

Operating Principles Governing the Work of the Panel

Request for Written Submissions from Member States and Relevant Stakeholders

Member states, during the resumed first session of the Open-ended Working Group (OEWG1.2), requested the Secretariat of the OEWG to solicit written submissions from Member States and relevant stakeholders regarding the operating principles governing the work of the panel.

In support of this request, the Secretariat conducted a webinar (on 26 April 2023) dedicated to the issue of operating principles. In advance of the webinar, the Secretariat released a background document which provides a comparative overview of operating principles of relevant, existing science-policy panels (IPCC, IPBES, IRP and GEO). The recording of the webinar can be found on [this website](#), when available, and the background document is available at [this link](#).

A variety of potential operating principles are presented below, based on the analysis performed for this [background document](#). The following questions in no way attempt to rank or preclude consideration of the operating principles of the future SPP, rather, they draw from the agreed text of Resolution 5/8 and other existing, relevant science-policy bodies, as well as the discussions at the OEWG. You may also suggest relevant potential operating principles that have not been identified yet.

Member States are invited to provide submissions through their respective national focal points (list of focal points available [at this link](#)). Non-government stakeholders are invited to submit their submissions on behalf of their organization or group. You are invited to respond to all or some of the questions below. Once complete, please submit this filled document to SPP-CWP@un.org. All submissions will be uploaded online and will inform a working document to be considered at OEWG 2.

Contact information

What is your name/surname?

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What is your title?

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Who are you submitting on behalf of?

International Labour Organization (ILO)

The following elements are included in Resolution 5/8. Please indicate by clicking on the box(es) where you believe these elements should be included (i.e., operating principles, rules of procedure, guidelines, or other relevant documents, or if they are not relevant). Some key terms have been grouped together for the purpose of this tabular analysis, there is inevitably some overlap across principles.

	Operating Principle	Rules of Procedure	Guidelines	Other	Not relevant
CREDIBILITY					
Robustness/Rigour	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Integrity/Objectivity / Independence/Impartiality/ Lack of Bias (avoiding conflicts of interest)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interdisciplinary / Multidisciplinary / Balance of disciplines	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> a
RELEVANCE/SALIENCE					
Policy-relevant (and not policy prescriptive)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LEGITIMACY					
Inclusivity/Balance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-- indigenous inclusivity	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-- geographic balance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-- regional balance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-- gender balance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-- balance of disciplines (see also Credibility/Interdisciplinary...)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CROSS-CUTTING THEMES					
Transparency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Flexibility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coordination (without duplication) / Complementarity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cost-Effectiveness	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide any relevant comments on your choices above:

Credibility:

As stated in our written submission on a subsequent page, the International Labour Organization (ILO) has independent panels dedicated to assessing the implementation of the ILO's Conventions and Recommendations in its Member States. For instance, the Committee on Freedom of Association, which is part of the ILO and reflects its tripartite structure, was established in 1951. It comprises nine regular members who represent the government, employer, and worker groups of the ILO's Governing Body. Each member participates in an individual capacity. Additionally, there are nine substitute members who can contribute to the Committee's work when regular members are absent. Initially, substitute members were only called upon if regular members were unavailable in order to maintain the original composition. However, a practice adopted in 1958 allows substitute members to participate irrespective of the presence of regular members. They are considered deputy members and are bound by the same rules as regular members. In March 2002, the Committee reviewed its procedures and expressed the desire for government members to be nominated in their personal capacity to ensure a relatively consistent government representation. This underscores the individual nature of the appointments. When a complaint is lodged against a state, representatives or nationals of that state, as well as individuals holding official positions in the national organization of employers or workers that filed the complaint, are prohibited from participating in the Committee's deliberations or being present during the hearing of the specific complaint. These individuals are also not provided with the case-related documents. Geographic balance is fully taken into consideration in the selection of these individuals. The Committee strives to reach unanimous decisions in its proceedings. Please refer below to the experts from the "Special procedures for the examination in the International Labour Organization of complaints alleging violations of freedom of association - Annex I."

