



## **Governing Body**

319th Session, Geneva, 16–31 October 2013

**GB.319/PV**

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### **Minutes of the 319th Session of the Governing Body of the International Labour Office**

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of the Governing Body of the  
International Labour Office**

The 319th Session of the Governing Body of the International Labour Office was held in Geneva, from Wednesday, 16 to Thursday, 31 October 2013, with Ms Velásquez de Avilés of El Salvador as Chairperson.

The list of persons who attended this session of the Governing Body is appended.

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## Institutional Section

1. The Institutional Section met on Monday 21, and from Tuesday 29 to Thursday 31 October 2013. The Chairperson of the Governing Body, Ms M. Velásquez de Avilés (Government, El Salvador), chaired the Section. The Employer Vice-Chairperson of the Governing Body, Mr D. Funes de Rioja (Argentina), spoke as Employer coordinator for the Section, except in respect of items 5 and 6 on the agenda: A strategy for wider engagement with the private sector; and the Report and Declaration of the Ninth European Regional Meeting (Oslo, 8–11 April 2013), where Ms R. Hornung-Draus was Employer coordinator. The Worker Vice-Chairperson of the Governing Body, Mr L. Cortebeeck (Belgium), spoke for the Workers, except in respect of: item 3.2, Follow-up to the resolution concerning sustainable development, decent work and green jobs; and item 3.3, Follow-up to the resolution concerning employment and social protection in the new demographic context, where Mr G. Martinez and Ms C. del Rio acted respectively as Worker spokespersons.
2. The following Governing Body members chaired the remaining sections and segments of the 319th Session:

### Policy Development Section

#### *Employment and Social Protection Segment*

*(Wednesday, 23 October 2013)*

*Chairperson:* Mr A. Shahmir (Iran)

*Employer coordinator:* Ms R. Goldberg

*Worker spokesperson:* Ms H. Kelly

#### *Social Dialogue Segment*

*(Tuesday, 22 and Thursday, 24 October 2013)*

*Chairperson:* Ms M. Armellin (Italy)

*Employer coordinator:* Mr P. Woolford

Item 3, Follow-up to the discussion on social dialogue at the 102nd Session of the International Labour Conference (2013): Mr J. Rønneest

*Worker spokesperson:* Ms S. Fox

#### *Technical Cooperation Segment*

*(Thursday, 24 October 2013)*

*Chairperson:* Ms A.J. Correia (Angola)

*Employer coordinator:* Mr A. Yuma

*Worker spokesperson:* Mr J.R. Gómez Esguerra

### Legal Issues and International Labour Standards Section

*(Friday, 25 October 2013)*

#### *Legal Issues Segment*

*Chairperson:* Mr G. Corres (Argentina)

*Employer coordinator:* Mr C. Syder

*Worker spokesperson:* Mr L. Cortebeeck

***International Labour Standards and Human Rights Segment***

*Chairperson:* Mr G. Corres (Argentina)

*Employer coordinator:* Mr C. Syder

Item 4, Strengthening the ILO's standards system and its impact, including the follow-up to the 2012 Conference Committee on the Application of Standards:  
Mr D. Funes de Rioja

*Worker spokesperson:* Mr L. Cortebeeck

**Programme, Financial and Administrative Section**

*(Monday, 21 and Tuesday, 22 October 2013)*

***Programme, Financial and Administrative Segment***

*Chairperson:* Ms V.M. Velásquez de Avilés (El Salvador)

*Employer coordinator:* Mr M. Mdwaba

*Worker spokesperson:* Mr S. Gurney

***Audit and Oversight Segment***

*Chairperson:* Ms V.M. Velásquez de Avilés (El Salvador)

*Employer coordinator:* Mr M. Mdwaba

*Worker spokesperson:* Mr S. Gurney

***Personnel Segment***

*Chairperson:* Ms V.M. Velásquez de Avilés (El Salvador)

*Employer coordinator:* Mr P. Woolford

*Worker spokesperson:* Mr S. Gurney

**High-Level Section**

*(Monday, 28 October 2013)*

***Strategic Policy Segment***

*Chairperson:* Ms V.M. Velásquez de Avilés (El Salvador)

*Employer coordinator:* Mr D. Funes de Rioja

*Worker spokesperson:* Mr L. Cortebeeck

**Working Party of the Functioning of the Governing Body  
and the International Labour Conference**

*(Wednesday, 23 and Monday, 28 October 2013)*

*Chairperson:* Ms V.M. Velásquez de Avilés (El Salvador)

*Employer coordinator:* Mr D. Funes de Rioja

*Worker spokesperson:* Mr L. Cortebeeck



**Committee on Freedom of Association**

(from Wednesday, 16 to Friday, 18 and Friday, 25 October 2013)

*Chairperson:* Mr P. Van Der Heijden (Netherlands)

*Employer coordinator:* Mr P. Anderson

*Worker spokesperson:* Mr Y. Veyrier

**Board of the International Institute for Labour Studies**

(Thursday, 24 October 2013)

*Chairperson:* Mr G. Ryder (ex officio)

*Employer coordinator:* Mr P. Woolford

*Worker spokesperson:* Mr F. Atwoli

**First item on the agenda****Approval of the minutes of the 318th Session  
of the Governing Body  
(GB.319/INS/1)****Decision****3. *The Governing Body approved the minutes of its 318th Session.***

(GB.319/INS/1, paragraph 2.)

**Opening comments by the Director-General**

4. *The Director-General* said that the substantial agenda of the 319th Session reflected two developments within the ILO. Firstly, the reform of the Governing Body itself had enabled members to focus on the issues that mattered. Secondly, the overall process of change and reform of the ILO had set the right balance between issues on which ILO management was able to move forward and those that required the decision-making authority of the Governing Body. He drew attention to three particular areas of decision-making: the reform of the International Labour Conference, which required the Governing Body to make a decision based on the clear options presented; the future of the International Institute for Labour Studies as part of the overall move to establish a new Research Department and knowledge centre of excellence; and wider ILO engagement with the private sector as a follow-up to the enterprise initiatives suggested as one of the seven centenary initiatives outlined in his 2013 Report to the Conference: *Towards the ILO centenary: Realities, renewal and tripartite commitment*. These examples highlighted the need for everyone to work together and that any process that led to worthwhile change required complex, and even controversial, decision-making. He stressed that, while he was aware of the concerns expressed by the Governing Body and ILO staff regarding the Office's reform agenda, it was important to realize that it had not prevented the Office from delivering its programme for this biennium and preparing for the next, including, in particular, the areas of critical importance (ACIs). He stressed that the Office felt a real sense of urgency and responsibility to meet the Governing Body's expectations and the challenges that the ILO faced.

## Second item on the agenda

### Agenda of the International Labour Conference (2015 and beyond) (GB.319/INS/2)

5. *A representative of the Director-General* (Deputy Director-General, Management and Reform (DDG/MR)) said that the Office had consulted with the groups but had been unable to find sufficient common ground concerning the selection of items for inclusion on the agenda of the International Labour Conference. While it would be possible to defer a decision on the agenda of the 105th Session (2016) of the Conference until March 2014, it was imperative to make a decision at the present session of the Governing Body on the agenda of the 104th Session (2015).
6. *The Employer coordinator* said that it was important not merely to identify a topic in general, but also to envisage the content of any possible debate, and to seek greater coherence with the direction of future work. On those grounds, and with a view to the Conference giving clearer political guidance, the topic of effective ILO technical cooperation in a changing global context would be of particular interest for a general discussion. In addition, as the Conference will discuss the topic of informality in 2014 and 2015, small and medium-sized enterprises (SMEs) should be taken up for discussion. Discussions on these two topics were necessary to frame a future discussion on global supply chains. In addition, further work, through consultations within the Governing Body or meetings of experts, needed to be done before the topic of decent work in global supply chains could be considered. On the other hand, his group was sensitive to the Office's indications concerning the need for the Conference to evaluate the impact of the Declaration on Social Justice for a Fair Globalization, 2008 (the Social Justice Declaration) and the matter had to be considered in the near future.
7. *The Worker Vice-Chairperson* noted the Office's reminder that all constituents could submit proposals for Conference agenda items. However, the Office, with its technical knowledge and through interaction with the constituents, should continue taking the lead in submitting items to the Governing Body. He supported the need for the Conference to assess the steps taken to promote the Social Justice Declaration and to improve its impact. In addition, such an evaluation would be timely in view of the centenary initiatives proposed by the Director-General and the formulation of a new strategic framework. In view of the conclusions of the recurrent discussion on social dialogue at the 102nd Session (2013) of the Conference, his group supported the first proposal for completing the agenda of the 104th Session (2015), namely decent work in global supply chains. For 2016, his group supported the proposals concerning revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), and violence against women and men in the world of work (standard setting, double discussion). With regard to the latter, any new Convention and Recommendation would have to address fully the issues of gender-based violence and sexual harassment. His group did not support the proposed general discussions relating to building a diverse and inclusive world of work, to SMEs and employment creation, and to the public sector, nor did it support a general discussion on technical cooperation. His group supported the options for future sessions and proposed follow-up actions set out in table B of the document. It urged the Office to identify resources for an expert meeting on non-standard forms of employment as a matter of urgency since such a meeting was provided for in the conclusions of the 2012 recurrent discussion on fundamental principles and rights at work. The Office should also allocate the necessary resources to the organization of a meeting of experts on the issue of transition of the world of work to a low-carbon economy. This meeting should discuss how standards could best support a just transition and examine whether new standards were

needed. The group believed that there was value in the ILO developing a new standard on a just transition towards a greener society and green jobs. Lastly, his group supported the approach of postponing until March 2014 the decision to complete the agenda of the 105th Session (2016) of the Conference.

8. *Speaking on behalf of the Africa group*, a Government representative of Kenya supported placing the item on decent work in global supply chains on the agenda of the 104th Session (2015) of the Conference. For the 105th Session (2016), his group supported the following proposals in order of priority: building a diverse and inclusive world of work; and SMEs and employment creation. If the Governing Body was unable to agree on the agenda for the 105th Session (2016) of the Conference, the decision should be postponed until its 320th Session. The proposals presented in table A that were not retained for the 104th or 105th Session of the Conference should be removed or reviewed after 2016. The Office should then follow up on the options contained in table B. His group supported the draft decision as a whole.
9. *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of Australia said that his group supported the comments made by the Employers' group on SMEs and felt that the time was right for a general discussion on that subject at the 104th Session (2015) of the Conference. His group did not support holding a general discussion on decent work in global supply chains in 2015, but agreed that the decision on agenda items for the 105th Session (2016) should be postponed until the 320th Session of the Governing Body.
10. *Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)*, a Government representative of Costa Rica said that her group supported adding SMEs and employment creation or decent work and global supply chains to the agenda of the 104th Session (2015) of the Conference. The group would join the consensus as regards either of the two proposed items. Her group agreed that the decision on the 2016 agenda should be postponed until the 320th Session of the Governing Body and requested that the proposals in table A should not be removed even if they were not retained either for 2015 or 2016.
11. *Speaking on behalf of the Netherlands, Switzerland and the Nordic countries, Iceland, Finland, Sweden and Denmark*, a Government representative of Denmark, expressed support for holding a general discussion on decent work in global supply chains for the 104th Session (2015). With regard to the proposed standard-setting items, an evaluation should be undertaken after the 103rd Session (2014) to determine whether the discussion of two standard-setting items at the same Conference was feasible. Furthermore, the standards review mechanism should be introduced as soon as possible. With regard to the 105th Session (2016), he saw some merit in discussing effective ILO technical cooperation, or building a diverse and inclusive world of work. As regards technical cooperation, however, it would be better to wait until the ILO field structure review was completed before taking a final decision. A decision on the agenda of the 105th Session (2016) should be postponed until the 320th Session of the Governing Body. With respect to future sessions of the Conference and the options set out in table B of the document, he referred to the 2013 recurrent discussion on social dialogue, and considered that there was insufficient support for a discussion on the resolution of labour dispute: the option should be removed. Regarding the option relating to the transition of the world of work to a low-carbon economy, the proposed plan of action should be first approved and implemented before taking any further steps and so priority should be given to other options. Proposals such as SMEs and employment creation and long-term unemployment could be subsumed under the recurrent discussion on employment in 2014. The proposed item on the public sector encompassed aspects which should be discussed within the framework of the standard-setting item on transition from the informal to the formal economy to be

discussed in 2014 and 2015 by the Conference. Violence against women and men in the world of work was an important topic which should be approached from a broader perspective.

12. *A Government representative of the Republic of Korea* said that her Government supported placing the item on SMEs and employment creation on the agenda of the 104th Session of the Conference.
13. *A Government representative of Cuba* said that her Government was against adding another standard-setting item to the agenda of the 104th Session (2015) of the Conference. Thus, it supported the following proposals in order of priority: SMEs and employment creation; workforce development in the public sector; and building a diverse and inclusive world of work. Her Government was in favour of postponing the decision for the 105th Session (2016) until the 320th Session of the Governing Body. With reference to future Conferences, the proposals in table A of the document that were not retained either for 2015 or 2016 should not be discarded.
14. *A Government representative of France* said that his Government supported the inclusion of decent work in global supply chains on the agenda of the 104th Session (2015) of the Conference. The Office should also consider adding effective ILO technical cooperation to the agenda of the 105th Session (2016) of the Conference.
15. *A Government representative of the United States* said that the process for selecting Conference agenda items should be more open, transparent and rule-based. It could take the form of a paper ballot. His Government supported adding decent work in global supply chains to the agenda of the 104th Session (2015) of the Conference. The decision for the 105th Session (2016) Conference agenda should be postponed until the 320th Session of the Governing Body. However, his Government would like to see two of the items for future Conferences – non-standard forms of employment and long-term unemployment – included in the selection for the agenda of the 105th Session of the Conference. Failing that, his Government would support the inclusion of violence against women and men in the world of work which should encompass other components such as violence or threats of violence against any of the partners involved in labour-related activities.
16. *A Government representative of India* was in favour of adding SMEs and employment creation to the agenda of the 104th Session (2015) of the Conference. It was premature to discuss decent work in global supply chains at that stage, as more information was required. Her Government supported the inclusion of violence against women and men in the world of work on the agenda of the 105th Session (2016) of the Conference.
17. *A Government representative of Hungary* said that her Government supported adding decent work in global supply chains to the agenda of the 104th Session (2015) of the Conference. Further discussion was needed before taking a decision on the agenda of the 105th Session (2016). Her Government saw merit in holding a general discussion on SMEs and employment creation but, nonetheless, supported the postponement of the decision until the 320th Session of the Governing Body. While welcoming the Office's call for suggestions from the tripartite constituents concerning the agenda of the Conference, she said that there was still a need to refine the selection process for Conference agenda items. Solutions included the systematic elimination of proposals that failed to garner sufficient support and creating shortlists of items.
18. *A Government representative of China* said that her Government supported the inclusion of SMEs and employment creation on the agenda of the 104th Session (2015) of the Conference, and the inclusion of effective ILO technical cooperation on the agenda of the 105th Session (2016). The options relating to labour migration and the transition of the

world of work to a low-carbon economy could be covered at future sessions of the Conference.

19. A *Government representative of Canada* said that her Government had welcomed the Office's call for suggestions from the tripartite constituents concerning the agenda of the Conference. However, there was a clear need to establish a mechanism for selecting Conference agenda items, which could take the form of a ballot. She supported the inclusion of decent work in global supply chains on the agenda of the 104th Session (2015) of the Conference and felt that effective ILO technical cooperation should be retained until after the completion of the ILO field structure review. She supported postponing the decision on the 2016 Conference agenda until the 320th Session of the Governing Body and wished to retain, in addition to technical cooperation, the proposal for a standard-setting double discussion on violence against women and men in the world of work. Turning to the options set out in table B for future sessions of the Conference, she supported the proposed follow-up action for the resolution of labour dispute and for long-term unemployment, but was against convening a meeting of experts as regards the transition of the world of work to a low-carbon economy.
20. A *Government representative of Japan* supported the inclusion of effective ILO technical cooperation on the agenda of the 104th Session (2015) of the Conference. The standards review mechanism needed to be introduced as soon as possible. Supposing it were to be introduced, Japan would support the inclusion of the proposal on decent work for peace, security and disaster resilience. His Government supported postponing a decision on the 2016 Conference agenda until the 320th Session of the Governing Body. The Office should discard proposed items from table A that had not been retained for either the 104th or 105th Session of the Conference so as to leave room for new and timely items.
21. A *Government representative of Germany* was in favour of adding decent work in global supply chains to the agenda of the 104th Session (2015) of the Conference. The decision concerning the 2016 Conference should be postponed until the 320th Session of the Governing Body. He also endorsed the comments made by the representatives of Canada and the United States as regards the process relating to the selection of items on the agenda of the Conference.
22. A *Government representative of Italy* supported the inclusion of decent work in global supply chains on the agenda of the 104th Session (2015) of the Conference. As regards the agenda of the 105th Session (2016), there was merit in a general discussion on technical cooperation following the completion of the review scheduled to take place in 2015. The proposal on violence against women and men in the world of work should be retained. The decision on the 2016 Conference agenda should be postponed until the 320th Session of the Governing Body. She approved the idea of using a form of ballot to select Conference agenda items.
23. The Governing Body was unable to reach consensus on this item on its agenda. It suspended its discussions until a later sitting. At that sitting, the Office returned to the Governing Body with a new draft decision which had been circulated to the secretariat of the Employers' and Workers' groups and the Regional Coordinators and which, following consultations, appeared to have obtained wide support.
24. It proposed: (a) adopting the item on SMEs and employment creation for a general discussion at the 104th Session (2015) of the Conference; (b) selecting decent work in global supply chains for a general discussion item at the 105th Session (2016); (c) postponing consideration of a further item for the 105th Session (2016) to its 320th Session (March 2014); (d) requesting the Director-General to provide advice on preparation for those two general discussion items: the intention was for the

Director-General to report on options for the preparatory phase to the Governing Body at its 320th Session; and (e) requesting the Director-General to take note of the further discussion held earlier in the week on the possibility of removing some items from the list in table A and the follow-up to the items in table B, and reiterating the invitation to member States and social partners to submit any further suggestions for items for post-2016 sessions of the Conference, which could be reported on further and discussed in November 2014.

25. *The Worker Vice-Chairperson* said that with a view to tripartite consensus, his group was prepared to agree with the item on SMEs and employment creation for general discussion in 2015, provided a general discussion on decent work in global supply chains was placed on the Conference agenda in 2016. The title of the proposed 2015 item should read “small and medium-sized enterprises and decent employment creation”. Referring to Appendix VI to the document, he indicated that the discussion should confine itself to the boundaries established by the framework adopted in 2007, recognizing that only decent jobs should be created in SMEs. This made the issue of representation and enhancing the organizing rate and collective bargaining coverage in such enterprises critical. The discussion should also cover aspects relating to job security and improved working conditions and wages. The Workers supported the link to the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) in terms of the necessary links between SMEs and global value chains. There were also obvious links with the standard-setting discussion on the formalization of the informal economy. As stated in Appendix VI to the document, the Conference would have to adopt an integrated approach that took into account other policy areas, as well as ILO values and standards.
26. *The Employer coordinator* said that while he was not opposed to the content of the proposed addition to the title of the proposed item for 2015, it had not been discussed beforehand. He could accept it on an exceptional basis if it was further amended to read “decent and productive work”.
27. *A Government representative of the United States* wished to register discontent with the process whereby the decision had been reached. The process appeared not to be transparent, rule-based or tripartite. He would strongly prefer free and fair balloting that resulted in decisions that were agreed to, not decreed. His Government would not block the so-called consensus but would not join it.
28. *The Worker Vice-Chairperson* said that as unproductive employment creation was meaningless, his group agreed with the wording “decent and productive”.
29. *A Government representative of Brazil* said, in respect of the options set out in table B as regards future sessions of the Conference, his Government understood the proposed item on transition of the world of work to a low-carbon economy to include low mercury and other chemical substances in addition to low carbon.
30. *A Government representative of Trinidad and Tobago* suggested adding “micro-” to subparagraph (a) to read “micro-, small and medium-sized enterprises”.
31. *The Employer coordinator* did not oppose the inclusion of “micro-”.
32. *The Worker Vice-Chairperson* said that his group was unsure of including micro-enterprises in that context as there was also a discussion on the informal economy and the two discussions were being mixed up.

33. *The representative of the Director-General (DDG/MR), said that it was almost implied in Appendix VI of the paper that it was the full range of SMEs that was under consideration, which would also cover micro-enterprises. Regarding the comment by the Government representative of Brazil, the intent in subparagraph (e)(i) was to note specific issues and develop them further for consideration in November 2014. Regarding the comment by the Government representative of the United States, he apologized to any member States overlooked due to the speed of the consultations.*
34. *A Government representative of Trinidad and Tobago said that he did not agree, as for many countries the contribution of micro-enterprises to employment and national development was critical. However, he would not oppose the consensus.*

## **Decision**

### **35. The Governing Body:**

- (a) selected the item “small and medium-sized enterprises and decent and productive employment creation” with a view to a general discussion for the 104th Session (2015) of the Conference;*
- (b) selected the item “decent work in global supply chains” with a view to a general discussion for the 105th (2016) Session of the Conference;*
- (c) postponed a discussion on any further item for the 105th Session (2016) of the Conference to the 320th Session (March 2014) of the Governing Body;*
- (d) requested the Director-General to provide advice to the 320th Session (March 2014) of the Governing Body on preparation for the general discussion items for the 104th and 105th Sessions (2015 and 2016) of the Conference;*
- (e) requested the Director-General:*
  - (i) to take note of the guidance provided by the Governing Body as regards removal of items set out in table A of document GB.319/INS/2, and the follow-up to be undertaken in respect of the five options set out in table B of the same document;*
  - (ii) to invite member States and social partners to submit any further suggestions for items that could be included in future agendas of the Conference; and*
  - (iii) to report further to the 322nd Session (November 2014) of the Governing Body.*

(GB.319/INS/2, paragraph 13, redrafted by the Governing Body.)

## Third item on the agenda

### Matters arising out of the work of the 102nd Session (2013) of the International Labour Conference

#### Follow-up to the discussion of the Report of the Director-General (GB.319/INS/3/1)

36. *The Director-General* said that the purpose of the document was to seek guidance from the Governing Body on how the Office should follow up on the key issues identified in the Report, particularly regarding the women at work initiative and the future of work initiative.
37. *The Employer coordinator* supported the seven initiatives. With regard to the governance initiative, there were two possible actions that could be taken in relation to the ratification of the 1986 Instrument of Amendment of the Constitution: a survey sent to those countries that had not ratified it, or technical cooperation to encourage ratification. The standards initiative was very important: there were many standards that had not been widely ratified and which required review. The green initiative would be discussed separately by the Governing Body under the follow-up to the Conference resolution. The enterprise initiative had been discussed previously and would be taken up again in March 2014; it should be linked with the end to poverty initiative and the Millennium Development Goals (MDGs). He highlighted the link between the women at work initiative and the future of work initiative. The Governing Body must be able not only to analyse the new forms of work, new patterns of organization, part-time work or job-sharing and changes brought about by technology, but must establish a common response based on consensus. The debate should continue in March 2014, when the Office should present clearly the impact of the initiatives on its work, together with the associated budgetary implications.
38. *The Worker Vice-Chairperson* concurred that the ILO must continue to support the Palestinian people through an enhanced technical cooperation programme. His group expected a more proactive role in the area of migration and a renewed impetus by the ILO and its constituents to abolish child labour. Regarding the governance initiative, it was urgent to review the functioning of Regional Meetings; the Conference should evaluate the Social Justice Declaration whose full potential was yet to be realized. The Workers had always supported the 1986 Instrument of Amendment of the ILO Constitution, but governments' political will for it to come into force appeared to be lacking. He requested clarification regarding the fourth bullet point in paragraph 12 of the Report, questioning what "alternative action" might be expected of the Governing Body in relation to the ratification of the 1986 Instrument of Amendment of the Constitution. The group supported the standards initiative, but could not envisage participating in a standards review mechanism until the Committee on the Application of Standards issues had been resolved and agreement reached on maintaining the strength and authority of the ILO supervisory system. Review of standards had to be closely linked to a tripartite commitment to promote ratification and allocate resources: this concept should be included in the standards initiative. It was also important to reaffirm the set of principles that should guide the standards review mechanism. His group supported the green initiative, which should focus on just transition, and the enterprise initiative. He saw value in linking the end of poverty initiative to the post-2015 development agenda. ILO strategies had to address wealth inequality recognizing the key role that wages – including an adequate minimum living wage – and collective bargaining played in ensuring that workers got their



fair share of the wealth they created. He stressed that the ILO should not only focus on the most disadvantaged in the world of work but promote fairness for workers and prevent them from falling into poverty. He supported the women at work initiative and the proposal regarding a tripartite expert meeting. The ILO should design strategies to end discrimination against women and promote effective gender equality. The group supported the future of work initiative, but more details were needed regarding its focus. A key issue was to address changing patterns in the world of work, such as precarious employment, which undermined workers' rights. Production organized in complex value chains should be part of this initiative, together with the impact of economic, trade and financial policies on the realization of decent work. Regular progress reports to the Governing Body would be preferred, at the March and October–November sessions.

39. *Speaking on behalf of the Africa group*, a Government representative of Ghana welcomed the identification of key areas of revitalization of the Organization and commended the efforts to connect the initiatives with the ACIs and other areas of ILO work. More information was required on the steps that the Office proposed to take in order to obtain the required number of ratifications to the 1986 Instrument of Amendment of the Constitution. Regarding the standards initiative, the group hoped that the Swiss Chalet process would be an important part of the solution to the prevailing stalemate. The green initiative would establish decent work as an indispensable factor in the promotion of a sustainable globalization process. Decent work and social justice could only be attained once workplace disadvantages were addressed. The group therefore supported a tripartite meeting to address the women at work initiative. Regarding the issue of poverty eradication, the group applauded the ILO's commitment to the forthcoming African Union Extraordinary Summit on Employment and Poverty Alleviation in Africa. The group supported the draft decision.
40. *Speaking on behalf of the European Union (EU) and its Member States*, a Government representative of Lithuania said that Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Norway, Republic of Moldova, Armenia and Georgia aligned themselves with her statement. She supported the Director-General's reform proposals and the progress made by the Office towards achieving them. The Organization needed to be in a strong position to help constituents devise solutions, using evidence-based models, which were appropriate to national situations. The ILO needed to reflect on changes in the labour market and support the creation of full, productive employment and decent work in accordance with the fundamental rights Conventions. The Organization should take stock of the situation of women in the workplace, with a view to designing a renewed strategy on equality. The EU would like to see how the seven initiatives coincided with the biennial programme and budget, the four dimensions of decent work, the eight ACIs and the next Strategic Policy Framework.
41. *A Government representative of Cuba* said that the reform process of the International Labour Conference was necessary, along with the need to continue modifying the working methods of the Committee on the Application of Standards so that it was more transparent. The plenary should not be less than a week in length, with fixed dates so that ministers could plan their attendance. The review of the reform of the Governing Body foreseen already in November 2011 must continue in a tripartite and transparent fashion. She asked for clarification from the Office regarding the standards review mechanism, and reiterated that she did not support the creation of additional supervisory mechanisms. She requested a more detailed and comprehensive report to be presented by the Director-General in March 2014. Her delegation approved the draft decision.

42. *A Government representative of Australia* welcomed the focus on identifying initiatives which supported innovation and productivity as drivers of economic growth and job creation. The future of work was a matter of universal importance and government policy had to ensure that the workforce was appropriately equipped and trained to meet the ever-changing demands of enterprise for skilled labour. Australia was already addressing this issue. Further work was required on the scope of this initiative. It was important that the Office was clear regarding what the new ambitious and forward-looking initiatives represented for the Organization and how they interacted with other initiatives. He supported the draft decision.
43. *A Government representative of China*, in respect of the governance initiative, supported combining the new ILO strategic plan with the Organization's core objectives to avoid repetition. The Office should accelerate the pace and intensify the degree of reforms of the International Labour Conference, introducing a two-week Conference in 2014. The standards initiative should involve tripartite consultation. With regard to the green initiative, knowledge sharing and capacity building were key to promoting green employment. She suggested that the ILO call on developed countries to provide preferential policies for the transfer of green technologies. In relation to the enterprise initiative, she supported the ILO in encouraging the private sector to engage in the strategy. With regard to the end to poverty initiative, jobs and decent work were the key to eradicating poverty. In respect of the women at work initiative, specific measures needed to be taken to eliminate gender discrimination, which was a cross-cutting issue. Regarding the future of work initiative, the tripartite constituents should work together to design a concrete platform for future work.
44. *A Government representative of Zimbabwe* noted the information provided regarding the initiatives, ILO programming and planning frameworks, and the linkages to other areas of work. He requested clarification on the reference in paragraph 12 of the Report to alternative action in respect of the Governing Body in the context of the ratification of the 1986 Instrument of Amendment.
45. *The Director-General* underlined two conclusions that had emerged from the discussion: firstly, that the Governing Body wished the Office to proceed with all initiatives; and secondly, that greater clarity was needed on how different initiatives would interrelate with existing programming instruments. A paper would be produced for the March session that would provide greater detail. He emphasized the need for guidance on the future of work initiative. He said that this work was going down different avenues within the Governing Body, but assured the constituents that coherence would not be lost.

