IT outputs (in particular, development of modules for report forms, security modules and dashboards)	350 000
Business process review (particularly, the report forms for each instrument)	33 000
Project management and coordination	40 000
Total	423 000

24. In terms of maintenance costs, it should be recalled that software maintenance is a very broad activity often defined as including all work made on an application after it becomes operational. This covers the correction of errors, the enhancement, deletion and addition of capabilities, the adaptation to changes in data requirements and operational environments, the improvement of performance, usability, or any other quality attributes. It is common in the software industry to budget 20 per cent of total cost of development for the first year and 10 per cent yearly thereafter. Thus, in addition, 10 per cent annual support costs should be foreseen after the launch.
25. Based on the guidance of the Governing Body as well as the lessons learned through the implementation of the proposed new report form for simplified reports (paragraph 47) and of the proposed pilot project for the establishment of baselines (paragraph 49), the Office would further develop proposals for a possible future e-reporting system in close consultation with the constituents.

2.2. Streamlining of reports and information¹⁸

26. With regard to the streamlining of reports and information, it is recalled that, up to the early 2000s, the focus was mainly on a quantitative approach that aimed to reduce the number of reports requested each year and to alleviate the associated workload, while guaranteeing that safeguards were in place to ensure the access of constituents to the CEACR outside the reporting cycle. Since the early 2000s, there has been a shift towards a broader approach that also considers the rationalization of reporting (for example, by grouping Conventions by subject for reporting purposes, which also allows for a more comprehensive thematic review). Appendix V provides a historical overview of the main adjustments made to the regular reporting system.
27. With a view to pursuing this broader approach to the streamlining of reporting, options are outlined below concerning: (i) the presentation of reports and information, including by reviewing the modalities for the thematic grouping of Conventions; and (ii) the form of reports and the content of report forms, including a clearer distinction between simplified and detailed reports.
28. All the options outlined aim to ensure that: (a) there is no loss in either the quantity or quality of the information available to the supervisory system, or its outputs; (b) the reporting obligations of member States are facilitated, and not increased; and (c) the usefulness of the information submitted is maximized, both for the work of the Organization and the efforts made by member States to comply with their standards-related obligations.

¹⁸ The focus under action 3.1 at this stage is the regular article 22 reporting process.

2.2.1. Thematic grouping of Conventions

29. The thematic grouping of Conventions offers two main advantages:

- (a) *For reporting purposes:* it eases the administrative burden of governments by concentrating their reporting obligations in the same year on Conventions covering similar subjects. This facilitates the efforts required to gather the necessary information at the national level and to coordinate with the authorities that have to be consulted by Ministries of Labour.
- (b) *For the comments of the supervisory bodies:* thematic grouping enables the CEACR to: (i) conduct a more comprehensive review, based on access to a broader and more complete picture of the application of the thematically linked obligations set out in ratified Conventions; (ii) better identify and provide recommendations on thematic or systemic issues in related areas; and (iii) strengthen and give greater visibility to comments through consolidation and better linkages (as opposed to separate comments on different aspects of the same issue).

These advantages, and options for their further enhancement, are developed below.

2.2.1.1. *Thematic grouping of Conventions for reporting purposes*

- 30.** When considering the thematic grouping of Conventions in 2001–02, constituents expressed a clear preference for the grouping of reports, so that those on related subjects could be prepared and sent together.¹⁹ The grouping of Conventions by subject for reporting purposes that is currently in force was approved by the Governing Body and implemented as of 2003.
- 31.** Building on the overall positive results of the first evaluation of the grouping of Conventions,²⁰ the Governing Body could seek to further refine the thematic approach to achieve more fully the objectives set out above, and to respond to some of the concerns raised and proposals made during the recent consultations and Governing Body discussions. In particular, when applying the current grouping (in which countries are divided alphabetically into various groups), there are still many instances where reports on ratified Conventions covering related subjects are not requested in the same year for a specific country, as shown by the table below for one group of countries. The colour code highlights subjects that are more closely related. This example tends to show that there is still room to improve thematic coherence in the annual requests for reports under the current cycle.

¹⁹ Governments had indicated that it would ease their administrative burden if they could report in the same year on all, or at least a significant number of Conventions which cover similar subjects. It was emphasized that this would facilitate information gathering at the national level by allowing Ministries of Labour to consult other ministries and national institutions and authorities in a more concentrated way, and send the related information to the Office in a more coordinated manner. It was also noted that there might be advantages for the Office in being able to analyse the application of related Conventions in a more coherent manner (GB.282/LILS/5, para. 18). See also GB.283/LILS/6; GB.283/10/2, para. 39, and the related decision.

²⁰ In 2009, an evaluation of the grouping of Conventions by subject for reporting purposes generally showed positive results (see GB.306/LILS/4). Moreover, it may be noted that, following the adoption of the Social Justice Declaration in 2008, the possibility was examined of synchronizing the article 22 reporting cycle with General Surveys and recurrent discussions. This included a possible grouping of Conventions by strategic objective for reporting purposes. However, the Governing Body concluded that the grouping by subject should be maintained. See GB.310/LILS/3/2; GB.310/11/2, para. 49, and the related decision.

Table 3. Current reporting cycle – reports requested for countries A–F (2012–16)

2012	2013	2014	2015	2016
C.100, C.111	C.87, C.98	C.29, C.105, C.138, C.182	C.100, C.111	C.87, C.98
C.81, C.129	C.144	C.122	C.81, C.129	C.144
Social security	Social policy	Seafarers	OSH	Fishers
Dockworkers	Maternity protection	Labour administration and inspection	Employment policy	Wages
Migrant workers	Other specific categories of workers	Industrial relations		Protection of children and young persons
	Indigenous and tribal peoples			Workers with family responsibilities
	Skills			Employment security
	Working time			Freedom of association and collective bargaining

32. With a view to further strengthening the thematic approach for reporting purposes, the Governing Body may wish to examine how options for the redistribution of requests for reports over the reporting cycle could improve thematic coherence by country, and achieve a more efficient and balanced distribution of reports throughout the cycle.
33. Two options are presented below, including a simulation over a test period (2019–25) of the total number of reports which would be requested under each option, to illustrate their respective impact. The consideration by the Governing Body of possible new arrangements for regular reporting also provides an opportunity to ensure the alignment of the grouping of Conventions for this purpose with the classification of standards by strategic objective that was presented to the Governing Body in March 2011.²¹ The updated grouping is presented in Appendix VI.

Option 1: Ensuring greater thematic coherence in requests for reports on technical Conventions within the current cycle

34. Option 1 seeks to improve thematic coherence by country in the annual requests for reports on ratified technical Conventions, without changing the current reporting intervals (a three-year reporting cycle for fundamental and governance Conventions and a five-year reporting cycle for technical Conventions).²² Five groups of countries would be established for reporting purposes over the five-year cycle for technical Conventions. The following table illustrates the enhanced coherence resulting from the application of option 1 for countries whose first letters are A–C (similar improvements would apply to other groups of countries), using the same thematic colour coding as above:

²¹ In addition to reflection on the Conventions adopted since 2002, a slight adjustment is proposed to move the up-to-date Labour Clauses (Public Contracts) Convention, 1949 (No. 94), from the “Wages” group to the “Social Policy” group, as Convention No. 94 addresses working conditions more generally (it would remain within the same strategic objective – social protection).

²² In the context of the three- and five-year reporting cycles, it is not possible to ensure that, from one cycle to the next, reports under technical Conventions which are related to fundamental or governance Conventions are requested in the same year as the related fundamental or governance Conventions. This possibility is available under option 2.

Table 4. Option 1. Reports requested for countries A–C (2019–25)

2019	2020	2021	2022	2023	2024	2025
C.87, C.98	C.29, C.105, C.138, C.182	C.100, C.111	C.87, C.98	C.29, C.105, C.138, C.182	C.100, C.111	C.87, C.98
C.144	C.122	C.81, C.129	C.144	C.122	C.81, C.129	C.144
Working time	Skills	Freedom of association and collective bargaining	Seafarers	Specific categories of workers	Working time	C.122
Wages	Employment policy		Fishers	Migrant workers	Wages	Skills
OSH	Employment security	Protection of children	Dockworkers	Indigenous and tribal peoples	OSH	Employment policy
Maternity protection	Social policy			Workers with family responsibilities	Maternity protection	Employment security
Social security					Social security	Social policy
Labour administration and inspection					Labour administration and inspection	

35. In terms of overall impact over the test period 2019–25, this option would not entail any increase or decrease in the total number of reports requested in comparison with the current reporting cycle. Moreover, the number of reports requested each year would be balanced throughout the period. The table below provides a simulation of the corresponding reports requested, with colour coding highlighting thematic grouping. The total number of reports requested each year is noted at the bottom of the table.

Table 5. Option 1. Simulation of reports requested 2019–25

2019	2020	2021	2022	2023	2024	2025
Fundamental and governance Conventions (three-year reporting cycle)						
C.87, C.98 (countries A–F)	C.87, C.98 (countries G–N)	C.87, C.98 (countries O–Z)	C.87, C.98 (countries A–F)	C.87, C.98 (countries G–N)	C.87, C.98 (countries O–Z)	C.87, C.98 (countries A–F)
C.100, C.111 (countries G–N)	C.100, C.111 (countries O–Z)	C.100, C.111 (countries A–F)	C.100, C.111 (countries G–N)	C.100, C.111 (countries O–Z)	C.100, C.111 (countries A–F)	C.100, C.111 (countries G–N)
C.29, C.105, C.138, C.182 (countries O–Z)	C.29, C.105, C.138, C.182 (countries A–F)	C.29, C.105, C.138, C.182 (countries G–N)	C.29, C.105, C.138, C.182 (countries O–Z)	C.29, C.105, C.138, C.182 (countries A–F)	C.29, C.105, C.138, C.182 (countries G–N)	C.29, C.105, C.138, C.182 (countries O–Z)
C.144 (countries A–F)	C.144 (countries G–N)	C.144 (countries O–Z)	C.144 (countries A–F)	C.144 (countries G–N)	C.144 (countries O–Z)	C.144 (countries A–F)
C.81, C.129 (countries O–Z)	C.81, C.129 (countries G–N)	C.81, C.129 (countries A–F)	C.81, C.129 (countries O–Z)	C.81, C.129 (countries G–N)	C.81, C.129 (countries A–F)	C.81, C.129 (countries O–Z)
C.122 (countries G–N)	C.122 (countries A–F)	C.122 (countries O–Z)	C.122 (countries G–N)	C.122 (countries A–F)	C.122 (countries O–Z)	C.122 (countries G–N)
Technical Conventions (five-year reporting cycle)						
Freedom of association and collective bargaining (O–S)	Freedom of association and collective bargaining (T–Z)	Freedom of association and collective bargaining (A–C)	Freedom of association and collective bargaining (D–I)	Freedom of association and collective bargaining (J–N)	Freedom of association and collective bargaining (O–S)	Freedom of association and collective bargaining (T–Z)
Industrial relations (O–S)	Industrial relations (T–Z)	Industrial relations (A–C)	Industrial relations (D–I)	Industrial relations (J–N)	Industrial relations (O–S)	Industrial relations (T–Z)

