



Report of the Chairperson of the Governing Body to the International Labour Conference for the year 2011–12

This report on the work of the Governing Body is submitted to the Conference in accordance with section 5.5.1 of the Standing Orders of the Governing Body. It covers the period since the last general session of the Conference (June 2011), i.e. the 311th (June 2011), 312th (November 2011) and 313th (March 2012) Sessions of the Governing Body. It focuses only on the highlights of the Governing Body's year, on the basis of the respective agendas, and does not cover any matter otherwise before the Conference.

For more extensive and detailed information on the work of the Governing Body, including the minutes of the three sessions under consideration, and the documents submitted to the committees and to the Governing Body itself, please refer to the Governing Body website.¹

I. Institutional Section

1. Date of closure of the 101st Session of the International Labour Conference (May–June 2012)

Following the proposal by the Officers of the Governing Body and subject to a final decision by the Conference, the closing date of the Conference will be one half day earlier than previously announced. That is, the Conference will end this year in the evening of Thursday, 14 June, instead of at midday on Friday, 15 June.

2. Agendas of the 101st, 102nd and 103rd International Labour Conferences

In June 2011, building upon its previous decisions in March 2010² and March 2011,³ the Governing Body finalized the agenda of the 101st Session (2012) of the International

¹ Visit www.ilo.org and follow the link to the Governing Body.

² GB.307/2.

Labour Conference, including the following technical items, in addition to the normal standing items: an elaboration of an autonomous Recommendation on the social protection floor (single discussion),⁴ the youth employment crisis (general discussion); a recurrent discussion on the strategic objective of fundamental principles and rights at work; and review of measures previously adopted by the Conference to secure compliance by Myanmar with the recommendations of the Commission of Inquiry. In November 2011, completing its previous decisions taken in March 2011,⁵ the Governing Body finalized the agenda of the 102nd Session (2013) of the Conference, to include, in addition to normal standing items, the following technical items: Employment and social protection in the new demographic context (general discussion); sustainable development, decent work and green jobs (general discussion),⁶ and a recurrent discussion on the strategic objective of social dialogue.

Regarding the 103rd Session (2014) of the Conference, in March 2012⁷ the Governing Body approved the proposal for a recurrent discussion on the strategic objective of employment; agreed to postpone the selection of the second item, pending the outcome of the discussion of the 101st Session (2012) of the Conference; agreed to include the selection of the third item in the consultations on the agenda that would be pursued; and requested the Office to hold the consultations on the process of setting the Conference agenda.

3. Cycle of recurrent discussions under the 2008 Declaration on Social Justice for a Fair Globalization up until 2016

In March 2009, the Governing Body decided that the length of the cycle for the recurrent discussions would be seven years. It was also agreed that the strategic objectives of employment, social protection and fundamental principles and rights at work would be discussed twice in the cycle and social dialogue would be discussed once.

The current discussion cycle is as follows: recurrent discussion on the strategic objective of employment (2010); recurrent discussion on the strategic objective of social protection (social security) (2011); recurrent discussion on the strategic objective of fundamental principles and rights at work (2012); recurrent discussion on the strategic objective of social dialogue (2013); recurrent discussion on the strategic objective of employment (2014); recurrent discussion on the strategic objective of social protection (labour protection) (2015); recurrent discussion on the strategic objective of fundamental principles and rights at work (2016).

³ GB.310/2.

⁴ GB.311/6.

⁵ GB.310/2.

⁶ GB.312/INS/2/1.

⁷ GB.313/INS/2.

4. Matters arising out of the work of the 100th Session (2011) of the International Labour Conference: Follow-up to the adoption of the resolution concerning efforts to make decent work a reality for domestic workers worldwide

At its 312th Session (November 2011), the Governing Body endorsed the ILO Strategy for action,⁸ following up on the resolution concerning efforts towards making decent work a reality for domestic workers worldwide, adopted by the Conference at its 100th Session in conjunction with the Domestic Workers Convention, 2011 (No. 189), and Recommendation, 2011 (No. 201). The Governing Body requested the Director-General to take this strategy into consideration in preparing future programme and budget proposals and facilitating extra-budgetary resources.

Drawing on the resolution and requests for technical assistance received from ILO constituents, the Strategy guides future ILO action on domestic workers. It acknowledges that making decent work a reality for domestic workers requires a combination of policy interventions, the content, sequencing and timing of which would vary from country to country, according to national priorities, contexts and possibilities, as reflected in Decent Work Country Programmes (DWCPs) and elsewhere. Under the Strategy, ILO support is envisaged for countries aiming at early ratification of Convention No. 189, as well as countries presently not doing so but nonetheless wishing to improve the working conditions of domestic workers.

Action in four core areas will be considered across countries. These are: (i) promoting the ratification and implementation of Convention No. 189 and the implementation of Recommendation No. 201; (ii) providing assistance to countries for building and strengthening institutions and, when required, adopting effective policy and legislative reforms; (iii) facilitating the organization and representation of domestic workers and their employers; and (iv) awareness raising and advocacy. Activities at country level will benefit from applied research, tools development and direct exchanges of experiences and best practices between countries, including through regional forums.

The Strategy highlights cooperation on domestic workers within the United Nations system as an opportunity for showing ILO leadership and the added value of its tripartite structure. The new Convention and Recommendation provide the Office with an opportunity to “lead by example” through the development of a code of conduct for its own staff that make use of domestic workers’ services, in line with the thrust of these instruments. This would lend further legitimacy and credibility to the ILO’s commitment towards making decent work a reality for domestic workers. The ILO, in turn, could offer such a code to UN agencies or other international organizations for their consideration.

The Strategy contains an institutional framework for implementation, including a technical working group at headquarters led by the Labour Protection Department, as well as coordinators in regional offices.

⁸ GB.312/INS/3, modified as reflected in the minutes of the 312th Session of the Governing Body, GB.312/PV, paragraphs 16–55.

5. Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work

In March 2012, the Governing Body examined an Office paper highlighting the manner in which fundamental principles and rights at work had been promoted and realized in countries which have not yet ratified the relevant Conventions. The Governing Body noted with satisfaction that there was an unprecedented government reporting rate of 100 per cent and that participation by employers' and workers' organizations had increased considerably; this high tripartite involvement bore witness to the continued vigour and high relevance of the ILO Declaration on Fundamental Principles and Rights at Work. Indeed, the central importance of the 1998 Declaration had been further strengthened by its realignment with the ILO Declaration on Social Justice for a Fair Globalization, 2008. The Governing Body also noted that many countries stated their intention to ratify the fundamental Conventions, though the actual number of ratifications in 2011 was only six, and none of them concerned the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), nor the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), which still have the lowest ratification rates among the Conventions dealing with fundamental principles and rights at work. The Governing Body further noted that during the current annual review, all the reports received by the Office indicated new action to promote fundamental principles and rights in the reporting States and a commitment to move towards their fuller realization. In this regard, the Governing Body congratulated the Office for its support and work at the country level in helping the governments meet their obligations. It called on the Office to continue and intensify technical assistance and channel more resources to the work on the ground.

6. Reform of the Governing Body of the ILO and of the International Labour Conference

Amendments to the Standing Orders of the Governing Body and other relevant texts in order to give effect to the reform package of the functioning of the Governing Body

In June 2011, the Governing Body adopted the amendments to be made to the Standing Orders of the Governing Body and to the Introductory Note to the Compendium of Rules applicable to the Governing Body to enable the entry into force of the reform package of the functioning of the Governing Body.⁹

It also decided to review the application of the reform package at its November 2013 session in order to make any necessary adjustments.

One year later, the overall response to the reformed functioning of the Governing Body is very positive and delegates particularly appreciate the fact that there is no longer any overlap among the segments of the Body, which allows them to attend all the debates and gives them a genuine sense of ownership of the Governing Body.

⁹ GB.311/7/1.

Mandate, scope and composition of the Working Party on the Functioning of the Governing Body and the International Labour Conference

In June 2011, the Governing Body decided that the Working Party on the Functioning of the Governing Body and the International Labour Conference would also focus on the issue of regional meetings. It confirmed the composition of the Working Party, which includes 16 Government members, eight Employers and eight Workers, while reiterating that participation was open to all members of the Governing Body. It decided that the Chairperson of the Governing Body would chair the Working Party.