## **Decision**

**46. *The Governing Body decided:***

- (a) to instruct the Director-General to pursue implementation of the proposed centenary initiatives in the light of the guidance provided; and*
- (b) to consider reports on progress made annually at its October–November session and additionally as circumstances required.*

(GB.319/INS/3/1, paragraph 38.)

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## Follow-up to the resolution concerning sustainable development, decent work and green jobs (GB.319/INS/3/2)

47. *The Employer coordinator* considered that the priorities set out in the Programme and Budget for 2014–15 should form the basis of ILO work on sustainable development. He expressed specific concerns regarding the strategic action plan. There was no meaningful way of collecting statistics in the absence of an agreed international definition of green jobs and work on draft guidelines for a statistical definition and measurement of green jobs should therefore not be pursued. It was not appropriate to formulate outcomes and indicators reflecting the ILO's role in sustainable development when discussion was still taking place in other forums. The Employers agreed in principle to the convening of a meeting of experts on issues related to the greening of economies, green jobs and a just transition for all. However, such a meeting must have clear objectives, based on information derived from research.
48. *The Worker spokesperson* welcomed the proposed strategic plan based on the four means of action noted in the conclusions: research, knowledge development, management and dissemination, engagement at the global and regional levels, country-level action and capacity building. However, with respect to objectives and indicators, the Workers' group wanted a clearer picture of what was meant by sustainable development and how progress would be measured. The four dimensions of decent work were vital for sustainable development and should be placed at the core of policies intended to achieve solid and sustainable growth. The added-value of the conclusions rested in the recognition of promoting a just transition towards economic, social and environmental sustainability. He called on the Office to raise awareness of the degradation of the environment and how it related to the world of work, taking into account the International Labour Conference conclusions with respect to safety and health in the workplace, social protection, rights, and social dialogue and tripartism. This should be included as an objective in the medium-term strategy.
49. With respect to country-level action, the Office should include promotion of decent employment in the entire supply chain in high value-added sectors, and the need to promote industrial and sectoral policies in sectors combining environmental and employment challenges, as reflected in the Conference conclusions. Design of a macroeconomic policy to promote sustainable production and full, decent and productive employment should also be a priority. The Office must thus include environmental concerns together with advice given with respect to employment policy, within the framework of the Employment Policy Convention, 1964 (No. 122). He stressed the importance, as a midterm strategy, of better understanding the impact of environmental degradation on the world of work.
50. With respect to standards, the Office should take environmental aspects into account when developing new standards or reviewing existing standards, in order to promote ecological, economic and social development. Existing standards should be examined to see how they could be applied to a transition to sustainable development and a low-carbon economy. The Workers' group agreed that a meeting of experts could be held and suggested it discussed the best way of using labour standards to support a just transition and to determine whether new standards would be required. He suggested that the Office could develop a new standard on a fair transition and green jobs. Although there were existing standards which guided constituents when implementing a just transition towards a greener economy, a new standard might determine when and how such instruments could be used. In any event, just transition must be based on good governance including the participation

of the social partners in policy development and the introduction of changes at enterprise, national and international level, as well as on social dialogue. The Office should take these views into account in other forums including the high-level political forum proposed by the UN Conference on Sustainable Development (Rio +20). Finally, he stressed the importance of the ILO's involvement in post-2015 negotiations. Employment and decent work should become one of the objectives of the post-2015 agenda with indicators relating to the four dimensions of decent work. The ILO should also be involved in other negotiations related to the environment, including climate change and the use of chemicals at work.

- 51.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania said that Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Norway, Republic of Moldova, Armenia and Georgia aligned themselves with her statement. She endorsed the role of the ILO in promoting the Decent Work Agenda as a means to achieving sustainable development and poverty eradication. An inclusive and equitable green economy would be an important tool in this context. EU policies coincided with the proposed ILO strategy. The speaker supported the strategic action plan to strengthen the capacity of governments, employers and workers to act as key agents of change and, in particular, the proposed role of the ILO in expanding the knowledge base on the role of the world of work in promoting sustainable development. A better understanding and measurement of quality of work, taking into account working conditions, health and safety at work, forms of employment and social security arrangements, was required in order to improve the statistical basis for green jobs and to build on existing work at regional and international levels. The EU followed closely the Office's work in this field, and had participated actively in the 19th International Conference of Labour Statisticians (ICLS).
- 52.** With regard to engagement at global and regional levels, the speaker stressed the importance of strengthening cooperation with other agencies in the UN system in the context of addressing the three dimensions of sustainable development. She gave support to the draft decision but proposed that its subparagraph (b) be modified to reflect paragraph 24 of the Conference conclusions. The subparagraph would thus read "provide evidence-based analysis before the autumn 2014 session of the Governing Body in order for it to consider the convening of a tripartite meeting of experts as suggested in paragraph 24 of the ILC conclusions".
- 53.** *Speaking on behalf of the Africa group*, a Government representative of Ghana welcomed the proposal to engage the private sector and the UN system, and to form strategic alliances and innovative partnerships in order to pursue a common global agenda on decent work and sustainable development. He supported the strategic action plan and welcomed the future role of the ILO in the post-2015 implementation of an internationally agreed development framework and a possible climate change agreement. He suggested, however, that a tripartite meeting of experts should be convened before 2015, as a matter of priority. The group also welcomed the multi-donor trust fund for partnership with UN agencies to increase technical assistance for mainstreaming sustainable development in Decent Work Country Programmes (DWCPs), and supported the role of the ILO in the post-2015 sustainable development framework.
- 54.** He called on the ILO to support the Africa region in the transition to green economies, with a view to increasing decent jobs and employment opportunities for all, especially the vulnerable, through an investment in skills training and capacity building. Such economies would promote human well-being, while reducing environmental risk. He also gave support to the increased role of the International Training Centre of the ILO in Turin (Turin Centre) and the creation of its e-platform and reminded the Office of the indispensable role of South-South and triangular cooperation (SSTC). Sustainable

development should be a long-term cross-cutting ILO priority. The Africa group supported the draft decision, amended so as to convene the proposed meeting of experts earlier.

55. *Speaking on behalf of ASPAG*, a Government representative of Australia was of the opinion that decent work, poverty eradication and environmental sustainability would be a priority for the ILO in the twenty-first century. ASPAG approved the main lines of the results-oriented strategy and encouraged the Office to reinforce its strategic alliances and partnerships with the UN system and the private sector, in order to advance the common global agenda on decent work for sustainable development and a greener economy. A results-oriented strategy would transform this vision into measurable outcomes at both country and global levels. ASPAG supported the action plan, but cautioned the Office about how the proposed goals might be achieved. Economic restructuring for the greening of enterprises and workplaces could lead to further challenges such as the displacement of workers and possible job losses, together with high energy and commodity prices. This should be accounted for in the context of the ILO's sustainable development and poverty eradication programmes.
56. ASPAG endorsed the Office's initiatives on research and knowledge development and supported its engagement at global and regional levels in the formulation of sustainable development goals and appropriate targets and indicators. In this respect, it was vital for the ILO to engage in constructive dialogue and partnership building, both with enterprises and with other UN agencies. He requested that the Office provide more technical assistance for skills development for green jobs. ASPAG supported the EU amendment to subparagraph (b) of the draft decision.
57. *A Government representative of the United States* raised a concern regarding the proposed meeting of experts, saying that it was premature to endorse it prior to carrying out an evidence-based analysis. She supported the draft decision as amended by the EU.
58. *A Government representative of India* stressed that decent work for all was a global concern and that it must be factored into any action plan, including the post-2015 sustainable development framework. While transitioning to an environmentally sustainable economy was laudable, the focus of developing countries had to be on job creation and the reduction of the informal economy. A workable strategic action plan would need to take into account national action plans. As stated in the Conference conclusions, a key objective of the action plan should be to link "decent work, eradication of poverty, sustainable development and green jobs". The document failed to do this. She supported the amendment to the draft decision proposed by the EU and proposed an amendment to Part (c) of the decision to confine it to the implementation of the International Labour Conference resolution, rather than the implementation of a green initiative through the action set out in the report.
59. *A Government representative of Canada* supported the overall action plan. She shared the concern raised by the Employers with respect to the difficulty of developing guidelines and measurements in the absence of an agreed definition of green jobs. The role of governments was not mentioned in connection with a planned review of concepts, strategies and examples of just transition policies and measures in collaboration with the social partners. She did not support the convening of a meeting of experts until the ILO had completed the work recommended by the Conference conclusions and had presented an evidence-based need for such a meeting. Finally, and on behalf of the group of industrialized market economy countries (IMEC), she supported the EU amendment to the draft decision.

- 60.** *A Government representative of Brazil , also speaking on behalf of Argentina, insisted that the three elements of sustainable development were interdependent and should be treated in a balanced manner. He said that the report did not accurately reflect the conclusions adopted at the Conference: the approach should encompass both offer and demand. Paragraph 10 needed to be updated as the 19th ICLS, mentioned in that paragraph, did not adopt decisions on green jobs, but only on employment in the environmental sector, which did not cover the whole concept. More consultation was required before decisions could be taken in this connection. Regarding country-level action, he proposed that one indicator might be the number of UN Country Teams engaged in providing technical cooperation in fields related to the Conference conclusions. With respect to capacity building and the role of the Turin Centre, the Conference conclusions should also be adhered to. He supported the amendments made to the draft decision.*
- 61.** *A representative of the Director-General (Director, Enterprises Department (ENTERPRISES)) said that the Office’s interpretation of the decisions of the 19th ICLS was that it had agreed that more work should take place on defining green jobs, with a focus on environmental sectors and activities. The Office wished to stay abreast of work in that area. He noted that a number of speakers had appreciated the results-oriented strategy, with an outcome-based workplan. This workplan would necessarily come into line with the outcome structure of the ILO, which was presently being developed. The report was intentionally brief, and did not contain a detailed plan of the initiatives already under way. These focused strongly on capacity building for the constituents, and included a validation workshop at the Turin Centre. He highlighted that additional support to countries in Africa had been made possible thanks to a separate allocation made by the Director-General. He requested further information on what sort of evidence-based information the Governing Body needed prior to approving a meeting of experts, stressing that such a meeting would enable the position of the institution, rather than the Office, to be expressed.*
- 62.** *Speaking on behalf of ASPAG, a Government representative of Australia supported the draft decision, as amended.*

## **Decision**

- 63.** *The Governing Body requested the Director-General to:*
- (a) take full account of the 2013 International Labour Conference conclusions on sustainable development, decent work and green jobs when implementing the Programme and Budget for 2014–15 and when preparing the subsequent Strategic Policy Framework, including through the allocation of the required resources to ensure the effective implementation of the strategic action plan;*
  - (b) provide evidence-based analysis before the 322nd Session (November 2014) of the Governing Body in order for it to consider the convening of a tripartite meeting of experts as suggested in paragraph 24 of the Conference conclusions; and*
  - (c) pursue the implementation of the resolution concerning sustainable development, green jobs and decent work and any further guidance decided by the Governing Body.*

(GB.319/INS/3/2, paragraph 33, as amended.)

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## Follow-up to the resolution concerning employment and social protection in the new demographic context (GB.319/INS/3/3)

64. *The Employer coordinator* said that countries and regions widely differed regarding demographic problems and therefore there could not be only one vision, but rather one adapted to different concerns. A propitious environment for creation and policies to boost productivity and employability would help increase competitiveness and stimulate investment. The sustainability of social security models depended largely on the capacity to generate wealth. The Office should focus its research on health care to facilitate adaptation to the demographic reality. Social dialogue and tripartite governmental systems were also vital in analysing the impact of demographic change for each specific area. Informality presented a challenge in terms of tax collection and the existence of individuals outside the social protection system. The State faced a difficult challenge regarding social protection coverage as it must keep tax at a reasonable rate while not discouraging investment and economic growth. The follow-up strategy referred to in the report needed to be founded on a regional basis in coordination with regional development banks. The group supported the draft decision.
65. *The Worker spokesperson* expressed her satisfaction with the document as it reflected well the discussion and decisions of the Conference. She said that with large youth cohorts entering the labour market in many developing countries and high youth unemployment in both developing and developed countries, there was an urgent need to create new and better employment opportunities and a fair distribution of labour. To finance adequate pension and welfare systems, high-level market participation rates and sustained productivity growth were needed, on the basis of policies yielding quality employment and fair distribution of the overall demand for labour. The priority should not be to keep the elderly in the labour force. The Office should develop a coherent macroeconomic framework for employment creation, fair distribution, and socially and environmentally sustainable growth policies. The ILO had a responsibility to look into areas with potential employment opportunities, including care work, an under-researched area regarding professional requirements, qualifications, working conditions, links with social protection systems, accreditation of structures and experiences. Although the Office's research agenda on the care sector (including an evidence-based analysis of potential labour standard gaps) in the following 12 months should be useful, the group proposed restricting the first phase of the work to the elderly care sector (especially regarding working conditions and unpaid care work) so that specific follow-up actions could be incorporated into the 2015 recurrent discussion on labour protection. A new policy should entail a balance of family obligations, community support, private care services and public provisions, and promote public investment and job creation in the care economy. Work should begin immediately so that a first assessment could be presented in the Office's report for the 2015 recurrent discussion on labour protection. With regard to the follow-up to the International Labour Conference, she observed that resources were never allocated for follow-up action, and yet the resources from the programme and budget process were usually already exhausted. The Office should assume that Conference conclusions would lead to follow-up requests and service the latter by securing financial resources from the regular budget. The Workers supported the draft decision.
66. *Speaking on behalf of the Africa group*, a Government representative of Ghana welcomed the selected areas of action identified in the report as well as the emphasis on social dialogue to realize the goals. His group endorsed the development of integrated national plans based on approved tools and approaches and the focus on pension and health protection systems, provided that such systems took into account national demographic

situations. High mobility of capital and labour had increased the importance of migration issues, especially regarding migrant rights. The ILO should provide support and guidance to integrate migration issues into employment policies so that migrant workers could play a key role in the global economy and contribute to growth in their countries of origin. To harness the huge potential of youth and move the African region forward, there was also a great need to improve socio-economic conditions, especially by facilitating transition from the informal to the formal economy. The group supported the draft decision.

- 67.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania said that Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Republic of Moldova, Armenia and Georgia had aligned themselves with the statement. She recommended that social protection should be viewed as a long-term investment offering social and economic returns over time. In that context, it was important to gradually implement the Social Protection Floors Recommendation, 2012 (No. 202), and to emphasize the role and relevance of preventive health systems. Action on youth unemployment (including youth guarantee schemes) was vital to tackling the challenges of demographic transitions, as was addressing the needs of older workers, for example through removing age limits to learning and training. Essentially, the right policies would depend on the national context but the EU would be prepared to share its experiences with all interested parties. The right policy would integrate economic and social measures and be based on social dialogue and collective bargaining. The report rightly focused on the transition from the informal economy to formality (one of the ACIs in the Programme and Budget for 2014–15). The speaker supported the draft decision.
- 68.** *A Government representative of the United States* hoped that the Office would continue to build on its existing efforts to provide capacity-building assistance in relation to Recommendation No. 202, *The youth employment crisis: A call for action and other relevant ILO instruments*. The Office should assess the potential gaps in international labour standards. He suggested using the Domestic Workers Convention, 2011 (No. 189), as a basis for the work on the care sector.
- 69.** *A Government representative of India* said that developing countries such as India were seeing an emerging demographic shift characterized by a large youth population and an older population capable of working longer. The economic development agenda should be aligned with this, providing a balance between the outcomes of employment and social protection. India was moving towards a rights-based approach and had taken steps to provide social protection, including a number of programmes to extend social security benefits to the unorganized sector, as social protection was an important tool in reducing poverty and inequality. The social partners shared the responsibility of social security coverage. He supported the comprehensive policy mix outlined in the document. The ILO should include the generation of decent work opportunities within the informal economy in its policy approach to transitioning to a formal economy. The Organization should help build a consensus on the issue of information sharing between countries to develop an integrated labour market information system, facilitating skills portability and labour mobility. He hoped that the 19th ICLS would have identified gaps in the database which, once filled, would allow more informed decision-making. However, evaluation and monetary activities were best left to national institutions to avoid duplication. India supported increased partnership with other UN agencies and regional institutions.
- 70.** *A Government representative of China* stated that the declining working-age population in some countries could give rise to more job opportunities for migrant workers, while greening the economy would bring new demands for services and products. The ILO was right to pursue research into the skills and capacities required for the care industry. The ILO should give effect to the resolution through technical cooperation and knowledge



development, and by promoting the Conventions and Recommendations concerning migrant workers. The Organization should protect the legitimate rights and interests of migrant workers in collaboration with other relevant UN agencies.

71. *A representative of the Director-General* (Director, Employment Policy Department (EMPLOYMENT)) said in respect of the Workers' comment regarding resources that the areas covered by the action plan (employment generation, social protection, transition to formality, migration and youth employment) were all areas of priority in the Programme and Budget for 2014–15 (with four of them being ACIs). She had taken full note of the Employers' point of view regarding the diversity of context, and the Office would be working towards an integrated response. An interdepartmental working group would focus on the care economy. The Office had noted the broad consensus on the importance of this economy and hoped to provide preliminary research findings during the recurrent discussion on labour protection scheduled for 2015.

### **Decision**

72. *The Governing Body requested the Director-General to take into account the follow-up strategy for implementation of the conclusions concerning employment and social protection in the new demographic context in preparing future programme and budget proposals and in developing resource mobilization initiatives, and to give them effect, to the extent possible, when implementing the Programme and Budget for the 2014–15 biennium.*

(GB.319/INS/3/3, paragraph 45.)

### **Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted under article 33 of the ILO Constitution**

73. *A representative of the Director-General* (DDG/MR) informed the Governing Body that the 2013 Conference resolution had lifted the measures still in force from the resolution adopted by the Conference in 2000. It also requested the Office and the Government to continue their commitment to the Memorandum of Understanding, with a view to eliminating all forms of forced labour by 2015, and that the situation in Myanmar with respect to ILO activities be reviewed at the March sessions of the Governing Body.
74. *The Worker Vice-Chairperson* expressed concern regarding continued forced labour in Myanmar, as well as the obstacles in law and in practice to the exercise of freedom of association and collective bargaining. The group had noted an increase in forced labour complaints and it would be important to know the number of victims implicated in those complaints. Violations had also increased in respect of land confiscations and it would be important to know what the ILO was doing to address this problem. Under-age recruits continued to be arrested and imprisoned on charges of desertion and here too more information was needed on the additional measures required to end these practices. There was a low prosecution rate of those responsible for exacting forced labour, particularly within the military. He requested that the question of impunity be given greater attention by the ILO Liaison Office. He called on the Office to ensure the establishment of a tripartite structure at the national level that gave advice on planning and implementing projects and programmes. He underlined that the Federation of Trade Unions of Myanmar (FTUM) had been denied recognition by the Government. The FTUM was an ITUC

affiliate and worked with the Bureau for Workers' Activities (ACTRAV) as well. The group wished to see fuller involvement of the FTUM in ILO programmes. The Organization should focus on freedom of association as well as the elimination of forced labour.

75. *A Government representative of Myanmar* said that technical cooperation programmes were being implemented in eight areas with the support of the ILO and other international donors. These areas were: the elimination of all forms of forced labour by 2015; introduction of freedom of association and social dialogue; enhanced employment opportunities, particularly for youth; labour legislation and labour market governance; socially responsible enterprise development; labour migration; the employment dimension of trade and development; social security and the social protection floor. The number of workers' and employers' organizations in Myanmar had significantly increased.

### **Outcome**

76. *The Governing Body took note of the oral report by the Office on this matter, and of the comments made during the ensuing discussion.*

(No document was submitted.)

## **Fourth item on the agenda**

### **The post-2015 sustainable development agenda** (GB.319/INS/4)

77. *A representative of the Director-General* (Deputy Director-General, Field Operations and Partnerships (DDG/FOP)) introduced the report, dealing with national, regional and global consultations initiated by the United Nations to support member States in formulating a global development framework beyond 2015. The report by the UN Secretary-General, entitled: "A life of dignity for all: Accelerating progress towards the Millennium Development Goals and advancing the United Nations development agenda beyond 2015", had been mentioned in the discussions within the High-Level Section of the Governing Body, which had emphasized the need to place decent work, including social protection, at the heart of any international development framework, especially since such a framework would influence development cooperation for many years. It had been recognized, in the General Assembly discussion of the Secretary-General's report, that the question of jobs should feature prominently in the future development framework, reflecting the contribution made by the ILO and its tripartite constituents. The concept notes produced by the Office had been used to brief the team responsible for the report. The Office had also facilitated the involvement of the tripartite constituents in national and regional consultations and expert meetings on the future development agenda. By the end of 2014, the Secretary-General would present a synthesis report, reflecting the outcome of further consultations. A concerted effort was therefore needed from the ILO's constituents to maintain the ILO's concerns in the shaping of the future agenda, working with the social partners and with ministries of labour and social affairs to influence the negotiating process. The Office would continue to provide information and support for advocacy with governments and public opinion and, in turn, would be looking for guidance from the ILO's constituents.

78. *The Employer coordinator* queried whether, in the post-2015 sustainable development agenda, employment and decent work were being treated as a goal or as a means of eradicating poverty. Jobs and livelihoods were themselves means of eradicating poverty and achieving sustainable development. The question of job creation was closely linked to that of sustainable enterprises. There was a risk that the ILO might lose the opportunity to place employment at the heart of the development agenda, and lose visibility as a result. He endorsed the first, second, third and fifth of the six points in the strategy for future ILO work on a post-2015 sustainable development agenda. However, the material for use in advocacy, mentioned in the fourth point (paragraph 23(d)) should not ignore the work done by the ICLS held in 2008 and 2013.
79. *The Worker Vice-Chairperson* said that the scourge of poverty, with over 1.2 billion people living on less than US\$1.25 equivalent a day, must be ended. The post-2015 sustainable development agenda must secure freedom from want, freedom from fear, inclusive development and sustainability. Its commitments must be applied to all countries through a set of global goals and targets. It must also be accompanied by a framework for accountability, involving the social partners, to monitor progress. The report by the UN Secretary-General's High-Level Panel of Eminent Persons on the Post-2015 Development Agenda contained an explicit goal for employment, but drew a distinction between "decent work", that is, work for workers in rich countries, and "good jobs" for workers in developing countries. That distinction was unacceptable; workers in the poorest countries also had rights to social protection, to dialogue and to organize, those being universal rights. The Panel's report also failed to mention social dialogue, or the role of workers and trade unions. No specific targets were identified to address inequalities.
80. He welcomed the recognition, in the report of the UN Secretary-General to the General Assembly, that emphasizing inclusive growth, decent employment and social protection had fostered robust development. As part of the consultative process for the post-2015 sustainable development agenda, trade unions had called on the United Nations to adopt the goal of: "Achieving full and productive employment and decent work for all". That must lead to global and national targets on employment, social protection, fundamental rights at work and social dialogue, while paying attention to the situation of women, young workers, migrants and precarious workers. He noted that the Governing Body had decided to adopt "full and productive employment and decent work" as an explicit goal, whereas both concept notes made an explicit goal of "jobs and livelihoods", treating employment and social protection as targets under that goal. The second concept note referred alternately to "better jobs" and "good jobs", which was confusing. The focus must be kept on full and productive employment and decent work as the explicit goal, with targets covering the four dimensions of decent work. He was disappointed that the concept notes made no reference to workers' rights, standards and social dialogue as vehicles for inclusive growth, good governance and human rights. The concept notes should be revised to take a "decent work" approach, and to include "full employment and decent work" as an explicit goal, thus addressing the quantity and quality of jobs. Future concept notes should be drafted with the assistance of ACTRAV and the Bureau for Employers' Activities (ACT/EMP).
81. The second point in the six-point strategy (paragraph 23(b)) should state that tripartite constituents and the Office must actively promote the inclusion of full employment and decent work, including all its four dimensions, in the post-2015 sustainable development agenda.
82. The sixth point of the strategy (paragraph 23(f)) should be amended to include, in the analytical work of the Office, the respective linkages between labour rights, social dialogue and poverty reduction. Social dialogue, especially through collective bargaining, was essential for inclusive growth. He proposed a new point (g) calling for the Office to

support the social partners, including in their advocacy work, through capacity building; a new point (h) calling for the work of the Office on decent work indicators to provide measurable indicators for a decent work goal; and a new point (i) for the Office to present to the Governing Body a thorough evaluation of Target 1B of the MDGs on “achieving full and productive employment and decent work for all”.

- 83.** *Speaking on behalf of ASPAG*, a Government representative of Australia expressed support for the contribution made by the Office to formulating a global development framework beyond 2015. He was glad to see that the centrality of decent work to sustainable development was duly reflected in the Secretary-General’s report. ASPAG encouraged the Office to further increase the role of the tripartite constituents. A post-2015 sustainable development framework should encompass a set of goals that were universally applicable but adaptable to national priorities, with poverty eradication as the overarching objective. The top priorities for the new agenda should be better job opportunities and education, and a core element of the development framework should be the creation of decent and productive jobs. Special attention should be paid to youth unemployment, the need for a policy environment conducive to private investment and entrepreneurship, and the creation of country-specific social protection floors. Job creation was a top priority in almost all countries. With regard to education, which had been given priority in the UN global survey, he encouraged the Office to contribute to developing sustainable learning by participating in the learning link. As for indicators for the post-2015 sustainable development agenda, the Office was requested to take into consideration the outcome of the 19th ICLS. He endorsed the six-point strategy for further ILO work on a post-2015 sustainable development framework, set out in paragraph 23 of the report. Progress towards achieving the current MDGs in the period up to 2015 should be accelerated.
- 84.** He proposed amending the draft decision in paragraph 24(a) to read: “The Governing Body requested that, in cooperation and consultation with the tripartite constituents, the Director-General gives effect to the six-point strategy for further work on a post-2015 sustainable development framework found in paragraph 23.”
- 85.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania said that Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Norway, Republic of Moldova, Armenia and Georgia aligned themselves with her statement. She supported a single overarching 2015 sustainable development framework that would be universally applicable and would recognize that poverty eradication and sustainable development were mutually reinforcing and interlinked. She highlighted the importance of full and productive employment and decent work, including social protection, and the need to address the worsening youth employment situation and inequalities, as well as green jobs. She endorsed the proposed strategy, and requested the Office to inform the Governing Body of any significant findings of the progress review.
- 86.** *Speaking on behalf of the Africa group*, a Government representative of Ghana expressed the hope that consultations on the post-2015 sustainable development agenda had included all vulnerable groups and end-users of the policies. His group was in favour of the agenda’s main priorities and it welcomed the initial proposals for a new set of global goals, which should seek to secure a life of dignity for all, eliminate child labour and create decent jobs. They agreed with the ILO’s six-point strategy, but wished for clarification of the action to be taken under point (a) of the strategy. His group therefore supported the draft decision in paragraph 24.

87. *Speaking on behalf of the Association of Southeast Asian Nations (ASEAN)*, a Government representative of Viet Nam commended the ILO's leading role in the global discussion of inclusive and sustainable post-2015 development. Economic slowdown, weak demand for labour and income gaps were all challenges facing the countries in his region. As the creation of decent jobs would generate income, enhance human dignity and promote peace, investment in human capital should remain a priority. The key elements mentioned in paragraph 17(c) and (f) of the report were especially important. His group supported the draft decision.
88. *Speaking on behalf of the Community of Latin American and Caribbean States (CELAC)*, a Government representative of Cuba stated that economic growth and market forces were not enough to reduce poverty and inequality; sustainable, inclusive and equitable development was the only means of achieving those aims. Social and economic policies to create jobs and promote decent work were essential. The means of implementing those policies should be clearly identified. As for the six-point strategy in paragraph 23, the wording of (b) prejudged the outcome of current international negotiations and that of subparagraph (c) was inappropriate, since the Governing Body could not oblige ministries to participate in the process of defining negotiating positions. In view of those concerns, her group supported the amendment proposed by ASPAG to the draft decision in paragraph 24(a), but was in favour of the original language of subparagraph (b).
89. *A Government representative of Niger* said that it was to be hoped that the inclusive approach adopted in consultations on the six-point strategy would result in the definition of specific, attainable and sustainable goals making it possible to eradicate the poverty that still affected much of the world's population. The Office's guidelines for employment and decent work should remain a salient feature of the post-2015 sustainable development agenda. His Government fully approved of both the six-point strategy and the draft decision in paragraph 24.
90. *A Government representative of Argentina* said that, despite recent progress towards eradicating extreme poverty, achieving gender equality and ensuring fairer access to health care, fewer results had been obtained in respect of providing productive, decent employment. Many of the 200 million jobless were young people. That situation aggravated social inequality. As job creation was essential for poverty eradication, it must be made a specific goal of the post-2015 sustainable development agenda and specific indicators should be defined for it. Each country must, however, set its own goals in line with its national circumstances, in order to make a contribution to worldwide progress. Her Government had endeavoured to improve labour market conditions in order to reduce the number of people living under the poverty line and in 2013 it had made decent work central to its national policy. Her Government therefore supported the draft decision in paragraph 24.
91. *A Government representative of the Republic of Korea* said that her Government wholeheartedly supported the ILO's efforts to place decent work at the heart of the post-2015 sustainable development agenda. The ILO should consider the means of, and a plan for, implementing that agenda. Her Government was canvassing views on how best to go about it.
92. *A Government representative of France* said that decent work would promote the attainment of a number of goals, including poverty eradication. It should, however, be regarded as a goal in itself and encompass the creation of productive employment, the guaranteeing of workers' fundamental rights at work, the extension of social protection and the promotion of social dialogue. The ILO must therefore continue its advocacy of decent work at the international level.