2019	2020	2021	2022	2023	2024	2025
Protection of children (O–S)	Protection of children (T–Z)	Protection of children (A–C)	Protection of children (D–I)	Protection of children (J–N)	Protection of children (O–S)	Protection of children (T–Z)
Workers with family responsibilities (D–I)	Workers with family responsibilities (J–N)	Workers with family responsibilities (O–S)	Workers with family responsibilities (T–Z)	Workers with family responsibilities (A–C)	Workers with family responsibilities (D–I)	Workers with family responsibilities (J–N)
Migrant workers (D–I)	Migrant workers (J–N)	Migrant workers (O–S)	Migrant workers (T–Z)	Migrant workers (A–C)	Migrant workers (D–I)	Migrant workers (J–N)
Indigenous and tribal peoples (D–I)	Indigenous and tribal peoples (J–N)	Indigenous and tribal peoples (O–S)	Indigenous and tribal peoples (T–Z)	Indigenous and tribal peoples (A–C)	Indigenous and tribal peoples (D–I)	Indigenous and tribal peoples (J–N)
Other specific categories of workers (D–I)	Other specific categories of workers (J–N)	Other specific categories of workers (O–S)	Other specific categories of workers (T–Z)	Other specific categories of workers (A–C)	Other specific categories of workers (D–I)	Other specific categories of workers (J–N)
Working time (A–C)	Working time (D–I)	Working time (J–N)	Working time (O–S)	Working time (T–Z)	Working time (A–C)	Working time (D–I)
Wages (A–C)	Wages (D–I)	Wages (J–N)	Wages (O–S)	Wages (T–Z)	Wages (A–C)	Wages (D–I)
OSH (A–C)	OSH (D–I)	OSH (J–N)	OSH (O–S)	OSH (T–Z)	OSH (A–C)	OSH (D–I)
Maternity protection (A–C)	Maternity protection (D–I)	Maternity protection (J–N)	Maternity protection (O–S)	Maternity protection (T–Z)	Maternity protection (A–C)	Maternity protection (D–I)
Social security (A–C)	Social security (D–I)	Social security (J–N)	Social security (O–S)	Social security (T–Z)	Social security (A–C)	Social security (D–I)
Labour administration and inspection (A–C)	Labour administration and inspection (D–I)	Labour administration and inspection (J–N)	Labour administration and inspection (O–S)	Labour administration and inspection (T–Z)	Labour administration and inspection (A–C)	Labour administration and inspection (D–I)
Skills (T–Z)	Skills (A–C)	Skills (D–I)	Skills (J–N)	Skills (O–S)	Skills (T–Z)	Skills (A–C)
Employment policy (T–Z)	Employment policy (A–C)	Employment policy (D–I)	Employment policy (J–N)	Employment policy (O–S)	Employment policy (T–Z)	Employment policy (A–C)
Employment security (T–Z)	Employment security (A–C)	Employment security (D–I)	Employment security (J–N)	Employment security (O–S)	Employment security (T–Z)	Employment security (A–C)
Social policy (T–Z)	Social policy (A–C)	Social policy (D–I)	Social policy (J–N)	Social policy (O–S)	Social policy (T–Z)	Social policy (A–C)
Seafarers Fishers Dockworkers (J–N)	Seafarers Fishers Dockworkers (O–S)	Seafarers Fishers Dockworkers (T–Z)	Seafarers Fishers Dockworkers (A–C)	Seafarers Fishers Dockworkers (D–I)	Seafarers Fishers Dockworkers (J–N)	Seafarers Fishers Dockworkers (O–S)
Total number of reports requested						
1 690	1 512	1 571	1 572	1 306	1 686	1 596

Option 2: Ensuring greater thematic coherence in requests for reports on all Conventions within a three-year reporting cycle for fundamental and governance Conventions and a six-year reporting cycle for technical Conventions

- 36.** Option 2 seeks to improve thematic coherence by country in the reports requested annually for all ratified Conventions. Requests for reports under technical Conventions which are related to fundamental or governance Conventions would be made in the same year as the related fundamental or governance Conventions. Thematic coherence is achieved by extending the reporting cycle for technical Conventions from five to six years and by

dividing each of the existing three groups of countries established for reporting purposes under the fundamental and governance Conventions (e.g. countries A–F) into two sub-groups (countries A–B and C–F) for reporting purposes under the technical Conventions. An illustration of the impact of option 2 is shown in the table below for countries whose first letters are A and B (similar improvements would apply to other groups of countries), using thematic colour coding as above:

Table 6. Option 2. Reports requested for countries A–B (2019–25)

2019	2020	2021	2022	2023	2024	2025
C.87, C.98	C.29, C.105, C.138, C.182	C.100, C.111	C.87, C.98	C.29, C.105, C.138, C.182	C.100, C.111	C.87, C.98
C.144	C.122	C.81, C.129	C.144	C.122	C.81, C.129	C.144
Freedom of association and collective bargaining	Protection of children	Specific categories of workers	Seafarers	Vocational guidance and training	Working time	Freedom of association and collective bargaining
Industrial relations		Migrant workers	Fishers	Employment policy	Wages	Industrial relations
		Indigenous and tribal peoples	Dockworkers	Employment security	OSH	
		Workers with family responsibilities		Social policy	Maternity protection	
					Social security	
					Labour administration and inspection	

37. With regard to impact, during the test period 2019–25, the number of reports requested each year would be balanced in overall terms. Moreover, there would be a reduction in the number of reports requested each year in comparison with the current cycle. The table below provides a simulation of the reports requested, with colour coding highlighting thematic grouping. The total number of reports requested is noted at the bottom of the table, and may be compared with the table under option 1 above.

Table 7. Option 2. Simulation of reports requested 2019–25

2019	2020	2021	2022	2023	2024	2025
Fundamental and governance Conventions (three-year reporting cycle)						
C.87, C.98 (countries A–F)	C.87, C.98 (countries G–N)	C.87, C.98 (countries O–Z)	C.87, C.98 (countries A–F)	C.87, C.98 (countries G–N)	C.87, C.98 (countries O–Z)	C.87, C.98 (countries A–F)
C.100, C.111 (countries G–N)	C.100, C.111 (countries O–Z)	C.100, C.111 (countries A–F)	C.100, C.111 (countries G–N)	C.100, C.111 (countries O–Z)	C.100, C.111 (countries A–F)	C.100, C.111 (countries G–N)
C.29, C.105, C.138, C.182 (countries O–Z)	C.29, C.105, C.138, C.182 (countries A–F)	C.29, C.105, C.138, C.182 (countries G–N)	C.29, C.105, C.138, C.182 (countries O–Z)	C.29, C.105, C.138, C.182 (countries A–F)	C.29, C.105, C.138, C.182 (countries G–N)	C.29, C.105, C.138, C.182 (countries O–Z)
C.144 (countries A–F)	C.144 (countries G–N)	C.144 (countries O–Z)	C.144 (countries A–F)	C.144 (countries G–N)	C.144 (countries O–Z)	C.144 (countries A–F)
C.81, C.129 (countries O–Z)	C.81, C.129 (countries G–N)	C.81, C.129 (countries A–F)	C.81, C.129 (countries O–Z)	C.81, C.129 (countries G–N)	C.81, C.129 (countries A–F)	C.81, C.129 (countries O–Z)

2019	2020	2021	2022	2023	2024	2025
C.122 (countries G–N)	C.122 (countries A–F)	C.122 (countries O–Z)	C.122 (countries G–N)	C.122 (countries A–F)	C.122 (countries O–Z)	C.122 (countries G–N)
Technical Conventions (six-year reporting cycle)						
Freedom of association and collective bargaining (A–B)	Freedom of association and collective bargaining (G–K)	Freedom of association and collective bargaining (O–S)	Freedom of association and collective bargaining (C–F)	Freedom of association and collective bargaining (L–N)	Freedom of association and collective bargaining (T–Z)	Freedom of association and collective bargaining (A–B)
Industrial relations (A–B)	Industrial relations (G–K)	Industrial relations (O–S)	Industrial relations (C–F)	Industrial relations (L–N)	Industrial relations (T–Z)	Industrial relations (A–B)
Protection of children (O–S)	Protection of children (A–B)	Protection of children (G–K)	Protection of children (T–Z)	Protection of children (C–F)	Protection of children (L–N)	Protection of children (O–S)
Workers with family responsibilities (G–K)	Workers with family responsibilities (O–S)	Workers with family responsibilities (A–B)	Workers with family responsibilities (L–N)	Workers with family responsibilities (T–Z)	Workers with family responsibilities (C–F)	Workers with family responsibilities (G–K)
Migrant workers (G–K)	Migrant workers (O–S)	Migrant workers (A–B)	Migrant workers (L–N)	Migrant workers (T–Z)	Migrant workers (C–F)	Migrant workers (G–K)
Indigenous and tribal peoples (G–K)	Indigenous and tribal peoples (O–S)	Indigenous and tribal peoples (A–B)	Indigenous and tribal peoples (L–N)	Indigenous and tribal peoples (T–Z)	Indigenous and tribal peoples (C–F)	Indigenous and tribal peoples (G–K)
Other specific categories of workers (G–K)	Other specific categories of workers (O–S)	Other specific categories of workers (A–B)	Other specific categories of workers (L–N)	Other specific categories of workers (T–Z)	Other specific categories of workers (C–F)	Other specific categories of workers (G–K)
Working time (T–Z)	Working time (L–N)	Working time (C–F)	Working time (O–S)	Working time (G–K)	Working time (A–B)	Working time (T–Z)
Wages (T–Z)	Wages (L–N)	Wages (C–F)	Wages (O–S)	Wages (G–K)	Wages (A–B)	Wages (T–Z)
OSH (T–Z)	OSH (L–N)	OSH (C–F)	OSH (O–S)	OSH (G–K)	OSH (A–B)	OSH (T–Z)
Maternity protection (T–Z)	Maternity protection (L–N)	Maternity protection (C–F)	Maternity protection (O–S)	Maternity protection (G–K)	Maternity protection (A–B)	Maternity protection (T–Z)
Social security (T–Z)	Social security (L–N)	Social security (C–F)	Social security (O–S)	Social security (G–K)	Social security (A–B)	Social security (T–Z)
Labour administration and inspection (T–Z)	Labour administration and inspection (L–N)	Labour administration and inspection (C–F)	Labour administration and inspection (O–S)	Labour administration and inspection (G–K)	Labour administration and inspection (A–B)	Labour administration and inspection (T–Z)
Skills (L–N)	Skills (C–F)	Skills (T–Z)	Skills (G–K)	Skills (A–B)	Skills (O–S)	Skills (L–N)
Employment policy (L–N)	Employment policy (C–F)	Employment policy (T–Z)	Employment policy (G–K)	Employment policy (A–B)	Employment policy (O–S)	Employment policy (L–N)
Employment security (L–N)	Employment security (C–F)	Employment security (T–Z)	Employment security (G–K)	Employment security (A–B)	Employment security (O–S)	Employment security (L–N)
Social policy (L–N)	Social policy (C–F)	Social policy (T–Z)	Social policy (G–K)	Social policy (A–B)	Social policy (O–S)	Social policy (L–N)
Seafarers Fishers Dockworkers (C–F)	Seafarers Fishers Dockworkers (T–Z)	Seafarers Fishers Dockworkers (L–N)	Seafarers Fishers Dockworkers (A–B)	Seafarers Fishers Dockworkers (O–S)	Seafarers Fishers Dockworkers (G–K)	Seafarers Fishers Dockworkers (C–F)
Total number of reports requested						
1 270	1 384	1 434	1 445	1 356	1 368	1 270

38. Under both options, it is proposed to distribute evenly (in a balanced manner over the different years of the reporting cycle) the requests for reports under each group of technical Conventions.²³ This would contribute to ensuring that all subjects are examined each year, and would therefore have a positive impact on the objective of the CAS to achieve greater balance in the selection of cases between technical, governance and fundamental Conventions.
39. With regard to the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), a governance Convention covered by a three-year reporting cycle, it may be noted that reports are currently requested for some countries (A–F) in the same year as reports under the closely related fundamental Conventions on freedom of association and collective bargaining (Conventions Nos 87 and 98), but not for other countries (G–Z). In order to ensure consistency, it is proposed under both options to align such requests for all groups of countries.
40. Should the Governing Body adopt these new arrangements, the Office would need some time to introduce the required modifications to the system, including the database. Considering that the request for reports is usually sent in February or March at the latest, so as to allow sufficient time for the preparation of reports at the national level, the new reporting arrangements could take effect only as of 2019 and transitional measures would be implemented for 2018.
41. Most importantly, any new arrangements adopted by the Governing Body would be accompanied by a reaffirmation of the important role of employers' and workers' organizations in the context of the supervisory system, particularly in raising pressing issues outside the regular reporting cycle for examination by the supervisory bodies without delay. In this respect, some constituents expressed concerns that, while this possibility had also been emphasized as a safeguard when the reporting cycles were expanded in the past, in practice it was only given effect in very limited instances. They noted that, as a result, observations from the social partners were very rarely addressed outside the regular reporting cycle. At its 331st Session (November–December 2017), the CEACR welcomed the discussions in the Governing Body on measures to strengthen the supervisory machinery. It considered the possible extension of the reporting cycle from five to six years and indicated its willingness to consider, in the context of the discussion on its own working methods, the manner in which it might broaden the very strict criteria for breaking its cycle of review when receiving comments from workers' or employers' organizations under article 23(2) of the ILO Constitution, drawing inspiration from the criteria used for requesting early reports. The Governing Body may wish to invite the CEACR to further review the use of this safeguard and to share its analysis and proposals in this regard, including on the use of this safeguard and any measures that could be envisaged to ensure its adequate operation.²⁴

²³ At present, requests for reports under technical Conventions for each subject are either all made in the same year (e.g. employment security), or are split over two years where there are more ratifications (e.g. wages).