The Working Party met during the November 2011 and March 2012 sessions of the Governing Body. Informal discussions took place in February 2012 within the Geneva-based tripartite consultative group, at the request of the Working Party; the objective was to determine general guidelines in order to facilitate its subsequent work.

Progress made by the Working Party on the Functioning of the Governing Body and the International Labour Conference in respect of the reform of the International Labour Conference

While regional meetings and the Conference are interdependent issues, the Working Party decided first to focus on Conference reform. There was broad consensus that the reform should be conducted within the existing constitutional framework and should strengthen the position of the International Labour Conference as the Organization's supreme body, maintaining its five major functions (constitutional, political, technical, acting as a forum and as an assembly).¹⁰

At its March 2012 session, the Governing Body asked the Office to convene a new meeting of the tripartite consultative group in order for it to prepare a workplan and schedule, and a working paper for its November 2012 session.¹¹

Timing of Governing Body sessions

In order to deal with the problems caused by the new rules regarding the submission deadline for documents to the Governing Body, it was proposed that the period between the November and March Governing Body sessions be extended. The Governing Body has decided to postpone this decision until its June 2012 session.¹²

¹⁰ GB.312/INS/13.

¹¹ GB.313/INS/10.

¹² GB.313/INS/13/2.

**7. Report and conclusions of the
12th African Regional Meeting
(Johannesburg, 11–14 October 2011)**

In November 2011, the Governing Body reviewed the report of the 12th African Regional Meeting,¹³ which included a summary of the five parallel thematic discussions and, in its appendices, the report of the Credentials Committee and the conclusions of the meeting entitled “Accelerating the Decent Work Agenda in Africa”. It adopted these documents and requested that the Office transmit them to constituents.

The hospitality and organizational support provided by the Government of South Africa greatly contributed to the success of this Meeting.

**8. Report and conclusions of the 15th Asia
and the Pacific Regional Meeting
(Kyoto, 4–7 December 2011)**

In March 2012, the report of the 15th Asia and the Pacific Regional Meeting¹⁴ was submitted to the Governing Body, containing, in addition to the report of the discussions, a resolution on the trade union situation in Fiji, a presentation of the Special Session on employment policy in the event of natural disasters, the report of the Credentials Committee and conclusions from the Meeting, entitled “Inclusive and sustainable development for Asia and the Pacific through decent work for all”. It adopted these documents and requested that the Office transmit them to the constituents.

This Meeting, which was initially scheduled for April 2011, was postponed because of the earthquake and tsunami that hit Japan. Accordingly, the Meeting was held in a special context of reconstruction and the Special Session organized by the Government of Japan on employment policy towards natural disaster response was greatly appreciated, together with the Government’s hospitality and support.

**9. Developments concerning non-observance by
the Government of Myanmar of the Forced
Labour Convention, 1930 (No. 29)**

A Supplementary Understanding was signed by the Government of Myanmar on 26 February 2007, establishing a mechanism through which victims of forced labour could seek redress.¹⁵ The trial period of the Supplementary Understanding has been extended annually since then and was once again extended for a 12-month period from 26 February 2011.

At its November 2011 session, the Governing Body examined the functioning of this mechanism and the results of the technical mission to Myanmar, from 23 to 27 July 2011.

¹³ GB.312/INS/5.

¹⁴ GB.313/INS/5.

¹⁵ GB.312/INS/6.

On the basis of the discussion held, the Governing Body adopted the following conclusions:¹⁶

The Governing Body took note of the report of the Liaison Officer, the statement made by the Permanent Representative of the Republic of the Union of Myanmar and the subsequent discussion. In the light of the debate, it adopted the following conclusions:

- (1) The Governing Body welcomes the positive developments in Myanmar since March 2011 but remains concerned that serious problems in the use of forced labour persist. The Governing Body calls for the continuation of strengthened resolute and proactive action for the full implementation of the recommendations of the 1998 Commission of Inquiry.
- (2) The Governing Body notes that legislation, prohibiting the use of forced labour in all its forms and repealing both the Towns and Villages Acts of 1907, is before Parliament. The Governing Body regrets the absence of consultation and urges the early adoption and coming into force of that legislation. It underlines that full conformity of the new law with Convention No. 29 is required to meet the relevant recommendation of the Commission of Inquiry.
- (3) The Governing Body urges that the practice of the imposition of forced labour on prisoners, particularly as porters in conflict areas, cease immediately and again invites the Government to avail itself of the technical assistance of the ILO in the review of the Jail Manual.
- (4) The Governing Body welcomes the commencement of direct discussion with the Tatmadaw (armed forces) and looks forward to further substantive policy and behavioural change for the elimination of forced labour and the ending of impunity.
- (5) The Governing Body also welcomes the commencement of, and encourages the continuation of, direct discussion with the Ministries of Finance and Planning and looks forward to confirmation that planning and financial management processes sufficiently provide for the payment of wages in government operational and project activities.
- (6) The Governing Body welcomes the release of U Zaw Htay, U Nyan Myint, Daw Su Su Nway, U Min Aung, U Myo Aung Thant and other labour activists and strongly urges the early release of U Thurein Aung, U Wai Lin, U Nyi Nyi Zaw, U Kyaw Kyaw, U Kyaw Win and U Myo Min, as well as other labour activists remaining in detention.
- (7) The Governing Body again calls on the Government to facilitate the free access of the Liaison Officer to detainees and to effect the reinstatement of the advocacy licences of U Aye Myint and Ko Pho Phyu.
- (8) The Governing Body again stresses the critical importance of a comprehensive proactive approach encompassing not only the continuation of awareness-raising activities and the management of the complaints mechanism but also the effective prosecution of forced labour perpetrators, military and civilian, under the Penal Code.
- (9) The Governing Body notes the priority action taken towards the resolution of a number of long-standing complaints in the Magwe region and looks forward to receiving confirmation that they are at last satisfactorily resolved.
- (10) The Governing Body welcomes the expanded awareness-raising activities being undertaken, including the production and distribution of the information brochure in Shan language, and encourages the continuation of this partnership activity and its expansion into other languages. The Governing Body further notes the positive initiative of the proposed training of police personnel to ensure their understanding of their role and responsibilities, in collaboration with the military, in the elimination of forced labour, including in respect of procedures to address the continuing problems of under-age recruitment and their alleged desertion.

¹⁶ GB.312/PV, para. 112.

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- (11) The Governing Body, whilst recalling all of its previous conclusions and recommendations, encourages the ILO and the Government in their continuing positive collaboration within the framework of the Understanding and its Supplementary Understanding which should be further extended in February 2012. It also encourages the Government to respond positively to all ILO related recommendations made by the Human Rights Council during the Universal Periodic Review.
 - (12) In light of the above, the Governing Body considers it essential to strengthen the capacity of the Liaison Office and therefore reiterates in the strongest terms its repeated calls on the Government to issue without delay the visas necessary to this effect.
 - (13) The Governing Body notes the calls for a review by the International Labour Conference of the mandate defined by the 1999 resolution and will consider this issue at its March 2012 session.