93. A *Government representative of Egypt* said that job creation was a key to achieving sustainable growth and eradicating poverty. The post-2015 sustainable development agenda should be adaptable to country needs and should build on the lessons learned from the MDG process. Such an agenda required the political will of all stakeholders and a global commitment to its implementation, because the majority of developing countries were still struggling to address the challenges stemming from poverty. The ILO had an important role to play in discussions on the agenda since it could draw on its wealth of experience in the sphere of youth employment, decent job creation and social protection. It should also highlight the obstacles facing developing countries in the implementation of social protection floors and in respect of the transition from the informal to the formal economy. His Government supported the six-point strategy.
94. A *Government representative of Trinidad and Tobago* said that insufficient understanding of the decent work concept had hampered efforts to make it the central pillar of the post-2015 sustainable development agenda. All the tripartite constituents should therefore strive to make it a new international buzz phrase. His Government supported the six-point strategy and proposed that consideration should be given to convening a special plenary meeting during the 103rd Session of the International Labour Conference to sensitize the wider membership to the significance of the post-2015 sustainable development agenda and its nexus with decent work.
95. A *Government representative of Switzerland* said that a universal development framework should apply to all countries, while taking national circumstances into consideration. The focus should not only be on the eradication of poverty but also on the integration of the economic, social and environmental dimensions of sustainable development. Moreover, the concepts of “sustainable growth, employment and decent work” should be part of the post-2015 sustainable development agenda.
96. A *Government representative of Indonesia* noted that despite positive achievements on the MDGs many targets had not yet been met and required renewed efforts. Indonesia supported the ILO’s six-point strategy, calling on stakeholders to act in a concerted manner. Goals and targets should be measurable and attainable within the time frame provided.
97. A *Government representative of the Islamic Republic of Iran* said that in spite of the changes that had intervened since 2000, the lessons learned from the MDGs were still relevant to the post-2015 agenda. Although there were areas of common ground, a “one-size-fits-all” approach should not be extended to all regions and countries. The package of indicators put forward by the Office was an appropriate basis for future discussions. In that regard, the outcome of the 19th ICLS should also be taken into consideration. Target-setting should not, however, be limited to currently available indicators. His country endorsed the six-point strategy.
98. A *Government representative of the United States* supported the six-point strategy, indicating that the ILO’s focus on promoting the respect of fundamental workers’ rights was essential to inclusive growth and should be part of future work.
99. A *Government representative of Thailand* said that the post-2015 sustainable development agenda should be people-oriented and inclusive. The eradication of poverty through sound and effective employment policies would give human dignity to the poor. Her Government endorsed the draft decision and the amendment proposed by ASPAG, and looked forward to the development of concrete plans and activities.

- 100.** *A Government representative of Colombia* said that her Government was circulating a proposal encouraging a focus on goals integrating the themes of the agenda. Her Government concurred with the Workers on the need for a better integration of the four dimensions of decent work. It endorsed the recommendations of the participants in the thematic consultations, which highlighted the areas of employment, decent work and social protection, feeding into the objectives of sustainable development and inclusive growth. Her Government supported the six-point strategy and the draft decision.
- 101.** *A Government representative of India* endorsed the six-point strategy and welcomed the continuation of objectives originally included in the MDGs. The post-2015 sustainable development agenda should be aligned with the mandate of Rio +20, with a twin focus on poverty eradication and growth. One of the limitations of the MDGs had been the imbalance of obligations on developed and developing countries. Beyond 2015, objectives should be applicable to both. Decent work should be a fundamental principle of the post-2015 sustainable development agenda, with particular attention to vulnerable groups. Technology transfer, additional financial assistance and capacity building should be an integral part of global cooperation. Technology transfer was particularly important in view of the shift of industry to developing countries, but it should be pursued responsibly to reduce carbon footprints. The agenda should also focus on developing a comprehensive labour market information system and should make provisions for developing nationally defined social protection floors. Her Government supported the draft decision and the amendment proposed by ASPAG.
- 102.** *A Government representative of the Russian Federation* said that the G20 was also involved in discussions on the post-2015 agenda and, under Russia's presidency, would continue to contribute in that respect. His Government supported the ILO's six-point strategy.
- 103.** *A Government representative of China* endorsed the statement by ASPAG. The tripartite constituents needed to work together to identify the objectives and indicators for social and economic development. Her Government welcomed the six-point strategy for further ILO work and supported incorporating high-quality employment creation into the post-2015 sustainable development agenda.
- 104.** *The representative of the Director-General* welcomed the detailed guidance and suggestions on the proposed strategy made by the numerous speakers, noting the request for regular updates and the stress placed on involving the social partners. In response to a request for clarification on paragraph 23(a), he explained that the Director-General had instructed the Office to put special emphasis on the Millennium Acceleration Framework, focusing on Ghana, Niger and the United Republic of Tanzania. To that end, the Office was working in consultation with the United Nations and with the social partners in those countries.
- 105.** *Another representative of the Director-General* (Director, Multilateral Cooperation Department (MULTILATERALS)) indicated that the phrase "full and productive employment and decent work for all" was UN-negotiated terminology repeated in many texts, understood to embrace the four dimensions of decent work and, in many cases, the fundamental principles and rights at work. The post-2015 discussion process was at the stage where, following active consultations, intergovernmental negotiations would begin, involving national ministries and social partners. The ILO would provide every assistance in that regard.

**Decision****106. *The Governing Body:***

- (a) requested that, in cooperation and consultation with the tripartite constituents, the Director-General give effect to the six-point strategy for further work on a post-2015 sustainable development framework found in paragraph 23; and*
- (b) requested that progress on this matter be reviewed regularly.*

(GB.319/INS/4, paragraph 24, as amended.)

**Fifth item on the agenda****A strategy for ILO wider engagement  
with the private sector  
(GB.319/INS/5(Rev.))**

- 107.** *The Director-General* presented the document, recalling that the ILO had already engaged with enterprises in the past. The document pointed to areas of potential ILO work and recalled the existence of a significant number of international initiatives which called for further ILO input. The paper focused on methods rather than substance and on how an enterprises initiative would work. The Office thereby sought guidance from the Governing Body on the approaches set out in the document, offering to come back the following year with an update on progress.
- 108.** *The Employer coordinator* said that the Employers welcomed the opportunity to engage in the discussion but, given its purpose, were puzzled by the negative view of private enterprise expressed in the document. A single enterprise initiative was not the right approach and the Office should instead be seeking to systematize the methodology of ILO interactions with enterprises. The approach should obey the tripartite nature of the ILO and fact-finding should not be based on information provided by enterprises approaching the ILO, as they were a minority, but on ILO engagement with constituents at large. There was a demand, intensified by globalization, for ILO assistance in providing guidance on the implementation of international labour standards in enterprises and their application in different national systems. However, the ILO's scope of action needed to be established clearly. While it had an important role to play in providing advice and guidance, it could not issue "rubber stamps" to compliant enterprises.
- 109.** In the interests of transparency and coherence, the Employers considered that a systematic procedure should be established. Considering that enterprises were not ILO constituents, management and works councils should have a single entry point through ACT/EMP and ACTRAV respectively, and those departments should report to each other on their activities. The same approach should be applied to public-private partnerships (PPPs). In that regard, the document presented PPPs as fund-raising mechanisms, which would deter companies, whereas the relationship should seek to promote synergies. She observed that the PPP template was overly complex and might also deter companies looking for more straightforward agreements.



- 110.** The Employers considered that the ILO ENTERPRISES should deal with policy challenges facing enterprises and focus on creating an enabling environment under the MNE Declaration. In that respect, the paper had neglected the real need for an interface with international enterprise initiatives, particularly the Global Compact and work carried out by the International Organization for Standardization (ISO). The ILO should maintain its authority over international labour standards and should not allow their privatization.
- 111.** While the Employers did not endorse the paper as it stood, they were very interested in exploring the subject further and proposed that a new paper be prepared for March 2014 on actions for the Office based on consensus.
- 112.** *The Worker Vice-Chairperson* said that his group considered that the ILO had an important role to play in the private sector, promoting the Decent Work Agenda, the strengthening of social dialogue and industrial relations, and the effective application of principles of ILO standards. However, that role should be defined, setting clear terms of engagement. The supply chain policies and practices component should focus on direct engagement with enterprises to strengthen adherence to the principles of the MNE Declaration. Engagement should be practical and provide access for unions to organize and facilitate collective bargaining and industrial relations in enterprises. It should be based on a clear plan of engagement drawn up together with management and unions. In that regard, it was important to establish synergies between the Multinational Enterprises and Enterprise Engagement Branch, the Sectoral Activities Department (SECTOR) and the Turin Centre. Training around the ENEL global framework agreement was a good example. While developing enterprise networks could be worthwhile, there was a risk of only promoting certain decent work themes. The Workers were concerned that the building knowledge and outreach component would move the ILO's attention away from promoting its values by engaging with corporate social responsibility (CSR) initiatives that often did not respect ILO standards. Many CSR policies referred to ILO standards but few enterprises opened their CSR policies to unions and governments to audit and monitor. While they noted that PPPs should not be seen as a resource mobilization mechanism, they supported the approach taken in the follow-up to the MNE Declaration adopted in March 2013. Regarding the third component, it was important to establish that ILO Conventions were binding on governments. In that regard, the ILO should strengthen its authoritative position on labour standards to create a coherent system of advice which other public policy organs could draw on, including, for example, the expert group on the UN Guiding Principles on Business and Human Rights and the National Contact Points established under the *OECD Guidelines for Multinational Enterprises*. In the case of the ISO, there was a risk of privatization of labour standards and of its standards undermining those of the ILO. The new standard being developed on OSH management systems was of particular concern. The Workers agreed with the evaluation proposal in paragraph 35 and considered that it should be brought to the Governing Body for discussion to ensure better international coherence. Regarding the terms of engagement, there should be a stricter application of the eight principles of engagement with the private sector and in guiding PPPs. Moreover, all interaction with the private sector should be channelled through ACTRAV and ACT/EMP, together with other relevant departments with a pro-active engagement by ACTRAV at all stages, and a proposal in that regard could be considered in March 2014. Lastly, the Workers supported the draft decision, asking the Office to take their observations into account when determining the way forward.
- 113.** *Speaking on behalf of the Africa group*, a Government representative of Ghana observed that, in the context of high unemployment and declining growth, his group welcomed the enterprises initiative. The benefits of such an engagement could accrue to Africa if the regulatory climate among other countries was improved to reduce the cost of doing business and to create a favourable atmosphere for private-sector operations. In seeking a strategic way of embracing the private sector, the ILO should find targeted and sustainable

policies. The group supported outcome 3 of the Programme and Budget for 2014–15 as an ACI. In that regard, the Office could seek wider engagement with the private sector through the SCORE programme, which had been a marked success. ILO forums were an important way of raising awareness on corporate social and environmental responsibilities. The group supported the knowledge-building dimension of the initiative, considering that the Turin Centre and the ILO Department of Statistics could be instrumental in that regard. The ILO should draw on its tripartite advantage to reach out to the private sector through the enterprises initiative, which would work better if pursued alongside the other centenary initiatives. The Office should carry out an information campaign on the initiative and organize country visits to engage with stakeholders at country level. The group endorsed the draft decision under paragraph 40.

- 114.** *Speaking on behalf of IMEC*, a Government representative of Italy expressed surprise that the document failed to address the Governing Body’s request to the Office at the November 2012 session: to complete an analysis of the PPP selection criteria, results and lessons learned; to support efforts to develop PPPs in line with the guiding principles approved by the Governing Body in 2008; to make proposals aimed at clarifying and refining its PPP strategy; and to report back to the Governing Body on the geographical and thematic scope and the participation of ILO constituents in PPPs. She also noted that the original title of the item, “A new ILO strategy for public–private partnerships” had been changed and moved from the POL–TC Segment to the INS Section.
- 115.** IMEC would appreciate further details on how the enterprises initiative would fit into the Programme and Budget for 2014–15 and on the role it could play in the follow-up to the current Strategic Policy Framework, which would end in 2015.
- 116.** IMEC considered that the value-added of a partnership must be its contribution to advancing decent work. PPPs could promote knowledge and expertise sharing and were a valuable means of pooling resources with a view to contributing to sustainable development. They could produce mutually beneficial gains for private companies, public actors and the ILO and its constituents, and could become a catalyst for reform and innovative practices in the ILO.
- 117.** IMEC did not believe that the purpose of the guiding principles adopted in 2008 was to establish burdensome, lengthy and bureaucratic procedures. What enterprises required was expertise, information, assistance, advice and know-how. The Office should deal with the matter independently and without cumbersome clearance mechanisms. Timely responses were required to increase the ILO’s accountability and attractiveness to partners. The Turin Centre could play a valuable role in building the capacity of relevant staff to engage effectively with the private sector by developing training materials and targeted training programmes.
- 118.** IMEC proposed the following addition to the draft decision: “The Governing Body further requests the Office to complete an analysis of the public–private partnerships selection criteria, results and lessons learned and to report back to the Governing Body at its March 2014 session with information on the geographical and thematic scope of public–private partnerships.”
- 119.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica said that governments should pursue policies that provided enterprises with an environment which enabled them to guarantee decent working conditions, and that promoted compliance with national legislation. He urged the Office to strengthen the regional offices so that they could respond to the five demands listed in paragraph 15 of the document.

- 120.** The ILO should engage far more actively in international initiatives on enterprise behaviour, such as the United Nations Global Compact. It should promote instruments such as the Children's Rights and Business Principles and the Guiding Principles on Business and Human Rights in order to guarantee decent work and the eradication of child labour. Other instruments could be used to ensure effective access for young people to the world of work, to empower women workers, and to promote the formulation and implementation of policies aimed at promoting the employment of ethnic groups, migrant workers, other minorities and people with disabilities. GRULAC would appreciate further information on possible action to address the inhibiting factors and related challenges listed in paragraph 19. He supported the draft decision and the amendment proposed by IMEC.
- 121.** *Speaking on behalf of ASPAG*, a Government representative of Australia strongly encouraged further consideration and promotion of CSR initiatives that could complement private action, public regulation and industrial relations in multinational enterprises and complex global value chains. With regard to the inhibiting factors and related challenges detected in the context of the ILO's engagement with enterprises, he underscored the immediate need for the Office to develop an appropriate range of partnership and engagement models to fully implement its strategy to promote sustainable enterprises and decent work. It was also imperative for the ILO to interact positively with enterprises through an inclusive tripartite process, without compromising the integrity of the Organization and its standards.
- 122.** ASPAG requested clarification of what was considered to be appropriate support for the development and implementation of international frameworks, and noted that national laws and regulations should be taken into account in developing such frameworks. It emphasized that the violation of fundamental principles and rights at work could not be invoked or otherwise used as a legitimate comparative advantage and that labour standards should not be used for protectionist trade purposes. He urged the Office to positively and consistently engage with the United Nations Global Compact initiative and to compensate for its marginal role in certain aspects of the relevant UN programme.
- 123.** Recalling the guiding principles for engagement with the private sector adopted by the Governing Body at its March 2008 session, ASPAG urged the Office to ensure that the principle of tripartism was adhered to in the operation of the initiative and that due coordination and overall management was provided by ENTERPRISES. He supported the draft decision.
- 124.** *A Government representative of Zambia* said that the private sector could best contribute to jobs, wealth creation and economic growth if there was a competitive business environment. Policy and institutional reforms, including in the labour and employment sector, were necessary to establish the platform required for business take-off. Zambia therefore supported the proposed initiative to widen the engagement of the tripartite partners to include the private sector. Such a strategy should help private-sector employers to understand the role of labour inspections in ensuring compliance with minimum labour standards rather than in policing their actions. The capacity of employers' federations should be expanded so that they could attract private-sector members who would then participate in the national tripartite agenda. Such a step would also facilitate the dissemination of ILO values and guiding principles.
- 125.** *A Government representative of the Netherlands* said that the Governments of Denmark, Iceland, Finland, Norway and Sweden aligned themselves with his statement. Wider ILO engagement with enterprises should not be inhibited by any misplaced concern about the integrity of existing representational mandates. Such engagement was particularly important in light of the growing number of CSR initiatives. ILO expertise on labour issues

could assist companies in achieving their CSR objectives, including in relation to their global supply chains. More direct engagement with the private sector could also contribute to achieving decent work outcomes. He welcomed the linkage in the proposed enterprises initiative between the demands of enterprises and the services supplied by the ILO. A general commitment by the Office to provide an update on the progress made in the year ahead was not enough. More concrete steps should be taken. The Netherlands and the ILO had launched a project aimed at enhancing cooperation between the ILO and Dutch companies in the field of CSR. The results would be shared in due course.

- 126.** *A Government representative of Switzerland* urged the ILO to devise a strategy to address the challenges described in paragraphs 16–19 of the document under discussion. Existing ILO programmes and tools relating to the private sector should be better publicized, and a competent ENTERPRISES interlocutor who was familiar with both the challenges confronting the private sector and ILO obligations should be appointed. Switzerland was regularly contacted by enterprises wishing to identify a reliable ILO interlocutor. In the absence of clear-cut and effective working methods, the Office would find it difficult to engage with the private sector. A framework for practical and speedy decision-making should be put in place by March 2014, at the latest.
- 127.** *A Government representative of France* said that the creation of an Enterprise Department would lay the basis for systematic interaction with the private sector. It was important to establish a flexible operational framework with a view to encouraging partnerships with enterprises and social responsibility strategies, promoting sustainable enterprises and developing social dialogue. An overview of current ILO relations with the private sector was a prerequisite for the creation of such a framework. He hoped that detailed information on the subject would be provided to the Governing Body at its next session.
- 128.** *A Government representative of India* said that micro-, small and medium-sized enterprises played a critical role in many developing countries in providing employment opportunities at a comparatively low cost. The ILO should help to create an enabling environment for small enterprise development by supporting private-sector initiatives in microfinance and microinsurance. CSR initiatives could also tackle issues relating to informal economies. The private sector played an important role in lifelong development of appropriate skills. She therefore encouraged the Office to develop a clear strategy for direct engagement of the private sector in creating employable and relevant skills through appropriate partnerships.
- 129.** Referring to paragraph 28(d) of the document, she said that the development and implementation of international framework agreements as part of enterprise and supply-chain policies fell within the national legal framework of individual countries. The reference in paragraph 29(d) to socially responsible investment implied a linkage of trade and investment with labour standards. The Social Justice Declaration stated that labour standards should not be used for protectionist trade purposes.
- 130.** *The Director-General*, responding to the discussion, said that a second paper clarifying certain issues raised during the debate would be submitted to the Governing Body at its next session. The passage in the current paper cited by the Employers' group as giving the impression of a negative attitude to enterprises was preceded by a positive statement to the effect that the success and sustainability of enterprises was crucial to economic growth and to addressing the global jobs crisis. The initiative should clearly be undertaken on a tripartite basis and its added value would depend on its capacity to advance the Decent Work Agenda. Moreover, nothing in the initiative would in any way affect existing representation arrangements. He agreed that small and medium-sized enterprise promotion and skills formation were extremely important issues.

131. He read out an amended version of the draft decision, which was adopted below.
132. *The Employer coordinator* said that the enterprise initiative and PPPs should be addressed in two separate documents. The Employers' group supported the amended draft decision.
133. *The Worker Vice-Chairperson* said he agreed that the two subjects should be addressed in separate documents.

### **Decision**

134. *The Governing Body noted the approaches to an enterprise initiative set out in document GB.319/INS/5(Rev.) and the views expressed on it, and requested the Director-General:*
- (a) *to submit to the 320th Session (March 2014) of the Governing Body a document presenting a revised approach, taking into account the views expressed on the substance, methodology and operation of an enterprise initiative; and*
- (b) *to complete an analysis of the public–private partnership selection criteria, results and lessons learned and to report back to the Governing Body at its March 2014 session with information on the geographical and thematic scope of public–private partnerships.*

(GB.319/INS/5(Rev.), paragraph 40, as amended.)

## **Sixth item on the agenda**

### **Report and Declaration of the Ninth European Regional Meeting**

(Oslo, 8–11 April 2013)

(GB.319/INS/6 and GB.319/INS/6/1)

135. *A representative of the Director-General* (Deputy Regional Director, ILO Regional Office for Europe and Central Asia), introducing the two papers and the draft decision, explained that the supplementary document on implementing the Oslo Declaration was not intended as a new interpretation of the Oslo Declaration, but as a suggestion for how the ILO could give effect to the Declaration and a summary of the efforts made in the six months since the Oslo Meeting. The Office would welcome further guidance on how to improve implementation of the Oslo Declaration.
136. *The Employer coordinator* pointed out that the supplementary document did not contain any references to the “policy expectations” section of the Declaration. The Office should try to be more explicit on such matters, as it was important to acknowledge the Declaration as an integral whole and address all points contained within it. Neither did it contain any references to responsible social dialogue, despite that being an essential element of social stability. Noting that the document focused excessively on the countries in the Eurozone that had been hit by the euro crisis, she said that the Office should make sure not to neglect regions such as Central Asia or Eastern Europe when allocating resources. The Office might also consider that the European region comprised more countries than the Americas or Asia and yet had less than half the number of regular staff allocated to it.

- 137.** Noting that the Oslo Declaration was supposed to provide a concise and action-orientated direction for the ILO, she proposed amending point (b) of the draft decision to make the language less vague, mention that results should feed into the Strategy Policy Framework and imply that the implementation of the action points from the Oslo Declaration would be reviewed on an annual basis. Her group also favoured adding a fourth point requesting the Director-General to take the Oslo Declaration into account when drafting the new Strategic Policy Framework.
- 138.** *The Worker Vice-Chairperson* said that it was crucial to translate the good intentions demonstrated during the Oslo Meeting into practical support for governments and the social partners in the implementation of fundamental labour standards and the standards identified by the ILO Global Jobs Pact as relevant in order to avoid a downward spiral in working conditions and build recovery. Joint tripartite action should be promoted in the process, so as to discourage governments from further flexibilizing their labour markets in response to the crisis. Collective bargaining had already been targeted by the Troika in many European countries in crisis, and so the ILO should provide guidance on how to maintain meaningful social dialogue and compliance with ratified ILO standards. The social dialogue forums in Ireland, Portugal and Greece were commendable for bringing all parties together to discuss the impact of reform policies and provide feedback to the Troika organizations. Position papers should also be considered in their role as policy alternatives providing fertile ground for engagement with the Troika and national and local governments.
- 139.** A second guiding principle of the Oslo Declaration was that macroeconomic labour markets, employment and social protection needed to be considered not only at the national level, but also in cooperation with international and regional organizations. The ILO, the European Commission, the IMF, the World Bank and other relevant organizations needed therefore to work together as a matter of priority. Adequate human and financial resources should be allocated to more targeted work with Western European countries in the years to come and the Organization should establish working links with the European Court of Justice and the European Court of Human Rights, as the two courts dealt with international labour standards. His group had no objections to the proposed amendments to the draft decision.
- 140.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania said that Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Norway, Republic of Moldova and Georgia aligned themselves with the statement. Although the EU appreciated that the Declaration was short and concise other aspects of it should also be taken as a benchmark in the draft decision, such as the interactive nature of the panel discussions, the paperless distribution of documents and the focus of the debate. She proposed specifying in part (b) that the Declaration should be implemented “within existing budgetary resources”.
- 141.** In implementing the Declaration, the ILO’s resources should be targeted to the delivery of the technical services requested by its member States in the region. Discussing measures contained in the implementation paper, she highlighted that research and analysis to document countries’ challenges and responses would be of use for tripartite exchanges on recovery and reform in all member States. While appreciating the support for the implementation of international labour standards and the promotion of social dialogue, new initiatives under the Declaration should not neglect other key areas like knowledge building, assistance to constituents developing action plans and capacity building in enforcement institutions. On the subject of policy coherence with other international organizations, she welcomed the Office’s commitment to assist the G20 on issues related to economic, labour and employment policies.

142. *Speaking on behalf of the Africa group*, a Government representative of Kenya said that the measures listed in the Oslo Declaration tallied with the aspirations of the Africa group and the conclusions of the 12th African Regional Meeting of the ILO. His group urged the ILO to facilitate the exchange of experience at both the subregional and regional levels and promote continental exchanges.
143. *A Government representative of France* said that a number of Eurozone countries had recently been through difficult times. Efforts by the EU and its Member States had already brought positive results, but France would welcome a balanced long-term strategy by the ILO to promote decent work throughout the region, with a focus on countries most in need of assistance.
144. *A Government representative of Switzerland*, noting that her Government wished to associate itself with the statement by the EU, said that the ILO had the necessary legitimacy to increase its presence in Europe, especially in order to facilitate the exchange of experience between countries with similar concerns.
145. *A Government representative of the Russian Federation* pointed out that the recent G20 meeting in St Petersburg had focused on similar areas to the Declaration, such as job creation and growth. The next step for the ILO was to devise a balanced approach, with more attention devoted to Eastern European and Central Asian countries, as those countries needed increased technical and expert assistance and support in their preparation of DWCPs.
146. *The representative of the Director-General* acknowledged that business-as-usual behaviour was not an acceptable option for the future; the reality in the entire region had changed and decisions were needed on how best to calibrate constituents' demands with the Office's capacities in the overall reform context. On the basis of constituents' demands, changes should focus on how best to facilitate national ownership while taking into account individual country circumstances and achieving a fair balance across member States. The Office also acknowledged the request for more reporting as a means of tracking progress and ensuring accountability. The annual reporting could become an integral component of the biannual reporting process, although it would be important to avoid overlapping or duplicating existing reporting frameworks.

## **Decision**

147. *The Governing Body requested the Director-General:*
- (a) *to draw the attention of ILO constituents to the Oslo Declaration: Restoring confidence in jobs and growth, by transmitting it:*
    - (i) *to the governments of all member States and, through them, to national employers' and workers' organizations of the European and Central Asian region;*
    - (ii) *to the international organizations concerned, including international non-governmental organizations with consultative status.*
  - (b) *to implement the concrete proposals for action coming from the Oslo Declaration and to report annually on implementation activities, within existing budgetary resources;*

- (c) *to take the Oslo Declaration as a benchmark in shortness and conciseness for future conclusions of Regional and other ILO meetings;*
- (d) *to take the Oslo Declaration into account when drafting the new Strategic Policy Framework of the ILO.*

(GB.319/INS/6, paragraph 146, as amended by the Governing Body.)

## Seventh item on the agenda

### **Complaint concerning non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 101st Session (2012) of the International Labour Conference under article 26 of the ILO Constitution**

(GB.319/INS/7(&Corr.))

- 148.** *The Chairperson* said that, following the signing of a Memorandum of Understanding in March 2013 between the Chairperson of the Workers' group and the Government of Guatemala, the Governing Body had decided, at its 317th Session, to defer until the present session the decision whether to appoint a commission of inquiry to examine the complaint. The Special Representative of the Director-General in Guatemala had been appointed in July, and a high-level tripartite mission had visited Guatemala in September, in order to be able to report to the Governing Body at the present session on progress made in implementing the Memorandum of Understanding.
- 149.** *The Special Representative of the Director-General in Guatemala* reported on the actions he had taken to support the implementation of the Memorandum of Understanding. Contact had been made with representatives of the workers, the employers and the Government, and the mission had familiarized itself with, inter alia, the agricultural, industrial and construction sectors of the economy. A timetable had been drawn up for instructing labour inspectors in international labour standards, beginning with training sessions held in the capital and in Quetzaltenango on freedom of association and collective bargaining. It had been agreed that similar sessions would be held with the judiciary and the human rights ombudsman. The tripartite commission on international questions had met regularly. His office had also attended meetings of the recently established Economic and Social Council, and of a social dialogue forum for the banana sector in the Izabal region. The new committee on dispute resolution in the Ministry of Labour was about to start work, and the trade union forum set up in conjunction with the Ministry of the Interior and the Office of the Public Prosecutor had already done so. He understood that the Government would be conducting a promotional campaign in the media on freedom of association and collective bargaining, and was seeking to involve central, regional and municipal organs of government in the exercise. As for the efforts to halt violence against trade unionists, the Minister of Labour had made a public statement, during the visit by the Director of the International Labour Standards Department in August 2013, on the Government's determination to combat impunity for crimes already committed. He drew attention to the valuable contribution made by the International Commission Against Impunity.