²⁴ As noted by the *Report of the Committee of Experts on the Application of Standards and Recommendations, Report III (1A)*, International Labour Conference, 106th Session, Geneva, 2017: "in a non-reporting year, when employers' and workers' organizations send observations which simply repeat comments made in previous years, or refer to matters already raised by the Committee, they will be examined in the year when the government's report is due, in accordance with the regular reporting cycle. In this case, a report will not be requested from the government outside of that cycle. However, where the observations meet the criteria of exceptional cases ... the Committee will examine them in the year in which they are received, even in the absence of a reply from the government concerned. ... Over the years, the Committee has identified exceptional cases as those where the allegations are sufficiently substantiated and there is an urgent need to address the situation,

2.2.1.2. *Thematic grouping of Conventions in the comments of the regular supervisory bodies*

- 42.** In a number of cases concerning countries which have ratified several Conventions on the same subject, the CEACR has recently decided to adopt a single comment to address in a consolidated manner the issues of application arising under the various Conventions. These types of consolidated comments have been adopted in the fields of social security, maritime issues, wages, occupational safety and health, labour inspection and child labour. This has allowed the CEACR to avoid repetitive comments under thematically related Conventions and has helped to ensure greater coherence in the treatment of the related information by country. For the countries concerned, one advantage is that comments are more easily readable and provide a more coherent and holistic analysis by subject of the issues to be addressed. During the last session of the Conference, the CAS selected a case concerning two related Conventions (Nos 81 and 129), which enabled it to examine the issue of labour inspection in the country concerned in a more comprehensive manner based on a single consolidated comment by the CEACR.

The Labour Inspection Convention, 1947 (No. 81), and the Labour Inspection (Agriculture) Convention, 1969 (No. 129), are intimately linked and many of their provisions are identical. * The joint treatment of Conventions Nos 81 and 129 by the CEACR in a single comment has allowed the consolidation of comments on labour inspection issues relevant to the sectors covered by Convention No. 81 (industry and commerce) and Convention No. 129 (agriculture). Particular obligations arising in relation to agriculture have been addressed separately at the end of the consolidated comments. This new approach by the CEACR has avoided repetitive comments and highlighted the links between the principles of both Conventions, for example concerning the need to allocate sufficient human and material resources to the labour inspection services (Article 10 of Convention No. 81 and Article 16 of Convention No. 129) with a view to undertaking effective inspections in both industry and commerce and in agriculture. Specific issues relating to agriculture (such as the training requirements of labour inspectors in agriculture) have been addressed by the CEACR in a separate part of the consolidated comments.

* Convention No. 129 was mainly adopted to fill a gap in the corpus of international labour standards, as it was considered that there was no logical reason for the exclusion of workers in the agricultural sector from the scope of Convention No. 81 (which only applies to industrial and commercial workplaces). Convention No. 129 was therefore modelled on Convention No. 81, with the addition of some aspects related more specifically to agriculture. ILC, *Labour inspection in agriculture*, Report IV(1), Geneva, 53rd Session, 1969, p. 4.

- 43.** In view of the positive feedback received on these initiatives, the Governing Body may wish to encourage the CEACR to pursue the examination of related issues in consolidated comments.

2.2.2. Form and content of reports

2.2.2.1. *Possible improvements in the requesting of reports*

- 44.** Two main issues have been identified in relation to difficulties in fulfilling reporting obligations: (i) the need for the way in which the Office requests reports to be more user-friendly;²⁵ and (ii) the lack of understanding of the difference between simplified and detailed reports on ratified Conventions.

whether because they refer to matters of life and death or to fundamental human rights or because any delay may cause irreparable harm.” (See paras 62–63.)

²⁵ The main issue in this regard is that, at present, the request for reports is not sent electronically to governments, which receive only a hard copy. In contrast, 95 per cent of government reports are sent electronically to the Office.

45. In this regard, it should be recalled that the distinction between detailed and simplified reports, as adopted by the Governing Body in March 1993,²⁶ is as follows:
- (a) detailed reports must contain full information on each of the provisions of the Convention concerned and on each of the questions set out in the report form; a detailed report is only due following the entry into force of the Convention for the ratifying country (first report) and thereafter only if it is specifically requested by the supervisory bodies;
 - (b) all other subsequent reports due (that is to say, almost all the reports requested each year) are simplified reports which must normally only contain information on: (i) any new legislative or other measures affecting the application of the Convention; (ii) the practical application of the Convention (for example, statistics, results of inspections, judicial or administrative decisions); (iii) the communication of copies of the report to the representative organizations of employers and workers and any observations received from these organizations; and (iv) replies to comments by the supervisory bodies.
46. In order to further clarify the distinction between the two types of reports, and with a view to facilitating the submission of reports, the Governing Body could examine the possibility of adopting a new consolidated report form for all simplified reports (a proposal is contained in Appendix VII). Existing report forms under each individual Convention (the content of which corresponds to detailed reports) would continue to be used for first reports following ratification, or when a detailed report is specifically requested by the supervisory bodies.²⁷
47. The proposed new report form for simplified reports could also be useful in simplifying the annual requests for reports sent out by the Office. For all the simplified reports due for each country, the Office could prepare a single document each year based on the consolidated report form, which would be sent electronically to the government concerned. This would in turn facilitate the submission of information. Readability would be improved, as the CEACR's comments for which reports are due that year could be presented by subject. Moreover, an expandable box could be inserted under each question contained in the CEACR's comments to facilitate the replies by governments (as well as observations by employers' and workers' organizations). It should be emphasized that this proposal would not limit the content or level of detail of the information provided by governments, but would facilitate the submission of information and the discharge of reporting obligations. It would also be simpler to monitor compliance with the obligation to communicate copies of the report to the representative organizations of employers and workers under article 23(2) of the Constitution. The consolidated presentation of requests for simplified reports would facilitate the involvement of employers' and workers' organizations, which would also receive an electronic copy of the request sent to the government. These improvements are closely linked to the computerization measures proposed above.
48. Another issue that the Governing Body may wish to consider concerns the timing of the submission of reports. At present, regular reports on ratified Conventions are due between 1 June and 1 September. Governments had indicated that moving this deadline up the calendar would have to be ruled out as it would leave them too little time to prepare reports notably following a Conference discussion. The annual session of the CEACR usually starts around the third week of November, which leaves the secretariat with less than three months to prepare the reports received for examination by the CEACR. The following figure, based

²⁶ GB.258/6/19, para. 40.

²⁷ The first page of existing report forms should therefore be reviewed and clearly indicate "report form for detailed reports".

on the reports submitted to the 2016 session of the CEACR, illustrates the delays in the receipt of reports. These delays give rise to significant challenges, both for the social partners and the CEACR. The social partners have less time to submit article 23 observations, while the late receipt of reports limits the capacity of the CEACR to prepare and carry out its work, with the result that many files have to be deferred. Moreover, when the reports requested are not received within the time limits, it is necessary to issue repetitions of outstanding comments and resubmit requests the following year for the reports that have not been received, thus further increasing the number of reports to be treated. Suggestions from constituents on incentives for the timely submission of reports would remain helpful. Following up on its annual exchange with the CAS Vice-Chairpersons, the CEACR has also decided to take safeguard measures paying closer attention to certain serious cases of failure to report and instituting a practice of launching “urgent appeals” in cases corresponding to the following criteria: (i) failure to send first reports for the third consecutive year; (ii) failure to reply to serious and urgent observations from employers’ and workers’ organizations for more than two years; (iii) failure to reply to repetitions relating to draft legislation when developments have intervened. In such cases, the Committee might inform the governments concerned, in an opening paragraph to the comment, that if they have not supplied a report or answers to the points raised by 1 September of the following year, then it might proceed with the examination of these cases on the basis of the information at its disposal and possibly make a new comment at its next session.

Figure 2. Distribution of article 22 reports received for the 2016 CEACR session

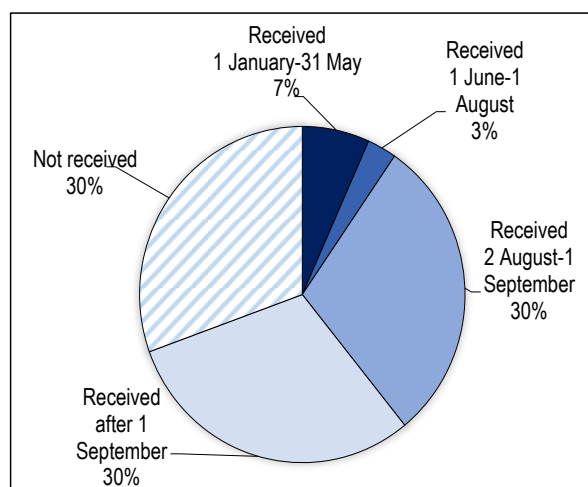
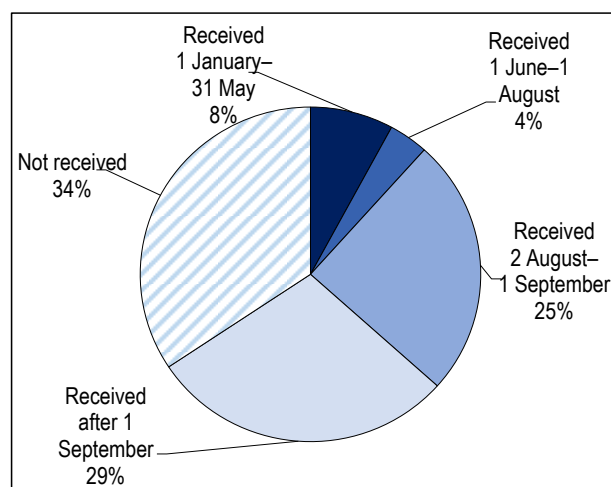


Figure 3. Distribution of article 22 reports received for the 2017 CEACR session



2.2.2.2. *Availability of the information contained in article 22 reports and their publicity: a pilot project for the establishment of baselines*

- 49.** One issue that is frequently raised is that the information provided in the context of the supervisory system is not used to its full potential. In particular, the only visible outputs of the article 22 reporting process are the issues and concerns raised in the comments of the CEACR. The broader picture of how a country is implementing a ratified Convention, including the satisfactory measures adopted, is not publicly available. This precious information would certainly be very useful to other member States seeking good practices in the application of ILS.

50. In this regard, the Governing Body may wish to consider the possibility of implementing a pilot project for the establishment of baselines on the application by member States of ratified Conventions. The baselines would be available on the ILO website. They would contain information provided by the government on the measures taken to apply the Convention(s) concerned, as well as the observations of the social partners and the government's responses, if it is decided that the latter should also be made public. Where the CEACR has made comments on the application of the Convention concerned, the baseline would include a cross-reference to those comments in NORMLEX. This initiative would be linked to the computerization measures proposed above. In particular, it would make it easier to update the information submitted.
51. The proposed pilot project could cover the Maritime Labour Convention, 2006, as amended (MLC, 2006). The specific features of the MLC, 2006, mean that it would be a good case for a pilot baseline, particularly since: it is an up-to-date instrument; it entered into force recently (2013), and the first reports are therefore currently being requested from ratifying Members; and the report form adopted by the Governing Body for the Convention has a unique format which would make it easy to transfer to an online presentation. Another possible Convention to test this approach would be the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), as it is also a relatively recent Convention with an increasing number of ratifications. Moreover, during its third meeting in October 2016, the Standards Review Mechanism Tripartite Working Group (SRM TWG) recommended that the Office launch a promotional campaign on Convention No. 187 which would impact positively on its implementation.²⁸ Informal consultations revealed substantive support for either Convention. In light of the recommendation of the SRM TWG and the more open-ended, promotional framework nature of Convention No. 187, the approach could be pilot tested with this Convention in the first instance.
52. If the pilot project is retained by the Governing Body, the Office would start preparing the necessary electronic tools to support the establishment of the baseline (linked to the computerization and e-reporting actions outlined above, and including any necessary support for constituents). The Office would provide regular updates to the Governing Body on the development of this pilot project.