In March 2012, the Governing Body further reviewed the operation of the Supplementary Understanding and the results of another ILO mission to Myanmar, from 21 to 28 January 2012, during which a further extension of the trial period of the Supplementary Understanding was signed.¹⁷ The following conclusions,¹⁸ drawn from the discussion, were adopted by the Governing Body:

The Governing Body took note of the report of the Liaison Officer, the statement made by the Permanent Representative of the Republic of the Union of Myanmar and the subsequent discussion. In the light of the debate, the Governing Body:

- (1) Welcomes the important and positive developments in Myanmar since the 312th Session of the Governing Body (November 2011) and in particular the further extension of the Supplementary Understanding (SU) and the adoption of legislation repealing the Village and Towns Acts of 1907, defining forced labour and providing for the criminal prosecution of perpetrators.
- (2) Further welcomes the initiative of the Government, including the defence services, in formalizing its commitment to develop a comprehensive, proactive, joint strategy with the ILO for the full elimination of all forms of forced labour by 2015. In so doing, it is emphasized that immediate effective measures are required and that every effort should be made to meet that objective earlier. The intention to maintain on-going direct cooperation between the defence services and the ILO in this regard is an important part of the process as all sectors of the Government must respect the new legislation.
- (3) Whilst recognizing that these represent major steps towards meeting the recommendations of the Commission of Inquiry, notes that both the strict application of the new law and the prosecution and appropriate punishment of those who may violate it are critical to achieving the objective and as such should be built into the proposed strategy. This new strategy should be accompanied by a high-level public commitment to its implementation and to full compliance with Convention No. 29.
- (4) Notes the importance of ensuring that policy coverage and application encompasses the entire territory of Myanmar including border areas in context of achieving sustainable peace agreements.
- (5) Notes the information concerning the prosecution of some perpetrators and encourages the Government to maintain a process based on preventative education/awareness, the full application of the law and accountability by way of criminal prosecution of perpetrators as a means for combating impunity.
- (6) Welcomes the expansion of awareness-raising activities including the availability of the joint Government/ILO brochure in the Myanmar language and four other national languages and looks forward to further translations and their wide distribution.

¹⁷ GB.313/INS/6(Add.).

¹⁸ GB.313/PV, para. 140.

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- (7) Welcomes also the recent release from prison of a further number of labour activists and seeks the immediate unconditional release of all remaining imprisoned labour activists and prisoners of conscience.
 - (8) Urges the Government to avail itself of the technical assistance of the Office including in further consultation in the drafting of relevant legislation.
 - (9) Expresses its appreciation for the work of the Office and especially of the Liaison Officer and his small dedicated team and re-emphasizes the need to strengthen and expand the Liaison Office capacities including through the provision of adequate resources, the Government's expeditious approval of necessary visas on request and the engagement of local focal points for the strengthening and support of community networks.
 - (10) Strongly encourages the Government and the people of Myanmar to continue their on-going democratization efforts and emphasizes in that regard the need for full respect of human rights and international standards.
 - (11) Decides to place on the agenda of the 101st Session of the International Labour Conference (June 2012) an additional item enabling a review of measures previously adopted by the Conference to secure compliance by Myanmar with the recommendations of the Commission of Inquiry.
 - (12) Finally it requests the Officers of the Governing Body to undertake a mission to Myanmar and to report to the Conference on all relevant issues with a view to assisting its consideration of that review.
 - (13) The total cost of the above mission, estimated at US\$58,000, will be financed in the first instance from savings in Part I of the budget or, failing that, through Part II of the budget.

Additional ILC Agenda item

As a consequence of the above decisions an additional item has been placed on the agenda of the 101st Session of the International Labour Conference (June 2012) entitled: "Review of measures previously adopted by the Conference to secure compliance by Myanmar with the recommendations of the Commission of Inquiry".

10. Complaint concerning non-observance by Myanmar of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 99th Session (2010) of the International Labour Conference under article 26 of the ILO Constitution

The Governing Body declared this complaint admissible at its 309th Session (November 2010)¹⁹ and considered the complaint subsequently at its 310th²⁰ and 312th²¹ Sessions. In March 2012, at its 313th Session, the Governing Body deferred a decision on the appointment of a Commission of Inquiry to its 316th Session (November 2012). In the meantime, it urged intensive technical cooperation and a fully

¹⁹ GB.309/7.

²⁰ GB.310/6.

²¹ GB.312/INS/7(Add.).

fledged awareness-raising campaign to begin immediately on the new legislative framework in the area of freedom of association.²²

11. Reports of the Committee on Freedom of Association (360th, 361st, 362nd and 363rd reports)

During the past year, the Committee on Freedom of Association examined 121 cases, and in 72 cases followed up the measures taken by member States to give effect to its recommendations. The Committee continued to observe an important increase in the number of complaints against alleged violations of freedom of association submitted to the special procedure, but was also able to note with interest significant positive developments in the matters before it, including the release of detained trade union leaders and members. In June and November 2011 and March 2012, the Governing Body approved the recommendations of the Committee on Freedom of Association set out in its 360th,²³ 361st,²⁴ 362nd²⁵ and 363rd²⁶ Reports and the Reports as a whole.

12. Tripartite High-Level Mission to the Bolivarian Republic of Venezuela

The Governing Body was informed that this mission will take place in October 2012.

13. Report of the 73rd Session of the Board of the International Training Centre of the ILO, Turin

The 73rd Session of the Board of the International Training Centre of the ILO was held in Turin on 3–4 November 2011. The report of the meeting was submitted to the 312th Session (November 2011) of the Governing Body.²⁷ The Governing Body took note, without comment, of the amendments to the Centre's Financial Regulations which were presented to the Governing Body in accordance with article 6, paragraph 5 of the Statute of the Centre.

²² GB.313/INS/7.

²³ GB.311/4/1.

²⁴ GB.311/4/2.

²⁵ GB.312/INS/9.

²⁶ GB.313/INS/9.

²⁷ GB.312/INS/11/1.

14. Progress on implementing the 2009 ILC resolution concerning gender equality at the heart of decent work

In November 2011, the Governing Body examined a paper²⁸ summarizing ILO progress and challenges in implementing the 2009 International Labour Conference resolution concerning gender equality at the heart of decent work. The Governing Body was advised that all ILO efforts to promote gender equality in the world of work since the 2009 resolution have been informed by the resolution and in particular the Conclusions relating to the role of the ILO.

The Governing Body took note of the report which summarized actions taken by the Office across the four strategic objectives of the Organization and results achieved, including at the country and regional level. The Office was encouraged to maintain its efforts to promote gender equality and to strengthen the position held by women in the labour market. Gender equality was seen to be crucial to economic growth, the eradication of poverty and the achievement of the Millennium Development Goals. It was felt however that more needed to be done to address challenges created by the economic and financial crisis. The ILO's work to achieve universal ratification of the four gender equality Conventions, and in particular the Equal Remuneration Convention, 1951 (No. 100), and Discrimination (Employment and Occupation) Convention, 1958 (No. 111), were recognized but more effort was needed to ensure full implementation.

The Office was requested to provide additional information on the impact of the work and sustainability of the programmes. Methodologies to measure progress, and better indicators were required. Linkages between the 2009 Conference resolution, programme and budget implementation reporting and the Action Plan for Gender Equality 2010–15 were sought. The Office was also asked to prioritize its work in consultation with constituents.

The Office informed the Governing Body that Phase II of the Action Plan for Gender Equality (2012–13) linked the 2009 Conference resolution to the programme and budget priorities. A mid-term evaluation would take place and a stocktaking paper drawn up, involving intensive consultations with the field offices and taking into consideration the priorities in DWCPs. This work would feed into the multilateral frameworks.

Endorsing the approach, the Governing Body requested the Director-General to: (a) continue to guide the Office, within the parameters of the programme and budget, in assisting constituents to implement the 2009 Conference resolution concerning gender equality at the heart of decent work; and (b) bolster Office efforts in the priority areas identified in 2009 and where measurable progress has not been made to date; constituents should be consulted in this prioritization and the Office should report back to the Governing Body.

²⁸ GB.312/INS/12.

15. Matters dealt with in reports of the Director-General

Appointment of the Chief Internal Auditor

In November 2011, the Governing Body supported the Director-General's proposed appointment of Mr Anthony Watson as the Chief Internal Auditor.²⁹

Report of the committee set up to examine the representation alleging non-observance by Japan of the Equal Remuneration Convention, 1951 (No. 100), made under article 24 of the ILO Constitution by the Zensekiyu Showa-Shell Labour Union

At its 312th Session in November 2011, the Governing Body approved the report of the tripartite committee set up to examine a representation alleging non-observance by Japan of the Equal Remuneration Convention, 1951 (No. 100).³⁰ With respect to the legislation, the tripartite committee noted that: the Equal Employment Opportunity Law No. 45 of 1985, while addressing aspects that may affect wage determination, did not directly deal with equal remuneration between men and women for work of equal value; and the Labour Standards Law No. 49 of 1947, while prohibiting direct discrimination based on sex with respect to wages, did not on its face encompass the concept of "work of equal value".