**150.** *The Minister of Labour and Social Security of Guatemala* said that Convention No. 87 had been ratified by Guatemala and was therefore part of his country's internal law. In the complaint, Guatemala was accused of failure to comply with the obligations spelled out in Article 11. Its present Government deplored the lack of measures to secure for workers the free exercise of their right to organize, or of measures for the prevention of crimes against trade unionists. Since January 2012, it had faced up to its responsibilities under the Convention. It had strengthened the labour inspection services, which had visited 24,900 enterprises in all sectors of the economy. Over 6 million workers were now in formal employment, and 300,000 of them now had minimum labour rights, including access to social security. A trade union forum had been set up, comprising the main trade union organizations and the Attorney-General's office, to disseminate information between union leaders and the Ministry of the Interior and thus enable the unions to follow investigations into crimes allegedly committed against union members. At least six presumed perpetrators had been arrested, 13 arrest warrants had been issued and five judgments had been handed down. No such results had been achieved between 2007 and 2011. Collective agreements had now been entered into for government employees working in the education and health sectors, including 17,000 health workers, with an undertaking to place temporary employees on a permanent footing. The Government had cooperated fully with the high-level tripartite mission of the ILO that had visited Guatemala from 23 to 27 September 2013. In line with the mission's recommendation, on 17 October, the Government had adopted a roadmap for action and a timeline for implementing it. The most relevant of the roadmap measures were:

- (a) pursuing the 58 cases of alleged crimes against trade unionists;
- (b) strengthening the mechanisms for preventing and responding to threats and attacks against trade unionists;
- (c) drafting legislation to amend labour laws to bring them into conformity with international standards and submitting them to the tripartite constituents;
- (d) referring to the Congress draft reform laws, agreed on a tripartite basis;
- (e) legislative reform to enable the labour inspectorate to monitor the application of labour law;
- (f) strengthening the system of labour courts and the legislative and judicial apparatus, and the offices of the Attorney-General, the Public Prosecutor and the human rights ombudsman;
- (g) launching an awareness-raising campaign about Convention No. 87.

In that light, and given the assistance received from the Office, it should not be necessary to appoint a committee of inquiry.

**151.** *The Employer coordinator* expressed appreciation of the understanding reached by the Worker Vice-Chairperson with the Government of Guatemala. He would encourage all the social partners to pursue the roadmap in a constructive spirit.

**152.** *The Worker Vice-Chairperson* explained that the main purpose of the tripartite mission had been to follow up on the conclusions of the Committee on the Application of Standards in June 2013, and to check on compliance with the Memorandum of Understanding. He had himself experienced in Guatemala a noticeable difference, in terms of social dialogue, from his previous mission in 2009. He particularly welcomed the steps taken by the Government to engage with the tripartite constituents in the country. The trade unions were fully committed to engaging in dialogue. The presence in Guatemala of the special

representative of the Director-General had created confidence among the tripartite actors. The eradication of anti-union violence, including the investigation of crimes against trade unionists was one of the main commitments undertaken by the Government. In this regard, he welcomed the cooperation agreement signed between the Public Prosecutor's office and the United Nations International Commission against Impunity in Guatemala (CICIG). The Public Prosecutor had transmitted 22 homicide cases to the CICIG for further examination. However, progress had yet to be made in investigating all the homicides and other serious crimes denounced before the Committee on Freedom of Association and the Committee on the Application of Standards. An effective justice system must be the basis for ending the cycle of impunity: investigations had not yet led to judgements linking deaths to trade union activity; no arrests had been reported; no comprehensive warning system or protection mechanism for trade unionists was in operation, let alone effective, and the present system was based on calling a mobile phone number. A trade unionist who had requested protection but did not receive it had later been killed. There was no budgetary allocation for protection, nor had progress been made in bringing Guatemala's laws into line with Convention No. 87 – the Government having failed in its responsibility to bring legislative proposals to the attention of Congress. Employers continued to ignore many stipulations of the Labour Code, and the Ministry of Labour and the labour inspectors were still not empowered to impose administrative sanctions. The announcement regarding the recruitment of 100 new inspectors made in 2012 was not followed-up. The mission concluded that urgent action was needed to adopt legislative provisions to enable labour inspection to fulfil its mandate for effective enforcement of the labour code. Workers supported the roadmap that covered many of their concerns, but regretted that it remained inconclusive on the capacity of the labour inspection to impose administrative sanctions. This had to be redressed. Taking into account the roadmap submitted, the Workers supported the deferral of the decision on the appointment of a commission of inquiry to the March 2014 session of the Governing Body.

- 153.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica welcomed the outcome of the tripartite high-level mission, and the adoption of a roadmap for action by the Government of Guatemala. The establishment in that country of the Office of the Special Representative was helping to build confidence and steer labour relations towards a climate of tripartism and mutual respect. The agreement by the tripartite constituents to facilitate the expeditious resolution of labour disputes was likely to have positive results. It was encouraging to note the new scope for dialogue and cooperation in ensuring protection against acts of violence and in supporting investigations into them. Social dialogue among the tripartite constituents must be pursued at the national level. The Government of Guatemala had shown political will at the highest level fully to apply Convention No. 87, in a framework of cooperation and tripartism, and it deserved the continued support of the ILO, as well as international assistance and cooperation, including South–South cooperation.
- 154.** *A Government representative of the United States* said that his country had been working to improve the enforcement of Guatemalan labour laws, in the context of the United States–Dominican Republic–Central America Free Trade Agreement and an Enforcement Plan agreed upon bilaterally. He was encouraged by the progress made in recent months in implementing the Memorandum of Understanding, particularly with regard to the investigation of the murders of trade union members. However, the Government must act upon its commitments by demonstrating concrete improvements in the enforcement of labour laws. He noted that no significant steps had yet been taken to bring Guatemalan legislation into line with Convention No. 87. He also remained concerned about anti-union violence and the failure to date to prosecute the perpetrators of violence. The Government must make more effort to prosecute crimes against trade unionists, and to protect trade unionists facing threats against their lives. It must also establish an effective procedure for imposing sanctions for violations of labour law, and for remedying the violations;

otherwise inspectors, however numerous, would be unable to ensure that workplaces complied with the law.

## **Decision**

### **155. *The Governing Body, on the recommendation of its Officers, decided:***

- (a) to defer the decision on the appointment of a commission of inquiry to its 320th Session (March 2014), taking into account the roadmap submitted by the Government of Guatemala in consultation with the social partners of the country;*
- (b) to place the item on the agenda of its 320th Session (March 2014);*
- (c) to request the Office to provide the Officers of the Governing Body, at its 320th Session (March 2014), with an update on the progress made in the light of paragraphs 6 and 8 of document GB.319/INS/7(&Corr.), and to include the information provided by the Government and the employers' and workers' organizations of Guatemala;*
- (d) to invite the international community to facilitate the necessary resources to enable the ILO office in Guatemala to support the tripartite constituents in implementing the Memorandum of Understanding and the roadmap.*

(GB.319/INS/7(&Corr.), paragraph 9.)

## **Eighth item on the agenda**

### **Follow-up to the resolution on the trade union situation in Fiji adopted by the Governing Body at its 316th Session (November 2012)**

(GB.319/INS/8(Rev.), GB.319/INS/8(Add.) and GB.319/INS/8(Add.1), and GB.319/INS/15/1)

- 156.** The Governing Body decided to consider this item together with the document under item 15 entitled "Reports of the Officers of the Governing Body: First report: Complaint concerning non-observance by Fiji of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 102nd Session (2013) of the International Labour Conference under article 26 of the ILO Constitution".
- 157.** *The Minister of Labour of Fiji* said that the rights guaranteed by the new Fijian Constitution promulgated on 6 September 2013 included freedom from slavery, servitude, forced labour and human trafficking, freedom of assembly, freedom of association, the right to fair employment practices, the right to humane and proper working conditions, the right of all workers to economic participation, and the right of all Fijians to work and to a just minimum wage. The Constitution required the holding of free and fair general elections before 30 September 2014 and the Government was committed to ensuring that oversight mechanisms were in place to address the corrupt practices that had characterized past elections. It was currently drafting electoral laws, establishing an Electoral Commission and appointing an electoral supervisor with the assistance of experts from the EU, New Zealand and Australia. Existing laws and Government policies and processes

were being amended to comply with the provisions of the Constitution. A code of conduct law governing public office holders and a law guaranteeing freedom of information would be enacted before the end of the year. A law providing for the transparency and accountability of political parties had already been introduced. One of the four political parties that had registered for the 2014 general elections was closely affiliated with Fijian trade unionists.

- 158.** The Government had substantially reduced the income tax and corporate taxes payable by over 99 per cent of Fijians, including thousands of workers as well as employers' groups and companies. All Government wage earners had received a 10 per cent increase in their wages in 2013. Senior citizens who did not have access to pensions were being provided with State-funded pension benefits. The Government had activated a tripartite social dialogue process under the Employment Relations Advisory Board and was reviewing the workers' compensation regime with a view to covering all workers for injuries and deaths arising at work. It had established a National Employment Centre in 2009 and the first ever national minimum wage would be tabled by the Minister for Labour before the end of 2013.
- 159.** With regard to freedom of association and assembly, the Public Emergency Regulations had been revoked in January 2012. All persons and entities were now able to associate, organize and meet in any public place without the need for a permit. Many trade unions, political parties and civil society groups had been holding regular public meetings and freely expressing their views in the media. In August 2013, the trade union representing workers in the sugar industry had held meetings to obtain a mandate from its members to go on strike.
- 160.** As the Government would be wholly occupied with vital reforms, a visit to Fiji by the direct contacts mission before the 2014 general elections would be impracticable. Moreover, the outcome of a visit prior to the elections could be used as a political tool, since key supporters of a registered political party were leading trade unionists. The post-election environment would be politically neutral and the incoming Parliament would have express authority to review and amend existing laws. In the meantime, the Government had submitted the seven proposals contained in document GB.319/INS/8(Add.1). If the discussion on the current agenda item was deferred until November 2014, the Governing Body would have before it a full update on the visit of the direct contacts mission undertaken after the 2014 elections.
- 161.** *The Worker Vice-Chairperson* said that the Fijian Government had failed to respond to the Governing Body's request in November 2012 to accept a direct contacts mission under the originally agreed terms of reference and to find appropriate solutions in law and practice that were in conformity with freedom of association principles. The Government had actually inquired in the letter contained in document GB.319/INS/8(Add.) whether the ILO was still interested in a direct contacts mission. After expelling the previous mission in 2012, it was now seeking to delay the new one for at least a year. It also remained unclear whether the Government would accept the original terms of reference, and no progress had been made in aligning law and practice with Convention No. 87. Criminal charges had not been dropped, and no investigations had been opened into the acts of violence against trade unionists. The fact that the Government had committed serious violations of workers' rights while a complaint for a commission of inquiry was pending clearly demonstrated its contempt for the ILO and its constituents.
- 162.** The State-owned Fiji Sugar Corporation had repeatedly refused to negotiate with the Fiji Sugar and General Workers Union. The interim Government had dispatched police and military officers to polling locations in July 2013 to intimidate workers and discourage them from voting on strike action. The workers had nonetheless voted for a strike, but the

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Attorney-General had announced that the interim Government would take measures to ensure that the mills remained open, and military officers had warned workers that anyone who went on strike would be prevented from returning or even sent to a military camp.

- 163.** The new Constitution adopted in September 2013 was not in compliance with international law. Civil society, including labour organizations, had not been consulted on the text. In December 2012, the Government had confiscated all copies of a draft Constitution produced through a consultative process by an independent Constitution Commission. While the new Constitution appeared to guarantee certain fundamental rights, including labour rights, it included sweeping language that allowed the Government to condition the exercise of such rights in law. It severely limited the participation of trade union leaders and staff in the political process and granted immunity to government officials responsible for past human rights abuses. None of the issues identified by the ILO supervisory system in respect of the violation of the rights of trade unionists, such as physical attacks, arrest and detention, and the laying of bogus charges, had been remedied. The 2012 Public Order Amendment Decree restricting freedom of association remained on the books and Essential National Industries Decree No. 35 of 2011 continued to have a devastating impact on trade unions. It was questionable whether the flawed Constitution, in conjunction with such repressive decrees, would establish a strong foundation for credible elections.
- 164.** While agreeing with the point for decision in paragraph 6, the Workers' group considered that the serious violations of rights in Fiji and the contempt shown by the authorities towards ILO tripartite decisions justified the establishment of a commission of inquiry. The conclusions adopted by the Committee on Freedom of Association on Case No. 2723 also drew the Governing Body's attention to the extreme seriousness and urgent nature of the matters dealt with in the case. The Workers' group considered that the proposal to postpone the direct contacts mission should not be entertained. The Government's argument that it had absolutely no time was merely a further demonstration of its defiant position.
- 165.** *The Employer coordinator* noted that the Government claimed to be following a roadmap to constitutionality, the rule of law and national elections. On the other hand, the issues highlighted by the Worker Vice-Chairperson, particularly regarding the right to freedom of association, were a source of major concern. An objective assessment by a direct contacts mission of the highly sensitive issues involved was therefore essential and it should not be postponed for a further year. Such missions did not engage in politics and could not be used by trade unionists as a political tool in the run-up to the elections. He therefore urged the Government to accept a direct contacts mission prior to the Governing Body's March 2014 session in order to assist the social partners in finding solutions to outstanding issues relating to freedom of association.
- 166.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania said that Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Norway, Republic of Moldova and Armenia aligned themselves with the statement, which addressed agenda items 8 and 15.
- 167.** The EU called on the Government of Fiji to respect its commitments regarding human rights and fundamental freedoms, respect for democratic principles and the rule of law, and to ensure that freedom of expression and assembly were respected. The EU had taken note of the Government's letter contained in document GB.319/INS/8(Add.). It urged the Government to accept the return of the direct contacts mission before the end of the year and supported the draft decision contained in document GB.319/INS/8(Rev.).

- 168.** The EU agreed to defer the decision to establish a commission of inquiry until the March 2014 session of the Governing Body and supported the draft decision contained in document GB.319/INS/15/1.
- 169.** A *Government representative of the United States* expressed deep concern about workers' rights in Fiji and about the fact that the direct contacts mission had still not been conducted. The new Constitution and elections did not warrant the continued deferral of the mission as, in the meantime, serious violations of human and trade union rights had continued. The terms of reference of the direct contacts mission included full guarantees that all relevant parties and points of view would be heard. Given that the direct contacts mission would assist the ongoing political transition process and constructive dialogue, the United States urged Fiji to make full use of the ILO's expert advice and assistance. Prompt acceptance of the direct contacts mission would be critical to the decision taken on the article 26 complaint.
- 170.** A *Government representative of Thailand* said that the direct contacts mission should visit the country after the September 2014 elections, when there would be a politically neutral environment. In the interim, Fiji should continue to provide the ILO with information on its progress in the area of freedom of association. His delegation supported deferring the issue until the Governing Body meeting in November 2014.
- 171.** A *Government representative of Japan* said that it would benefit both the Government and people of Fiji to receive the direct contacts mission and thereby demonstrate the progress that the country had made towards democratization since the promulgation of the new Constitution. He hoped that Fiji would receive the mission as early as possible and indicate a specific date for the visit.
- 172.** A *Government representative of India* welcomed the steps being taken by the Government of Fiji to settle outstanding issues with trade unions. In view of the political situation and the forthcoming elections, Fiji should be allowed to receive the direct contacts mission after September 2014.
- 173.** A *Government representative of Australia*, supported by New Zealand, emphasized that the ILO and the international community could assist Fiji with its international obligations and that the direct contacts mission visit was a necessary step to enable such assistance and restore productive relations with the ILO. He encouraged Fiji to build on recent progress such as electronic voter registration and the registration of four opposition political parties by receiving the direct contacts mission at the earliest opportunity. The country's failure to receive the mission had raised the possibility of other measures being necessary.
- 174.** A *Government representative of Canada* expressed regret that the direct contacts mission had been unable to fulfil its mission. The mission should visit the country as soon as possible as its work would not impede the activities to prepare for the elections.
- 175.** A *Government representative of China* supported Fiji's proposal on the grounds that the country was making every effort to prepare for the September elections and had invited ILO senior officials to visit the country in preparation for the direct contacts mission.
- 176.** A *Government representative of the Islamic Republic of Iran* agreed that Fiji should be given the opportunity to receive the contacts mission after the elections.
- 177.** A *Government representative of Cuba* said that the request by Fiji to receive the direct contacts mission visit after the elections should be accepted as the mission would be able to carry out its duties and produce more accurate results after the country's transition.

## Decision

178. *In light of the proposal of the Officers of the Governing Body concerning the receivability of the article 26 complaint, and taking into account the communication from the Prime Minister of Fiji dated 15 October 2013 asking that the direct contacts mission visit the country after the elections due for 30 September 2014, the Governing Body:*

(a) *urged the Government again to accept the return of the direct contacts mission before its 320th Session (March 2014) to assist the Government and the social partners in finding solutions to the outstanding matters in relation to freedom of association; and*

(b) *placed this item on the agenda of its 320th Session (March 2014).*

(GB.319/INS/8(Rev.), paragraph 6.)

## Ninth item on the agenda

### **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 (GB.319/INS/9)**

179. *The Chairperson* introduced the item. The Officers recommended that the Governing Body should adopt the draft decision.

180. *A Government representative of Bahrain* said that he welcomed the efforts made in Bahrain to address the reasons behind the complaint. Since the start of the reform process some 11 years previously, Bahrain had been committed to international labour standards and humanitarian and human rights values, including freedom of trade union activity, freedom for migrant workers and the protection of workers' rights. Differences in opinion were a manifestation of the freedom of the trade union movement and freedom of opinion. His Government looked to the positive role played by the ILO, encouraging dialogue and cooperation, which would guarantee greater harmony and consensus and protect the social fabric. Efforts had been made at the national level to address the cases of those dismissed against the background of the tragic events witnessed in February and March 2011. Directives issued decreed that all those dismissed should be reinstated and that a spirit of tolerance should be maintained, along with law and order. The few remaining cases would be addressed through constructive cooperation and the justice system to safeguard the rights and interests of all. The problem had lasted longer than necessary and his Government would continue to cooperate with the social partners and the ILO to end it. Regarding the draft decision, the protection of trade union leaders was guaranteed by law. No measures would be permitted that would affect the safety and security of GFBTU leaders.

- 181.** *The Worker Vice-Chairperson* said that it was not the first discussion of the case. Some progress had been made and his group had hoped agreement would be reached as a text had been prepared following three months of tripartite dialogue establishing the foundations for reconciliation between the parties and cooperation based on respect for ILO fundamental standards. However, the Government's refusal to sign it signified renewed deadlock, which the Workers deeply regretted. He asked the Director-General to place the item on the agenda of the following session of the Governing Body. His group had serious concerns about the safety and security of GFBTU workers. The defamation campaign levelled at the GFBTU must stop. He asked the Government to stop denying access to Bahrain to ILO officials so that they could provide necessary technical assistance. If the tripartite agreement was not soon signed, the Governing Body would have to declare the complaint receivable the following March as indicated in paragraph 19. In the light of their comments, the Workers supported the draft decision.
- 182.** *The Employer coordinator* said that the comments regarding Bahrain's respect for the rule of law and the efforts made by its institutions permitted his group to support the draft decision. If that positive approach continued, the case could be concluded the following March. He did not share the Workers' view regarding paragraph 19 and automatic receivability for previously stated reasons.
- 183.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania said that the following countries aligned themselves with the statement: Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia and Republic of Moldova. Regarding procedure, she underlined the importance of timeliness. It was unfortunate to have received such an important document less than 24 hours prior to the discussion. Proper coordination and clearance was not possible and consequently she could not enter into substance. Compliance with ILO fundamental Conventions was essential for social and economic stability and an environment conducive to dialogue and trust contributed to creating a basis for solid and sustainable growth and inclusive societies.
- 184.** *Speaking on behalf of ASPAG*, a Government representative of Australia wished to note the late availability of the document. ASPAG thanked the tripartite parties for their considerable efforts and welcomed the significant progress made to resolve the number of dismissal cases. He urged the tripartite parties to make every effort to reach agreement, if requested with ILO assistance.
- 185.** *A Government representative of Qatar* commended the ILO on its contribution to the tripartite agreement in Bahrain and, expressing the hope for a positive solution, called upon the parties to continue their efforts to that end. His delegation considered the matter now closed and saw no reason for its continued inclusion on the agenda of the Governing Body.
- 186.** *A Government representative of Sudan* commended the Government of Bahrain on its unstinting efforts to resolve the problem in cooperation with the representatives of employers and workers, resulting in a tripartite agreement. In all, 99 per cent of the dismissed workers had been reinstated and there were good reasons for the decision not to reinstate the others. His delegation therefore believed that there was no need to retain the issue on the agenda.
- 187.** *A Government representative of Thailand* observed that the reduction to 1 per cent of the outstanding cases of worker dismissal amply demonstrated the serious commitment of the Government of Bahrain to cooperation with the ILO and the international community in resolving the issue. Commending the Government on its continued efforts to solve the issue through an internal solution, he reaffirmed Thailand's support for the draft decision and its view that the issue should be dropped from the agenda of the Governing Body.



- 188.** *A Government representative of Canada* stated his country's belief that constructive social dialogue, with a tripartite negotiated outcome, was the appropriate mechanism for a resolution of the complaint concerning Bahrain and that the case could be thus resolved. To that end, Canada would be prepared to defer consideration of the issue to the next session of the Governing Body and it also supported the relevant draft decision.
- 189.** On a procedural matter, recalling Canada's statement at the 317th Session on the same agenda item, he expressed his delegation's disappointment that, once again, very late circulation of documents had inhibited full consideration of the issue and urged the Office to make factual information available as early as possible in advance of the 320th Session.
- 190.** *A Government representative of Egypt* commended the Bahraini Government on the steps that it had taken towards tripartite dialogue and the ensuing agreement, which had led to the resolution of nearly all the outstanding cases of worker dismissal. Egypt also applauded the fruitful dialogue between Bahrain and the ILO, which had culminated in technical support to the country and a visit by a high-level delegation from the Office. She too regretted the very late circulation of the report on the item and hoped that in future important documents of that nature would be circulated in good time. Given that such a small percentage of the cases remained unresolved and would be dealt with through sustained tripartite social dialogue, Egypt questioned whether the item merited continued inclusion on the agenda of the Governing Body.
- 191.** *A Government representative of Switzerland* expressed her delegation's insistence that documents of such importance should be circulated in a more timely fashion. While the Office might need time to finalize the draft decisions, the background information could be made available much more promptly and the draft decision included in a subsequent addendum. She also suggested that, in future sessions of the Governing Body, the list of speakers should be made available, if possible, particularly when there were many speakers.
- 192.** *A Government representative of the United Arab Emirates*, commending the Office on its report regarding the complaint against the Government of Bahrain, welcomed the positive spirit shown by all stakeholders and the tangible progress made by the Bahraini authorities towards a full resolution. Accordingly, in his delegation's view, the complaint was now unfounded and, through continued constructive dialogue, the matter would be brought to a satisfactory solution.
- 193.** *A Government representative of Japan* said that, in his Government's view, the outstanding issues relating to the complaint against Bahrain should be solved in the near future through the finalization of a tripartite agreement and the issue would no longer need to remain on the agenda of the Governing Body.
- 194.** *A Government representative of China* said that, in view of the efforts by the Government of Bahrain to reinstate the dismissed workers and its cooperation with the ILO, demonstrating its sound political will, there was no need for the item to remain on the agenda of the Governing Body.
- 195.** *A Government representative of the United States* said that the Supplementary Tripartite Agreement offered a real possibility of a final solution to the issues addressed by the complaint against Bahrain and that his Government hoped that it would be signed as soon as possible. Accordingly, the United States supported in full the proposed draft decision.

- 196.** *A Government representative of Algeria* urged the Office to produce its reports sufficiently in advance to allow governments to prepare. He welcomed the progress made in Bahrain in respect of workers' rights and freedom of association. There was evident will to continue the social dialogue on all sides. The information suggested that 99 per cent of cases had been resolved. The item should be removed from the Governing Body agenda.
- 197.** *A Government representative of Viet Nam* noted that almost all dismissed workers had been reinstated, re-employed or otherwise compensated. Considerable efforts were being deployed. The item should be removed from the agenda.
- 198.** *A Government representative of Indonesia* urged the Office to produce its reports early. Considerable efforts were being made by the Government and its social partners; they should continue. She supported the draft decision.
- 199.** *A Government representative of the Russian Federation* welcomed the information provided by the Minister of Labour of Bahrain. The Governing Body was being kept well informed of developments, which were positive. He did, however, understand that the Government and the workers' organizations might have different figures for resolved cases. The report contained no disturbing news: the deferral of signing the Supplementary Tripartite Agreement was merely technical. The Government should continue cooperating with the ILO and with its social partners. The item should be removed from the agenda.
- 200.** *A Government representative of Pakistan* noted that the Government had acted positively to find a solution. It should maintain that attitude. Clearly, the Government was being guided by its social partners, which, as the Minister had said, was as it should be. The item should be removed from the agenda.
- 201.** *A Government representative of Cuba* commented on the late arrival of the report. The positive spirit in the Kingdom of Bahrain had almost resolved all issues. The dialogue between the Government, its social partners and their cooperation with the ILO were positive.
- 202.** *A Government representative of Lebanon* welcomed the developments in Bahrain, stressing the strong cooperation between the Government, its social partners and the ILO. The Government should resolve the remaining issues and sign the Supplementary Tripartite Agreement.
- 203.** *A Government representative of India* noted the measures taken by the Government to find amicable solutions. The agreement of March 2012, with ILO support, was a good step, set to be reinforced by the Supplementary Tripartite Agreement. Progress was being made in implementing the recommendations of the Bahraini independent commission of inquiry. The ILO should supply all requisite technical cooperation, and the article 26 procedure should be halted.

### **Decision**

- 204.** *The Governing Body, on the recommendation of its Officers, decided:*
- (a) to urge the Government, the GFBTU and the BCCI (the parties) to pursue their efforts to arrive at an agreement on the basis of the Supplementary Tripartite Agreement and request the Government to guarantee the safety and security of GFBTU leaders;*

- (b) *to invite the Office to provide all the technical assistance required by the parties, if requested by the Government or the GFBTU or the BCCI to meet the objective referred to in (a) above; and*
- (c) *to place this item on the agenda of its 320th Session (March 2014) at which time a decision would have to be taken on the receivability of the complaint.*

(GB.319/INS/9, paragraph 21.)

## Tenth item on the agenda

### Report of the Committee on Freedom of Association (GB.319/INS/10)

#### 370th Report

205. *The Chairperson of the Committee on Freedom of Association* said that the 370th Report covered 157 pending cases, 33 of which had been examined on their merits. In Cases Nos 2655 (Cambodia), 2963, 3000 and 3005 (Chile), 2924 and 2995 (Colombia), 2929 (Costa Rica), 2753 (Djibouti), 2684 (Ecuador), 2871, 2896 and 2923 (El Salvador), 2708, 2948, 2967 and 2989 (Guatemala), 2620 (Republic of Korea) and 2948, 2937 and 3010 (Paraguay), the Committee had observed that, despite the time which had elapsed since the submission of the complaints, it had not yet received the observations of the Governments concerned, and had appealed to them to transmit their comments as a matter of urgency.
206. At its session, the Committee had examined its working methods and would follow up on that discussion in March, in order to reach conclusions that would be set out in the report to be submitted to the Governing Body at its next session.
207. The Committee had decided to highlight, in paragraph 5 of its report, a number of cases that it had been obliged to examine without having received a response from the Government. Those were Cases Nos 2318 (Cambodia), 2957 and 2985 (El Salvador), 2723 (Fiji), 2794 (Kiribati), 2902 (Pakistan) and 2994 (Tunisia).
208. The Committee had examined 19 cases in which the Governments had informed it of the measures taken to give effect to its recommendations and had expressed its satisfaction in relation to Cases Nos 2955 (Colombia), 2910 (Peru) and 2652 (Philippines). There were three serious and urgent cases to which the Committee had drawn the special attention of the Governing Body. They were Cases Nos 2318 (Cambodia), 2723 (Fiji) and 2745 (Philippines).
209. In Case No. 2318 (Cambodia), the Committee had once again expressed its concern at the seriousness of the case, which related, inter alia, to the murder of three trade union leaders, and at the absence of concrete steps to conduct the necessary independent investigations. While it had welcomed the very recent Supreme Court judgment acquitting the two individuals accused of murdering Chea Vichea and dropping the charges against them, the Committee had nevertheless requested the Government promptly to institute an independent judicial inquiry to shed light on the murders and on the recent allegations of violence against trade unionists, in order to bring an end to the prevailing situation of impunity.