3. **Consideration of the potential of article 19, paragraphs 5(e) and 6(d) (action 4.3)**

53. This action responds to the need to improve the efficiency, effectiveness and outreach of the supervisory system, in accordance with the Conference resolutions on advancing social justice through decent work (2016) and concerning the second recurrent discussion on fundamental principles and rights at work (2017).²⁹ Article 19, paragraphs 5(e) and 6(d), are key constitutional provisions that respond to the inherent need for the ILO supervisory system, and the obligation of member States, to give effect to the standard-setting decisions of the Conference. As noted in the Working Paper that accompanies this document, these provisions were introduced to fulfil different purposes, including to: promote the ratification of Conventions; encourage countries to achieve the objectives of both Recommendations and Conventions; recognize the efforts made by countries to give effect to the instruments adopted by the Conference, even in the absence of ratification; inform technical assistance that could be instrumental in removing obstacles to the ratification of relevant Conventions; and evaluate standards to inform future standard-setting activities. An inventory of the uses

²⁸ [GB.331/LILS/2](#), p. 2.

²⁹ See the accompanying Working Paper and [GB.331/INS/3](#); [GB.329/INS/5](#); *Provisional Record No. 13-1, ILC, 105th Session, 2016* and *Provisional Record No. 11-1, ILC, 106th Session, 2017*.

made of these provisions, as summarized in the accompanying Working Paper, indicates how these uses are adapted to the specific needs identified by the Governing Body.

54. As a first step, it is proposed to focus on enhancing the current uses of article 19. The proposals outlined below therefore relate to chiefly General Surveys³⁰. As a second step, the Office could explore other possible uses of article 19. Guidance is therefore sought on whether the Office should prepare additional proposals to make better use of article 19, paragraphs 5(e) and 6(d), bearing in mind the purposes of these provisions, with a view to their discussion at the October–November 2018 session of the Governing Body. The options outlined below are based on two overarching aims for improvement:

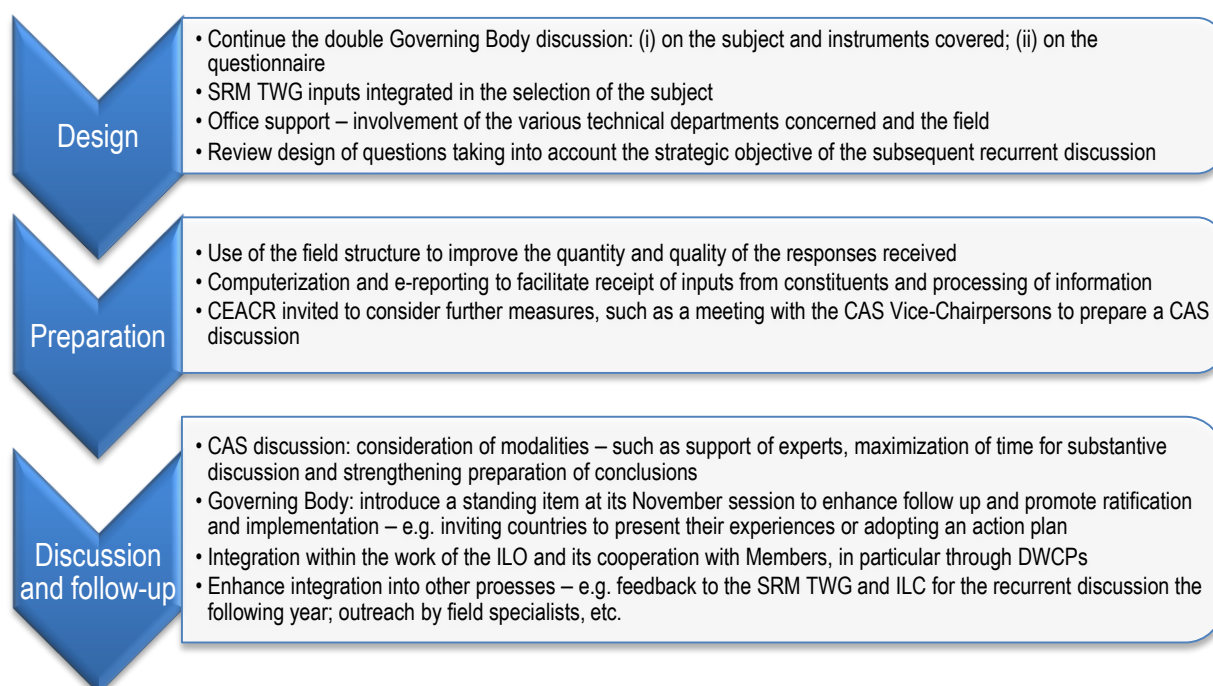
- (i) *Better action-oriented use of reporting, without increasing the reporting burden*, based on improving the design and implementation of reporting (for example, through more targeted and user-friendly questionnaires resulting from a double Governing Body discussion and better use of the field structure and training programmes to improve the quantity and quality of the responses received), and the action-oriented use of the knowledge gathered (for example, through more systematic integration of this knowledge into cooperation with member States, including Decent Work Country Programmes), to further the underlying purposes of article 19, paragraphs 5(e) and 6(d), without increasing the reporting burden on Members; and
- (ii) *Better use of existing mechanisms and tripartite forums*, with a view to optimizing contributions and synergies between existing institutions and processes (i.e. facilitating reporting that most efficiently captures the needs of the tripartite constituents, support and complementary research by the Office, objective independent expert analysis, in particular by the CEACR, and tripartite exchanges in the CAS and the Governing Body, in synergy with other relevant processes, such as recurrent discussions, the Standards Review Mechanism and Conference agenda-setting, all with a view to more effectively feeding into the design and implementation of the ILO programme of work).

55. As a follow-up to the 2016 Conference resolution on advancing social justice through decent work, and the comments made by constituents during the recent informal consultations and Governing Body discussions, the options presented focus mainly on the processes relating to the design, preparation and follow-up of General Surveys. They outline ways of maximizing the value of article 19, paragraphs 5(e) and 6(d), processes and assisting Members to achieve the ILO's strategic objectives, particularly through the ratification and implementation of standards. The proposals are presented under the different steps of the process (as summarized in the figure below), and should be linked to the discussion by the Governing Body in November 2017 on the follow-up to the evaluation of the ILO Declaration on Social Justice for a Fair Globalization (Social Justice Declaration) by the Conference in 2016.

³⁰ A separate document is to be submitted to the Governing Body at its March 2018 session on the Annual Review under the ILO Declaration on Fundamental Principles and Rights at Work.

3.1. Options for consideration relating to the design, preparation and follow-up of General Surveys

Figure 4. Proposed options



3.1.1. Design: Scope, instruments and questionnaire

56. The preparation of General Surveys begins with the choice of subjects, including the instruments covered, as well as the development of a meaningful and well-designed report form that is user-friendly and facilitates the submission of relevant information. The Governing Body continue the practice of structuring its discussion process in two stages as a means of enhancing coherence with other institutional processes (maximizing the practical value of General Surveys for the ILO programme of work and addressing the needs of Members), as well as tripartite discussion and ownership (maximizing discussion in the Governing Body and other tripartite forums). For example, in light of current practice and possible enhancements, it might be decided that:

- (1) The first discussion (e.g. at the November session) would focus on determining the general topic and group of instruments, as framed by the subject of the corresponding recurrent discussion, and taking into account other relevant processes. In that context due consideration would need to be given to the recommendations of the SRM TWG, as approved by the Governing Body. Throughout this initial process, the Office would undertake preparatory research and prepare any necessary background documents, coordinating inputs from the technical departments and field offices.
- (2) Based on the results of this first discussion, a questionnaire would be prepared for consideration by the Governing Body (e.g. at its following March session). With a view to enhancing the usefulness of General Surveys for recurrent discussions, it is proposed that attention be paid to ensuring that the questions also address broader policy matters and include a limited number of questions linked to the achievement of the broader strategic objective (all of these questions would need to fall within the bounds of the selected Conventions and Recommendations, and therefore within the scope of article 19, paragraphs 5(e) and 6(d)). In addition, linked to the identification of obstacles to

ratification, questionnaires could invite constituents to present views in respect of provisions of Conventions and Recommendations that are no longer considered up to date.

- 57.** Discussions in the Governing Body and informal consultations reveal a diversity of opinion as to whether the questionnaire should elicit information on the broader policy context, particularly as it relates to the relevant strategic objective. It may be recalled that the Social Justice Declaration envisaged recurrent discussions as a key opportunity to “understand better the diverse realities and needs of its Members with respect to each of the strategic objectives, respond more effectively to them, using all the means of action at its disposal, including standards-related action ...”³¹ Following this logic, it would appear appropriate for a questionnaire to inquire how selected instruments should be promoted, through standard-related activities, to be a valuable means of action in the light of realities and needs that continue to change as a result of, for example, the 2030 Agenda for Sustainable Development or transformations in the world of work. Inputs from constituents continue to be sought on improving the General Survey design process, such as on its breadth of scope, as well as on changes in the format and content of the questionnaires and report forms that could facilitate their use at national level and improve the receipt of timely and quality contributions.

3.1.2. Reporting and preparation

- 58.** The proposals on e-reporting outlined above should assist in facilitating the fulfilment by Governments of their reporting obligations and the submission of observations by the social partners,³² as well as the more effective processing of all inputs with a view to assisting in the preparation of General Surveys and maximizing the use made and the knowledge extracted from the information received.
- 59.** The value of General Surveys hinges upon the rate and quality of the reports submitted by constituents. In order to enhance both, it is proposed that the Office prepare an action plan in this respect, which could include actions to best leverage its structure (for example, through standards’ specialists in the field – which could link their outreach on the content of adopted General Surveys with assistance in the submission of contributions to future ones) and training programmes, such as those offered to assist the reporting processes (for example, by the International Training Centre of the ILO in Turin) focusing further on the preparation of reports under article 19, paragraphs 5(e) and 6(d).
- 60.** The Governing Body could also invite the CEACR to further discuss and make proposals on its possible contribution to optimizing the use made of article 19, paragraphs 5(e) and 6(d), in light of the different purposes of these provisions, particularly in relation to the preparation and discussion of General Surveys. This could include measures concerning the presentation

³¹ [Social Justice Declaration](#), Annex, II(B)(i). The framework for recurrent discussions adopted by the Governing Body in November 2017 suggests that “efforts should be made to ... (c) develop the General Survey questionnaire following a targeted thematic approach based on the principles and provisions of the standards concerned and in light of the issues to be addressed by the corresponding recurrent discussion, while striving to ease the reporting obligations for member States. Where necessary, limited additional questions, including on broader policy matters and linked to the achievement of the broader strategic objective, could be added to the article 19 questionnaire to elicit information from Members which otherwise is not available to the Office but is important to inform the preparation of the recurrent discussion report;” ([GB.331/INS/3](#), appendix, para. 18(c)).

³² More systematic provision of assistance by the Office for the preparation of article 19 reports could be envisaged as an additional improvement within existing resources and building on recent efforts in this regard.

of the General Surveys, so as to ensure a user-friendly approach and format that maximizes their value for constituents.