The tripartite committee concluded that it did not appear that a broad scope of comparison, going beyond the same job duties, type of jobs and employment management categories, was being applied generally in practice in the implementation of the legislation in force. The tripartite committee concluded that further measures were needed, in cooperation with workers' and employers' organizations, to promote and ensure equal remuneration for men and women for work of equal value, in law and practice, in accordance with Article 2 of the Convention, and to strengthen the implementation and monitoring of the existing legislation and measures, including measures to determine the relative value of jobs.

The Governing Body invited the Government to take due note of the matters raised in the conclusions of the report of the tripartite committee and to include detailed information thereon in its next report under Article 22 in respect of the Equal Remuneration Convention, 1951 (No. 100). The Governing Body entrusted the Committee of Experts on the Application of Conventions and Recommendations with following up the matters raised in this report with respect to the application of the Equal Remuneration Convention, 1951 (No. 100), and decided to make the report publicly available and close the procedure initiated by the complainant alleging non-observance by Japan of Convention No. 100.

²⁹ GB.312/INS/15/2.

³⁰ GB.312/INS/15/3.

Report of the Committee set up to examine the representation alleging non-observance by Peru of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the General Confederation of Workers of Peru (CGTP)

At its 313th Session in March 2012, the Governing Body approved the report of the tripartite committee established to examine the representation alleging non-observance by Peru of Convention No. 169, made under Article 24 of the ILO Constitution by the General Confederation of Workers of Peru (CGTP).³¹ In its report, the Governing Body requested the Government of Peru to ensure that technical, economic and environmental feasibility studies are conducted with the cooperation of the indigenous peoples concerned, in accordance with Article 7(3) of Convention No. 169. The Committee expressed the hope that the legislative progress made in the country would enable the indigenous peoples to be involved as soon as possible in the decision-making processes concerning legislative or administrative measures that are liable to affect them directly. The Governing Body decided to publish the report and declared the proceedings closed.

Conclusions of the Committee set up to examine the representation alleging non observance by Peru of the Seafarers' Pensions Convention, 1946 (No. 71), made under article 24 of the ILO Constitution by the Autonomous Confederation of Peruvian Workers (CATP)

At its 313th Session in March 2012, the Governing Body approved the conclusions of the tripartite committee set up to examine the representation alleging non-observance by Peru of the Seafarers' Pensions Convention, 1946 (No. 71), made under article 24 of the ILO Constitution by the Autonomous Confederation of Peruvian Workers (CATP).³² Among its principal recommendations, the Governing Body requested the Government to take measures to ensure that fishers were not requested to contribute more than half of the cost of the pension scheme applicable to them and also to proceed to the prompt payment of the benefits owed by the Fishers' Benefits and Social Security Fund (CBSSP). It also invited the Government to submit a report for examination by the Committee of Experts on the Application of Conventions and Recommendations on measures taken to give effect to its recommendations.

³¹ GB.313/INS/12/5.

³² GB.313/INS/12/4.

16. Matters dealt with in reports of the Officers of the Governing Body

Complaint concerning non-observance by Bahrain of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made by delegates to the 100th Session (2011) of the International Labour Conference under article 26 of the ILO Constitution

A complaint was presented on 15 June 2011 by a number of Workers' delegates to the 100th Session (2011) of the International Labour Conference pursuant to article 26 of the ILO Constitution, against the Government of Bahrain alleging violations of Discrimination (Employment and Occupation) Convention, 1958 (No. 111). The issue of receivability of the complaint was before the Governing Body at its 312th (November 2011)³³ and 313th (March 2012)³⁴ Sessions, and has been deferred to its 316th Session (November 2012).

In November 2011, the Officers of the Governing Body submitted a report to the Governing Body,³⁵ which took note of the proposal of the Government of Bahrain to establish a tripartite committee, which would have access to all relevant documents and meet weekly to address, with the assistance of independent legal advice (ILO) if requested by the Government or the workers' or employers' representatives, the issue of dismissals and reinstatements referred to in the complaint, and would provide progress reports to the Director-General. The Governing Body, on the recommendation of its Officers, invited the Director-General to provide any requested legal guidance or support to the Government of Bahrain or the workers' or employers' representatives in this process, and to report on the situation to the Governing Body at its March 2012 session.³⁶

In view of the Governing Body decision, and in response to a request received by the General Federation of Bahrain Trade Unions (GFBTU) to the ILO Director-General dated 3 February 2012, the Director-General sent a mission to Bahrain from 29 February to 11 March 2012. In the course of the mission, on 11 March 2012, the tripartite constituents signed a Tripartite Agreement concerning the issues raised in the complaint.

At its 313th Session (March 2012), the Governing Body again suspended consideration of the issue of receivability of the complaint pending completion and submission of further reports from the Government and the Director-General to the Governing Body at its 316th Session (November 2012). The Government was requested to continue to provide reports on the effective implementation of the Tripartite Agreement, and the Director-General was requested take the necessary measures to provide all the technical assistance required by the tripartite constituents to ensure the effective implementation of the Tripartite Agreement.

³³ GB.312/INS/16/1.

³⁴ GB.313/INS/13/1.

³⁵ GB.312/INS/16/1.

³⁶ GB.312/INS/16/1.

Arrangements for the Ninth European Regional Meeting

At its 312th Session, the Governing Body decided that the Ninth European Regional Meeting would be held in Oslo, Norway, during the first half of 2013 and that the official languages of the Meeting would be English, French, Spanish, German and Russian.³⁷

The Governing Body also adopted the agenda of the Meeting that will discuss, on the basis of the Report of the Director-General, the progress made by the countries of the region between 2009 and 2012 towards achieving crucial outcomes determined by the Eighth European Regional Meeting, in particular regarding Decent Work, i.e. analysing and tackling the impact of the 2008 financial crisis and subsequent crises in employment, the labour market and social policies.

Action taken regarding the appointment of the Director-General

At its November 2011 session, after being informed that Mr Somavia would bring forward the date of his departure as Director-General of the ILO to the end of September 2012, the Governing Body adopted a number of proposals regarding the appointment of the new Director-General.³⁸

In accordance with these proposals, the Chairperson of the Governing Body invited applications for the position of Director-General.

In conformity with the established rules,³⁹ the following nine candidatures were received by the closing date of 9 March 2012: Mr Gilles de Robien, Mr Angelino Garzón, Mr Ad Melkert, Mr Jomo Kwame Sundaram, Mr Ibrahim Assane Mayaki, Mr Assane Diop, Ms Mona Sahlin, Mr Guy Ryder and Mr Charles Dan.

On Friday, 30 and Saturday, 31 March, at the 313th Session of the Governing Body, the Office organized the hearings of the candidates, which took place in a very professional and orderly manner.

At the time that this report was drafted, the process had not yet been completed. The Officers of the Governing Body proposed that, on 28 May 2012, the Governing Body would meet for its 314th Session for the election of the Director-General. The election would take place in a private sitting of the Governing Body. At the conclusion of this session, there would be a public sitting in order to announce the election results publicly and give the Director-General elect the opportunity to address the Governing Body, if he or she wished to do so.⁴⁰

³⁷ GB.312/INS/16/2.

³⁸ GB.312/INS/16/3, para. 15.

³⁹ GB.312/INS/16/3, para. 5.

⁴⁰ GB.313/INS/13/6, para. 2.