- 210.** The second serious and urgent case concerned Fiji (Case No. 2723), and the allegations related to acts of assault, harassment, intimidation, arrest and detention of trade union leaders, ongoing interference in internal trade union affairs, undue restrictions on trade union meetings and the issuance of several decrees curtailing trade union rights. In the absence of a response from the Government, the Committee had been obliged to reiterate its previous recommendations and had noted with deep concern the complainants' new allegations. The Committee had urged the Government to provide its observations without delay. It had also taken note of a letter sent in October 2013 by the Prime Minister of Fiji in response to a communication from the Director-General and had strongly regretted that the ILO direct contacts mission had not been allowed to return to the country. It had urged the Government to accept the mission without delay.
- 211.** The Committee had examined serious and urgent Case No. 2745 (Philippines), which related to the serious allegations made in 2009 concerning restrictions to freedom of association in the economic zones of the Philippines. The Committee had taken note of the information provided by the Government in relation to the follow up given to a number of workplace-based allegations, but had observed that some of the cases had been resolved within the framework of the monitoring body of the National Tripartite Industrial Peace Council and had asked to be kept informed of developments in that regard.
- 212.** Where the militarization of economic zones was concerned, the Committee had noted with interest the efforts made by the Government to hold orientation seminars on the guidelines concerning the conduct of the police and armed forces. Those guidelines had been mainstreamed into the training provided to soldiers, and the Committee had welcomed the fact that, according to the Government, at the current time no acts of violence were occurring in the economic zones.
- 213.** *The Employer coordinator in the Committee* expressed satisfaction with the manner in which the Committee was operating and said that the report was the product of a consensus developed in a spirit of mutual goodwill and robust debate. During the session, the Committee had examined 33 cases, plus one unresolved case on receivability. The imbalance that continued to exist in a large number of cases from Latin American countries would be discussed during the Committee's review of its working methods.
- 214.** A number of cases, especially Cases Nos 2950, 2974 and 2993 (Colombia) and 2965 and 2966 (Peru), had come from the Latin American region but could not be classified as freedom of association issues warranting international-level supervision. They were actually human resources disputes and the time and attention of the Committee, of the Office, of local employers and of the Governments had, as a result, been diverted to cases that did not warrant inclusion on the agenda. Case No. 2965 (Peru) provided perhaps the most blatant example of that situation, as the complaint that had been submitted in 2012 concerned a dismissal dating back to 2000. That type of case would most likely compel employers to call for a statute of limitations to be considered as part of the review of the Committee's working methods. Furthermore, the Employers were concerned that the Committee on Freedom of Association was being used as a tribunal of final appeal, which was not its purpose and which complicated its work and delayed decisions on cases within its core mandate.

- 215.** The objective of the report was to encourage the Governments to rectify national practices or policies that compromised the full and effective exercise of freedom of association. There had been some important progress in that regard, such as in Cases Nos 2694 (Mexico), 2745 (Philippines) and 2712 (Democratic Republic of the Congo).
- 216.** There remained, however, a number of serious and urgent cases where the level of cooperation was not evident. Case No. 2318 (Cambodia) concerned the murder of three trade union leaders but no reply had been received from the Government. The international community, through the Committee on Freedom of Association and the Governing Body, were again calling for an independent judicial inquiry.
- 217.** Case No. 2723 (Fiji) involved the harassment and intimidation of a trade union leader and trade union officials. The Employers deeply regretted that the direct contacts mission requested by the Committee on Freedom of Association had not been able to complete its work. The technical work that needed to be done to enable the Committee to formulate recommendations and conclusions should be carried out as a matter of urgency. The Committee had strongly urged the Government to agree without delay to allow the mission to return to Fiji, and the Governing Body should endorse the recommendation within the context of its broader consideration of a complaint presented under article 26 of the ILO Constitution.
- 218.** The Employers were also interested in Case No. 2969 (Mauritius), in which the conclusions and recommendations indicated that the trade union activities in an enterprise should not impair the efficient operation of the undertakings concerned.
- 219.** Case No. 2983 (Canada) acknowledged that a minimum service requirement could be imposed by a government on a non-essential service where the collective bargaining dispute had led to economic damage.
- 220.** Another case concerning Canada (Case No. 2971) set out the principle that, while a government could impose some restrictions that would prohibit a union leader from holding office following criminal convictions, those restrictions had to be carefully developed in order not to offend the principles of freedom of association, which recognized the right of members of organizations to elect their officials without undue interference from the State.
- 221.** Lastly, Case No. 2794 involved the ILO's newest member State: Kiribati. The Employers acknowledged the constraints affecting a Pacific small island State, and it was in that spirit that they had raised that case.
- 222.** *The spokesperson for the Workers' group in the Committee* said that the Committee had spent a whole day examining its working methods and procedures and that its work in that regard would continue at the March 2014 session with a view to reaching conclusions. The discussions had been guided by the need first of all to reinforce the universal reach and solid foundations of those of the Committee's conclusions and recommendations that set a legal precedent and second to ensure the visibility and authority of the Committee itself, whose members served as individuals and whose work was treated as confidential until its adoption by the Governing Body.
- 223.** That work had, among other things, resulted in the drafting of a new paragraph 5 in the report. The paragraph drew attention to the cases that the Committee had been obliged to examine without having received a response from the Governments concerned. It was hoped that the new paragraph would encourage the Governments to respond quickly to requests for information. Once again, the Workers emphasized that

the conclusions and recommendations of the Committee on Freedom of Association were not intended to condemn a government or a State, but rather to promote the swift settlement of the complaints it received and thereby restore the fundamental rights deriving from the principles of freedom of association.

- 224.** The Workers welcomed the progress that had been made in Cases Nos 2712 and 2714 concerning the Democratic Republic of the Congo, which had called for ILO technical assistance. It was now up to the Government to comply with the Committee's conclusions.
- 225.** The Workers stressed that the information provided by the Governments must relate to the allegations set out in the complaints and must describe any follow-up action taken. Otherwise, the Committee would request the Governments to conduct inquiries to establish the facts and responsibilities. That was how matters stood in Case No. 2997 (Argentina), concerning allegations of death threats; in Case No. 2969 (Mauritius), concerning allegations of anti-union interference; and in serious and urgent Case No. 2745 (Philippines), concerning allegations of blacklisting and the involvement of the army in action against protests by workers and in the death of a worker. The Committee had regretted that, in Case No. 2768 (Guatemala), the Government had submitted reports that did not refer to the allegations and, in Case No. 2902 (Pakistan), the Government had not responded to the allegations that workers had been shot at.
- 226.** The Committee had examined a number of cases that had generated extensive discussion; those were serious and urgent cases including, in particular, Case No. 2318 (Cambodia), in which the Government had not sent coherent information and regarding which new and serious allegations had been made.
- 227.** In Case No. 2745 (Philippines), the Government's reply was very detailed, but progress in the reforms aimed at strengthening the rights of independent trade unions and remedying the denial of the right to strike was very slow.
- 228.** In serious and urgent Case No. 2723 (Fiji), the Government had still not responded to the Committee's recommendations, neither had it responded to the new allegations, which were also serious. The Committee had taken note of the letter sent by the Government and considered that there were no grounds to postpone the direct contacts mission. It was regrettable that, in another communication, the Government of Fiji had reacted as if it had already taken note of the conclusions and recommendations of the Committee on Freedom of Association relating to it, which raised questions about the authority and legal certainty of the proceedings of the Committee on Freedom of Association. It was important to emphasize once again that the Committee's recommendations were adopted by consensus.
- 229.** The Committee had formulated firm conclusions and recommendations in a number of cases relating to the right to strike on the basis of information provided by the complainant organizations and by the Governments. That applied in particular to Cases Nos 2956 (Plurinational State of Bolivia) and 2971 and 2983 (Canada). The Workers once again drew the attention of the Governments to the fact that their national law, together with a number of monitoring and prevention processes, made it possible for them not to bring cases of anti-union discrimination, or to penalize such practices and take action to remedy them, thus preventing such complaints from being brought before the Committee.

230. Unfortunately, the Workers were still expressing grievances about cases of anti-union dismissal, as in Cases Nos 2997 (Argentina), 2926 (Ecuador), 2900 (Peru) and 3006 (Bolivarian Republic of Venezuela); cases of interference in trade union affairs, as in Case No. 2951 (Cameroon); and impediments to the establishment and registration of unions and to real collective bargaining: Cases Nos 2922 (Panama) and 2949 (Swaziland).
231. He welcomed the progress made in a number of cases, which had helped restore the rights of workers and their unions. For example, in Case No. 2694 (Mexico), the Government had made reference to a legislative reform that had recently entered into force, in line with the Committee's recommendations.
232. Lastly, he welcomed the quality of the debates within the Committee and called on the Governing Body to adopt the report.
233. A *Government representative of Cambodia* recalled that his Government was endeavouring to strengthen tripartite dialogue in the country and had established three tripartite committees to address a variety of industrial relations challenges. He highlighted the importance that his Government attached to promoting freedom of association, collective bargaining and the rights of workers and employers, and recalled that his country had ratified Conventions Nos 87 and 98, with which it was fully complying.
234. Referring specifically to Case No. 2318, he said that, on 25 September 2013, the Supreme Court had ordered the release of Born Samnang and Sok Sam Ouen. The judicial proceedings concerning Ros Sovannareth, Hy Vuthy and Chhouk Bandith were under way.
235. Furthermore, the Government had asked the three ministries concerned – the Ministry of Justice, the Ministry of Internal Affairs and the Ministry of Labour and Vocational Training – to cooperate in following up on the recommendations made by the Committee on Freedom of Association. A permanent committee consisting of the concerned governmental ministries and representatives of the social partners had been mandated to formulate a national employment policy and to monitor the application of ILO Conventions and Recommendations, together with the country's other obligations under the membership of the Organization.
236. Lastly, even though considerable progress had been made over the years, the Government would continue to develop laws and regulations in cooperation with the social partners, taking into account changes in the labour market and the diversity of industrial relations. It welcomed the fact that it could count on ILO technical assistance in that regard.

## **Decision**

237. *The Governing Body took note of the introduction to the report of the Committee, contained in paragraphs 1–113, and approved the recommendations made in paragraphs: 129 (Case No. 2997: Argentina), 143 (Case No. 2956: Plurinational State of Bolivia), 168 (Case No. 2318: Cambodia), 194 (Case No. 2951: Cameroon), 226 (Case No. 2971: Canada), 292 (Case No. 2983: Canada), 318 (Case No. 2936: Chile), 332 (Case No. 2950: Colombia), 342 (Case No. 2974: Colombia), 354 (Case No. 2993: Colombia), 363 (Case No. 2975: Costa Rica), 391 (Case No. 2926: Ecuador), 400 (Case No. 2932: El Salvador), 412 (Case No. 2957: El Salvador), 425*

(Case No. 2985: El Salvador), 444 (Case No. 2723: Fiji), 455 (Case No. 2768: Guatemala), 464 (Case No. 2794: Kiribati), 492 (Case No. 2961: Lebanon), 535 (Case No. 2969: Mauritius), 567 (Case No. 2694: Mexico), 587 (Case No. 2973: Mexico), 598 (Case No. 2902: Pakistan), 610 (Case No. 2922: Panama), 628 (Case No. 2900: Peru), 642 (Case No. 2966: Peru), 684 (Case No. 2745: Philippines), 694 (Case No. 2712: Democratic Republic of the Congo), 703 (Case No. 2714: Democratic Republic of the Congo), 720 (Case No. 2949: Swaziland), 739 (Case No. 2994: Tunisia), 753 (Case No 3006: Bolivarian Republic of Venezuela); and approved in full the 370th Report of the Committee on Freedom of Association.

(GB.319/INS/10.)

## **Eleventh item on the agenda**

### **Report of the Board of the International Institute for Labour Studies**

#### **Report of the 56th Session of the Board (GB.319/INS/11)**

- 238.** *The Chairperson* presented the agenda item indicating that, following the decision of the Governing Body on agenda item 14, the budget allocated to the Institute in the regular budget would be integrated into the resources of the new Research Department. At its 320th Session, the Governing Body would be presented with proposals for the allocation of the funds and assets of the Institute.
- 239.** *A Worker member from the United States* wished to thank the Director and the staff of the Institute, as well as contributors, for their work. The Workers hoped that the Board's research agenda would be embraced by the new Research Department. They also believed that the World of Work Report should be maintained. The group looked forward to receiving the progress report in March 2014, including plans to build on the work of the Institute to ensure that the ILO was a source of credible, important and far-reaching research into the world of work.
- 240.** *The Employer coordinator* said that his group appreciated the report and supported its adoption. The Employers wished to see continued improvement in ILO research to build the ILO's reputation of intellectual honesty in examining the facts of the world of work. They looked forward to receiving proposals on the new research structure. Issues of management and governance remained important in ensuring that the ILO maintained a tripartite perspective in its research. An issue that remained to be clarified concerned the nexus between strategic long-term structural research and day-to-day pragmatic research carried out by individual ILO units.
- 241.** *Speaking on behalf of the Africa group*, a Government representative of Kenya welcomed the report and supported its proposals.



## Decision

### 242. *The Governing Body:*

- (a) *requested the Director-General and the Director of the new Research Department, when preparing research priorities for 2014–15, to take into account the programme of work proposals described in Appendix I to document GB.319/INS/11 as well as the comments made by the Board on those proposals; and*
- (b) *accepted the contributions and gifts described in Appendix II to document GB.319/INS/11.*

(GB.319/INS/11, paragraph 27.)

## Twelfth item on the agenda

### Report of the Board of the International Training Centre of the ILO, Turin

#### 75th Session of the Board (Turin, 17–18 October 2013) (GB.319/INS/12)

243. *The Worker Vice-Chairperson* said that his group welcomed the efforts made by the Centre to ensure that activities were carried out despite budgetary constraints. Considering the budget difficulties, a new fund-raising strategy was needed, agreed with Geneva. The trend of the Centre being open to the market entailed a risk of more market-driven activities that were not linked with the Decent Work Agenda. It was necessary to ensure that the Centre's activities were linked to ILO priorities and to maintain the added value that it generated through tripartite participation in courses and activities. Building the capacity of constituents should remain the main target.
244. *The Employer coordinator* said that his group was pleased with the measures taken to recognize and support the specific role of the social partners' programmes and with the progress made in reducing overhead costs, which was crucial for the long-term survival of the Centre. Like the Workers' group, the Employers' group wished to emphasize that the main role of the Centre was to strengthen the capacity of the constituents. He expressed his group's appreciation of the opportunity to discuss the evolving role of the Centre in the ILO reform agenda. The process of internal consultation and collaboration within the Centre itself and with the stakeholders should be intensified.

## Outcome

245. *The Governing Body took note of the report and of the comments made during the discussion.*

(GB.319/INS/12.)

## Thirteenth item on the agenda

### Report of the Working Party on the Functioning of the Governing Body and the International Labour Conference

#### Oral report of the Chairperson of the Working Party (GB.319/INS/13)

246. *Speaking on behalf of IMEC*, a Government representative of Hungary said that her group had highlighted trialling as an opportunity to test new and innovative proposals before deciding whether they should be adopted long term. While she understood that there was no consensus on the proposal to trial a two-week Conference in 2014, she trusted that the Director-General, by his personal engagement in the process, would involve all three groups in informal consultations with a view to facilitating the work at the 320th Session of the Governing Body to explore further the avenue of a two-week Conference and find tripartite consensus on a number of measures to be tried out during the 2014 Conference. She reiterated the hope that a constituent-led, consensus-driven and meaningful reform of the Conference would come into force during the 2015 session. Her group would be submitting in writing to the secretariat amendments to paragraphs 5, 16 and 24 of the report.

247. *A Government representative of Canada* said that her country would also submit to the secretariat an amendment to paragraph 31 of the report.

#### **Decision**

##### **248. *The Governing Body:***

- (I) *requested the Office to prepare for its 320th Session (March 2014):***
  - (a) *a detailed proposal for a two-week Conference, which would take into account the concerns and requirements expressed during the discussion held by the Working Party during the 319th Session (October 2013) of the Governing Body, and elaborate on the areas of consensus reached;***
  - (b) *a detailed plan of work for the 103rd Session (2014) of the International Labour Conference, which would take into account reforms which could be further improved and/or trialled at the 103rd Session;***
  - (c) *additional information on pending issues requiring further consultations and discussion.***
- (II) *requested the Director-General to hold informal consultations, with the involvement of all three groups, in the interval between the 319th (October 2013) and 320th (March 2014) Sessions of the Governing Body.***

(GB.319/INS/13, paragraph 34, as amended.)

## Fourteenth item on the agenda

### Report of the Director-General

(GB.319/INS/14 and GB.319/INS/14(Add.))

#### Obituaries

#### *Decision*

**249.** *The Governing Body invited the Director-General to convey its condolences to the Vice-President of the Confederation of Autonomous Trade Unions of Cameroon, to the Ivorian Confederation of Free Trade Unions “DIGNITE” and to the families of Mr Louis Sombès and Mr Basile Mahan Gahé.*

(GB.319/INS/14, paragraph 5, and GB.319/INS/14(Add.), paragraph 6.)

### Progress in international labour legislation and internal administration

#### *Outcome*

**250.** *The Governing Body took note of the information provided.*

(GB.319/INS/14 and GB.319/INS/14(Add.))

### First Supplementary Report: Update on the internal reform (GB.319/INS/14/1)

**251.** *The Director-General explained that the Office’s staff was under constant pressure to deliver on the existing programme while abiding by the established time frame for the reform process. Some major steps still lay ahead.*

**252.** *The Employer coordinator said that that the regional offices must become more involved in the reform process and must receive appropriate technical support in order to be able to meet the additional demands placed on them as a result of globalization. He asked the Director-General for an analysis of the efficiency gains obtained from the ongoing restructuring process. The human resources component of the plan of action had to be consistent with the overall reform process. He therefore wished to know what immediate plans existed for the relocation of regional offices. Lastly, he wondered what effect the distinction drawn between the Organization and the Office would have on the Organization’s governance and its policy organs.*

**253.** *The Worker Vice-Chairperson noted with satisfaction the engagement of the Administration with the Staff Union, especially with regard to human resources policies. He encouraged further engagement. An overall framework to guide the development and implementation of the ACIs was vital in order to ensure an integrated approach covering all the areas. For instance, greater attention should be paid to working conditions and cooperatives in the work on enterprises and on macroeconomic issues in the ACI related to*

employment. He requested additional information on the improvements to administrative processes and asked whether the roll-out of IRIS at the Turin Centre had been discussed. His group had some concerns about internal and external communications and also about the structure, material and human resources of some field offices.

- 254.** *Speaking on behalf of ASPAG*, a Government representative of Australia said that, while his group supported the Director-General's efforts to reform the ILO, a more innovative approach should be adopted in order to correct the significant under-representation of the Asia and Pacific region in the staff complement. ILO language skill requirements impeded recruitment from his region and should therefore be modified. The field experience of ASPAG applicants working in countries benefiting from ILO programmes should be taken into account. His group would like the forthcoming report on the composition and structure of staff to contain a table showing the regional and country distribution of D category staff.
- 255.** *Speaking on behalf of the Africa group*, a Government representative of Kenya urged the Director-General to ensure that, for the sake of efficiency and coherence, the implementation of decisions by senior and global management teams was consistent with the principles of the reform agenda. His group would like a start to be made on giving effect to the recommendations of the multidisciplinary project teams. The question of under-representation had to be addressed by the end of the reform process. His group was in favour of administrative reform resting on accountability, transparency, participation and inclusiveness and it supported the Director-General's quest to make the ILO a beacon of social justice in the United Nations multilateral system.
- 256.** *A Government representative of India* congratulated the Office on having sustained the momentum of the reform process and on having adhered to the timelines established under the plan of action. Her country welcomed the establishment of a Knowledge Resource Centre, as it would gather all research resources in one place and provide objective and analytical inputs into policy-making. The language requirements for recruitment should be revisited with a view to correcting the current geographical imbalance within the Office.
- 257.** *A Government representative of China* noted with satisfaction that the Office had hired a consultancy firm to assist it with its communications strategy. However, the reform of recruitment and selection procedures had not addressed the issue of language requirements or the need to ensure a regional balance when appointing officials at the Director level. Her Government trusted that the Office would take the necessary measures to address those issues.
- 258.** *The Director-General* said that the Office's human resources strategy needed to address the problem of the underrepresentation of certain regions and member States within the Office. The most effective way to do that would be to re-examine the general provisions governing recruitment. Documents containing concrete proposals to that end would be submitted at the next session of the Governing Body. Turning to the questions raised by the Employers' group on the review of field operations, he said that he would be in a better position to answer those questions once he had received and reviewed the relevant report. Turning to the questions raised by the Workers' group, he said that engaging with staff was instrumental in implementing the reform and that the Office had honoured its commitments in that regard. The ACIs, which would be an essential part of the programme and budget for the next biennium, were currently being developed. He confirmed that, in keeping with the decision taken in 2011, IRIS would not be rolled out to Turin. Responding to concerns raised over external and internal communications, he recalled that the Office had enlisted the services of an external consultancy firm to undertake a review of its communications strategy. The review had highlighted the need to improve internal communications and, to that end, more efficient communication systems were being put in

place. The administrative services reform was still at an early stage and the next progress report would contain more information on that subject.

## Outcome

### **259. *The Governing Body took note of the report.***

(GB.319/INS/14/1.)

## **Second Supplementary Report: Establishing a central Research Department**

(GB.319/INS/14/2)

**260.** *The Director-General* said that the pursuit of technical excellence was central to the reform and an ambition shared by the Governing Body. Referring to the draft decision, he said that whatever the Governing Body decided would have a considerable impact on the pursuit of such technical excellence. The proposal to dissolve the International Institute for Labour Studies (IILS) and to merge its staff and resources into the central Research Department stemmed from the need to ensure the necessary critical mass and to have sufficient resources in one place to build the ILO's technical and analytical capacity. Responding to concerns raised about the draft decision in question, he said that the dissolution of the IILS would not lead to the loss of its existing functions, as those could be absorbed by the central Research Department. The externally funded technical cooperation projects that were currently under way within the IILS could be continued under the new arrangements. The work of the IILS was currently overseen by a Board that reported to the Governing Body. In view of that fact, it stood to reason that similar governance arrangements should apply to the central Research Department. Noting that research should not be conducted with a view to achieving preordained outcomes but used to produce a neutral evidence base to inform policy advice and training, he said that the facility should be accorded a certain degree of independence. Furthermore, a mechanism to guarantee its independence and the intellectual rigour and objectivity of its research should be established. To that end, a "research review group" could be set up to review the research conducted by the central Research Department and report to the Governing Body periodically. The facility in question was important for the work carried out at headquarters and in the regions. It was also necessary to create a linkage between the facility and the work of the Turin Centre.

**261.** *The Employer coordinator* said that, from an internal organization point of view, no objection could be raised to merging bodies that were not yet part of a single research centre. He asked how research conducted in the field and research conducted in the regions could be coordinated. He expressed concern that the two ways in which the Governing Body currently participated in governance, namely through discussion in the plenary of the Governing Body itself and through the groups' involvement in the Board of the IILS, did not feature in the arrangements for the new central Research Department. He also wished to know how the tasks previously performed by the Board of the IILS would be absorbed following the creation of the new facility.

**262.** *The Worker Vice-Chairperson* expressed great satisfaction with the rigorous research work undertaken by the Institute for many years, which had been at the forefront of policy discussions. The annual *World of Work Report*, for example, had put forward important messages on macroeconomic policies, especially in times of crisis. Nevertheless, his group also understood the financial and human resources constraints that had led to the Director-General's proposal to dissolve the Institute, and his desire to create a centre of excellence on matters relating to the world of work. His group supported transferring

several of the activities of the Institute to the Research Department, such as the publication of the *International Labour Review*, the network of academic experts and the internship programme. However, the *World of Work Report* must continue as a stand-alone publication, given its widespread recognition. It was important to ensure that the new Department continued to undertake research on topical issues highly relevant to the ILO mandate and the programme and budget discussions should provide broad guidance on the research agenda. The Workers supported the setting up of peer review processes and the research review group, and emphasized the importance they attached to the intellectual independence and autonomy of the Research Department. Research needed to be undertaken independently from internal and external pressures. In conclusion, the Workers' group stated that guaranteeing such independence would be enhanced if the Research Department were to be a stand-alone entity reporting directly to the Director-General.

**263.** *Speaking on behalf of IMEC*, a Government representative of Germany welcomed the Director-General's decision to establish the new Department and supported the proposed organizational arrangements for it. IMEC fully supported the idea that the design of the research agenda be undertaken under the leadership of the Director-General. The intellectual independence with which the Department must operate was of particular importance. To avoid misunderstandings over what "intellectual independence" implied, IMEC emphasized that almost all research must be applied research, and should be aligned with the ILO's mandate, objectives and priorities as defined by the Governing Body. The new Department must not turn into an ivory tower nor become overly involved in preparing for the activities of the Office's senior management. It must be integrated with other departments and must collaborate with the Turin Centre under a Framework for Collaboration proposed by the Board of the Turin Centre at its recent meeting. Apart from its core tasks, the Statistical Department should develop a new focus on providing its expert and statistics services to regional offices and other departments, especially the new Research Department. IMEC supported the envisaged reform but had some concerns related to the remits and governance arrangements. It requested the Office to provide further information to the Governing Body at the March 2014 session, and an update on how the Research and Statistics Departments had integrated their programmes with each other and with other departments. With regard to the dissolution of the IILS, the group requested more information on how the Office planned to address possible perceptions that the respected objectivity and independence of the Institute could be lost in its incorporation into the new Research Department. IMEC requested information on the budgetary implications of the dissolution of the Institute and the establishment of the Research Department. It also proposed that, in order to guarantee the Research Department's intellectual independence, its Director should report directly to the Director-General. The group agreed to the draft decision and asked the Office to provide the requested information in March 2014.

**264.** *Speaking on behalf of the Africa group*, a Government representative of Kenya welcomed the establishment of a central Research Department that would integrate and consolidate all research activities under one department and prioritize within the core ILO mandate and objectives. The group encouraged greater use of innovative research carried out in academic or quasi-academic institutions. For the purposes of governance and intellectual autonomy, the group therefore proposed that the new Department report directly to the Director-General. The Africa group appreciated the Office's commitment to ensuring that activities would continue uninterrupted, in particular the annual internship programme and the publication of flagship reports like the *International Labour Review*. The group supported the draft decision and proposed inviting the Director-General to present to the March 2014 session of the Governing Body a progress report on the implementation of the transition, to include detailed information regarding organizational structure and human resources.

- 265.** *Speaking on behalf of ASPAG*, a Government representative of Australia expressed support for the Director-General's proposal to dissolve the ILS into the new Research Department. Merging the Institute into the new Department was a cost-effective way to enhance the ILO's policy and research expertise in the world of work, at a time of continuing financial restraint. Acknowledging the excellent work produced by the Institute, including the *World of Work Report*, ASPAG was confident that excellent work would continue to be produced under the new arrangements. It welcomed the establishment of a Knowledge Resource Centre composed of the new Research Department and a strengthened Statistical Department, and supported the draft decision.
- 266.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica welcomed the Director-General's report outlining the proposal to establish a central Research Department. The proposal would allow the Office to end the fragmentation of research activities, particularly in the areas responsible for collecting statistics and for analysing and interpreting them. Consolidating those activities would offer the best solution for overcoming that problem and obtaining the critical mass needed to enable the ILO to achieve the level of technical excellence sought to become the recognized authority and centre of excellence on all matters relating to the world of work. Recalling that the Institute had been created in 1960 as a specialized research centre dealing with issues related to the world of work, GRULAC recognized the satisfactory work done in running research and training programmes and holding workshops, seminars and other activities. Understanding that the Institute's dissolution was the Director-General's preferred option and reiterating the group's trust in him, GRULAC supported the draft decision.
- 267.** *Speaking on behalf of ASEAN*, a Government representative of Thailand recognized the progress made on internal reform and welcomed the Director-General's initiative to strengthen the ILO's capacity in the area of research, statistics and publications. The main research agenda should be prioritized and planned with tripartite consultations at the Governing Body meetings. Research on global issues should involve balanced reviews and contain relevant situation data or statistics from all regions. The capacity of the regional and field offices in assessing constituents' needs and collecting data should be strengthened. Capacity building of member States was important, and should be a part of the overall strengthening of research and statistics. The possible duplication of work in research and statistics conducted by other international organizations should be avoided, and work should focus mainly on issues relating to the world of work. With the strong leadership of the Director-General and the qualified ILO staff in research and statistics, as evidenced in the various reports and publications as well as in the organization of the recent 19th ICLS, the new Research Department would surely achieve its goals of providing the analytical and empirical foundations of the technical work of the Office. ASEAN supported the draft decision.
- 268.** *A Government representative of Switzerland* aligned herself with the IMEC statement supporting the draft decision to dissolve the ILS. While Switzerland had always been supportive of the ILO's quest to build strong and solid research capacities, it had been very difficult for her delegation to take a position on the question put before the Governing Body. Like other delegations that had spoken previously, additional information would have made it possible to take the decision with full knowledge of the facts. Having listened carefully to the Director-General's introductory remarks, which provided some clarifications, Switzerland supported the draft decision in the spirit of consensus and as evidence of its trust in the Director-General and of its wish for the reform process to be completed rapidly. Nevertheless, the information provided to the Governing Body did not prove that the dissolution of the Institute was necessarily the best approach to achieve the objectives supported by all. Switzerland requested the Office to avoid that sequential approach to decision-making in the future. The Office must provide the constituents in

good time with all the information they needed to take a decision having full knowledge of the facts and the scope and implications of the decision.