61. Inputs from constituents are sought on improving the General Survey reporting rate and quality.

3.1.3. Tripartite discussion and follow-up

62. Many constituents emphasized during the recent informal consultations that insufficient time and attention is devoted to the discussion of General Surveys during the CAS. Furthermore, the Conference has explicitly requested the ILO to “adopt modalities to ensure that General Surveys and the related discussion by the Committee on the Application of Standards contribute to the recurrent discussions as appropriate”.³³ With a view to enhancing its role in giving effect to the objectives of article 19, paragraphs 5(e) and 6(d), consistent with the expansion of its mandate as a consequence of the introduction of these provisions, the CAS could explore other ways of improving its discussion of General Surveys, including through seeking to reduce to the minimum necessary the time afforded to opening items, recourse to experts on the subject concerned, appointed pursuant to article 18 of the Constitution. These and other modalities could be explored during the informal tripartite consultations on the working methods of the CAS,³⁴ with a view to giving effect to the ILC resolution on advancing social justice through decent work, which called for the exploration of options to make better use of article 19, paragraphs 5(e) and 6(d).³⁵
63. In addition, building on specific suggestions put forward by certain constituents, the Governing Body could consider the inclusion of a standing item in its November session following the discussion of the General Survey by the CAS with a view to enhancing the discussion and follow-up of General Surveys, and particularly to promoting the ratification of standards and their implementation by non-ratifying countries. The item could include, among other options for tripartite constituents to consider, an invitation to non-ratifying countries (on a voluntary basis) to share their experience, difficulties and efforts, with a view to encouraging ratification and giving recognition to any measures taken. The item could assist in the preparation of the related recurrent discussion and enhance the linkage between the findings of General Surveys and their discussion (including any conclusions drawn by the CAS) with ILO activities and cooperation. For example, this might lead, where appropriate, to the inclusion of the outcome of discussions arising out of General Surveys in the action plan to follow up the conclusions of the recurrent discussion.
64. The outcome of the CAS and Governing Body discussions could inform not only the recurrent discussion, but also the SRM (in its review of instruments) and ILC agenda-setting processes, and more broadly the preparation and implementation of the ILO’s strategic policy framework.³⁶ The following figure illustrates how, as a first step, the strengthening

³³ *Provisional Record No. 13-1, ILC, 105th Session*, para. 15.2(b).

³⁴ The informal tripartite consultations on the working methods of the CAS agreed to pursue consideration of the discussion of the General Surveys by the CAS at its next meeting, to be held during the 332nd Session of the Governing Body (March 2018). For a report of the last meeting see [GB.331/INS/17](#).

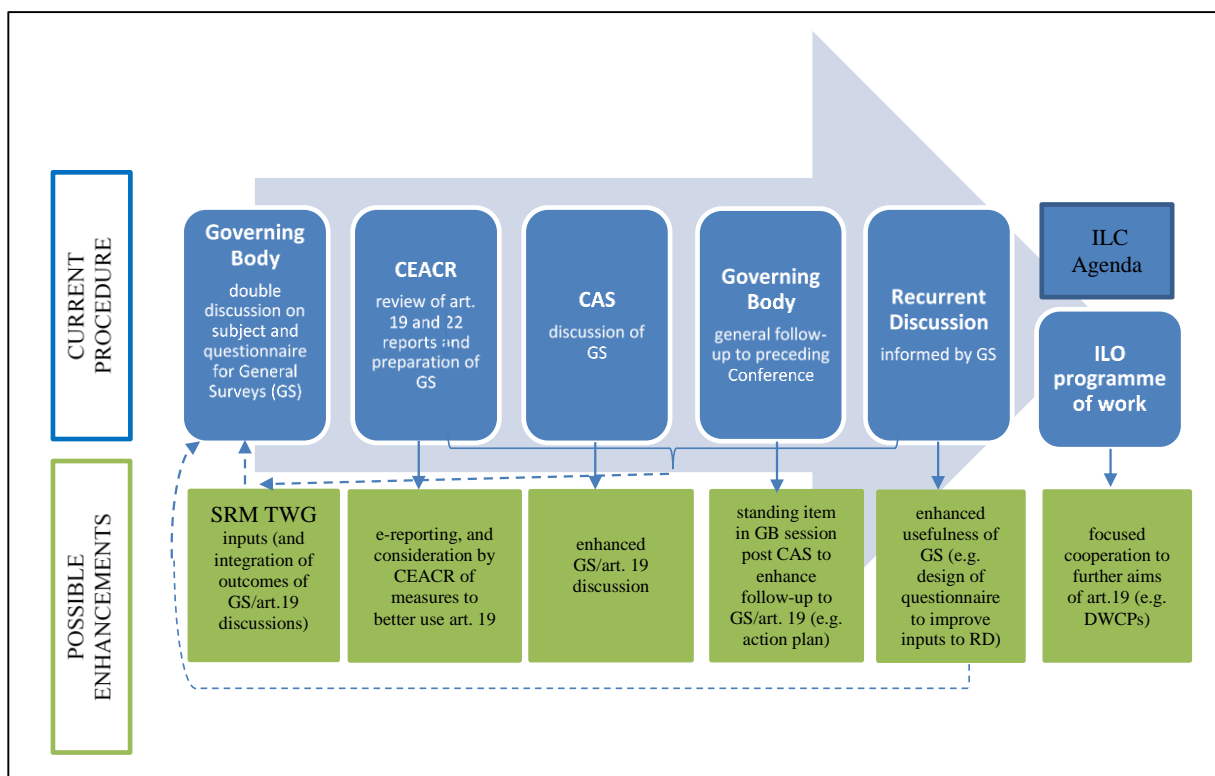
³⁵ See *Defending values, promoting change: Social justice in a global economy*. Report of the Director-General (Part I), ILC, 81st Session, 1994.

³⁶ See [GB.331/POL/1](#) on Outcome 2 of the Programme and Budget concerning the ratification and application of international labour standards.

of institutional discussions linked to, but also going beyond General Surveys, could enhance the use of article 19 and promote coherence.

65. Inputs from constituents are sought on enhancing the value of the tripartite discussion and follow-up to General Surveys.

Figure 5. Possible enhancements for a better use of article 19, paragraphs 5(e) and 6(d) (building on General Survey procedures)



3.2. *Annual Review under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work*

66. Following up on the 2017 Conference resolution and conclusions concerning the second recurrent discussion on fundamental principles and rights at work, including the call for the annual follow-up to the ILO Declaration on Fundamental Principles and Rights at Work to be more accessible and visible³⁷ it is envisaged that more detailed proposals will be submitted for consideration by the Governing Body in March 2018 on the Annual Review and its coordination with other processes in support of fundamental principles and rights at work as enabling rights for the full realization of all the strategic objectives. Some of the elements outlined above in relation to General Surveys could be borne in mind in this context with a view to maximizing the synergies between processes, particularly in relation to the forms and arrangements for reporting, the processing and presentation of information, discussions and exchanges of views among tripartite constituents, and follow-up at the national level and through ILO action.

³⁷ *Provisional Record No. 11-1, ILC, 106th Session, 2017.*

II. Three actions submitted for guidance

1. Regular conversation between the supervisory bodies (action 1.2)

67. This action responds to the need for the enhanced transparency, coherence and sustainability of the supervisory system.³⁸ It should also be noted in this respect that a number of reservations have been expressed by constituents concerning the added value of the option outlined previously to hold an annual meeting between the supervisory bodies.
68. The Governing Body is also due to consider three other actions arising out of the “Joint Position of the Workers’ and Employers’ groups on the ILO Supervisory Mechanism (13 March 2017)” in relation to:
- (i) the presentation of a report of activities by the Chairperson of the CFA to the CAS, starting at the 107th (2018) Session of the Conference;
 - (ii) the publication of summary reports on missions requested in the conclusions of the CAS; and
 - (iii) publication of the follow-up to these conclusions in a separate part of the report of the CEACR from its 88th Session (November–December 2017), and based on the examination by the CEACR of its working methods.

2. Consideration of the codification of the article 26 procedure (action 2.1)

69. This action responds to the need to enhance accessibility, transparency, clarity and due process. Under the workplan, in November 2017 the Governing Body is due to provide guidance on the next steps in relation to the article 26 procedure, following the discussion of the article 24 procedure.³⁹ While some constituents have expressed support for the codification of the article 26 procedure, others have expressed important reservations on its usefulness and appropriateness at this stage.
70. However, consensus seems to have emerged on a staged approach whereby, as a first stage, the clarification of existing rules and practices, and linkages with other procedures, would be addressed through the *Guide on established practices across the supervisory system* to be prepared by the Office (see action 1.1 below). A second stage could consist of a tripartite discussion of the possible codification of the article 26 procedure, based on the information provided in the guide, as well as the ongoing discussions of other procedures, and particularly article 24 (action 2.2).

3. Consideration of further steps to ensure legal certainty (action 2.3)

71. This action responds to the need for enhanced transparency, integrity, clarity and due process. Under the workplan, the Governing Body is due to provide guidance on the

³⁸ GB.329/INS/5, paras 17–19 and GB.329/INS/5(Add.)(Rev.), para. 4(b).

³⁹ GB.329/INS/5, para. 23 and GB.329/INS/5(Add.)(Rev.), para. 4(b).

modalities for a possible future tripartite exchange of views on article 37(2), of the Constitution.⁴⁰ An option for consideration would be to: (i) first hold informal tripartite consultations on the elements and conditions necessary for the operation of an independent body under article 37, paragraph 2, on the basis of a preparatory document prepared by the Office, referring to prior discussions and documents, with a view to (ii) subsequently placing the item on the agenda of the Governing Body for consideration.⁴¹

Draft decision

72. 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 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. 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 (paragraph 14);***
- (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) measures 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 (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); and***

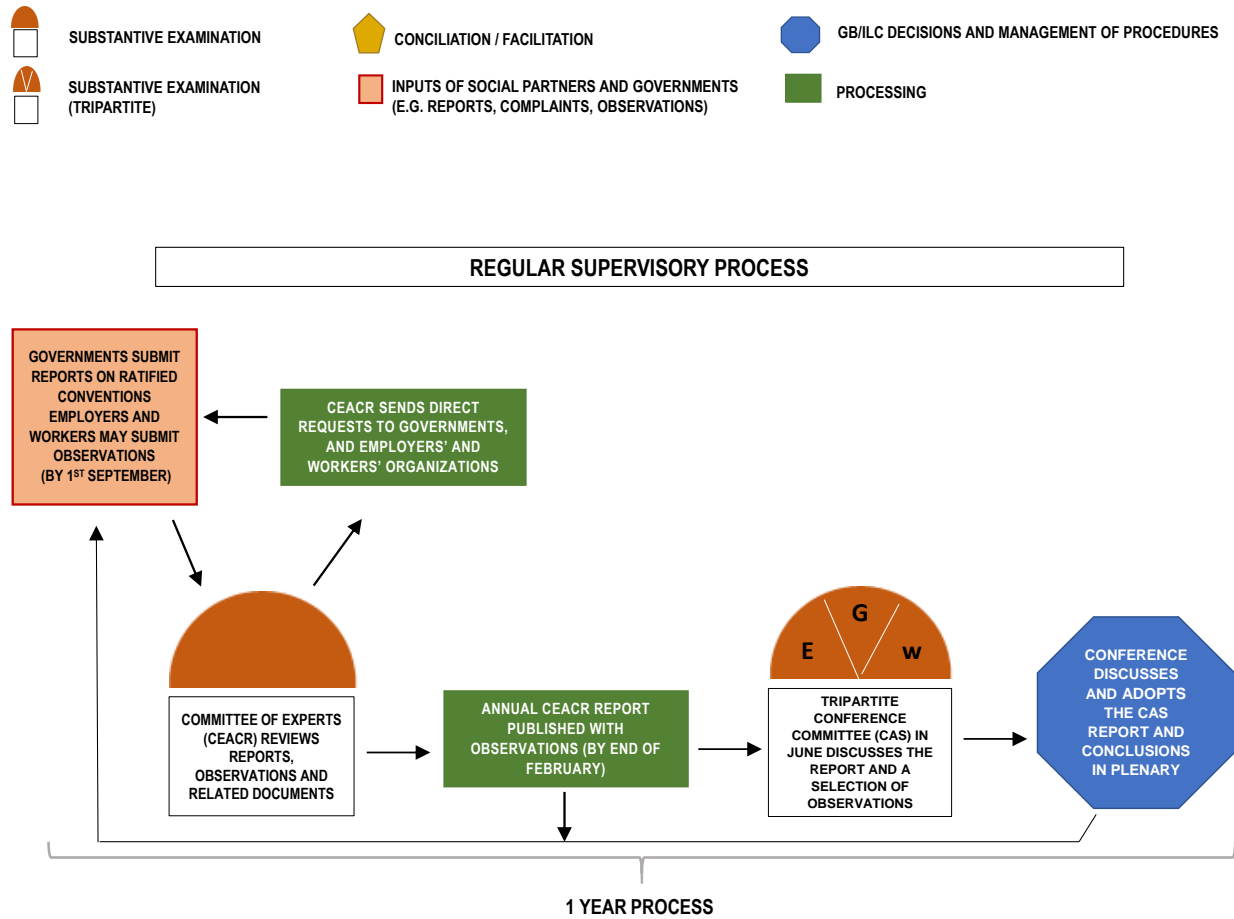
⁴⁰ GB.329/INS/5, para. 26 and GB.329/INS/5(Add.)(Rev.), para. 4(b).