***Outcome of the Fourth United Nations Conference
for the Least Developed Countries (Istanbul, May 2011):
Request for the integration of the Istanbul Programme
of Action into the work programme of the ILO***

At its November 2011 Session, the Governing Body invited the Office to consider the Istanbul Programme of Action in formulating its programme and budget proposals for 2014–15.⁴¹

II. Policy Development Section

17. Employment and Social Protection Segment

Green jobs, decent work and sustainable development

In November 2011, the Governing Body received an update on the Green Jobs Programme⁴² as well as on the technical contribution that the Office submitted to the secretariat of the 2012 United Nations Conference on Sustainable Development (UNCSD), Rio +20 Conference. The guidance provided to the Office by the Governing Body regarding the Green Jobs Programme is to expand support to member States in their efforts to green all jobs and enterprises, improving compliance with international labour standards and raising the quality of jobs. The approach should include capacity building of national actors and social partners at all levels, knowledge sharing, and the development of methods for anticipating environment-related transitions in the labour market and strategies for effective and socially just transitions, in particular through skills policies. The Governing Body also emphasized that the Green Jobs Programme should be fully integrated into the existing ILO programme and outcome-based workplan framework.

In March 2012, the Institutional Section of the Governing Body further called on the Office to continue its active participation in the preparations for the Rio +20 Conference.⁴³ It identified the key messages to be stressed in the outcome document of the Conference as including the following: (i) the need for a strong social pillar of sustainable development with decent work as a conceptual framework to integrate the economic, social and environmental pillars and to provide a pathway towards social inclusion and poverty reduction; (ii) the recognition of social dialogue as a major contributor to the governance of sustainable development; this would require capacity building of stakeholders from the world of work; and (iii) the importance of decent work should be reflected in appropriate indicators and in the possible sustainable development goals that the Rio +20 Conference may decide to formulate. The Governing Body called on the Office to anticipate substantial follow-up for the implementation of the outcomes of the Conference and asked to be kept informed about them.

⁴¹ GB.312/INS/16/6.

⁴² GB.312/POL/1.

⁴³ GB.313/INS/4.

Follow-up to the discussion on social security at the 100th Session of the International Labour Conference (2011): Plan of action

On the follow-up to the discussion on social security at the 100th Session of the International Labour Conference (2011), the Governing Body expressed wide support for the plan of action presented by the Office,⁴⁴ in terms of its contents, the timing and sequencing of the activities covering five areas: policy development and standard-related activities; knowledge development and sharing; technical advisory services; capacity building; and building and strengthening partnerships. The Governing Body stressed the continuing importance of ILO social security Conventions and the promotion of social protection floors, including through the standard-setting discussion on a possible Recommendation on social protection floors during the present session of the Conference. It also emphasized the need for knowledge sharing of good practices on social security systems and for coordinated capacity-building strategies to ensure effective and efficient social security systems operating at the country level. Finally, it called for the Office to allocate the required human and financial resources to continue its work on the extension of social security.

Follow-up to the conclusions concerning the promotion of sustainable enterprises adopted by the International Labour Conference at its 96th Session (2007)

In the discussion on the follow-up to the conclusions, the Office reported on the effect given to them, the impacts of the Sustainable Enterprise Programme Strategic Framework and lessons learned from implementing the Framework.⁴⁵ The Governing Body provided guidance on moving forward with the three-pillar approach of the Strategic Framework and on effectively responding to the enormous demand from constituents in the member States for technical support on job creation through sustainable enterprise development. The Employers' group stressed the importance of an enabling environment and the role of government in this area for enterprise development and job creation, especially in small and medium-sized enterprises, and welcomed the assessment methodology developed by the Office. The Workers' group asked the Office to focus the Sustainable Enterprise Development Programme more on the quality of the jobs created, including working conditions and industrial relations. Governments commended the Office for its work and expressed their needs for further technical assistance on entrepreneurship training, enterprise development and cooperatives. The Office welcomed the guidance and committed to further consultations and dialogue on some outstanding issues raised by the Employers' and Workers' groups.

Work–life balance

In its discussion on work–family policies to address growing work–family tensions,⁴⁶ including in the context of the crisis, the Governing Body emphasized the importance of work–family balance and its relevance for several social and economic objectives,

⁴⁴ GB.312/POL/2.

⁴⁵ GB.312/POL/3.

⁴⁶ GB.312/POL/4.

including the social protection floors and the Millennium Development Goals. It acknowledged the Office's work in this area and the complexity of the issue. The Governing Body highlighted the key role of the State in adopting the enabling regulatory framework in this area and of social dialogue with the social partners when implementing work–family policies and workplace practices. The Governing Body also emphasized that work–family interventions were relevant to ageing societies, economic insecurity, unpredictable working hours, public employment programmes and social infrastructure in developing countries. The Office welcomed the guidance provided.

Follow-up to the Tripartite Meeting of Experts on Working-time Arrangements

In March 2012, the Governing Body took note of the final report of the Tripartite Meeting of Experts on Working-time Arrangements held in Geneva from 17 to 21 October 2011⁴⁷ and authorized the Director-General to publish the conclusions and the report of the Meeting. The Governing Body also requested that the Director-General, when drawing up proposals for future work of the Office on working time, do so on the basis of the conclusions of the Meeting.

Follow-up to the HIV/AIDS Recommendation

The Governing Body approved the revised ILO strategy to address HIV and AIDS and the world of work proposed by the Office.⁴⁸ This revised strategy takes into account discussions in previous Governing Body sessions following the adoption of the HIV and AIDS Recommendation, 2010 (No. 200), as well as the recommendations from the independent evaluation of the ILO strategy to address HIV and AIDS through the world of work and critical new developments impacting the Office's ability to support constituents' efforts to respond effectively to HIV at country level. The revised strategy is based on seven building blocks: mainstreaming HIV and AIDS into ILO areas of work and global development frameworks; focusing on priority countries; generating evidence; strengthening constituents' capacity; expanding public–private partnerships; extending social protection; and developing an overarching communication strategy. The Governing Body also requested the Director-General to give priority to resource mobilization efforts in support of its implementation, in line with the resolution concerning the promotion and the implementation of the Recommendation on HIV and AIDS and the world of work, 2010.

Follow-up on the implementation of the ILO/G20 Training Strategy

The Office informed the Governing Body of its work to extend the outreach of the ILO's conceptual and policy framework on skills development to improve productivity, employment growth and development through the work of the G20.⁴⁹ The Office outlined the follow-up to related conclusions of the recurrent discussion on employment (ILC, 2010), leading to strengthened cooperation among international organizations to assist developing countries in building their skills for employment strategies and the proposal to

⁴⁷ GB.313/POL/1.

⁴⁸ GB.313/POL/2.

⁴⁹ GB.313/POL/3.

develop a global public–private knowledge-sharing platform on skills for employment. The Governing Body expressed its support for the Office’s work in this area and provided guidance on further outreach, strengthened cooperation and the proposed knowledge-sharing platform to enhance the Office’s effectiveness in assisting constituents at the country level in their skills for improved productivity, employment growth and development strategies.

18. Social Dialogue Segment

The Social Dialogue Segment of the Governing Body covered all aspects of sectoral and technical meetings and, in line with the recent reform, also took up other issues of importance such as labour administration and labour inspection.

Decent work in the global food supply chain: A sectoral approach

In November 2011, the Governing Body focused on policy decisions. It considered the proposal for the creation of a multi-sectoral programme to promote food security through decent work in critical economic sectors across the global food supply chain and endorsed a sectoral approach to decent work in global food supply chains.⁵⁰

Labour administration and labour inspection: Follow-up to the general discussion at the 100th Session of the ILC

In November 2011, the Governing Body examined and endorsed a proposed action plan⁵¹ for the Office as a follow-up to the resolution and conclusions on labour administration and labour inspection adopted at the 100th Session of the International Labour Conference in June 2011.

Effect to be given to the recommendations of sectoral and technical meetings

A large number of sectoral and technical meetings were held in 2011. The Governing Body examined closely the effect to be given to their recommendations and also considered the discussions held in two symposia. As a result, the Governing Body approved the publication of two guidelines, a code of practice and a joint publication, and requested that the Office follow up on the recommendations made.⁵² In the interest of further streamlining its work, the Governing Body also considered, at its March 2012 session, whether a change should be made to the way that sectoral and technical meetings report back to the Governing Body, and their subsequent follow-up. In view of the importance of the outcomes of sectoral and technical meetings for the ILO’s constituents, and in the interest of maintaining transparent and strong governance through the Governing Body in this respect, the proposal was not adopted.