QUOTE Composition and functioning of the Committee on Freedom of Association

7. This body is a Governing Body organ reflecting the ILO's own tripartite character. Since its creation in 1951, it has been composed of nine regular members representing in equal proportion the Government, Employer and Worker groups of the Governing Body; each member participates in a personal capacity. Nine substitute members, also appointed by the Governing Body, were originally called upon to participate in the meetings only if, for one reason or another, regular members were not present, so as to maintain the initial composition.

8. The present practice adopted by the Committee in February 1958 and specified in March 2002 gives substitute members the right to participate in the work of the Committee, whether or not all the regular members are present. They have therefore acquired the status of deputy members and must respect the same rules as regular members.

9. At its most recent examination of the procedure in March 2002, the Committee expressed the hope that, in view of the rule that all the members are appointed in their individual capacity, the nominations of Government members would be made in a personal capacity so as to ensure a relative permanence of government representation.

10. No representative or national of the State against which a complaint has been made, or person occupying an official position in the national organization of employers or workers which has made the complaint, may participate in the Committee's deliberations or even be present during the hearing of the complaint in question. Similarly, the documents concerning the case are not supplied to them.

11. The Committee always endeavours to reach unanimous decisions. UNQUOTE

Source: which is available at:
https://www.ilo.org/dyn/normlex/en/f?p=1000:62:0::NO:62:P62_LIST_ENTRIE_ID:4046805:NO

Regarding interdisciplinary, multidisciplinary, and the balance of disciplines in terms of credibility, as well as the balance of disciplines in terms of legitimacy, these selections pertain to the concept of multi-sectoralism, which inevitably involves the inclusion of various sectors, including labour and the world of work. This spirit of balancing sectors should not only be reflected in operations but also in rules of procedure and guidelines.

Inclusiveness:

The ILO promotes an inclusive approach for the panel. The ILO Centenary Declaration for the Future of Work, 2019, emphasizes the need to urgently seize opportunities and address challenges in order to shape a fair, inclusive, and secure future of work that ensures full, productive, and freely chosen employment, as well as decent work for all (I, B). Employers' organizations, such as employer and business membership organizations (EBMOs), and workers' organizations, such as trade unions, must be guaranteed full participation in the panel. Furthermore, equitable representation in the panel should be ensured for women, persons with disabilities, people living with HIV, indigenous and tribal peoples, and other population groups affected by discrimination and exclusion, including on the grounds of race, sexual orientation, and gender identity. In turn, inclusiveness will enhance transparency.

The following table includes other elements that may be considered. Please indicate by clicking on the box(es) where you believe these elements should be included (i.e., operating principles, rules of procedure, guidelines, or other relevant documents, or if they are not relevant). It is also possible to add additional potential operating principles to be considered.

OTHER	Operating Principle	Rules of Procedure	Guidelines	Other	Not relevant
Promotion of innovation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comprehensive, holistic, or integrative approach	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consensus based approach	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Providing accessible outputs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Others [please add]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide any relevant comments on your choices above:

These concepts, namely the promotion of innovation, a comprehensive and holistic approach, a consensus-based approach, and the provision of accessible outputs, are of equal importance and mutually interrelated. Promoting innovation necessitates a comprehensive, holistic, and integrative approach that incorporates a consensus-based approach and ensures the provision of accessible outputs. For instance, the ILO is presently developing a roadmap to support the

Global Strategy on Occupational Safety and Health. This strategy aims to promote a safe and healthy working environment as a fundamental principle and right at work, which is expected to have an impact on the ILO's strategies concerning the sound management of chemicals in the coming years. The ILO's Governing Body has adopted integrated and holistic guiding principles, including social dialogue and participation, a human rights-based and gender-responsive approach, and a focus on prevention throughout the entire lifecycle. These principles are grounded in the relevant international labour standards, specifically the Occupational Safety and Health Convention, 1981 (No. 155) and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) (see: Proposals and roadmap for the review of the Global Strategy on Occupational Safety and Health, adopted at the 91st Session (2003) of the International Labour Conference, and the promotion of a safe and healthy working environment as a new fundamental principle and right at work, GB.347/INS/7, at https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_868728.pdf). To fully implement the panel recommendations, continual monitoring and evaluation will be necessary. This process will be supported by capacity building and adequate technical support.

