

Briefing Note: Examples of Revisions to ILO Draft Standards

In preparing international labour standards, the International Labour Office (the Office) routinely suggests adjustments to draft texts between the first and second ILC discussions.

These proposals can range from *editorial refinements* to more substantive suggestions to resolve drafting ambiguities or avoid legally imprecise formulations of a draft Convention or Recommendation with a view to making them internationally applicable.

While such proposals are not binding, they must be taken seriously and must be distinguished from the negotiations of the text of the instrument.

Examples of Office Proposals in Standard-Setting Processes

1. Recommendation No. 208 (Apprenticeships)

In *Report IV(1)*, the Office described its changes as “light revisions” (para. 17).

- **Scope of the Recommendation:** It clarified that apprenticeships apply to public, private, and not-for-profit sectors. To ensure consistency, the Office proposed replacing “public authority” with “public institution.”
- **Definition of “apprenticeship”:** The Office suggested broadening the definition to include apprenticeships in the informal economy. However, many governments preferred to defer this revision, noting that the definition could be revisited at the second discussion. Consequently, only editorial changes were introduced.

2. Convention No. 190 (Violence and Harassment)

In *Report IV(1)* (p. 3), the Office noted that it had “incorporated a number of drafting changes.” Regarding the **definition** of violence and harassment, it invited comments on whether a non-exhaustive list of behaviours might address constituent concerns, demonstrating the Office’s role in guiding conceptual clarity while leaving final decisions to the constituents.

3. Convention No. 189 (Domestic Workers)

The Office proposed changing “not on an occupational basis” to “not as a means of earning a living” to better capture the Committee’s concern to distinguish between casual and regular domestic work. The revision aimed to reflect constituent understanding more accurately.

4. Convention No. 183 (Maternity Protection)

In *Report IV(1)*, the Office addressed a drafting issue concerning paragraph 1, which referred to the health of the mother “and/or” child. The Office noted that the term “and/or” should be avoided in legal texts because it creates ambiguity. It therefore proposed revising the phrase to read:

“The health of the mother and the health of the child.”

This adjustment was not meant to change the substance of the protection, but to ensure **legal clarity** while preserving the Committee’s original intent—namely, that the health of both the mother and the child must be taken into account when determining the duration of compulsory maternity leave.

These examples are particularly relevant for current discussions because they highlight how the Office can reformulate sensitive concepts for legal precision without altering their meaning. It also illustrates the careful balance between technical drafting improvements and policy substance, which only occurs in standard-setting debates at the ILC.

- **Office proposals are part of the normal preparatory process.** They serve to improve consistency and readability but may also shape subsequent negotiation dynamics.
- **Rejection of an Office proposal does not end discussion.** The issue can be revisited in the ILC Committee, where constituents can put forward alternative wordings.
- **Affiliates are encouraged to engage early and actively**—especially by submitting detailed comments on *Brown Report*—to ensure that the workers’ perspective is fully reflected when such changes are drafted.