⁵⁰ GB.312/POL/7.

⁵¹ GB.312/POL/6.

⁵² GB.313/POL/4/2.

Global dialogue forums: Lessons learned

Regarding future sectoral meetings, the Governing Body also discussed, at its November 2011 and March 2012 sessions, lessons learned since the introduction of global dialogue forums (GDFs) as part of the Sectoral Activities Programme in 2007.⁵³ These two in-depth discussions resulted in the adoption of proposals to standardize and better improve the GDF format in order to meet constituents' needs.

19. Technical Cooperation Segment

Capacity development for constituents in DWCPs and technical cooperation: Follow-up

In November 2011 the Technical Cooperation Segment discussed a paper⁵⁴ which followed up on two previous discussions of capacity development for constituents in DWCPs and technical cooperation. The paper mapped out capacity-development initiatives in technical cooperation programmes and DWCPs. Members generally agreed that the mapping was a useful analysis that showed where capacity development for constituents was well developed and where more could be done. The Governing Body requested the Office to make proposals on how the current technical cooperation strategy could be adapted to strengthen a more programmatic approach to technical cooperation and capacity development at its November 2012 session.

ILO technical cooperation and DWCPs, 2009–10

The Segment also examined a report providing details of the ILO's technical cooperation programme for the biennium.⁵⁵ Members pointed to the need to expand South–South and Triangular Cooperation, public–private partnerships and local resource mobilization; the need to outline efforts to ensure a more equitable resource distribution between outcomes; to provide more information on results achieved in the regions; to refine the result indicators, and to set out points for debate and decision. They noted the importance of engaging in better communication with donors on the implementation of projects and involving constituents in evaluations.

Enhanced programme of technical cooperation for the occupied Arab territories

With regard to an enhanced programme of technical cooperation for the occupied Arab territories, the Segment discussed a related paper⁵⁶ and invited the Office to take into account the views expressed during its discussion concerning the need for further resource mobilization and support to ongoing technical cooperation in the Occupied Palestinian Territory, and the need to report on such efforts and follow-up to the donor meeting in November 2010.

⁵³ GB.312/POL/5 and GB.313/POL/4/1(&Corr.).

⁵⁴ GB.312/POL/9.

⁵⁵ GB.312/POL/10.

⁵⁶ GB.312/POL/11.

Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work: Technical cooperation priorities and action plans regarding the elimination of discrimination in employment and occupation

The Governing Body was informed of the discussion of the 2011 Global Report on non-discrimination – *Equality at work: The continuing challenge* – which concluded the third cycle of Global Reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work.⁵⁷ In the discussion that followed, the importance of developing the institutional capacity of constituents to effectively implement non-discrimination at work was underlined. The Governing Body endorsed the substantive priority areas set out in the document, including the elimination of sex-based discrimination, racial and ethnic discrimination, discrimination based on migrant status, discrimination against persons with disabilities, and discrimination against persons living with HIV and AIDS. The Governing Body also noted that the June 2012 session of the Conference would discuss the recurrent item on fundamental principles and rights at work with a view to developing a comprehensive plan of action addressing all four fundamental principles and rights at work.

***South–South and Triangular Cooperation:
The way forward***

At its March 2012 session, the Technical Cooperation Segment discussed a paper⁵⁸ which outlined the ILO's efforts in South–South and Triangular Cooperation and a strategy for the further development of such initiatives. The Governing Body approved the proposed strategy and asked for refined indicators to be presented at the 316th Session (November 2012).

***Regional perspectives on technical cooperation:
The African region***

The Governing Body examined a report on technical cooperation in the African region,⁵⁹ the first in a series of reports on technical cooperation in the regions. The Members welcomed this approach which responded to calls for more regional information. The Governing Body requested the Office, in order to accelerate the implementation of the Decent Work Agenda in Africa, as called for by the 12th African Regional Meeting, to develop a regional strategy for resource mobilization.

⁵⁷ GB.312/POL/12.

⁵⁸ GB.313/POL/7.

⁵⁹ GB.313/POL/8.

20. Multinational Enterprises Segment

Report of the Tripartite Ad Hoc Working Group on the Follow-up Mechanism of the MNE Declaration

In November 2010, the Governing Body established an ad hoc working group⁶⁰ to review the follow-up mechanism of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy with a view to developing promotional options. The Chairperson of the final meeting of the working group presented its recommendations to the Governing Body.⁶¹

The Governing Body adopted the recommendations of the Ad Hoc Working Group in paragraphs 10–15 of the report annexed to document GB.313/POL/9 and took note of the recommendations in paragraphs 16–22 for their consideration and further discussion at the 316th Session (November 2012) of the Governing Body, together with an operational plan to be proposed by the Office under paragraph 6(c), subject to further review of the financial implications arising from the activities endorsed.

It requested the Office to prepare for its 316th Session (November 2012), in consultation with the tripartite constituents, a proposed operational plan for putting in place the MNE Declaration follow-up mechanism and the specified promotional activities on the basis of the recommendations submitted by the Ad Hoc Working Group at the present session. And it decided further to suspend, until its 316th Session (November 2012), the decision taken at its 258th Session (November 1993) to conduct surveys of the MNE Declaration every four years, to consider adoption of an operational plan for the follow-up mechanism.

III. Legal Issues and International Labour Standards Section

21. Legal Issues Segment

Promotion of the ratification of the 1986 Instrument of Amendment of the Constitution of the International Labour Organisation

In the document submitted to the 312th Session of the Governing Body,⁶² the Office reported that it had significantly raised the profile of the ratification campaign for the 1986 Instrument of Amendment, including by creating a dedicated web page presenting promotional documents.

A new explanatory brochure had been produced in English, French, Spanish, Russian, Arabic and Portuguese with questions and answers about the 1986 Instrument of Amendment. Meetings and special events with a view to promoting the ratification of this

⁶⁰ GB.309/13, para. 28.

⁶¹ The report of the Ad Hoc Working Group is contained in GB.313/POL/9(Rev.).

⁶² GB.312/LILS/1.

Amendment were also organized during the 100th Session of the International Labour Conference, the 12th African Regional Meeting and the 15th Asia and the Pacific Regional Meeting, and a *note verbale* conveying a list of all ratifying States Members was sent to all permanent missions of ILO member States.

The Governing Body took note of the progress report, encouraged the Office to continue to promote ratification of the 1986 Amendment to the Constitution, taking account of the guidance provided during the discussion, and requested the Office to provide updated information at its 313th Session (March 2012). The Office was further encouraged to consider new proposals that arose from the discussion for presentation, as appropriate, to a future session of the Governing Body.

Matters relating to the representation of Employers and Workers at the ILC: Addressing tripartite imbalance within delegations

This issue had already been discussed at the 307th⁶³ (March 2010) and 309th⁶⁴ (November 2010) Sessions of the Governing Body, at the request of the Credentials Committee of the Conference. At its 312th Session (November 2011), the Governing Body was provided with information on action taken by the Credentials Committee of the 100th Session of the Conference under its general mandate concerning the Conference composition.⁶⁵ The Credentials Committee had identified a number of governments whose credentials appeared to reveal a significant imbalance between the number of accredited Government advisers and the number of accredited Employers' and Workers' advisers and had invited them to provide information on the reasons for the apparent imbalance in their delegations. The replies had yielded useful information that shed light on certain causes of tripartite imbalance in delegations.

Following a discussion, the Governing Body requested the Office to continue awareness-raising activities with governments to address the question of tripartite imbalance in Conference delegations. The Office was asked to review and report relevant future developments to the Governing Body, keeping in mind the possibility of amending the Conference Standing Orders in order to extend the mandate of the Credentials Committee to submissions alleging tripartite imbalance, should this course of action prove justified.

Legal protection of the International Labour Organization in its member States, including the status of privileges and immunities

The Governing Body reviewed the status of the ILO's legal protection in member States, including its privileges and immunities, as well as further steps in relation to measures to secure legal protection where needed, such as a standing Framework Agreement for Cooperation.⁶⁶ It reaffirmed the importance of legal protection for the ILO in its relations with member States, and in particular the privileges and immunities

⁶³ GB.307/LILS/1.