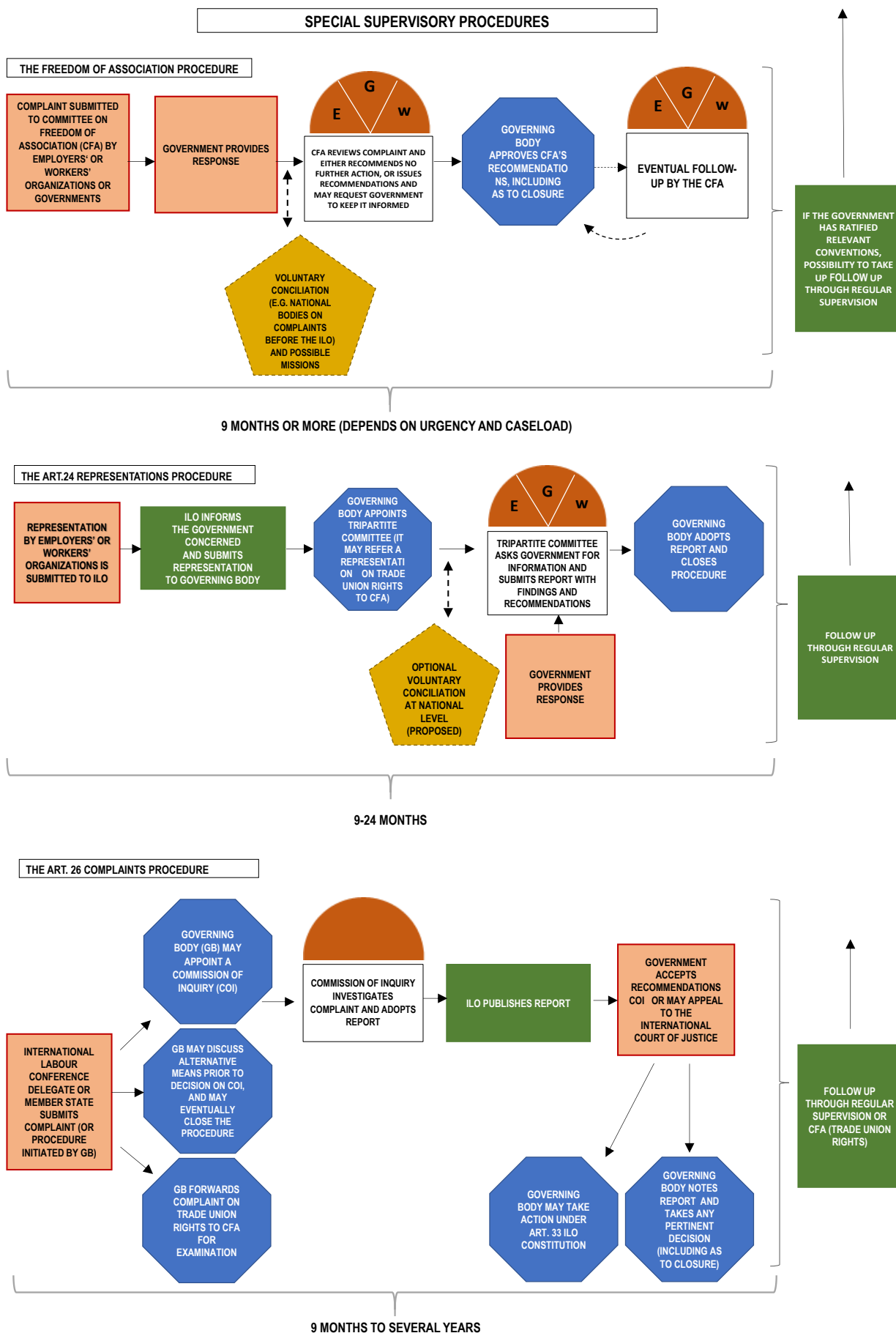
⁴¹ Discussion of the operation of article 37(2) would be without prejudice to any consideration of the use of article 37(1) that the Governing Body may wish to have in the future.

- (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) *Invites the Committee on Freedom of Association, 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 representation referred to it be examined according to the 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).*
- (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 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 (section 2.2.2.2).*

Appendix I

Overview of the supervisory system



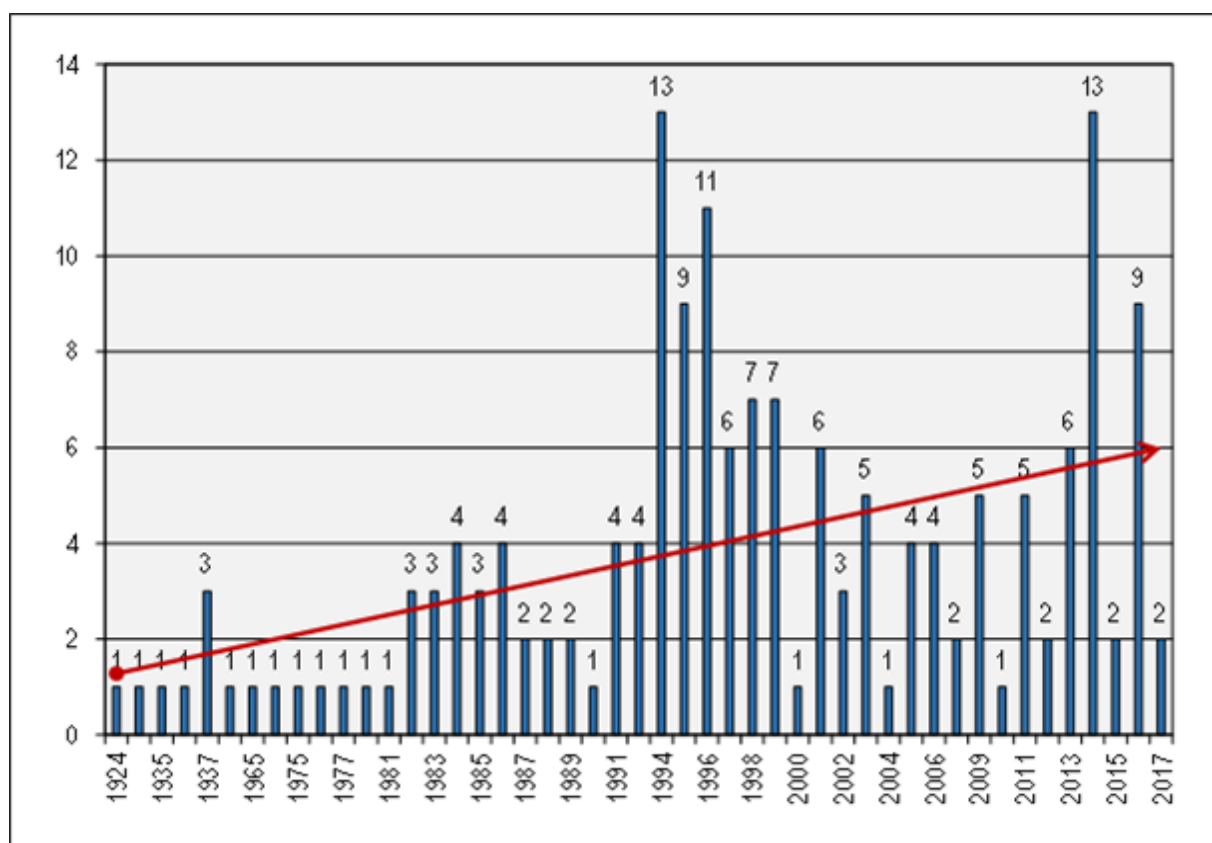


Appendix II

Information about the use and operation of the article 24 procedure ¹

- At present, there are four pending article 24 representations. At the beginning of 2016, there were 20 pending representations, 11 of which were completed by the end of the year.
- Two main periods can be distinguished in terms of volume of use (see the figure below): (i) 1924–89 (38 representations, or an average of one every two years); and (ii) 1990–16 (131 representations, or an average of five a year, which is a tenfold increase in volume in the second period).

Figure 1. Number of representations submitted under article 24 of the ILO Constitution (1924–17)
(The figure includes only years when at least one representation was submitted)



- Article 24 representation procedures usually take between nine and 24 months from when they are found to be receivable until the tripartite committee submits its report to the Governing Body (the average duration over the past five years has been 17 months). Most often, this involves two or three meetings of the tripartite committee over two, not necessarily consecutive, Governing Body sessions.

¹ This information is in addition to the figures concerning article 24 representations produced in the joint report; see figures 1–3 of Appendix II.

- As to working methods, the Standing Orders on the representations procedure, together with its Introductory Note, provide the rules and practices applicable to the handling of article 24 representations, within which each ad hoc committee decides on the organization of its examination of the merits. The powers of the ad hoc committee are set out in article 4 of the Standing Orders, which concerns matters such as requesting the complainant or the Government concerned to provide further information or prolonging any time limits.
- During the examination of a representation, the CEACR suspends its examination of the issues covered by the representation until the Governing Body has taken a decision. Therefore, until the procedure comes to an end, this may preclude examination of the matter by the CAS. This should be taken into account in the decision by the social partners to have recourse to an article 24 representation or an article 23 observation to the CEACR.
- Conversely, the initiation of an article 24 procedure does not preclude the initiation of an article 26 procedure, which may be decided by the Governing Body at any juncture during the article 24 procedure (this was made clear during the *travaux préparatoires* for the Standing Orders on representation procedures).
- Representations have been made against 71 of the 187 member States of the ILO. Of these, 24 member States have been the subject of only one representation, and seven have been the subject of eight or more.
- The receivability of a representation is usually determined within three to six months from the time that it is lodged, depending on the timing of the Governing Body sessions. In some cases, the question of receivability is considered twice by the Officers of the Governing Body, in which case the timeline for a decision on receivability may be extended to one year. The tripartite committee is normally established at the same session of the Governing Body that the representation is deemed receivable, or in the months before the next session of the Governing Body. In the case of the renewal of the Governing Body, the groups may wish to delay the establishment of a tripartite committee until the new membership is appointed.

Appendix III

Model electronic form for the submission of a representation under article 24 of the ILO Constitution

Information and further instructions on the article 24 procedure and its implications, as well as on other available ILO supervisory mechanisms, may be found here [\[hyperlink\]](#). For further support you may contact: for employers' organizations [\[ACT/EMP contact\]](#) and for workers' organizations [\[ACTRAV contact\]](#).

(Please provide information on why you are submitting your allegations through an article 24 representation procedure, as opposed to other procedures)

Receivability

1. Please indicate the name of the industrial association of employers or workers making the representation:

(Please provide information on the organization concerned, its statutes, contact details, etc.)

2. Please indicate the Member of the Organization against which the representation is made:

3. Please indicate the ratified Convention(s) of which non-observance is alleged:

(Please also specify the ratification date(s))

4. Please use the [expandable] space below to inform the ILO Director-General in what respect it is alleged that the Member against which the representation is made has failed to secure the effective observance within its jurisdiction of the Convention(s) indicated above, making specific reference to article 24 of the ILO Constitution. Please provide any relevant information in support of your allegations:

Other information

5. Please indicate whether the issue has already been examined by, or submitted to, the national competent authorities (including national courts, social dialogue mechanisms or mechanisms to resolve disputes before the ILO that may exist in the country) and provide any information

on the state and outcome of the procedures engaged. Exhaustion of national procedures is not a prerequisite for the submission of a representation. However, in certain cases, the procedure to examine the representation may allow for conciliation or other measures at the national level – see the following question:

6. Please indicate if: (i) your organization would wish to explore the possibility of seeking conciliation or other measures at the national level for a limited period of time in order to address the allegations (subject to the agreement of the Government; and with the possibility for your organization to request the procedure to resume at an earlier moment should the conciliation/other measures fail); (ii) if so, please indicate if you would wish to have recourse to the intervention or technical assistance of the Office or the secretariats of the Employers' or Workers' groups in this regard.