- 269.** *A Government representative of India* supported the Director-General's proposal to merge the ILS with the proposed central Research Department, recognizing the need to consolidate and strengthen research activities in order to build a strong empirical foundation. She encouraged collaboration between the new Department and the Turin Centre to help identify knowledge gaps and provide evidence-based knowledge for improved policy advice. India would appreciate, however, more information on the proposed strategy on maximizing the use of finite research resources to better serve the needs of constituents. With regard to the peer review process and the periodic evaluation by independent/external teams, experts should be selected from countries familiar with the issues and challenges relating to a particular area of research, given that ILO Members had diverse socio-economic realities.
- 270.** *A Government representative of Algeria* shared the Director-General's vision of providing the Organization with a research centre of excellence which would be a reference point for all questions related to the world of work. Having taken note of the Office's explanations concerning the internal context in which the restructuring of research was taking place, Algeria asked which unit or structure had carried out the in-depth review of existing research capacities in the first half of the year, and if the Institute had been involved in the review. If not, and given that the Governing Body was being asked to decide on the Institute's dissolution, his delegation wished to know if any internal or external audit of the Institute's work had been carried out since it was created in 1960. Algeria sought clarification on the functions of the new Department as described in the introduction to the document. Moreover, given the Governing Body's direct involvement in the governance of research in the Organization, his delegation wished to know which body would be responsible for defining the ILO's research strategy. Algeria's view was that it was for the Governing Body to decide on and endorse the research programme and agenda. It also asked for additional information on whether the programme would be based on the Strategic Policy Framework established by the Governing Body, on the duration of each programme, and on whether the timing would be aligned with that of the budget and administrative programming. Algeria wished to know how the Office could avoid falling into the trap of the bureaucratization of research, highlighting the importance of neutrality, impartiality and the intellectual independence of the future research activities. It supported the draft decision as amended by the Africa group.
- 271.** *A Government representative of the United States* welcomed the establishment of the new Research Department – a long overdue initiative which he believed would ensure better quality control and economies of scale. Like IMEC, he was concerned that it should be perceived as independent. However, its work would be judged by the market, namely by governments, other international organizations and the academic community, according to its inherent quality.
- 272.** *A Government representative of France* also welcomed the initiative to establish a new Research Department, which would provide better consistency and synergy with work done in the regions, while enhancing the profile and credibility of the ILO. The research work done should promote decent work principles, be based on reliable data and follow a clearly framed mandate in line with the reform of the ILO. The location of the new Department in the Office's organigramme should reflect the central role of research in the Director-General's vision.
- 273.** *A Government representative of Panama* emphasized the need for reliable, empirical research data and for a guarantee of independence in the work of the new Department, which must also be responsive to the needs of the ILO's constituents.



- 274.** *A Government representative of the Russian Federation* said the research work of the ILO could be made more dynamic. In establishing the new Department, it was essential to build on the lessons learned from the ILS. The draft decision, which he supported, served that purpose. The Governing Body should be provided with information, on an ongoing basis, on progress in transferring research work to the new Department.
- 275.** *A Government representative of the Islamic Republic of Iran* supported the establishment of a central Research Department. That initiative was expected to make an impact on the quality of research output from the ILO, and to enhance its research infrastructure. The objectives of the new Department should be to map the knowledge and data resources relevant to the ILO mandates of change and reform, and to create a data-sharing policy framework for building strategic knowledge among the various arms of the Organization at the regional level. It should intensify research in areas of high priority for developing countries, such as the informal sector, employment generation and social justice. The new Department should be given adequate funding and the sophisticated analytical instruments vital for research in cutting-edge areas. He hoped to see an increase in the ILO's contribution to publications in the relevant fields and disciplines, and more academic citations of ILO publications. Now was the right time to design and implement an effective research strategy responsive to the needs of the Organization and those of its constituents and the global community. However, individual departments of the Office should retain the necessary capacity for applied research in their own policy areas. The current activities of the Institute should be transferred to the new structure and be preserved. Since many of its counterparts in government departments worldwide were also called "Institutes", he recommended that the new research body should include some reference to the title of Institute.
- 276.** *The Employer coordinator* supported the amendment to the draft decision proposed by the Africa group. He shared the concerns already expressed about governance and resources for the new Department, and hoped they would be addressed by the Director General in his report to the Governing Body in March 2014. In line with other speakers, he requested direct reporting of the new Research Department to the Director-General.
- 277.** *The Worker Vice-Chairperson* agreed with the draft decision. He would welcome more information on the position of the new Research Department within the Office.
- 278.** *The Director-General*, in responding to the points raised, agreed that the Office would report further to the Governing Body at its next session on the establishment of the new Research Department. A number of issues would have to be looked at more closely, especially the linkage between the research capacity of the Office and that of the regional offices and the Turin Centre. The field review would take account of regional office research activity. It was for the Governing Body to decide on broad research priorities and funding, in line with programme and budget decisions. A research review group would safeguard the rigour and independence of the research. The Director-General took note of the comments made regarding reporting arrangements. As for perceptions in the outside world of the research work done by the ILO, they would be determined by the quality of the work itself. The establishment of the new Department would be a cost-neutral exercise. A balance must be struck between the consolidated research capacity of the new Department and the research work done by other departments in the Office. Handling the interaction between them would be a practical matter. On a point raised by IMEC, he confirmed that there were no serious legal obstacles to the new venture. He proposed adding to the draft decision a third paragraph calling for a report on the establishment of the new Department to be presented to the March 2014 session of the Governing Body, as proposed by the representative of the Africa group.
- 279.** *The Employer coordinator and the Worker Vice-Chairperson* supported that proposal.

**280.** *A Government representative of Kenya expressed agreement with the intended resource mobilization strategy for the new Department. He hoped that the Office would keep in mind, in its research activities, the priorities of the 2004 Extraordinary Summit of the African Union on Employment and Poverty Reduction in Africa and those of the subsequent 2009 Declaration as emphasized at the 12th African Regional Meeting, for creating employment and eradicating poverty, disease and conflict in Africa.*

### **Decision**

**281.** *The Governing Body decided:*

- (a) to dissolve the International Institute for Labour Studies (IILS) and merge its staff and resources into the central Research Department, taking the steps necessary to direct the use of its funds and assets;*
- (b) accordingly, to include an item on the agenda of its 320th Session (March 2014) to decide on the disposition of funds and assets that remain in IILS accounts, including the settlement of any contributions, gifts, legacies and grants that were accepted under specific terms linked to the IILS; and*
- (c) to invite the Director-General to present a progress report to the March 2014 Governing Body, on the implementation of the transition which will include detailed information regarding the organizational structure and human resources.*

(GB.319/INS/14/2, paragraph 17.)

### **Third Supplementary Report: Documents submitted for information only (GB.319/INS/14/3(Rev.))**

**282.** *The Employer coordinator expressed concern that documents identified as “for information only” might give rise to some ambiguity in the Governing Body. They should perhaps be filtered at an earlier stage.*

### **Outcome**

**283.** *The Governing Body took note of the information contained in the documents listed in the appendix.*

(GB.319/INS/14/3(Rev.), paragraph 4.)

**Fourth Supplementary Report: Follow-up  
to Governing Body decisions**  
(GB.319/INS/14/4)

**Decision**

284. *The Governing Body requested the Office to prepare, for its 322nd Session (November 2014), a supplementary report on the follow-up to the decisions adopted since November 2011.*

(GB.319/INS/14/4, paragraph 4.)

**Fifth Supplementary Report: Report of the  
Committee set up to examine the  
representation alleging non-observance  
by the Dominican Republic of the Equality  
of Treatment (Accident Compensation)  
Convention, 1925 (No. 19), submitted  
under article 24 of the ILO Constitution  
by the National Confederation of  
Dominican Workers (CNTD)**  
(GB.319/INS/14/5)

**Decision**

285. *The Governing Body:*

- (a) *approved the report contained in document GB.319/INS/14/5, drawing the attention of the Government in particular to the action requested in paragraphs 42–45;*
- (b) *invited the Government to request technical assistance from the ILO in order to take the requested action;*
- (c) *invited the Government to fully include the social partners in the implementation of the requested actions;*
- (d) *invited the Government to provide, in a report to be submitted for examination by the Committee of Experts on the Application of Conventions and Recommendations at its next session, detailed information on the measures adopted to give effect to the above recommendations so that the Committee of Experts could proceed with its examination of the issues raised in connection with the application of the Convention; and*
- (e) *made the report publicly available and closed the procedure initiated by the representation of the National Confederation of Dominican Workers (CNTD) alleging non-observance by the Dominican Republic of Convention No. 19.*

(GB.319/INS/14/5, paragraph 46.)

## **Sixth Supplementary Report: Report of the Tripartite Meeting of Experts on Facilitating Transitions from the Informal Economy to the Formal Economy**

(Geneva, 16–20 September 2013)

(GB.319/INS/14/6)

- 286.** *The Employer coordinator*, referring to the questionnaire in the document, said that it should be sent to the governments of all member States of the ILO, requesting their replies to the questions by the end of 2013. The report itself should be transmitted to the ILO constituents. In defining the informal economy, it was important to bear in mind the status of SMEs and their need for inclusion in the formal economy.
- 287.** *The Worker Vice-Chairperson* recalled that since this issue was last discussed at the ILO in 2002 many countries had adopted innovative approaches to formalization which would have to be taken into account. He referred to the instruments adopted by the ILO since the informal economy was first defined and that also needed to be used as guidance, such as the Domestic Workers Convention, 2011 (No. 189), the Social Protection Floors Recommendation, 2012 (No. 202), the Employment Relationship Recommendation, 2006 (No. 198), and the Promotion of Cooperatives Recommendation, 2002 (No. 193). The future instrument on the transition to the formal economy should encompass job-centred macroeconomic policies as well as the effective exercise by all workers of their fundamental rights, the right to occupational safety and health (OSH), social security, maternity protection and proper wages. The scope of labour law must be extended and/or amended to cover those currently excluded from it and to provide social security for all, while recognizing the diversity of actors in the informal economy, such as own account workers struggling for survival. He welcomed the emphasis in the Chairperson's summary on social dialogue and on incentives for compliance with the law.
- 288.** *Speaking on behalf of the Africa group*, a Government representative of Kenya welcomed the report. Most workers in Africa stood to gain from a transition from the informal to the formal economy. The report should be drawn to the attention of all member States, and their response to the questionnaire sought by the end of 2013. He urged member States to ensure that the report was circulated to all stakeholders, especially representatives of the formal sector. It should be scheduled for discussion by the Conference in 2014.

### **Decision**

- 289.** *The Governing Body requested the Director-General to draw the attention of ILO constituents to the report of the Tripartite Meeting of Experts on Facilitating Transitions from the Informal Economy to the Formal Economy, by transmitting it:*
- (a) to the governments of all member States and, through them, to national employers' and workers' organizations; and*
  - (b) to the international organizations concerned, including international non-governmental organizations with consultative status.*

(GB.319/INS/14/6, paragraph 7.)

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**Seventh Supplementary Report: Financial arrangements for the 13th African Regional Meeting (2015)**  
(GB.319/INS/14/7)

**Decision**

290. *The Governing Body decided that the cost of the 13th African Regional Meeting, estimated at US\$628,000, be financed in the first instance from savings in Part I of the budget or, failing that, through Part II, on the understanding that, should that subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the biennium.*

(GB.319/INS/14/7, paragraph 5.)

**Eighth Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by Portugal of the Occupational Safety and Health Convention, 1981 (No. 155), made under article 24 of the ILO Constitution by the Occupational Association of Professional Police Officers (ASPP/PSP)**  
(GB.319/INS/14/8)

**Decision**

291. *The Governing Body:*

- (a) *approved the report contained in document GB.319/INS/14/8;*
- (b) *invited the Government to take such measures, in consultation with the social partners, as might be necessary to ensure the effective application of Convention No. 155 with regard to the PSP, in law and in practice. This should include measures to ensure the review of the situation regarding the occupational safety and health and the working environment of the PSP, taking into account their specificities, in accordance with Article 7 of Convention No. 155, with a view to identifying major problems, evolving effective methods for dealing with them and evaluating results;*
- (c) *entrusted the Committee of Experts on the Application of Conventions and Recommendations with following up on effect given to the conclusions of the report with respect to the application of Convention No. 155; and*
- (d) *made the report publicly available and closed the procedure initiated by the representation of the complainant organization alleging the non-observance by Portugal of Convention No. 155.*

(GB.319/INS/14/8, paragraph 90.)

## **Fifteenth item on the agenda**

### **Reports of the Officers of the Governing Body**

**First report: Complaint concerning non-observance by Fiji of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 102nd Session (2013) of the International Labour Conference under article 26 of the ILO Constitution (GB.319/INS/15/1, GB.319/INS/8(Rev.), GB.319/INS/8(Add.) and GB.319/INS/8(Add.1))**

292. The Governing Body decided to consider this item along with the eighth item on the agenda: "Follow-up to the resolution on the trade union situation in Fiji adopted by the Governing Body at its 316th Session (November 2012)".

#### ***Decision***

293. *The Governing Body, on the recommendation of its Officers:*

- (a) *requested the Director-General to transmit the complaint to the Government of Fiji and invite it to provide its observations on the complaint by 20 January 2014;*
- (b) *deferred the decision to establish a commission of inquiry to its 320th Session (March 2014).*

(GB.319/INS/15/1, paragraph 11.)

**Second report: Arrangements for the 18th American Regional Meeting (GB.319/INS/15/2)**

#### ***Decision***

294. *The Governing Body, on the recommendation of its Officers, approved the following arrangements for the 18th American Regional Meeting, to be held in Lima, Peru:*

- (a) *the dates of the Meeting would be from 13 to 16 October 2014;*
- (b) *the official languages of the Meeting would be English and Spanish;*
- (c) *as at previous American Regional Meetings, the Governments of Portugal and Spain would be invited to be represented as observers at the Meeting;*

*(d) the agenda of the Meeting would be to discuss, on the basis of the Director-General's Report, the progress made by countries over the last four years with the Decent Work Agenda and the principal challenges faced by the region in maintaining patterns of growth with social inclusion. Particular attention would be given to the role of employment policies and social protection in boosting productivity and formal employment, thus ensuring that labour rights were upheld. It was hoped that the Meeting would form the basis for a platform for action on growth with social inclusion in the Americas.*

(GB.319/INS/15/2, paragraph 6.)

### **Third report: Schedule for Regional Meetings** (GB.319/INS/15/3)

#### **Decision**

*295. The Governing Body, on the recommendation of its Officers, decided that the 13th African Regional Meeting would be held in 2015 and the 16th Asia and Pacific Regional Meeting would be held in 2016.*

(GB.319/INS/15/3, paragraph 5.)

**Fourth report: Representation alleging non-observance by Portugal of the Dock Work Convention, 1973 (No. 137), submitted under article 24 of the ILO Constitution by the Union of stevedores, cargo handlers and maritime checking clerks in central and southern Portugal, the Union XXI – Trade union association of administrative staff, technicians and operators at the container cargo terminals in the Port of Sines, the Union of dockworkers in the Port of Aveiro, and the Union of stevedores, cargo handlers and checking clerks at the Port of Caniçal**  
(GB.319/INS/15/4)

#### **Decision**

*296. The Governing Body, on the recommendation of its Officers, decided that the representation was receivable and set up a tripartite committee for its examination.*

(GB.319/INS/15/4, paragraph 5.)

**Fifth report: Representation alleging non-observance by the Republic of Moldova of the Labour Inspection Convention, 1947 (No. 81), submitted under article 24 of the ILO Constitution by the National Confederation of Trade Unions of Moldova (CNSM)**  
(GB.319/INS/15/5)

***Decision***

*297. The Governing Body, on the recommendation of its Officers, decided that the representation was receivable and set up a tripartite committee for its examination.*

(GB.319/INS/15/5, paragraph 5.)

**Sixth report: Representation alleging non-observance by Portugal of the Labour Inspection Convention, 1947 (No. 81), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Occupational Safety and Health Convention, 1981 (No. 155), submitted under article 24 of the ILO Constitution by the Union of Labour Inspectors (SIT)**  
(GB.319/INS/15/6)

***Decision***

*298. The Governing Body, on the recommendation of its Officers, decided that the representation was receivable and set up a tripartite committee for its examination.*

(GB.319/INS/15/6, paragraph 5.)

**Seventh report: Appointment of a replacement member to the Independent Oversight Advisory Committee (IOAC)**  
(GB.319/INS/15/7)

*299. The Chairperson said that informal consultations on the appointment of a member to replace the late Mr Denys Chamay had not led to a consensus. In line with the terms of reference of the Committee, the matter had been referred to the Officers of the Governing Body. Having considered the curriculum vitae of the two candidates previously retained by the Governing Body on a reserve list, the Officers recommended that Ms Eileen Fusco (United States) should be appointed to the IOAC.*



300. *Speaking on behalf of ASPAG*, a Government representative of Australia said that he did not know what selection criteria the Officers had used and what experience they had considered to be relevant. He therefore asked the Officers to present to the Governing Body, at its March 2014 session, details of the parameters and ratings of both the candidates, so that the Governing Body could take an informed decision. Until that time, the decision might be deferred.
301. *A Government representative of Switzerland* supported the nomination of Ms Fusco and paid tribute to the unfailing commitment, analytical skills and kindness of Mr Chamay.
302. *The Employer coordinator* said that his group supported the Officers' recommendation concerning Ms Fusco on the basis of her qualifications and the existing practice among the Officers for making proposals of that type in other bodies. Not only would deferral of the decision have an adverse effect on the process of delegating the matter to the Officers, it would also be counter to the spirit and tradition of the ILO.
303. *The Worker Vice-Chairperson* said that the candidates' qualifications had been carefully considered during the Officers' meeting. A decision had to be taken that day.
304. *A Government representative of India* and, *speaking on behalf of the Africa Group*, a Government representative of the Congo aligned themselves with the statement made on behalf of ASPAG.
305. *A representative of the Director-General* (Treasurer and Financial Comptroller) described the process followed previously to appoint the five members of the IOAC and the two persons placed on the reserve list. That had involved worldwide advertising for candidates and engaging an independent consulting firm to review candidates, conduct interviews and provide a report to a selection panel. The selection panel (consisting of the regional coordinators, representatives of both social partners and of the Chair of the Government group) had made its recommendation to the Officers; they had endorsed the recommendation, and the Governing Body had then made the appointment. The criteria for selection, as set out in the IOAC's terms of reference in GB.316/PFA/6/1, had included professional competence, experience, integrity, geographical distribution, gender balance, and public and private sector experience.
306. *A Government representative of Canada* said that she was sure the Officers had applied the criteria fairly. She placed her confidence in them and supported the draft decision.
307. *The Employer coordinator* endorsed the comments made by the previous speaker. The Officers had had to make a choice between two highly qualified candidates.

## **Decision**

308. *The Governing Body:*
- (a) *decided to request the Director-General to convey its condolences to Mr Chamay's relatives;*
- (b) *on the recommendation of its Officers, appointed Ms Fusco (United States) as a member of the Independent Oversight Advisory Committee, for a term commencing immediately and expiring on 31 December 2015.*

(GB.319/INS/15/7, paragraph 2, as amended.)

## Other matters

**309.** *The Worker Vice-Chairperson* informed the Chairperson that the Workers' group had written to the Government of Korea to express its concern at the deregistration of the Korean Teachers' and Education Workers' Union, in violation of international labour standards, and to urge the Government to reverse its decision and reinstate the union's legal status immediately. The group had also written to the authorities of the Dominican Republic to express its concern about a ruling of the Constitutional Court which would lead to the mass deportation of migrant workers of Haitian origin, and to urge the Government to resolve the issue fairly and on the basis of international standards. The Workers' group would submit statements on both matters to the secretariat.

**310.** *The representative of the Government of Korea and the representative of the Government of the Dominican Republic* took note of the statements, respectively, and each stated that it would provide an appropriate response in due course.

## Sixteenth item on the agenda

### Composition and agenda of standing bodies and meetings (GB.319/INS/16)

#### **Decisions**

Committee of Experts on the Application of Conventions and Recommendations

#### *Reappointments*

**311.** *The Governing Body, on the recommendation of its Officers, reappointed the following members of the Committee of Experts on the Application of Conventions and Recommendations for a period of three years:*

- *Mr Mario Ackerman (Argentina);*
- *Mr Denys Barrow (Belize);*
- *Ms Graciela Josefina Dixon Caton (Panama);*
- *Mr Raymond Ranjeva (Madagascar).*

(GB.319/INS/16, paragraph 1.)

#### *New appointments*

**312.** *The Governing Body, on the recommendation of its Officers and in order to fill two of the four vacant seats, appointed the following persons as members of the Committee for a period of three years:*

- *Ms Karon Monaghan (United Kingdom);*
- *Justice A.P. Shah (India).*

(GB.319/INS/16, paragraph 2.)

Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART)

*Reappointments*

**313.** *The Governing Body, on the recommendation of its Officers, reappointed, until 31 December 2015, the following ILO-nominated members of the Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART):*

- *Ms Beatrice Avalos (Chile), Associate Researcher, Centre for Advanced Research in Education, University of Chile;*
- *Ms Linda McNeil Chisholm (South Africa), Director, Education, Science and Skills Development, Human Sciences Research Council and Extraordinary Professor, University of South Africa;*
- *Mr Masaaki Katsuno (Japan), Professor, School of Development and Policy Studies, Graduate School of Education, University of Tokyo.*

(GB.319/INS/16, paragraph 3.)

*New appointments*

**314.** *In order to fill the vacancy left by Mr Mark Thompson (Canada), who served out his term on the CEART on 31 December 2012, the Governing Body, on the recommendation of its Officers, appointed the following expert as a member of the CEART for a period until 31 December 2018:*

- *Ms Frances Vavrus (United States), Associate Professor and Director of Graduate Studies, Department of Organizational Leadership, Policy and Development, University of Minnesota, United States.*

(GB.319/INS/16, paragraph 4.)

Tripartite Meeting of Experts on Facilitating Transitions from the Informal Economy to the Formal Economy (Geneva, 16–20 September 2013)

*Invitation of intergovernmental and international non-governmental organizations*

**315.** *The Governing Body took note of these parts of the report.*

(GB.319/INS/16, paragraphs 5 and 6.)

Meeting of Experts on Labour Inspection and the Role of Private Compliance Initiatives (Geneva, 10–12 December 2013)

**316.** *The Governing Body, on the recommendation of its Officers, approved the following composition and agenda for the Meeting:*

Composition

- *The Meeting of Experts would be attended by eight experts nominated after consultation with Governments, eight Employer experts nominated after consultation with the Employers’ group and eight Worker experts nominated after consultation with the Workers’ group of the Governing Body.*
- *In order to obtain the Government nominations, the Director-General would, after consultation with the Regional Coordinators, approach the governments of the following countries: Brazil, China, France, Jordan, Morocco, Poland, South Africa and United States. A reserve list would also be established after consultations with the Regional Coordinators. The Meeting would be chaired by an independent chairperson.*

Agenda

*The Meeting of Experts would:*

- *Review current global trends in private compliance initiatives and their impact on working conditions, and on the operation of labour inspection systems in light of international labour standards.*
- *Consider the respective role of governments, workers and employers with respect to private compliance initiatives.*
- *Identify good practices for improving the complementarity of private compliance initiatives and labour inspection systems.*
- *Consider what role the ILO should have with respect to private compliance initiatives, particularly in light of the new area of critical importance on strengthening workplace compliance through labour inspection for 2014–15.*

(GB.319/INS/16, paragraph 11.)

Global Dialogue Forum on Challenges to  
Collective Bargaining in the Public Service  
(Geneva, 2–3 April 2014)

*Invitation of intergovernmental organizations*

**317. *The Governing Body took note of this part of the report.***

(GB.319/INS/16, paragraph 12.)

*Invitation of international non-governmental organizations*

**318. *The Governing Body, on the recommendation of its Officers, authorized the Director-General to invite the following international non-governmental organizations to be represented at the Global Dialogue Forum as observers:***

- *African Training and Research Centre in Administration for Development (CAFRAD);*
- *Association of Labor Relations Agencies (ALRA);*
- *Eastern Regional Organization for Public Administration (EROPA);*
- *Education International;*
- *European Institute of Public Administration (EIPA);*
- *European Public Administration Network (EUPAN);*
- *International Council of Nurses;*
- *Latin American Centre for Public Administration and Development (CLAD);*
- *Latin American Confederation of Public Sector Workers (CLATE);*
- *Latin American Union of Public Control Workers (ULATOC);*
- *Network of Institutes and Schools of Public Administration in Central and Eastern Europe (NISPAcee);*
- *Public Services International (PSI);*
- *Trade Unions International of Public and Allied Employees (TUIPAE).*

(GB.319/INS/16, paragraph 14.)

Global Dialogue Forum on Employment Relationships  
in the Media and Culture Sector  
(Geneva, 14–15 May 2014)

*Invitation of international non-governmental organizations*

**319.** *The Governing Body, on the recommendation of its Officers, authorized the Director-General to invite the following international non-governmental organizations to be represented at the Global Dialogue Forum as observers:*

- *Association of European Performers' Organisations (AEPO–ARTIS);*
- *European Broadcasting Union (EBU);*
- *European Foundation for the Improvement of Living and Working Conditions (Eurofound);*
- *International Federation of Actors (FIA);*
- *International Federation of Film Producers' Associations (FIAPF);*
- *International Federation of Journalists (IFJ);*

- *International Federation of Musicians (IFM);*
- *International Federation of the Periodic Press (IFPP);*
- *International Federation of the Phonographic Industry (IFPI);*
- *International Publishers Association (IPA);*
- *Motion Picture Association (MPA);*
- *Performing Arts Employers Associations League Europe (PEARLE);*
- *UNI Global Union;*
- *World Association of Newspapers (WAN).*

(GB.319/INS/16, paragraph 16.)

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## Policy Development Section

### Employment and Social Protection Segment

#### First item on the agenda

#### **Follow-up to the resolution concerning efforts to make decent work a reality for domestic workers worldwide: Progress report (GB.319/POL/1)**

- 320.** *A representative of the Director-General (Director, Conditions of Work and Equality Department (WORKQUALITY))* introduced the report and the decision points set out in paragraph 31.
- 321.** *The Employer coordinator* noted that her group fully understood the need to assure fundamental principles and rights at work for domestic workers and supported efforts to improve their situation. There were serious issues requiring urgent attention, particularly child and forced labour, trafficking, discrimination and abuse. Convention No. 189 shed a spotlight on intolerable conditions of domestic workers. Initial challenges for ILO constituents to tackle these problems had been overcome; the consensus reached in 2011 was instrumental in enhancing international attention. Nevertheless, there were some complex questions relating to working time, remuneration and labour inspection that raised concerns among employers and some governments.
- 322.** The ILO needed to go beyond campaigning for ratification. Standards were important to stimulate reforms in many areas, including migration and training. Creating good jobs and addressing informality were crucial everywhere. Facilitating transitions of domestic workers to formality should be a key driver, but regulation that was too far-reaching could be counterproductive. She encouraged the Office to continue its capacity-building efforts to support the implementation of legal and institutional frameworks based on the Convention's principles. Her group supported the proposal in paragraph 28 on impact measurement, as well as the focus on informality as an underlying contributor to vulnerability. A global conference was a way of maintaining ILO leadership and raising awareness. The work of other actors was welcome, but the ILO should remain at the heart of efforts in that field. The conference should enhance knowledge and sharing of experiences and identify effective action at national and international levels. Her group supported the draft decision point in paragraph 31 on the understanding that the existing tripartite approach was maintained.
- 323.** *The Worker spokesperson* noted the impressive results achieved in implementing the resolution. In addition to ratifications, many countries had initiated or completed legislative reforms. She acknowledged the role of the 12-by-12 campaign launched by the trade union movement. The Founding Congress of the International Domestic Workers' Federation in October 2013 illustrated the impact of the Convention. The success of the ILO's strategy was due to the fact that it was coherent and well coordinated, with the involvement of the Turin Centre and field offices. Similarly, technical cooperation projects and cooperation with other agencies had been crucial. Domestic work was an example showing that standard setting could provide a strong basis for long-term results. While thanking donor countries, she also highlighted the need to ensure a balance between extra-budgetary and regular budget resources. As the Office had responded to assistance requests

from 36 countries, well beyond the initially envisaged target, it could only be expected that more requests would have to be addressed in the future.

- 324.** Paragraph 13 showed that the exclusion of domestic workers from legal coverage was a cause of informality and vulnerability to rights abuses. Her group agreed on the need to integrate the strategy into the ACIs on unacceptable forms of work and on formalization of the informal economy. The ILO was commended for its action at the country level. However, it was important to avoid overlap between different training and awareness-raising activities. Her group supported the proposals made in paragraphs 26–29. Taking note of the challenges raised in paragraph 19 of the report, she said that further policy work would have to be done to ensure that the Office was in a position to address them. Her group supported the proposal to hold a global conference and the draft decision.
- 325.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania said that the following countries aligned themselves with the statement: Albania, Armenia, Bosnia and Herzegovina, Iceland, Republic of Moldova, Montenegro, Serbia, the former Yugoslav Republic of Macedonia and Turkey. The EU had worked with the Office in organizing a number of activities. Generating and sharing knowledge about domestic work was of great importance and a number of EU-funded projects were being carried out to that end. The EU had taken steps to facilitate the ratification of Convention No. 189 and to promote the integration of migrant domestic workers in EU Member States. She welcomed the significant steps by the Office in establishing a unifying framework for ILO action and the new methodologies and tools. The number of requests responded to, beyond the initial target, was an indication of the strategy's success. Future priorities included continued knowledge sharing and capacity building, and facilitating the transition to the formal economy.
- 326.** *Speaking on behalf of the Africa group*, a Government representative of the Congo said that the 2011 resolution had served to raise the awareness of States about the plight of domestic workers, a particularly vulnerable group who largely remained in the informal economy. His group supported the actions taken by the Office to assist constituents and appreciated the regional strategies that had been prepared. Convention No. 189 had served to strengthen legislative texts and to accelerate reform. Referring to paragraph 20, he said that there was a need to better protect domestic workers from sexual exploitation, forced labour and slavery, to extend social security and to enhance social dialogue and awareness raising on these issues. His group supported the draft decision in paragraph 31.
- 327.** *A Government representative of Switzerland* said that her Government had submitted Convention No. 189 to Parliament with a view to ratification and would support ILO projects that supported ratification by other States. Her delegation proposed that the high-level conference should be convened during the ILC once a sufficient number of ratifications had been secured.
- 328.** *A Government representative of Indonesia* said that his Government appreciated the implementation by the ILO of country-level assistance. In Indonesia, stakeholders at regional, national and local levels had worked together on enhancing protection, especially for migrant domestic workers. His Government had heightened public awareness by disseminating information. It supported the draft decision.
- 329.** *A Government representative of India* noted that domestic workers constituted a huge segment of the informal workforce. Region-specific strategies and links to relevant country programme outcomes (CPOs) were welcomed. A focus on women, children and migrant domestic workers was needed. Increasing rights awareness contributed to better working conditions. India had already taken various steps, such as prohibiting child domestic labour and extending social protection to domestic workers. A national policy and code of



practice for domestic workers was currently being formulated. He supported the draft decision, while noting that suitable budgetary resources should be made available.