⁶⁴ GB.309/LILS/1.

⁶⁵ GB.312/LILS/2.

⁶⁶ GB.313/LILS/1.

recognized in the 1947 Convention on the Privileges and Immunities of the Specialized Agencies and Annex I relating to the ILO. The Governing Body urged member States that have not yet acceded to the 1947 Convention and applied Annex I to do so. The Governing Body further requested the Office to continue its efforts to promote the legal protection of the ILO through the measures indicated, and to report periodically on the legal situation of the ILO in its member States, with a view to taking further measures when necessary. In addition, it requested an analysis of, and proposals on, the question of immunities and privileges for officials of the International Organisation of Employers (IOE) and the International Trade Union Confederation (ITUC).

Final provisions of international labour Conventions

This subject was discussed by the Governing Body at its 313th Session⁶⁷ (March 2012) in accordance with the suggestion of the Committee on Domestic Workers at the 100th Session of the International Labour Conference, where a discussion had taken place on the final provisions on entry into force and denunciation of the proposed Convention. The Governing Body discussed different approaches to dealing with requests for modification of certain final provisions. The majority agreed that this question could not be dealt with in isolation, but instead should be included in the wider discussion on standards policy. No decision was taken.

Standing Orders of the Special Tripartite Committee established under Article XIII of the Maritime Labour Convention, 2006

In March 2012, the Legal Issues and International Labour Standards Section adopted the Standing Orders of the Special Tripartite Committee to be established under Article XIII of the Maritime Labour Convention, 2006 (MLC, 2006),⁶⁸ with a view to keeping them under continuous review. The Standing Orders were prepared by the Office following two meetings of the Preparatory Tripartite MLC, 2006, Committee that took place in September 2010 and December 2011, and which held very extensive discussions. An introductory note to the Standing Orders was prepared in light of these discussions, in order to provide future members of the MLC Committee with complete information on ILO procedures and practices. This introductory note provides orientation on the practice of interpreting or implementing provisions that are similar to other ILO Standing Orders developed by various ILO organs or the understandings under which the present Standing Orders were prepared and adopted.

The Governing Body expressed appreciation to member States that had already ratified the MLC, 2006, and invited all other member States to accelerate national ratification processes.

⁶⁷ GB.313/LILS/2.

⁶⁸ GB.313/LILS/3.

22. International Labour Standards and Human Rights Segment

Report and outcome of the Tripartite Meeting of Experts to Examine the Termination of Employment Convention No. 158 and Recommendation No. 166, 1982

At its 312th Session in November 2011, the Governing Body authorized the Director-General to communicate the report of the Tripartite Meeting of Experts to Examine the Termination of Employment Convention (No. 158) and Recommendation No. 166, 1982,⁶⁹ to Governments of member States, to the employers' and workers' organizations concerned, and to the non-governmental international organizations concerned. The Governing Body further requested the Director-General to bear in mind, when drawing up proposals for future actions of the Office, the matters raised in the final report of that Tripartite Meeting of Experts⁷⁰ taking into account in this particular case *The Way Forward of the Tripartite Meeting of Experts of the Government and the Worker Experts* as referred to in paragraph 127 of the final report and the Outcome of the Employer experts as referred to in paragraphs 118 and 119 of the same report, as well as the discussions held in the LILS Section of the Governing Body at its November 2011 session.

Joint ILO–UNESCO Committee of Experts on the Application of Recommendations concerning Teaching Personnel (CEART): Interim report on allegations submitted by teachers' organizations

The November 2011 Governing Body discussed a paper⁷¹ providing a summary of the findings and recommendations of the joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART), in a case concerning ongoing dialogue with the Government and teachers' organizations of Japan. The Governing Body decided to take note of the situation and findings set out in the CEART's interim report and the recommendations contained in paragraph 17 therein, and to authorize the Director-General to communicate the report of the CEART to the Government of Japan, ZENKYO, JTU, and to other representative teachers' organizations in Japan, and to invite them to take the necessary follow-up action as recommended in the report.

⁶⁹ GB.312/LILS/6.

⁷⁰ TMEE/C.158-R.166/2011/2.

⁷¹ GB.312/LILS/7.

IV. Programme, Financial and Administrative Section

23. Programme, Financial and Administrative Segment

Use of the Special Programme Account

In November 2011, the Governing Body decided to allocate US\$4.2 million from the Special Programme Account to support: (i) follow-up to 2011 Conference resolutions on social protection, labour administration and labour inspection, and domestic workers; (ii) response to requests for technical support on Skills for Employment Knowledge Sharing Platform, employment and infrastructure investment, and productivity growth, wages and collective bargaining; and (iii) decent work for youth.⁷²

Building questions: Update on the headquarters renovation project

In November 2011 and March 2012, the Governing Body reviewed and discussed reports on the progress of the headquarters building renovation project.⁷³ In March 2012, the Governing Body approved the proposal not to construct a temporary prefabricated building for use as “swing space” during the renovation of the headquarters building, provided the project remained within the original budget and schedule.

Information and communications technology questions

In November 2011 the Governing Body received reports on the progress of implementation of information technology infrastructure projects previously approved by the Governing Body⁷⁴ and on the field roll-out of IRIS.⁷⁵

Other financial questions

In November 2011 the Governing Body received a report on the progress of the work of the Expenditure Review Committee (ERC).⁷⁶ The Office informed the Governing Body that it would next report on the work of the ERC to the 316th Session, in November 2012. This report would include information on the concrete measures that had been implemented and savings to date from those measures.

⁷² GB.312/PFA/2.

⁷³ GB.312/PFA/5(&Corr.) and GB.313/PFA/3/2.

⁷⁴ GB.312/PFA/6/1.

⁷⁵ GB.312/PFA/6/2.

⁷⁶ GB.312/PFA/7/1.

ILO programme implementation 2010–11

In March 2012 the Governing Body received a report on ILO programme implementation for 2010–11⁷⁷ and requested the Office to continue reviewing its measurement and reporting procedures and to ensure that future reports on programme implementation made clearer recommendations on how performance monitoring and evaluation could be improved, formulated and presented so as to enable Governing Body members to focus on progress against meaningful key performance measures, including outcomes and qualitative measures.

24. Audit and Oversight Segment

Independent Oversight Advisory Committee (IOAC)

In November 2011 the Governing Body considered a report on the independent review of the Internal Oversight Advisory Committee (IOAC).⁷⁸ The Governing Body decided to establish the IOAC as a permanent advisory body reporting to the Governing Body. It extended the mandate of the current five members of the IOAC until 16 November 2012, under the existing terms of reference as approved by the Governing Body at its 300th Session (November 2007). It requested the Director-General to continue to facilitate informal consultations in order to make proposals on the revision of the terms of reference of the IOAC no later than at its 315th Session (November 2012).

In March 2012, the Governing Body received and considered the fourth report of the Independent Oversight Advisory Committee.⁷⁹ The Governing Body also considered the report of the Chief Internal Auditor for 2011⁸⁰ and the report of follow-up action taken by the Office on the report of the Chief Internal Auditor for 2010.⁸¹

Proposed membership and selection process for the IOAC

In March 2012, the Governing Body approved the composition and selection procedures for membership of the IOAC and requested the Director-General to initiate the selection process in order that appointments to the Committee could be made at the 316th Session (November 2012) of the Governing Body.⁸²

⁷⁷ GB.313/PFA/1(Rev.).

⁷⁸ GB.312/PFA/10.

⁷⁹ GB.313/PFA/6/1.

⁸⁰ GB.313/PFA/5.

⁸¹ GB.313/PFA/4.

⁸² GB.313/PFA/6/2(Rev.).

Annual evaluation report 2010–11

In November 2011, the Governing Body confirmed the priorities for the programme of evaluation work.⁸³ As requested by the Governing Body in November 2011, the Office presented a paper in March 2012 which contained recommendations on how to give effect to the suggestions and planned next steps, including the incorporation of impact assessment as part of the recurrent discussion reports.⁸⁴ The Governing Body adopted the proposed plan of action for the implementation of the recommendations and suggestions contained in the annual evaluation report 2010–11.