7. Please indicate whether, to your knowledge, the allegations have already been examined by or submitted to ILO supervisory bodies and, if so, in what respect any currently submitted allegations are different from those already examined or submitted.

Appendix IV

Follow up of article 24 representations by the ad hoc tripartite committee

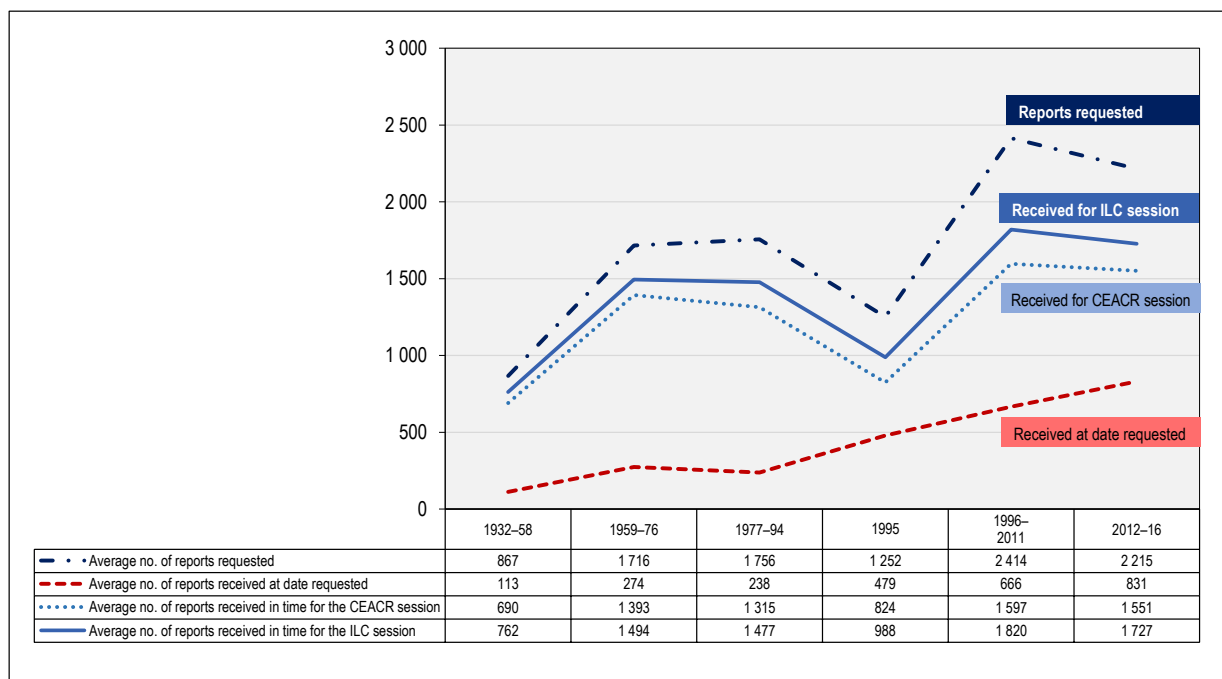
- At present, once the recommendations of an ad hoc committee concerning an article 24 representation have been approved by the Governing Body, the representations procedure is closed. Subsequently, any follow-up is subsumed by the regular supervisory system (in particular the CEACR) as part of the reporting obligations of the government concerned in relation to the ratified Convention(s). It may be recalled that during the examination of a representation, the regular supervisory bodies (CEACR and CAS) interrupt their examination of the matter, to avoid any overlap and await for the recommendations of the tripartite committee.
- Should the Governing Body decide to consider the possibility to have ad hoc tripartite committees supervise the follow-up to its recommendations, it may wish to consider the following matters and implications:
 - (i) The Governing Body would retain the monitoring of progress made by governments on the recommendations of ad hoc committees. The ad hoc committees would bring familiarity with the various elements of the representation to an assessment of whether the action meets its recommendations.
 - (ii) There would be further visibility and tripartite governance in assessing the action taken by governments in giving effect to such recommendations.
 - (iii) The government would report back to the ad hoc tripartite committee on the effect given to its recommendations within a time period to be defined, during which the procedure would remain open.
 - (iv) The ad hoc tripartite committee would meet again, as it does for active cases during the Governing Body sessions, with a view to reviewing the follow-up reported by the government and determining whether such follow-up can be deemed satisfactory and result in the closure of the procedure.
 - (v) If the procedure remains open from one Governing Body term to the next the members of the ad hoc committee may need to be replaced.
 - (vi) Until the closure of the procedure, the regular supervisory mechanisms (CEACR and CAS) would not be able to examine the particular matters concerned by the representation.
 - (vii) After closure of the representations procedure the regular supervisory bodies would continue supervising all matters relating to the application of the ratified Convention(s).

Appendix V

Historical overview of the main adjustments made to the reporting system (article 22)

Up to 1959	Detailed reports (to be prepared in accordance with the report forms) were requested each year on each Convention
1959	Lengthening of the reporting cycle from one to two years; each year, a general report would be requested for Conventions on which no detailed report was due that year
1976 GB.201/14/32	<ul style="list-style-type: none"> ■ further lengthening of the reporting cycle from two to four years, except for certain Conventions considered to be the “most important” ■ following the first report, the next two reports would be requested every two years for all Conventions ■ safeguards: a report could be requested outside the cycle; role of observations by workers’ or employers’ organizations; right to invoke other procedures (articles 24–26)
1985 GB.229/10/19	<ul style="list-style-type: none"> ■ reports would no longer be requested for a group of Conventions that no longer corresponded to the needs of the day ■ safeguards were reiterated
1993 GB.258/6/19	<ul style="list-style-type: none"> ■ detailed reports would be requested at two-yearly intervals only on ten “priority” Conventions ■ for all the others, the four-year reporting cycle would be replaced by a five-year interval with “simplified” reports ■ the number of detailed “first” reports would be reduced from three to two ■ requests for annual “general” reports would be discontinued ■ safeguards were reiterated
2001–02 GB.282/LILS/5 GB.282/8/2 GB.283/LILS/6	<ul style="list-style-type: none"> ■ there would be only one “first” report (detailed report) ■ all other reports requested would be simplified reports ■ grouping of Conventions by subject for reporting purposes
2007 GB.298/LILS/4 GB.298/9	<ul style="list-style-type: none"> ■ discussion of various options for streamlining the submission of information and reports, including a country-based approach; preference for an intensified thematic approach for technical Conventions
2007–11 GB.300/LILS/6	<ul style="list-style-type: none"> ■ discussion on the content of report forms <p>See also: GB.303/LILS/4/1; GB.306/LILS/4; GB.307/LILS/3; GB.310/LILS/3/2</p>
2009 GB.304/LILS/4 GB.306/LILS/4	<ul style="list-style-type: none"> ■ evaluation of the grouping of Conventions by subject for reporting purposes
2011 GB.310/LILS/3/2 GB.310/11/2	<ul style="list-style-type: none"> ■ approval of the three-year reporting cycle for fundamental and governance Conventions, and the five-year reporting cycle for technical Conventions, with the existing grouping of Conventions by subject matter implemented as of 2012

Figure 1. Average number of reports requested and received on ratified Conventions
(article 22 of the Constitution)



Appendix VI

Grouping of Conventions for reporting purposes under the regular supervisory procedure ¹

Freedom of association and collective bargaining (FPRW) ²

Fundamental Conventions

C.087 – Freedom of Association and Protection of the Right to Organise Convention,
1948 (No. 87)

C.098 – Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

Technical Conventions

(Freedom of association and collective bargaining)

C.011 – Right of Association (Agriculture) Convention, 1921 (No. 11)

C.084 – Right of Association (Non-Metropolitan Territories) Convention, 1947 (No. 84)

C.135 – Workers’ Representatives Convention, 1971 (No. 135)

C.141 – Rural Workers’ Organisations Convention, 1975 (No. 141)

C.151 – Labour Relations (Public Service) Convention, 1978 (No. 151)

C.154 – Collective Bargaining Convention, 1981 (No. 154)

Forced labour (FPRW)

Fundamental Conventions

C.029 – Forced Labour Convention, 1930 (No. 29)

P029 – Protocol of 2014 to the Forced Labour Convention, 1930

C.105 – Abolition of Forced Labour Convention, 1957 (No. 105)

Child labour (FPRW)

Fundamental Conventions

C.138 – Minimum Age Convention, 1973 (No. 138)

C.182 – Worst Forms of Child Labour Convention, 1999 (No. 182)

¹ The six Conventions which have been proposed for abrogation by the Governing Body at its 328th Session (October–November 2016), for decision by the Conference in 2018, are marked with two asterisks (**). Moreover, the shelved Conventions, for which reports would be requested only upon specific request from the supervisory bodies (GB.229/10/19), have been marked with one asterisk (*).

² For information, the classification under the corresponding strategic objective (GB.310/LILS/3/1(Rev.)) is highlighted in yellow.

Technical Conventions (Protection of children and young persons)

- C.005 – Minimum Age (Industry) Convention, 1919 (No. 5)
- C.006 – Night Work of Young Persons (Industry) Convention, 1919 (No. 6)
- C.010 – Minimum Age (Agriculture) Convention, 1921 (No. 10)
- C.033 – Minimum Age (Non-Industrial Employment) Convention, 1932 (No. 33)
- C.059 – Minimum Age (Industry) Convention (Revised), 1937 (No. 59)
- C.077 – Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77)
- C.078 – Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78)
- C.079 – Night Work of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 79)
- C.090 – Night Work of Young Persons (Industry) Convention (Revised), 1948 (No. 90)
- C.123 – Minimum Age (Underground Work) Convention, 1965 (No. 123)
- C.124 – Medical Examination of Young Persons (Underground Work) Convention, 1965 (No. 124)

Equality of opportunity and treatment (FPRW)

Fundamental Conventions

- C.100 – Equal Remuneration Convention, 1951 (No. 100)
- C.111 – Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

Technical Conventions (Workers with Family Responsibilities)

- C.156 – Workers with Family Responsibilities Convention, 1981 (No. 156)

Tripartite consultation (Social dialogue and tripartism)

Governance Convention

- C.144 – Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)

Labour administration and inspection (Social dialogue and tripartism)

Governance Conventions

- C.081 – Labour Inspection Convention, 1947 (No. 81)
- P.081 – Protocol of 1995 to the Labour Inspection Convention, 1947
- C.129 – Labour Inspection (Agriculture) Convention, 1969 (No. 129)

Technical Conventions
(Labour administration and inspection)

- C.063 – Convention concerning Statistics of Wages and Hours of Work, 1938 (No. 63)
- C.085 – Labour Inspectorates (Non-Metropolitan Territories) Convention, 1947 (No. 85)
- C.150 – Labour Administration Convention, 1978 (No. 150)
- C.160 – Labour Statistics Convention, 1985 (No. 160)

Employment policy (Employment)

Governance Convention

- C.122 – Employment Policy Convention, 1964 (No. 122)

Technical Conventions
(Employment policy)

- C.002 – Unemployment Convention, 1919 (No. 2)
- C.034 – Fee-Charging Employment Agencies Convention, 1933 (No. 34)*
- C.088 – Employment Service Convention, 1948 (No. 88)
- C.096 – Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96)
- C.159 – Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)
- C.181 – Private Employment Agencies Convention, 1997 (No. 181)

Skills (Employment)

Technical Conventions

- C.140 – Paid Educational Leave Convention, 1974 (No. 140)
- C.142 – Human Resources Development Convention, 1975 (No. 142)

Employment security (Employment)

Technical Convention

- C.158 – Termination of Employment Convention, 1982 (No. 158)

Wages (Social protection)

- C.026 – Minimum Wage-Fixing Machinery Convention, 1928 (No. 26)
- C.095 – Protection of Wages Convention, 1949 (No. 95)
- C.099 – Minimum Wage Fixing Machinery (Agriculture) Convention, 1951 (No. 99)
- C.131 – Minimum Wage Fixing Convention, 1970 (No. 131)
- C.173 – Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173)

Working time (Social protection)

- C.001 – Hours of Work (Industry) Convention, 1919 (No. 1)