- 330.** *A Government representative of Zambia* expressed gratitude to the ILO for its support. She pointed out that her country had taken steps to protect domestic workers. The greatest challenge was ensuring compliance. Capacity building and improved rights awareness were crucial in this regard. Her Government looked forward to the convening of the suggested conference.
- 331.** *A Government representative of Zimbabwe* indicated that his Government intended to ratify the Convention. He welcomed region-specific strategies and ILO projects aimed at protecting vulnerable domestic workers. Increased Office assistance for national reforms was needed. Linking efforts on domestic work to the ACIs as suggested was crucial. His Government supported the draft decision.
- 332.** *A Government representative of Brazil* said that one of the main obstacles to securing domestic workers' fundamental rights was the distinction made in legislation between domestic and other workers. In her country, a constitutional amendment of April 2013 had established equal rights for domestic workers. Dissemination of information by the ILO had been essential in this context. Her Government supported the draft decision.
- 333.** *A Government representative of the Islamic Republic of Iran* regretted that, despite some positive developments stemming from the ILO strategy for action, the domestic worker sector was still riddled with abuse and mistreatment. Knowledge-sharing initiatives would help to fill the information gap on that subject and to identify priorities for action at different levels. Efforts should be coordinated with other relevant organizations and stakeholders. His Government supported the draft decision.
- 334.** *A Government representative of China* said that efforts to promote decent work for domestic workers mainly benefited female workers. Those efforts were closely related to the two ACIs referred to in paragraph 29. She suggested that the funding for the global conference be clarified.
- 335.** *A Government representative of the United States* congratulated the Office on successfully leveraging the momentum created by the Convention. As a result, a broad range of actors now supported the cause of ensuring wider recognition of the important contribution of domestic workers to the economy. The Office should act as lead organization in that respect. Her Government supported knowledge-building efforts to provide sound foundations for evidence-based policy. Awareness raising and technical advice were useful means of improving the situation of domestic workers. She requested further information from the Office on the added value of a global conference.
- 336.** *A Government representative of Colombia* said that, in 2012, her country had adopted Law No. 1525 approving Convention No. 189. Decree No. 721 of 2013 made domestic workers eligible for the same family benefits as other workers. Her Government supported the draft decision.
- 337.** *The representative of the Director-General* said that a high-level global conference would be valuable as a forum for sharing experience and identifying the most effective practices on an interregional basis. A conference would also help to harmonize the advice and assistance provided across the United Nations (UN) system.
- 338.** *The Worker spokesperson* said that she was optimistic about the prospect of further ratifications. There seemed to be widespread support for convening the high-level global conference.

339. *The Employer coordinator* said that she had noted broad consensus, in particular regarding the proposed conference. It was important to ensure that the event took place at a time that would allow constituents to benefit from the experience of countries that had ratified or otherwise changed their laws and to make progress in terms of the knowledge base.

### **Decision**

340. *The Governing Body requested the Director-General:*

- (a) *to take into account the guidance given by the Governing Body in further pursuing the strategy for action towards making decent work a reality for domestic workers worldwide and to draw on it when developing and implementing priority action in the areas of critical importance for priority action identified in the Programme and Budget for 2014–15; and*
- (b) *to organize a high-level global conference on decent work for domestic workers as set out in paragraph 30 before the end of the 2014–15 biennium, subject to the availability of resources.*

(GB.319/POL/1, paragraph 31.)

## **Second item on the agenda**

### **Oral report on the outcome of the United Nations General Assembly High-level Dialogue (HLD) on International Migration and Development (October 2013) (GB.319/POL/2)**

341. *The representative of the Director-General* introduced the oral report and the draft decision.
342. *The Employer coordinator* appreciated the ILO taking its rightful place in international migration, particularly labour migration and development. From a business perspective, labour migration was a driver of economic growth, a vehicle for balancing labour supply and demand, sparking innovation and transferring and spreading skills. Businesses required clear and consistent migration policies. They could supply important information, with knowledge of emerging markets and staffing trends; hence, they should be at the discussion table. Recognizing credentials and skills across different jobs and professions was an important area for cooperation internationally. While supporting ILO participation in the HLD, she regretted that the ILO delegation had not been tripartite. Looking forward to the Tripartite Technical Meeting (TTM), she also highlighted two of the eight points of the United Nations Secretary-General's agenda for action: strengthening the migration evidence base (point 7), which would require mobilizing adequate resources to build member States' capacity in migration policy development; and enhancing migration partnerships and cooperation (point 8) to facilitate mobility of skills in line with labour market needs.
343. *The Worker spokesperson* stated that the HLD demonstrated that labour migration and the ILO's role was crucial. The recent Lampedusa tragedy was a sad reminder of governance and decent work deficits and their link to migration, and she endorsed the

Director-General's response calling for a profound policy shift. She appreciated the ILO's visible and proactive role at the HLD. She noted that its upcoming position as Chair of the Global Migration Group (GMG) was an unprecedented opportunity to enhance policy coherence on labour migration, advance the ILO's rights-based agenda and promote ILO standards on migration, social dialogue and tripartism, as well as to increase interaction with member States and social partners where the GMG needed further engagement. She welcomed the HLD Declaration, including the explicit reference to labour standards in a stand-alone paragraph, noting however that it could have been stronger on decent work and labour migration issues. She called on governments to respect the particular role of the ILO and social partners in addressing labour migration, drawing attention to the ILO's unique normative and dialogue framework and technical expertise. She observed that the International Organization for Migration (IOM), a non-UN, non-normative and non-tripartite body, could not make the same contribution as it was not equipped to promote a rights-based approach to migration or lead the global governance of migration. She expected the ILO to play a leading role in implementing the United Nations Secretary-General's action-oriented eight-point agenda, emphasizing the first action point on ratification and implementation of relevant international instruments, including ILO Conventions; the elimination of discrimination against all migrants with regard to working conditions and wages; and that States should protect and promote human rights at all stages of the migration process, including for migrants in irregular status, while encouraging access to legal migration channels.

- 344.** Regarding the Office's proposed "way forward", she welcomed the recommendations, but highlighted that effective protection needed the most emphasis and was the least promoted by other agencies, requiring a step up in promotional campaigns for the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), building on the positive results of the campaign on Convention No. 189. Priorities also included ensuring migrant workers' access to social protection and portability of benefits; eliminating forced labour in global supply chains; focusing on the promotion of decent work and development in home countries; examining linkages to informality at next year's Conference discussion; guidance on ethical recruitment; and addressing obstacles to migrant worker organization and collective bargaining. Sound labour market needs assessment and skills recognition could help facilitate regular migration channels in countries with labour market shortages. Also important was effective access to justice including labour courts for migrant workers. She supported the Office's work to enhance tripartite involvement in bilateral or regional agreements and Memoranda of Understanding that protect migrant workers' rights, in particular their right to organize. She asked the ILO to refine the four points to include implementation of the HLD Declaration and the eight-point agenda and to also increase work on migration in DWCPs.
- 345.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania said that the following countries aligned themselves with the statement: Albania, Armenia, Bosnia and Herzegovina, Georgia, Iceland, Republic of Moldova, Montenegro, Serbia, the former Yugoslav Republic of Macedonia and Turkey. She commended the ILO and its Director-General's prominent role in the HLD. She noted the Declaration recognized many areas of the ILO's work, such as the protection of migrant domestic workers. She supported the ILO's focus on the impact of labour mobility on development, improved protection of human rights and social dialogue. Referring to the post-2015 development agenda, she observed that the ILO, as Chair of the GMG in 2014, would be best placed to advance the Decent Work Agenda. She appreciated the creation of a GMG taskforce on migration and decent work, and expressed confidence in the ILO's ability to consider how specific targets and indicators relating to migration and decent work could be brought into the post-2015 agenda.

- 346.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica recognized the contribution of the decent work framework to empowering migrant workers and their families. Policies should be adopted to protect migrant workers in all sectors, particularly in domestic work, and good practices should be examined, including for skills recognition. Strengthening social security portability across borders would be considered at the November 2013 Inter-American Conference of Ministers of Labour (IACML). He hoped that the HLD Declaration would contribute to improving migration governance and protection of migrant workers' rights. Regarding the way forward, he highlighted the importance of the inter-sectoral dimension; protecting migrants' human rights, irrespective of their migration status; improving migration statistics; realizing information campaigns on workers' labour rights; and strengthening collaboration in the UN system and with other mechanisms. He expressed the group's support for exploring the possibility of the IOM becoming a permanent co-chair of the GMG.
- 347.** *A Government representative of Trinidad and Tobago* highlighted the ILO's role in migration and development, its contribution to the HLD and its continued involvement in that area. However, migration was still regarded by some as a border management issue and the migration and development nexus was not recognized. Nevertheless, migrant workers and their families needed to earn a sustainable livelihood, and countries and employers depended on contributions from migrants. In Trinidad and Tobago, the private sector had called for a regulated migration system to respond to labour shortages in manufacturing and other sectors. He recommended that the ILO should increase awareness about the importance of labour standards for migrant workers and should emphasize that migration was more than a border management issue and that the labour of all persons was a pillar of development. The ILO could seek to facilitate intergovernmental dialogue to advance policy coherence. Dialogue between labour, planning and finance ministers at the November IACML could build the policy bridges for effective programmes to achieve national and global development goals.
- 348.** *A Government representative of the Russian Federation* endorsed the continuing need to examine labour migration and migrant worker protection within the Governing Body. He drew attention to the United Nations Secretary-General's eight-point agenda on collection and use of social and economic development data and the importance of migrants' contribution to the development of destination countries.
- 349.** *A Government representative of India* noted the role of the ILO in the HLD follow-up to improve migrant worker protection, non-discrimination, and equal treatment in respect of wages and working conditions. Governance of labour migration, including equitable recruitment practices, and effective matching of labour supply and demand should lead to a "win-win" situation for both source and destination countries, while social dialogue was an important instrument to guarantee migrant workers' rights. The ILO should play an active role in ensuring social protection of migrant workers, including portability of social security benefits. The ILO should share good practices and advance collaboration between governments and social partners.
- 350.** *A Government representative of the United States* confirmed the growing recognition of the importance of labour migration in HLD discussions. The ILO's role was rooted in its constitutional mandate to protect migrant workers. She agreed with other statements concerning policy areas in which the ILO could intervene, such as protecting the rights of migrants, data collection and skills development. The role of the GMG Chair would provide the ILO with a crucial opportunity to promote coordination and to advance collaborative work in which each agency would pursue its area of expertise and competitive advantage to the ultimate benefit of migrant workers.

**351.** *The representative of the Director-General* referred to two recent initiatives to improve data: the resolution of the ICLS which had established a working group on labour migration data, and a joint ILO–Organisation for Economic Co-operation and Development (OECD)–European Commission project to measure the important contribution of labour migration to destination countries in the context of South–South migration, focusing on the impact on labour markets, consumption patterns, payment of taxes and social security. She noted the wishes to see the ILO as GMG Chair facilitate greater tripartite participation in migration and development discussions, and underscored the Director-General’s stated willingness to engage more regularly with governments, social partners and civil society to inform them about GMG initiatives at global and country levels. She also noted the request of employers and workers to see greater alignment of the four themes of the tripartite meeting with the United Nations Secretary-General’s eight-point agenda for action.

### **Decision**

**352.** *The Governing Body requested the Director-General to bring the information contained in document GB.319/POL/2 concerning the outcome of the United Nations General Assembly High-level Dialogue on International Migration and Development, its relevance for the ILO and its constituency, and possible follow-up by the Office, to the attention of the Tripartite Technical Meeting on Labour Migration (4–8 November 2013).*

(GB.319/POL/2, paragraph 14.)

## **Social Dialogue Segment**

### **Third item on the agenda**

#### **Follow-up to the discussion on social dialogue at the 102nd Session of the International Labour Conference (2013): Plan of action (GB.319/POL/3)**

**353.** *A representative of the Director-General* (Deputy Director-General for Policy (DDG/P)) explained that the plan of action had been designed to enable the Office to give effect to the conclusions concerning the recurrent discussion on social dialogue adopted by the International Labour Conference at its 102nd Session (2013). It was an ambitious, four-year plan that comprised a set of indicators for monitoring and review. It placed much emphasis on the development of evidence-based research and new training programmes and tools in the area of social dialogue and collective bargaining for constituents to support their effective participation in labour law development and reform and build their capacity to promote and engage in social dialogue and collective bargaining, taking into account the diversity of systems and national circumstances. External partnerships were of particular importance to ensure policy coherence at the international and national levels and to promote and advocate the principles of social dialogue, tripartism and collective bargaining.

**354.** *The Employer coordinator* said that, following intense, but ultimately successful, discussions on social dialogue at the 102nd Session (June 2013) of the International Labour Conference, a set of conclusions and a resolution had been agreed upon. In the

resolution, the Director-General was requested to prepare a plan of action giving effect to the conclusions.

- 355.** The plan of action went, in some instances, beyond the scope of the conclusions and four of its paragraphs in particular raised concern. First, the conclusions called on the Office to “convene a meeting of experts on cross-border social dialogue to analyse contemporary experiences, challenges and trends, as well as the role and value added of the ILO”. In the discussions of the Conference Committee for the Recurrent Discussion on Social Dialogue, it had been agreed that the meeting of experts would have a much broader scope than the meeting proposed in paragraph 12 of the plan of action, and would not focus on international framework agreements or supply chains; therefore, the qualifications in paragraph 12 should be deleted.
- 356.** Second, although there had been widespread agreement during the recurrent discussion that the ILO should not engage in the issue of international framework agreements, paragraph 14 of the plan of action stated that efforts would be made to develop a comprehensive strategy for “ILO engagement with multinational enterprises (MNEs) and Global Union federations (GUFs) in the field of social dialogue”.
- 357.** Third, whereas the conclusions called on the ILO to “increase its capacity to carry out or provide informed and evidence-based research as well as legislative and policy analysis on means of promoting and effecting social dialogue”, paragraph 17 of the plan of action elaborated on that point too extensively, adding elements that had not been agreed on.
- 358.** Fourth, according to paragraph 19, the Office would “examine the action of private actors seeking to promote the effective realization of the right to collective bargaining and their impact on wages and working conditions in global supply chains”; however, in its discussions, the Conference Committee had not called for such a focus.
- 359.** As a general point, collective bargaining had not been dealt with as a specific issue during the discussions by the Conference Committee. One reason for that was that the forms in which collective bargaining took place were different and those differences needed to be respected. Thus, it was difficult to find common ground.
- 360.** Although it did not wish to reopen the Committee’s debate, the Employers’ group would like the points it had raised to be taken into account. The Committee’s discussion had set a good example of how trust and mutual confidence could advance social dialogue, and his group hoped that it could remain a platform on which to build in the future.
- 361.** *The Worker spokesperson* said that the recurrent discussion on social dialogue had taken place in a context in which social dialogue, and particularly collective bargaining, was under heavy attack, especially in countries hard hit by the global economic crisis. The practical implementation of the conclusions, which renewed the commitment to social dialogue, tripartism and collective bargaining, was crucial, particularly since the next recurrent discussion would not be for another seven years, and the Organization would play a central role in the process. The Workers’ group welcomed the work programme drawn up by the Office with regard to research, policy advice, technical assistance and capacity building on collective bargaining, and in particular would welcome research on the socio-economic impacts of different collective bargaining systems, especially with regard to employment growth and levels of inequality. Another major area for future work that was specifically called for in the conclusions was evidence-based research on trends in the application and extension of collective agreements in accordance with the Collective Agreements Recommendation, 1951 (No. 91), with particular reference to SMEs, vulnerable categories of workers and those in non-standard forms of employment.

- 362.** In the plan of action, however, work on collective bargaining had not been given sufficient priority. Collective bargaining, recognized as being at the heart of social dialogue, had been under-resourced for many years, which was unacceptable in an organization dedicated to the principle of social dialogue as the key means to promote social justice, fair and peaceful workplace relations and decent work. Moreover, collective bargaining had been recognized as playing a central role in speeding up economic recovery and reducing inequalities, both of which were major policy challenges. To raise its profile on collective bargaining in the manner envisaged in the conclusions, it was essential to allocate more human and financial resources to it. In general, the activities proposed by the Office were so broad that the outcomes sought in the Conference document might not be achieved. Instead of trying to cover many different areas in an insignificant way, the Office should focus its resources and activities on the key priorities identified by the Conference Committee, especially with regard to collective bargaining.
- 363.** On the issue of funding, she said that a problem with recurrent discussions was that they often took place after the approval of the programme and budget, and there was little room left to fund activities proposed in conclusions. The Office needed to address the matter, perhaps by earmarking budget lines for follow-up to Conference resolutions.
- 364.** She welcomed the promotional campaigns to boost ratification and improve implementation of international labour standards mentioned in paragraphs 10 and 11. Besides the Conventions mentioned in these paragraphs she stressed the importance of stepping up promotion of the Recommendations related to collective bargaining, namely Recommendations Nos 91, 113 and 163 as well as No. 198. Her group also appreciated the preparation of the meeting of experts on cross-border social dialogue initiatives, as called for by the Conference Committee and called upon the Governing Body to put the general discussion on decent work in global supply chains on the Conference agenda no later than in 2016.
- 365.** She welcomed paragraph 14 on ILO engagement with enterprises and agreed with the Employers' group that it would be advisable to adhere to the scope of the Conference conclusions and to reflect this in the implementation of the plan.
- 366.** One key aspect of the resolution that was not sufficiently reflected in the action plan was that the ILO should pursue a more proactive approach in relation to other international institutions. In that respect, the conclusions referred to the ILO's mandate under the Declaration of Philadelphia. She asked the Office to outline the concrete measures to be taken, especially with respect to work by other international organizations that undermined collective bargaining, in particular in European countries in crisis.
- 367.** Although the Conference Committee had rejected a proposal to hold a meeting of experts to develop standards for labour courts to ensure that individual worker complaints were dealt with appropriately, her group hoped that any work on labour disputes would focus on developing mechanisms for settling individual disputes only concerning workplace violations. Moreover, workplace cooperation was not a priority for her group and work on this should only take place as part of the promotion of collective bargaining as otherwise it could undermine collective bargaining.
- 368.** While her group appreciated the initiative to develop indicators for measuring the progress and effectiveness of the Office's work and the follow-up to the recurrent discussion, more indicators should be introduced relating to country-level work and the promotion and extension mechanisms of collective bargaining; research on socio-economic outcomes of different levels of collective bargaining; technical assistance to strengthen collective bargaining legislation; collection of data and analysis on collective bargaining coverage and trends; and engagement with other international organizations to promote collective

bargaining. Referring to the activities listed in the appendix to the document, she said that the Office should not dilute its efforts by taking on too broad a set of tasks, some of them not even reflected or reinterpreted in the Conference conclusions. The Workers were looking forward to continuing the discussion, in particular in relation to prioritization.

- 369.** *Speaking on behalf of the Africa group*, a Government representative of Togo expressed her group's support for the proposed plan of action. In a period of crisis characterized by high unemployment and low growth, social peace, decent working conditions and development were attainable only through concerted efforts by workers, employers and governments.
- 370.** The plan took into account all the concerns raised in the conclusions concerning the recurrent discussion and set out clear areas in which the Office should support constituents. The indicators for the regular monitoring of progress were particularly useful. Concerning the timetable, her group believed that most of the activities should commence in 2014 at the latest, and two years seemed sufficient time to draw up the necessary guides and studies. While the Africa group was committed to supporting the implementation of the plan of action, it urged the Office to focus on and provide the necessary resources for technical cooperation projects.
- 371.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania said that the following countries aligned themselves with the statement: Albania, Armenia, Bosnia and Herzegovina, Georgia, Iceland, Republic of Moldova, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine. The EU fully supported the first component of the plan of action and encouraged the worldwide ratification and implementation of the eight core Conventions. It also supported the organization of a meeting of experts. Furthermore, it welcomed the preparations for a general discussion on decent work in global supply chains and urged all members of the Governing Body to endorse the inclusion of that item on the Conference agenda not later than 2016.
- 372.** With regard to the second component, the EU supported the objective to upgrade the status and capacity of the Office as a centre of knowledge, policy advice and capacity building on collective bargaining; such a move would require the expansion of the breadth and coverage of the statistical, institutional and legal database on industrial relations (IRData). The primary aim of research on the dispute-resolution system was to assist countries in building up or improving such systems by sharing good practices. Given that the Conference Committee for the Recurrent Discussion on Social Dialogue had rejected a proposal to hold an expert meeting on the subject, the EU was not convinced that the idea of a Conference discussion on labour dispute resolution should be pursued.
- 373.** With regard to the third component, the EU requested additional information regarding the Office's proposed study of the impact of labour law reforms on collective bargaining and labour relations. In particular, it wished to know how the Office would advise countries on the potential outcomes of envisaged labour law reform and on the legal frameworks most conducive to sound industrial relations, and how the Office intended to give effect to point 12(12) of the conclusions.
- 374.** As the conclusions emphasized the need to enhance tripartite social dialogue in policy formulation, including by addressing socio-economic development objectives, the plan of action needed to reflect that in a more visible way. Furthermore, it should refer to modalities for the promotion of gender equality. Those elements should also be incorporated in the monitoring and review mechanism. The EU agreed that the plan should be regularly reviewed and adjusted to reflect evolving economic and political contexts and new priorities, but wished to have a timetable for the mechanism.



- 375.** Finally, the EU welcomed the proposed areas of cooperation contained under component 5 of the matrix. Therefore, the EU proposed a new draft decision, asking the Director-General to adapt the plan and to present a progress report at the autumn session of the Governing Body in 2015.
- 376.** *A Government representative of Trinidad and Tobago* welcomed the plan of action, in particular the aim of the activities as outlined in paragraph 5. It was important to promote social dialogue nationally, regionally and globally in order to remain on target in respect of development objectives.
- 377.** In 2012, for example, Trinidad and Tobago, with ILO support and input from other Caribbean countries and Mauritius, had explored best practices with a view to considering options for institutionalizing social dialogue in his country. As a result, a task force had been created to design such a mechanism.
- 378.** His delegation hoped that the plan would not place additional reporting obligations on member States and that it would provide opportunities for North–South, South–North and South–South cooperation.
- 379.** *A Government representative of India* supported the well thought out plan. With regard to component 1, he agreed that promotional campaigns would be effective in facilitating ratification. The Office should engage more actively with the respective countries in assessing legislative obstacles and disseminating information on best practices. Top priority should be accorded to preventing protectionist trade practices from taking root. The forum provided by international organizations should be used to discuss issues of common interest and to set future plans of action in respect of the international labour agenda.
- 380.** He welcomed research on trends and developments to identify possible sources of exclusion, particularly in the informal economy, under component 2. Workers in sectors where there were no trade unions should be organized in a manner that facilitated social dialogue, as was the case with cooperatives, self-help groups or microfinance groups. With regard to component 3, India welcomed the proposal to strengthen institutions for social dialogue policy formulation in developing countries. Such countries needed to address the needs of self-employed workers and those on the brink of the poverty line and to strengthen their institutional outreach.
- 381.** In relation to component 4, his delegation encouraged the ILO to engage more constructively with regional knowledge networks and local think tanks to develop innovative ways of enhancing the capacity of constituents. The proposal in component 5 to build partnerships with international and national institutions and research organizations would help synergize efforts to promote social dialogue in all spheres of national life.
- 382.** While recognizing the need for a monitoring system, he cautioned against the imposition of numerical data in areas that were purely qualitative in nature and warned of increased reporting requirements.
- 383.** *A Government representative of Kenya* expressed concern about the scope of the proposed activities, especially since the plan of action would presumably be funded by regular budget and extra-budgetary resources allocated to activities related to social dialogue. The adequacy of those resources should be examined with a view to ensuring the delivery and sustainability of the objectives. The criteria for selecting beneficiary member States and constituents should perhaps also be defined. While it was proposed that monitoring and review activities would be conducted on a regular basis, the procedure should be further developed, for example by aligning it with programme and budget cycles. It might also be

necessary to diversify the monitoring mechanisms to include external entities and partner organizations, thereby enhancing objectivity and independence.

- 384.** *A Government representative of Panama* expressed support for the objectives of the plan of action, especially those relating to components 3 and 4. Panama could reaffirm from its own experience that social dialogue was an effective means of promoting social and economic progress. It was grateful in that context for the technical assistance provided by the ILO under the national tripartite framework from 10 to 14 September 2013 and looked forward to further assistance in that regard.
- 385.** *A Government representative of China* expressed full agreement with the five components of the plan of action. Her Government also supported the monitoring of progress and the provision for regular reviews and adjustments. China gave top priority to collective wage bargaining and the building of harmonious labour relations. Her delegation hoped that the ILO would specify concrete cooperation projects with Chinese constituents and provide training and technical services for China to build the capacity of the Government and the social partners, to ensure effective collective bargaining and the resolution of wage-related labour disputes.
- 386.** *A Government representative of the United States* expressed support for the objective of component 2, but noted that the proposed research agenda was quite ambitious and wondered how it would fit into the Office's overall coordinated research and publications agenda, which aimed at fewer, higher quality publications. Also, the activity matrix in Appendix I seemed to be too broad in scope. Her Government wished to know how the proposed activities and indicators would be incorporated into the related targets and indicators of the ILO Programme and Budget for 2014–15.
- 387.** Instead of seeming to prejudge the outcome of the meeting of experts on labour migration to be held in November 2013 by including proposal 2.5(c), the Office should have included a placeholder in the matrix. She also wondered whether proposal 3.3(a) would be conducted in a context of DWCPs or whether it was envisioned as a separate exercise.
- 388.** Her delegation supported the decision point proposed by the EU and welcomed the emphasis on capacity building for constituents and efforts to expand the reach of the Office through partnership building and engagement with international organizations and institutions.
- 389.** *A Government representative of France* said that France strongly supported the proposal to identify innovative practices and factors that contributed to the effectiveness of collective bargaining in different country contexts. As social dialogue was particularly important at times of crisis and was a prerequisite for the achievement of the ILO's other strategic objectives, France supported the adoption of the plan of action. It also welcomed the fact that action to make social dialogue more inclusive and representative, including vis-à-vis vulnerable groups, would be a key priority. The representation of workers in the informal sector by trade unions should be given special attention in that context. France hoped that the subject of decent work in global supply chains would be included in the Conference agenda by 2015.
- 390.** *The Employer coordinator* thanked the Worker spokesperson for supporting his position regarding paragraph 12 and pointed out that the Employers, as well as the Workers, were looking forward to future discussions on priorities. His group did not oppose the draft decision proposed by the EU. Referring to the statements that had been made by governments, he recalled that while it was all very well to strengthen structures, without social partners, social dialogue could not exist.

391. *The Worker spokesperson* expressed support for the draft decision proposed by the EU.
392. *The representative of the Director-General* confirmed that the Office would adjust the emphasis in the plan of action to reflect the views and preferences expressed. It would also seek to prioritize activities with a view to achieving real results and real impact. She assured members that the Office had increased its efforts to engage more proactively with partners in other policy institutions, including international financial institutions. For example, it had strongly advocated the inclusion of decent work, social dialogue and dialogue mechanisms as a key priority in the post-2015 development agenda throughout the UN system. The Office had also significantly stepped up its engagement with the World Bank group. The two organizations planned to undertake state-of-the-art research with a view to identifying effective policies to improve job prospects, job creation, social protection, rights at work and social dialogue throughout the world. The communiqués adopted by the G20 labour, employment and finance ministers in July 2013 and the G20 Leaders' Declaration adopted in St Petersburg in September 2013 had all given unprecedented prominence to social dialogue issues.
393. She noted the agreement by the Workers' and Employers' groups that the terms of reference for the expert meeting should be those agreed upon by the Committee.