In November 2011 the Governing Body considered a report on high-level evaluations of strategies and decent work programmes.⁸⁵ The Governing Body requested the Director-General to take into consideration the findings, recommendations and lessons learned from the independent evaluations.

25. Personnel Segment

Amendments to the Staff Regulations

In November 2011 the Governing Body approved an increase in the base salary, and consequential increases in separation payments, for staff in the Professional and higher categories, and authorized the Director-General to give effect in the ILO, through amendments to the Staff Regulations, to this increase, subject to its approval by the General Assembly. It further decided that the Office would in future report to it on common system issues and consequential amendments to the Staff Regulations once a year, normally at its spring session.⁸⁶ It approved an amendment to article 14.7 of the Staff Regulations to give effect to this decision.

In March 2012, the Governing Body postponed a decision on proposed amendments to the Staff Regulations, made in the context of the mediation process initiated in 2011 between the administration and the Staff Union, until its 316th Session (November 2012).⁸⁷

Matters relating to the Administrative Tribunal of the ILO: Composition of the Administrative Tribunal

In March 2012 the Governing Body recommended that the 101st Session of the International Labour Conference convey its deep appreciation to Ms Gaudron for the valuable services she had rendered as judge and as President of the Tribunal and expressed regret at the resignation of Ms d’Auvergne. It recommended the renewal of the terms of office of Mr Ba (Senegal), Mr Barbagallo (Italy) and Ms Hansen (Canada) for three years each, and the appointment of Hon. Michael Francis Moore (Australia) for a term of office

⁸³ GB.312/PFA/8.

⁸⁴ GB.313/PFA/7/1.

⁸⁵ GB.312/PFA/9.

⁸⁶ GB.312/PFA/13.

⁸⁷ GB.313/PFA/10/1 and GB.313/INF/7.

of three years. It also delegated to its Officers, on a one-time basis, the authority to propose directly to the Conference the appointment of a further candidate from the Latin America and the Caribbean region following consultation with the Director-General before June 2012.⁸⁸

V. High-Level Section

26. Strategic Policy Segment

Policy coherence in the multilateral system

Recalling the declaration on policy coherence made at the closing sitting of the 100th Session (2011) of the International Labour Conference, the Strategic Policy Segment of the 312th Session of the Governing Body of November 2011 provided an opportunity to follow up on the declaration's request for substantive discussion on policy coherence and cooperation within the multilateral system.

In the discussion of the paper⁸⁹ before them, a number of Governing Body members requested further information regarding the overall framework for policy coherence, in particular with regard to the UN. The urgent need for policy coherence was reiterated, although it was recognized that the issues were complex and long term. It was widely held that priorities needed to be identified when pursuing partnerships and that ILO tripartism needed to play an important role. Country-level coordination was a common theme and many speakers pointed to the importance of the continued integration of DWCPs in United Nations Development Assistance Frameworks. Finally the need to focus on policy issues was cited, particularly regarding the role of standards in ILO work on growth, poverty eradication and social inclusion. The potential role of the ILO in the G20 Task Force on Employment was highlighted by many as an important opportunity for this.

27. Working Party on the Social Dimension of Globalization

A turn for the worse? Latest developments and current outlook for employment and the social dimension of globalization

At the 312th Session of the Governing Body, the Working Party on the Social Dimension of Globalization had before it a paper⁹⁰ on the latest developments and current outlook for employment and the social dimension of globalization. Mr Lázló Andor, European Commissioner for Employment, Social Affairs and Inclusion, addressed the Working Party on the European dimensions of the worsening economic situation and on the ways in which the European Union was responding.

⁸⁸ GB.313/PFA/9.

⁸⁹ GB.312/HL/1.

⁹⁰ GB.312/WP/SDG/1.

In the ensuing discussion, many delegates expressed serious concerns about the prospects for employment and social and working conditions. There were differences in experiences, with some countries managing to maintain a brisk pace of growth at least up to the end of 2011. Tackling high and rising youth unemployment and the situation of the long-term unemployed were at the top of many speakers' policy priorities. The period leading up to the 101st Session of the International Labour Conference in 2012, the G20 Summit in Mexico in 2012, and several other important opportunities to further international policy coordination was seen by many as critical to averting prolonged stagnation or, even worse, a double-dip recession.

Staving of renewed crisis: The role of the ILO

The entire High-Level Section of the 313th Session of the Governing Body was conducted as the Working Party on the Social Dimension of Globalization. It discussed a paper⁹¹ reviewing the global economic and employment outlook and the scope for continuing the promotion of the Global Jobs Pact. In his address, Professor Ian Goldin, Director of the Oxford Martin School, spoke of the challenges of making globalization work for economic development and poverty reduction in view of growing inequality and systemic risks in an ever more interconnected world.

During the discussion, there was convergence in several areas. Firstly, everyone agreed that the crisis was far from over and that it was affecting all countries. Unprotected workers, small enterprises and the poor were suffering most. Secondly, the Global Jobs Pact continued to be relevant in providing needed guidelines and country experiences showed that many national policy responses to the crisis had been inspired by the Pact. Thirdly, policy dialogue and the coherent articulation of investment, trade, finance and labour policies were ingredients of success at both the national and international levels. Fourthly, there was a common concern over developments in the Eurozone and their implications for social standards in Europe and beyond. Lastly, while opinions were divided concerning the taxation of financial transactions, the need to put the financial system more at the service of the real economy was acknowledged and it was felt it might merit a separate discussion.

VI. Conclusion

The above text represents a succinct account of the actions taken by the Governing Body of the ILO under my tenure as its Chairperson for the period June 2011–June 2012, which I submit to the 101st Session of the International Labour Conference for its information.

(Signed) G. Vines
Chairperson

⁹¹ GB.313/HL/1.

CONTENTS

	<i>Page</i>
I. Institutional Section	1
1. Date of closure of the 101st Session of the International Labour Conference (May–June 2012).....	1
2. Agendas of the 101st, 102nd and 103rd International Labour Conferences	1
3. Cycle of recurrent discussions under the 2008 Declaration on Social Justice for a Fair Globalization up until 2016	2
4. Matters arising out of the work of the 100th Session (2011) of the International Labour Conference: Follow-up to the adoption of the resolution concerning efforts to make decent work a reality for domestic workers worldwide	3
5. Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work	4
6. Reform of the Governing Body of the ILO and of the International Labour Conference.....	4
7. Report and conclusions of the 12th African Regional Meeting (Johannesburg, 11–14 October 2011).....	6
8. Report and conclusions of the 15th Asia and the Pacific Regional Meeting (Kyoto, 4–7 December 2011)	6
9. Developments concerning non-observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29)	6
10. Complaint concerning non-observance by Myanmar of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 99th Session (2010) of the International Labour Conference under article 26 of the ILO Constitution.....	9
11. Reports of the Committee on Freedom of Association (360th, 361st, 362nd and 363rd reports).....	10
12. Tripartite High-Level Mission to the Bolivarian Republic of Venezuela	10
13. Report of the 73rd Session of the Board of the International Training Centre of the ILO, Turin	10
14. Progress on implementing the 2009 ILC resolution concerning gender equality at the heart of decent work.....	11
15. Matters dealt with in reports of the Director-General	12
16. Matters dealt with in reports of the Officers of the Governing Body	14
II. Policy Development Section.....	16
17. Employment and Social Protection Segment	16
18. Social Dialogue Segment	19
19. Technical Cooperation Segment.....	20
20. Multinational Enterprises Segment	22

III.	Legal Issues and International Labour Standards Section	22
21.	Legal Issues Segment	22
22.	International Labour Standards and Human Rights Segment.....	25
IV.	Programme, Financial and Administrative Section	26
23.	Programme, Financial and Administrative Segment	26
24.	Audit and Oversight Segment.....	27
25.	Personnel Segment	28
V.	High-Level Section	29
26.	Strategic Policy Segment.....	29
27.	Working Party on the Social Dimension of Globalization	29
VI.	Conclusion	30

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