- C.014 – Weekly Rest (Industry) Convention, 1921 (No. 14)
- C.020 – Night Work (Bakeries) Convention, 1925 (No. 20)*
- C.030 – Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)
- C.043 – Sheet-Glass Works Convention, 1934 (No. 43)*
- C.047 – Forty-Hour Week Convention, 1935 (No. 47)
- C.049 – Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935 (No. 49)*
- C.052 – Holidays with Pay Convention, 1936 (No. 52)
- C.089 – Night Work (Women) Convention (Revised), 1948 (No. 89)
- P.089 – Protocol of 1990 to the Night Work (Women) Convention (Revised), 1948
- C.101 – Holidays with Pay (Agriculture) Convention, 1952 (No. 101)
- C.106 – Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)
- C.132 – Holidays with Pay Convention (Revised), 1970 (No. 132)
- C.153 – Hours of Work and Rest Periods (Road Transport) Convention, 1979 (No. 153)
- C.171 – Night Work Convention, 1990 (No. 171)
- C.175 – Part-Time Work Convention, 1994 (No. 175)

Occupational safety and health (Social protection)

- C.013 – White Lead (Painting) Convention, 1921 (No. 13)
- C.045 – Underground Work (Women) Convention, 1935 (No. 45)
- C.062 – Safety Provisions (Building) Convention, 1937 (No. 62)
- C.115 – Radiation Protection Convention, 1960 (No. 115)
- C.119 – Guarding of Machinery Convention, 1963 (No. 119)
- C.120 – Hygiene (Commerce and Offices) Convention, 1964 (No. 120)
- C.127 – Maximum Weight Convention, 1967 (No. 127)
- C.136 – Benzene Convention, 1971 (No. 136)
- C.139 – Occupational Cancer Convention, 1974 (No. 139)
- C.148 – Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)
- C.155 – Occupational Safety and Health Convention, 1981 (No. 155)
- P.155 – Protocol of 2002 to the Occupational Safety and Health Convention, 1981
- C.161 – Occupational Health Services Convention, 1985 (No. 161)
- C.162 – Asbestos Convention, 1986 (No. 162)
- C.167 – Safety and Health in Construction Convention, 1988 (No. 167)
- C.170 – Chemicals Convention, 1990 (No. 170)
- C.174 – Prevention of Major Industrial Accidents Convention, 1993 (No. 174)
- C.176 – Safety and Health in Mines Convention, 1995 (No. 176)
- C.184 – Safety and Health in Agriculture Convention, 2001 (No. 184)
- C.187 – Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)

Social security (Social protection)

- C.012 – Workmen’s Compensation (Agriculture) Convention, 1921 (No. 12)
- C.017 – Workmen’s Compensation (Accidents) Convention, 1925 (No. 17)
- C.018 – Workmen’s Compensation (Occupational Diseases) Convention, 1925 (No. 18)
- C.019 – Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19)
- C.024 – Sickness Insurance (Industry) Convention, 1927 (No. 24)
- C.025 – Sickness Insurance (Agriculture) Convention, 1927 (No. 25)
- C.035 – Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35)*
- C.036 – Old-Age Insurance (Agriculture) Convention, 1933 (No. 36)*
- C.037 – Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37*)
- C.038 – Invalidity Insurance (Agriculture) Convention, 1933 (No. 38)*
- C.039 – Survivors’ Insurance (Industry, etc.) Convention, 1933 (No. 39)*
- C.040 – Survivors’ Insurance (Agriculture) Convention, 1933 (No. 40)*
- C.042 – Workmen’s Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42)
- C.044 – Unemployment Provision Convention, 1934 (No. 44)*
- C.048 – Maintenance of Migrants’ Pension Rights Convention, 1935 (No. 48)*
- C.102 – Social Security (Minimum Standards) Convention, 1952 (No. 102)
- C.118 – Equality of Treatment (Social Security) Convention, 1962 (No. 118)
- C.121 – Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121)
- C.128 – Invalidity, Old-Age and Survivors’ Benefits Convention, 1967 (No. 128)
- C.130 – Medical Care and Sickness Benefits Convention, 1969 (No. 130)
- C.157 – Maintenance of Social Security Rights Convention, 1982 (No. 157)
- C.168 – Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)

Maternity protection (Social protection)

- C.003 – Maternity Protection Convention, 1919 (No. 3)
- C.103 – Maternity Protection Convention (Revised), 1952 (No. 103)
- C.183 – Maternity Protection Convention, 2000 (No. 183)

Social policy (Social protection)

- C.082 – Social Policy (Non-Metropolitan Territories) Convention, 1947 (No. 82)
- C.094 – Labour Clauses (Public Contracts) Convention, 1949 (No. 94)
- C.117 – Policy (Basic Aims and Standards) Convention, 1962 (No. 117)

Migrant workers (Cross-cutting)

- C.021 – Inspection of Emigrants Convention, 1926 (No. 21)**

- C.097 – Migration for Employment Convention (Revised), 1949 (No. 97)
 C.143 – Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)

Seafarers (Cross-cutting)

- C.007 – Minimum Age (Sea) Convention, 1920 (No. 7)
 C.008 – Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8)
 C.009 – Placing of Seamen Convention, 1920 (No. 9)
 C.016 – Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16)
 C.022 – Articles of Agreement Convention, 1926 (No. 22)
 C.023 – Repatriation of Seamen Convention, 1926 (No. 23)
 C.053 – Officers' Competency Certificates Convention, 1936 (No. 53)
 C.054 – Holidays with Pay (Sea) Convention, 1936 (No. 54)
 C.055 – Shipowners' Liability (Sick and Injured Seamen) Convention, 1936 (No. 55)
 C.056 – Sickness Insurance (Sea) Convention, 1936 (No. 56)
 C.057 – Hours of Work and Manning (Sea) Convention, 1936 (No. 57)
 C.058 – Minimum Age (Sea) Convention (Revised), 1936 (No. 58)
 C.068 – Food and Catering (Ships' Crews) Convention, 1946 (No. 68)
 C.069 – Certification of Ships' Cooks Convention, 1946 (No. 69)
 C.070 – Social Security (Seafarers) Convention, 1946 (No. 70)
 C.071 – Seafarers' Pensions Convention, 1946 (No. 71)
 C.072 – Paid Vacations (Seafarers) Convention, 1946 (No. 72)
 C.073 – Medical Examination (Seafarers) Convention, 1946 (No. 73)
 C.074 – Certification of Able Seamen Convention, 1946 (No. 74)
 C.075 – Accommodation of Crews Convention, 1946 (No. 75)
 C.076 – Wages, Hours of Work and Manning (Sea) Convention, 1946 (No. 76)
 C.091 – Paid Vacations (Seafarers) Convention (Revised), 1949 (No. 91)*
 C.092 – Accommodation of Crews Convention (Revised), 1949 (No. 92)
 C.093 – Wages, Hours of Work and Manning (Sea) Convention (Revised), 1949 (No. 93)
 C.108 – Seafarers' Identity Documents Convention, 1958 (No. 108)
 C.109 – Wages, Hours of Work and Manning (Sea) Convention (Revised), 1958 (No. 109)
 C.133 – Accommodation of Crews (Supplementary Provisions) Convention,
 1970 (No. 133)
 C.134 – Prevention of Accidents (Seafarers) Convention, 1970 (No. 134)
 C.145 – Continuity of Employment (Seafarers) Convention, 1976 (No. 145)
 C.146 – Seafarers' Annual Leave with Pay Convention, 1976 (No. 146)
 C.147 – Merchant Shipping (Minimum Standards) Convention, 1976 (No. 147)
 P.147 – Protocol of 1996 to the Merchant Shipping (Minimum Standards)
 Convention, 1976
 C.163 – Seafarers' Welfare Convention, 1987 (No. 163)

- C.164 – Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164)
- C.165 – Social Security (Seafarers) Convention (Revised), 1987 (No. 165)
- C.166 – Repatriation of Seafarers Convention (Revised), 1987 (No. 166)
- C.178 – Labour Inspection (Seafarers) Convention, 1996 (No. 178)
- C.179 – Recruitment and Placement of Seafarers Convention, 1996 (No. 179)
- C.180 – Seafarers’ Hours of Work and the Manning of Ships Convention, 1996 (No. 180)
- C.185 – Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185)
- MLC, 2006 – Maritime Labour Convention, 2006 (MLC, 2006)

Fishers (Cross-cutting)

- C.112 – Minimum Age (Fishermen) Convention, 1959 (No. 112)
- C.113 – Medical Examination (Fishermen) Convention, 1959 (No. 113)
- C.114 – Fishermen’s Articles of Agreement Convention, 1959 (No. 114)
- C.125 – Fishermen’s Competency Certificates Convention, 1966 (No. 125)
- C.126 – Accommodation of Crews (Fishermen) Convention, 1966 (No. 126)
- C.188 – Work in Fishing Convention, 2007 (No. 188)

Dockworkers (Cross-cutting)

- C.027 – Marking of Weight (Packages Transported by Vessels) Convention, 1929 (No. 27)
- C.032 – Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32)
- C.137 – Dock Work Convention, 1973 (No. 137)
- C.152 – Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152)

Indigenous and tribal peoples (Cross-cutting)

- C.050 – Recruiting of Indigenous Workers Convention, 1936 (No. 50)**
- C.064 – Contracts of Employment (Indigenous Workers) Convention, 1939 (No. 64)**
- C.065 – Penal Sanctions (Indigenous Workers) Convention, 1939 (No. 65)**
- C.086 – Contracts of Employment (Indigenous Workers) Convention, 1947 (No. 86)**
- C.104 – Abolition of Penal Sanctions (Indigenous Workers) Convention, 1955 (No. 104)**
- C.107 – Indigenous and Tribal Populations Convention, 1957 (No. 107)
- C.169 – Indigenous and Tribal Peoples Convention, 1989 (No. 169)

Other specific categories of workers (Cross-cutting)

- C.110 – Plantations Convention, 1958 (No. 110)
 - P.110 – Protocol of 1982 to the Plantations Convention, 1958
- C.149 – Nursing Personnel Convention, 1977 (No. 149)
- C.172 – Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172)
- C.177 – Home Work Convention, 1996 (No. 177)
- C.189 – Domestic Workers Convention, 2011 (No. 189)

Appendix VII

Proposed new integrated report form

Simplified reports to be sent under article 22 of the ILO Constitution for [name of country]

The present report form has been approved by the Governing Body of the International Labour Office, in accordance with article 22 of the ILO Constitution, which reads as follows: “Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request.”

Every year, based on this report form, the Office sends to each member State a single request for all the simplified reports which are due that year. In addition, the Office communicates to each member State the list of detailed reports which may also be due the year in question.

- (a) Please provide information on any new legislative or other measures affecting the application of ratified Conventions; where this has not already been done, please forward copies of any relevant texts to the International Labour Office with this report.
- (b) Please reply to the comments which have been addressed to your Government by the Committee of Experts on the Application of Conventions and Recommendations or by the Conference Committee on the Application of Standards, as contained in the annex to this form.⁴⁵
- (c) In so far as it has not already been supplied in reply to question (b), please provide information on the practical application of the Conventions concerned (for example, copies or extracts from official documents including inspection reports, studies and inquiries, statistics); please also state whether courts of law or other tribunals have given decisions involving questions of principle relating to the application of the Conventions concerned. If so, please supply the text of these decisions.
- (d) Please indicate the representative organizations of employers and workers to which copies of the present report have been communicated in accordance with article 23, paragraph 2, of the Constitution of the International Labour Organization.⁴⁶ If copies of the report have not been communicated to representative organizations of employers and/or workers, or if they have been communicated to bodies other than such organizations, please supply information on any particular circumstances existing in your country which explain the procedure followed.

⁴⁵ The annex is established on the basis of the regular reporting cycle and any additional requests for reports addressed to your country by the supervisory bodies for the year in question. It also includes cases in which your country has failed to submit the simplified reports requested the previous year. It does not cover any simplified report due under the Maritime Labour Convention, 2006 (MLC, 2006), for which a specific form will be sent to your country, as appropriate.

⁴⁶ Article 23, para. 2, of the Constitution reads as follows: “Each Member shall communicate to the representative organisations recognised for the purpose of article 3 copies of the information and reports communicated to the Director-General in pursuance of articles 19 and 22.”

- (e) Please indicate whether you have received from the organizations of employers or workers concerned any observations, either of a general kind or in connection with the present or the previous report, regarding the practical application of the provisions of the Conventions concerned. If so, please communicate a copy of the observations received, together with any comments that you consider useful.