Please provide your written submission in the space below:

Operating principles and rules of procedure at the ILO's expert panels:

The ILO has developed independent expert committees which supervise the application of the ILO's Conventions and Recommendations in law and practice following their adoption by the International Labour Conference and their ratification by Member States.

Conventions and Recommendations are a set of rules that countries agree to follow to ensure fair and decent working conditions for all. To make sure these standards are implemented, there is a unique system in place called the ILO supervisory system.

This system involves regular checks and assessments conducted by the ILO to see if the Member States are applying the standards they have agreed to. If any issues are found, the ILO helps countries address them through discussions and support.

There are two main parts to the supervisory system:

Regular system of supervision: Member countries submit reports on how they are implementing the standards, and these reports are reviewed by two ILO bodies. Workers' organizations and employers' organizations can also provide their observations on the application of the standards.

The Committee of Experts on the Application of Conventions and Recommendations examines the reports.

The International Labour Conference's Tripartite Committee on the Application of Conventions and Recommendations also reviews the reports.

Special procedures: In addition to the regular system, there are three specific procedures that can be used if there are concerns about the application of the standards:

Procedure for representations: This allows individuals or organizations to submit representations if they believe a ratified Convention is not being properly applied.

Procedure for complaints: Similar to representations, this procedure allows complaints to be submitted if there are issues with the application of ratified Conventions.

Special procedure for complaints regarding freedom of association: This procedure specifically addresses complaints related to freedom of association, which is an important aspect of labour standards.

These supervisory mechanisms help ensure that Conventions and Recommendations are followed by Member States and provide a way to address any shortcomings in their implementation.

The operating principles and rules of procedures of the ILO's regular supervisory bodies should be taken into consideration in developing the operating principles of the science-policy panel on chemicals.

Regular supervisory bodies:

Committee of Experts:

Composition: The Committee of Experts consists of 20 members appointed by the ILO's Governing Body for renewable three-year terms. They are selected based on their impartiality, technical competence, and independent standing.

Responsibilities: The Committee examines reports submitted by member States on their implementation of ratified Conventions, information on inspections, and reports on measures taken under the ILO Constitution. They review documentation such as legislation, collective agreements, court decisions, and input from employers' and workers' organizations.

Work Organization: The Committee meets privately on dates set by the Governing Body of the ILO. Each member is assigned responsibility for specific Conventions or subjects. They present their preliminary findings as draft observations and direct requests. Working parties may be formed to address complex questions. The Committee's comments are traditionally adopted by consensus, and a secretariat is provided by the ILO Director-General.

Reporting: The Committee's findings are published on the ILO website, including a general report on their work, individual observations on the Conventions' application, fulfillment of reporting obligations, and submission of Conventions and Recommendations. Direct requests and replies received are also documented. The report is submitted to the Governing Body and later to the Conference.

Conference Committee on the Application of Standards:

Composition and officers: This committee is tripartite, comprising representatives from governments, employers, and workers. Elections are held within each group for the Chairperson, two Vice-Chairpersons, and the Reporter.

Responsibilities: The committee reviews the measures taken by Member States to implement Conventions, reports on Conventions and Recommendations, and measures taken under the ILO Constitution. It submits a report to the Conference.

Work Organization: Following the Committee of Experts' examination, representatives of governments, employers, and workers convene to discuss States' compliance with their

obligations. Governments provide additional information, propose further measures, and seek guidance on overcoming difficulties.

Proceedings: The committee considers the Committee of Experts' report and engages in a general discussion. It then examines individual cases identified by the Officers of the Committee, inviting written information and holding discussions with representatives of the governments involved. Cases of serious failure to meet reporting or other obligations are also reviewed. The committee's report is submitted to the Conference and discussed in plenary before being published.

These regular supervisory bodies play a crucial role in monitoring and evaluating the implementation of International Labour Standards by Member States. For more information, please consult "Handbook of procedures relating to international labour Conventions and Recommendations," which is available at: https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/publication/wcms_697949.pdf