### **Decision**

394. *The Governing Body requested the Director-General to adapt the plan of action and the activity matrix for the implementation of the Conference conclusions concerning the recurrent discussion on social dialogue in the light of the guidance provided in the Governing Body discussion, and to present a progress report to the 325th Session (November 2015) of the Governing Body.*

## **Fourth item on the agenda**

### **Sectoral Activities Programme 2012–13 and 2014–15 (GB.319/POL/4)**

#### **I. Effect to be given to the recommendations of sectoral meetings**

395. *A representative of the Director-General* (Director, Sectoral Activities Department (SECTOR)) explained that section 1 of document GB.319/POL/4 provided an overview of the results of two sectoral meetings held in the first part of 2013. Both meetings had been a success and had generated a strong interest in the subjects, as demonstrated by the discussions at the tripartite meeting on work in fishing for ASEAN countries and at a workshop on the issue organized in Thailand (both held in September 2013). Considerable interest had also been generated in strengthening collaboration between the ILO and the International Civil Aviation Organization (ICAO). At meetings between the two agencies in September 2013, it had been envisaged that an independent assessment should be commissioned to identify their common interests and suggest ways in which they could collaborate.

396. *The Worker spokesperson* endorsed the draft decision in paragraph 12 and emphasized the importance of cooperation between the ILO and the ICAO, which she hoped would lead to a Memorandum of Understanding. Referring to point 4 of the consensus point adopted by the Global Dialogue Forum for the Promotion of the Work in Fishing Convention, 2007 (No. 188), she expressed the hope that Convention No. 188 would be promoted with the same vigour as the Maritime Labour Convention, 2006 (MLC, 2006). Discussions aiming for the establishment of a subgroup on forced labour and human trafficking in the fishing sector within INTERPOL's Fisheries Crime Working Group should be another priority.
397. *The Employer coordinator* endorsed the draft decision. He indicated that the Office had devoted considerable resources to promoting the MLC, 2006, and observed that it was estimated that shipping employed 1.2 million workers. He hoped that the Office would make a commensurate effort for the promotion of Convention No. 188, since it was estimated that fishing employed approximately 35 million workers.
398. *Speaking on behalf of IMEC*, a Government representative of Canada endorsed the draft decision in paragraph 12 and welcomed the recommendation to strengthen cooperation between the ILO and the ICAO and the Office's commitment to facilitate an assessment of the progress made on the implementation of the points of consensus.
399. Turning to section II of the document, she said that her group had understood the original proposal to refer to operations in the Arctic. The reference to "extreme climatic conditions" was not clear. It seemed that the meeting might duplicate work by the ISO on the Arctic region, in which, among others, Canada, Netherlands, Norway and Russian Federation were involved. Referring to document GB.319/INS/INF/1, she noted that it addressed a recent agreement between the ILO and the ISO providing for consultations on matters of common concern. She asked the Office whether such consultations had taken place with respect to work in the oil and gas sector. It would be premature to schedule a meeting before exploring possible complementarities.
400. *Speaking on behalf of GRULAC*, a Government representative of Costa Rica welcomed the document and expressed support for the draft decision set out in paragraph 12.
401. *A Government representative of India* said that sectoral activities were an important part of the ILO's work. Regional and subregional activities, which were cost-effective and enjoyed wider participation, should be encouraged. Social dialogue and tripartism could play an important role in implementing the recommendations of the sectoral and technical meetings. In order to further their relevance, global dialogue forums on specific sectors should focus more on the problems of underdeveloped and developing countries.
402. With regard to civil aviation, she noted that wages were being driven down by rising fuel costs and that layoffs and outsourcing were on the increase. The ILO could play a crucial role through sector-specific skills training programmes and improved social dialogue. Identifying key issues such as health and safety, social dialogue processes and creating a decent work environment was the roadmap to sustaining the industry for the future. Progress assessments and follow-up to recommendations should be promotional in nature. With regard to the fishing sector, challenges faced by member States in ratifying and promoting ILO Conventions arose from non-conformity of national laws and a lack of technical assistance. In India, a third national tripartite workshop had been held in February 2013, in preparation for the ratification of Convention No. 188.
403. Turning to section II, she supported the holding of a meeting to address technical aspects, skills and OSH in extreme climatic conditions in the oil and gas industry and considered that the adoption of a code of practice would promote a preventative OSH culture.

404. *Speaking on behalf of the Africa group*, a Government representative of Togo expressed support for the draft decisions on sectoral work set out in paragraphs 12, 22 and 26. She welcomed the outcomes of the global dialogue forums held and the effective cooperation between the ILO and the World Meteorological Organization (WMO) in defining the concept of “extreme climatic conditions”.

## **Decision**

### **405. *The Governing Body:***

- (a) *authorized the Director-General to communicate the final reports of the Global Dialogue Forum on the Effects of the Global Economic Crisis on the Civil Aviation Industry and of the Global Dialogue Forum for the Promotion of the Work in Fishing Convention, 2007 (No. 188), to governments, requesting them to communicate the reports to the employers’ and workers’ organizations concerned; as well as to the international employers’ and workers’ organizations and other international organizations concerned; and*
- (b) *requested the Director-General to bear in mind, when drawing up proposals for future work, the recommendations for future action by the ILO made by these two Forums.*

(GB.319/POL/4, paragraph 12.)

## **II. Sectoral work 2014–15**

### **A. *Proposed meeting to address “technical aspects, skills and occupational safety and health in extreme climatic conditions in the oil and gas industry”***

406. *The representative of the Director-General* recalled that, in March 2013, the Governing Body had been asked to endorse the holding either of a meeting of experts to adopt a code of practice or guidelines, or a tripartite meeting to examine technical aspects, skills, and safety and health in extreme climatic conditions. At that session of the Governing Body, a request had been made for clarification of the term “extreme climatic conditions”. The document before the Governing Body presented the outcome of consultations with the WMO. If the proposal was adopted, the Office would, at the next session of the Governing Body, in March 2014, present detailed proposals in relation to the dates, duration, composition and title of that meeting and all other meetings that had been approved in March 2013.
407. *The Employer coordinator* asked the Office to clarify whether the Governing Body was being asked to decide only on the scope of the meeting, or also on its format and title. While his group, in principle, agreed to the holding of the meeting, it was aware and very respectful of the concerns raised by some governments during the March session. For that reason, the views of governments on the exact scope of the meeting were very important and much needed.

408. *The Worker spokesperson* clarified that, in her understanding, the Governing Body had been asked to decide on the title, scope and form of the meeting. Given the definition of extreme climatic conditions in the document, the Workers considered the proposed scope to be too broad. The Workers' original intention had been to propose a meeting that would focus only on conditions of extreme cold.
409. During informal consultations, a title had been considered, which seemed to address concerns and reflected the original intent. Mindful of those sensitivities, her group therefore proposed to amend the draft decision to refer to "selected decent work issues in the oil and gas industry in the Arctic region". As to the format, she favoured a meeting of experts.
410. In the light of the IMEC statement, she requested the Office to provide information on ISO activities in the area and on the repercussions of the Memorandum of Understanding between the ILO and the ISO. It did not seem that the ISO's activities addressed decent work issues in the sector and the Memorandum of Understanding should certainly not be understood to mean that the ILO should defer to the ISO in developing standards on the core areas of its mandate.
411. Her group therefore proposed that the decision should read: "The Governing Body endorses the proposal to hold a tripartite meeting of experts with the aim of developing a code of practice on selected decent work issues in the oil and gas industry in the Arctic region, namely skills requirements, OSH and technological issues, as part of the programme for sectoral work for 2014–15."
412. *Another representative of the Director-General (DDG/P)* said that the Office had negotiated a Memorandum of Understanding with the ISO in line with the guidance received from the Governing Body in March. The agreement addressed all the concerns that had been raised, most importantly that ISO standards should defer to ILO standards in the ILO's area of competence. The Governing Body had also approved the piloting of the Memorandum of Understanding in relation to the possible development of ISO standards on OSH management systems.
413. The Governing Body had asked the Office to report back on that pilot project in March 2014. The Office did not consider that it had been given a mandate to explore any other standards, and it therefore had no first-hand information on ISO activities in the oil and gas sector. She did not, however, consider that ISO work duplicated the proposal before the Governing Body.
414. *The representative of the Director-General (Director, SECTOR)*, confirming that the aim of the decision was to define the scope and, if possible, the title of the meeting, provided an overview of the background to the discussion.
415. *Speaking on behalf of GRULAC*, a Government representative of Costa Rica said that the proposed definition of "extreme climatic conditions" provided by the WMO did not reflect the social partners' original intention. If the original idea had been to focus on work in the Arctic region, that should have been specified in the meeting title. Such a title would naturally exclude any reference to the Antarctic, under the provisions of the Antarctic Treaty. GRULAC wished to emphasize its preference for a sectoral tripartite meeting, with an equal representation of Workers, Employers and Governments.
416. *Speaking on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden)*, a Government representative of Denmark expressed the group's concern regarding a possible duplication of work by the ILO and the ISO. In view of the Office's explanation, that did not seem to be the case; nevertheless, the Office should review the

scope of ISO activities and reflect its findings in the proposals to be submitted in March 2014. Her group could support the draft decision as proposed.

- 417.** *A Government representative of Trinidad and Tobago* emphasized that countries outside the targeted areas also had a vested interest, as many of their nationals worked as migrant workers outside their countries of origin. The work of the ISO and the ILO in the area was closely related, but not identical in focus.
- 418.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica asked whether a decision could be postponed to allow for further consultations and whether a link existed between the different formats of meetings and their composition. His group wanted to ensure that the meeting would be tripartite and would have equal representation of Workers, Employers and Governments.
- 419.** *The representative of the Director-General* explained that both formats were tripartite: meetings of experts were typically composed of eight Worker, eight Employer and eight Government experts and tripartite sectoral meetings were typically composed of ten Worker and ten Employer experts, with all interested governments being able to participate, provided that they covered their own expenses. Their duration tended to be similar. The main difference lay in their outputs: meetings of experts produced codes of practice or guidelines, while sectoral tripartite meetings produced conclusions.
- 420.** *The Employer coordinator* agreed that time was necessary for further consultations and said that the groups should try to find a way forward in the coming days. If that was not possible, given the sensitivity of the issue, the decision should be postponed to March 2014 in order to find a satisfactory solution.
- 421.** *The Worker spokesperson* agreed that the aim was to achieve a satisfactory solution, but noted that the issue had been pending for a long time. She hoped that it might still be resolved during the current session.
- 422.** In response to a question by the Government representative of the Netherlands, *the representative of the Director-General* indicated that both meetings had similar budgetary requirements, as they typically had similar durations. The main determinant was, thus, a meeting's specific composition, which would need to be established by the Governing Body at a later stage.
- 423.** Following an adjournment to allow for further consultations, *the Chairperson*, also on behalf of the Employer and Worker spokespersons, proposed a draft decision for consideration by the Governing Body.
- 424.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica endorsed the draft decision proposed.

## **Decision**

**425. The Governing Body:**

- (a) *decided to postpone the discussion on this issue to its March 2014 session; and*
- (b) *requested the Office to prepare a revised proposal for a tripartite sectoral meeting in light of the statements made at this session and the outcomes of further consultations.*

## **B. Upcoming meetings**

426. *The representative of the Director-General* introduced the last section of the document.
427. *The Worker and Employer spokespersons* supported the draft decision in paragraph 26.
428. *Speaking on behalf of GRULAC*, a Government representative of Costa Rica said that his group supported the draft decision. He observed that meetings should be regionally balanced and that regional coordinators should be consulted with regard to their composition, including in the case of meetings of experts.

## **Decision**

429. *The Governing Body endorsed the proposals made in the table appended to GB.319/POL/4 relating to the dates, duration, official title, purpose and composition of the meetings listed therein.*

(GB.319/POL/4, paragraph 26.)

## **Technical Cooperation Segment**

430. In order to ensure a more logical flow of the discussion, the three items on the agenda were discussed in the following order: seventh, fifth and sixth.

## **Seventh item on the agenda**

### **ILO's technical cooperation programme: Trends and perspectives since 2000**

(GB.319/POL/7)

431. *A representative of the Director-General* (Director, Partnerships and Field Support Department (PARDEV)) introduced the paper.

## **Statements on technical cooperation in the regions**

432. *A representative of the Director-General* (Director, ILO Regional Office for Africa) said that almost 600 ILO technical cooperation programmes and projects, with a total budget of more than US\$550 million, had been implemented in Africa during the past decade. Some 200 ILO projects were currently being implemented and technical cooperation remained the most important means of promoting and implementing the Decent Work Agenda in Africa. Bilateral donors were the single largest source of extra-budgetary funding. Funds channelled through the UN system also continued to play an important role. Despite the fact that the ILO had offices in only 13 of the 54 African member States, an increasing share of extra-budgetary resources had been mobilized locally since 2006. In 2012, the figure had been approximately 50 per cent and that trend was likely to continue in the years ahead.
433. Technical cooperation projects in Africa cut across the four strategic objectives, focusing on mainstreaming decent work in national policies, promotion of labour-intensive infrastructure investment, and skills development, particularly for young people.



Fortunately, funding was available for longer term social dialogue projects, including capacity building for social partners and exchanges of experience between constituents in the region. The ILO continued to be active in fragile States, and interventions on the elimination of child labour had intensified since 2000. Funding for employment-related projects in the region had been increasing steadily since 2000, while funding for work related to standards and social protection remained relatively stable.

- 434.** In March 2012, the Governing Body had asked the Office to develop a regional resource mobilization strategy. The strategy focused on efforts to engage with emerging and non-traditional donors such as non-state actors and private-sector development partners. The strategy was already beginning to pay off. In 2012, the ILO had secured fresh approvals for Africa equivalent to some \$110 million, compared to just over \$50 million in 2011.
- 435.** *A representative of the Director-General* (Director, ILO Regional Office for the Arab States) said that only six Arab countries covered by the Regional Office were recipients of official development assistance (ODA) and most of them were in crisis or post-crisis settings. The total amount of extra-budgetary technical cooperation (XBTC) funds for the region during the period 2002–12 was \$65 million. The average annual amount of approved extra-budgetary resources had increased from an average of \$2 million during the period 2002–06 to an average of \$9 million during the period 2007–13. The corresponding figures for total expenditure were \$9.5 million and \$40 million, respectively. Local funding had accounted for 52 per cent of total funds mobilized for the region during the period 2008–12. The share of expenditures managed by the Regional Office had remained at 80 per cent over the entire period. Significant amounts had been channelled through UN multi-donor trust funds until 2010. However, the progressive closure of the trust funds had led to a decline in the UN share of allocations from 50 per cent in 2007–09 to less than 10 per cent in subsequent years.
- 436.** A new trend was the consolidation of thematic support for emerging priorities in the region from specific donors. The Regional Office had been compelled to diversify its portfolio in response to the depletion of funding from countries that were members of the OECD affected by the financial crisis. Global attention to the Syrian crisis had not been matched by an equal level of donor support, either within the Syrian Arab Republic or in affected neighbouring countries. The Regional Office was completing a donor-mapping exercise and was improving its communication materials.
- 437.** *A representative of the Director-General* (Director, ILO Regional Office for Asia and the Pacific) said that economies in the Asia and the Pacific region continued to grow, albeit at a slower pace. However, the region had also seen increasing levels of inequality and the majority of workers remained in informal employment and precarious jobs. The Regional Office's technical cooperation portfolio was responding to those challenges. Over the period 2002–12, it had more than doubled in terms of expenditure from almost \$25 million to \$58 million.
- 438.** The development partners had responded speedily to the Rana Plaza disaster in April 2013. The Government of Bangladesh and the ILO had just launched a \$24.21 million initiative aimed at improving working conditions in the ready-made garment industry. There had also been significant developments in the technical cooperation portfolio in Myanmar. The Third International Conference on Small Island Developing States to be held in September 2014 in Samoa would focus attention on the priorities and needs of that group of countries.
- 439.** ODA flows were expected to be directed elsewhere and an increasing part of socio-economic development programmes would be financed through government borrowing

from international and regional financial institutions. Regional integration processes, such as the South Asian Association for Regional Cooperation (SAARC), the Pacific Islands Forum (PIF) and ASEAN would continue. Some emerging economies in the region, such as China and India, were becoming donors to other parts of the world. SSTC was increasing, for example thanks to China and Singapore. Those trends required the ILO to diversify its technical cooperation financing modalities and to build strong partnerships.

- 440.** *A representative of the Director-General* (Director, ILO Regional Office for Europe and Central Asia) said that the region, which comprised 51 member States, was highly diverse in terms of social, economic and political systems. Extra-budgetary resources were essential for the delivery of country-specific technical assistance and capacity development. The current technical cooperation portfolio of some \$30 million covered all four strategic objectives. New partnerships, including PPPs, were emerging. The Regional Office was also involved in follow-up to the G20 Training Strategy.
- 441.** She hoped that the Governing Body discussion of the Oslo Declaration adopted at the Ninth European Regional Meeting would lead to a strategic framework with priorities and resources for concrete follow-up.
- 442.** The directors and senior officers from the region had met two weeks previously to discuss priorities and key areas of work during the years ahead. With a view to adequately addressing demands for technical assistance in a wide variety of areas, technical cooperation and resources would be needed.
- 443.** *A representative of the Director-General* (Executive Director, Turin Centre) said that learning and training activities provided by the Turin Centre were part of the wider ILO technical cooperation delivery and conducted in collaboration with the regions, in line with constituents' priorities.
- 444.** The role of training and learning in technical cooperation had been evolving during the past decade. There was currently a greater focus on knowledge sharing and on exchanges of good practices and experience. Technology and the increased use of e-learning and mobile learning had also significantly extended the outreach of learning and training products. A third trend was the development of partnerships. In 2012, almost 20 per cent of the training and learning activities of the Turin Centre had been delivered in partnership with national, international and regional training and learning institutions. There was also increased cooperation within the UN system.
- 445.** There had been a decrease in the Centre's traditional multilateral and bilateral donors, but Italy remained the most important donor. The Centre had focused to a greater extent on the EU, as well as working with foundations and financial institutions.
- 446.** The Centre was currently working on the "sustainable learning concept" in the context of the post-2015 development agenda and was further promoting the use of e-learning and mobile learning technology. It would continue to expand its partnerships with institutions that shared the goals and mandate of the ILO.
- 447.** *The Employer coordinator* welcomed the paper while urging the Office to focus on constituents' needs, thereby enabling them to play an enhanced role in national development and to drive forward their own agendas and priorities. It was a pity that the social partners had not been closely involved in the discussions on development and aid effectiveness. It was critical to bring on board the tripartite nature of the ILO in the post-2015 discussions and to focus on job creation, employment policy and the development of SMEs.

448. An update on the field structure review would make it possible to judge its impact on constituents on the ground. She would also have appreciated the inclusion in the paper of an analysis of the implications of the developments described for the ILO, its tripartite set-up and constitutional principles. To what extent had employers and workers been involved in technical cooperation activities and how far had partnerships been extended, with or without them? Employers' organizations had often expressed concern about their limited involvement in technical cooperation activities. Given the increasing amount of work being done by the UN and the ILO with the private sector, the ILO's revised Technical Cooperation Strategy would need to address that issue. The Strategy must itself be relevant, needs-based and results-based, and nationally owned, if the goals of the DWCPs were to be achieved. For that purpose, there must be a concrete and practical plan, with baselines and targets. Decent Work programmes must be balanced with the needs of the private sector. To ensure that the priorities of employers and workers were addressed, their respective bureaux (ACT/EMP and ACTRAV) should be involved in capacity-building initiatives. In view of the plan to enhance PPPs, the Office should also focus on the involvement of employers and workers. Subject to these remarks, she supported the point for decision.
449. *The Worker spokesperson* emphasized that ILO technical cooperation should make decent work central to economic and social policy. In view of the increasing role of PPPs in technical cooperation, it was important for the ILO to develop clear evaluation criteria, especially on fundamental rights, before entering into cooperation agreements. Workers' and employers' organizations should be involved in making those agreements, and the MNE Declaration must be respected by enterprises entering into PPPs. For the sake of transparency, there should be more information about the resources allotted to them. He supported SSTC as it extended the technical and financial capacity of the Office.
450. As well as pursuing the post-2015 development agenda in the context of the UN reform process, the ILO should introduce labour standards and tripartism into the United Nations Development Assistance Frameworks (UNDAFs).
451. The 161 projects funded through multi-partner trust funds were unduly focused on employment, to the disadvantage of labour standards and tripartism, and he wished to know what the Office was doing to redress the balance. The ILO's participation in Delivering as One required decisive action by the Office in order to enable the tripartite constituents to play a full part. A serious evaluation of that programme, and of the UNDAF and the UN funding mechanisms, was needed in order to identify ways of ensuring that labour standards and social dialogue received their proper share of resources.
452. According to paragraph 21 of the paper, a range of training programmes and tools on project cycle management and resource mobilization had been developed for ILO staff. The Office should introduce similar training for trade unions, which had to compete for funds with a large number of non-governmental organizations. Both ACTRAV and ACT/EMP should be involved in training initiatives.
453. For the Workers, the key objectives for the DWCPs were: that the ILO constituents should participate in their design, delivery and evaluation; that technical cooperation funds should be allocated in a more balanced fashion, so as to strengthen the social partners and training for them; and that all the strategic objectives should receive their proper share of extra-budgetary funds, which according to figure 2 in the paper was not the case. The Office should present a proposal for a balanced distribution of extra-budgetary funds.
454. Labour standards should be a core component of all technical cooperation and DWCPs, which should themselves be evaluated by results and according to clearly defined criteria. Every DWCP should provide for training programmes specifically designed for workers

and employers. In addition, because of the tripartite structure of the ILO, joint training programmes at the bipartite and tripartite levels should be developed with the social partners, so as to promote relevant and consistent social policies and sustainable development at the country level. Specialist national teams should be set up within workers' and employers' organizations to develop the individual capacities of the constituents in the DWCPs.

- 455.** The Workers' group support the draft decision while taking into account the views of GRULAC.
- 456.** *Speaking on behalf of ASPAG*, a Government representative of Australia said that he hoped the ILO's technical cooperation programme would be continued and improved. ILO funding for technical cooperation had increased significantly, but if funds were to be predictable in future additional funding sources should be explored. Developing countries faced similar challenges in the world of work, so countries in the South that were able to share best practices and expertise in the ILO's capacity-building programme should be encouraged to do so. Efforts by the Office to engage in local resource mobilization were significant in strengthening national ownership, facilitating access and responding better to the needs of the constituents. He welcomed the positive response of the Office to the changed international development scene by embracing the principles of development effectiveness, enlarging its donor base and participating in the Delivering as One programme. It should continue improving the formulation of technical cooperation policies and programmes to attain the desired outcomes.
- 457.** *Speaking on behalf of IMEC*, a Government representative of Italy noted with satisfaction that by participating in the United Nations Common Country Assessments and UNDAFs, the ILO had gained an important source of resource mobilization, while mainstreaming the pillars of the Decent Work Agenda in the wider UN system and promoting the involvement of the social partners. There was, however, no provision in the Programme and Budget for 2014–15 for funding the ILO's share in the new system of Resident Coordinators, and she wished to receive information on that.
- 458.** She welcomed the decentralization of decision-making on technical cooperation in order to remain closer to the delivery of services, and also the signing by the ILO of the International Aid Transparency Initiative, which could help to attract new donors. In view of the role of the private sector in development, she believed the percentage of PPP approvals could be higher.
- 459.** She welcomed the new strengthened collaboration between the Turin Centre and PARDEV. Had the training programmes for ILO staff, mentioned in paragraph 21 of the document, been developed by or with the Centre?
- 460.** *Speaking on behalf of the Africa group*, a Government representative of Zambia said that technical cooperation had played a key role in the achievements with regard to the Decent Work Agenda. It was now necessary to prepare for the post-2015 period on the basis of consensus among the tripartite partners, who had not always been fully involved in the past. The implementation of the Decent Work Agenda to date should be reviewed for its contribution to achieving the MDGs with the participation of the social partners.
- 461.** *A Government representative of Kenya* said that paragraphs 4–15 of the paper did not explain the contribution made by the tripartite constituents in achieving the changes that had taken place over the previous 13 years. More information was needed in order to devise innovative, inclusive and relevant strategies. As for the participation of the ILO in the Global Partnerships for Effective Development Co-operation and for Sustainable Development, he requested the Office to consider in future highlighting the challenges

encountered so far in its efforts to forge partnership frameworks and facilitate the involvement of constituents. It would also be useful to disseminate information on the opportunities for improved delivery of technical cooperation.

- 462.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica observed that technical cooperation would be required for the implementation of activities in the ACIs. In terms of XBTC, field offices were performing better than headquarters, confirming an important concern in his group. In that regard, there was a lack of precision in references throughout the document to “the outcome and impact of the global development effectiveness debate” and the “emergence of new development actors and modalities”. The group wished to know whether the decision to use statistics relating only to XBTC might not distort the graphs in the document. As observed on numerous occasions, in comparison with extra-budgetary funds, regular funding provided greater predictability, transparency, autonomy and coherence with defined priorities. The group regretted that the 2002 Monterrey Consensus on Financing for Development had not been given greater prominence in the document, and requested the Office to provide a clear reference to its aid percentage commitments in a future Governing Body paper. Moreover, although the debate on aid effectiveness was important, it should not overshadow concerns regarding the total amount of ODA available globally. The Office had not paid sufficient attention to the 2008 Doha Declaration on Financing for Development and had failed to refer to the High-Level United Nations Conference on South–South Cooperation held in Nairobi in 2009. The concept of “enlarging the donor base” therefore rested on an interpretation of the international context that the group did not share. GRULAC supported the draft decision in paragraph 38(a). However, since the discussions on a new sustainable development agenda to be held in New York had not yet taken place, GRULAC wished to amend point (b) to read: “ensure active ILO participation, and facilitate the constituents’ involvement in the global discussions and the resulting mechanisms related to effective cooperation and development”.
- 463.** *A Government representative of France* supported the statement made by IMEC. In order to strengthen collaboration with the multilateral system, the participation of all constituents in setting future development objectives should be stressed. Furthermore, the integration of decent work and its four strategic pillars in such objectives was an essential condition for its integration at the multilateral level after 2015.
- 464.** *A Government representative of Argentina* said that efforts towards greater coherence with the UN system must take account of the specific nature of the ILO’s tripartite mandate and its focus on employment. His country approved of the ILO’s decentralization policy, provided that it received adequate resources, and supported the draft decision in paragraph 38 together with the amendment proposed by GRULAC.
- 465.** *A Government representative of Zimbabwe* supported the statement made by the Africa group. In Africa, the increase in technical cooperation for employment was important because job creation was needed in order to alleviate poverty and ensure sustainable development. Technical cooperation continued to be indispensable for the implementation of DWCPs and he urged the Office to continue to align its technical cooperation programmes with DWCPs. The ILO should work with regional economic communities to promote the Decent Work Agenda. In Zimbabwe, the Southern African Development Community had developed a decent work programme that prioritized employment creation. He supported the draft decision in paragraph 38.
- 466.** *A Government representative of India* observed that the main focus for technical cooperation should be mainstreaming the Decent Work Agenda. The ILO’s technical cooperation programme should focus on inclusive growth, taking the informal sector into consideration. While issues such as green jobs were important, ensuring full employment

was a higher priority. Ample resources should be allocated to the objectives of full employment, social protection floors and the eradication of child labour. South–South cooperation was no substitute for North–South or triangular cooperation and should not lead to a decrease in technical cooperation in the region. Technical cooperation projects should be designed to meet country-specific needs and, in that light, India supported the decentralization of decision-making. Bringing new partners on board, particularly from the private sector and civil society, should not however result in the promotion of non-tripartite interests. He expressed concern at the decline in funding for the International Programme on the Elimination of Child Labour (IPEC) and noted the lack of labour statistics on workers in the informal economy, suggesting that it might be an area for technical cooperation in the future. The Government of India supported the draft decision, requesting that ODA should be protected and that a future policy discussion should be held in the Governing Body on post-MDG technical cooperation.

- 467.** *A Government representative of the Islamic Republic of Iran* aligned himself with ASPAG's statement. The ILO had adapted its technical cooperation strategy globally, and in the Asia and the Pacific region in particular, to meet constituents' needs as a result of the global crisis and hyper-globalization. The latest cooperation initiatives and partnerships initiated by the ILO were indispensable to bridge ever-widening gaps. More partnerships with emerging and developing countries were needed in the context of SSTC. His Government would be glad to enter into an agreement with PARDEV, the Turin Centre and the ILO Office in New Delhi to evaluate the Islamic Republic of Iran's cooperation projects with some of its developing neighbouring countries and to share those experiences with ILO member States in other regions. His country supported the draft decision.
- 468.** *A Government representative of China* said that her country actively participated in SSTC, which supplemented North–South cooperation. However, developed countries should still shoulder the main responsibility for technical cooperation. The ILO was the only tripartite UN agency and should therefore give full play to the role of the social partners in mobilizing resources, and developing, designing and implementing technical cooperation programmes in line with the needs of member States. Her country supported the inclusion of a debate on technical cooperation in the 2015 International Labour Conference agenda and approved the draft decision.
- 469.** *A Government representative of the Republic of Korea* supported the IMEC and ASPAG statements. There had been a recent increase in the participation of the private sector in development programmes and the Korea International Cooperation Agency was playing a lead role in promoting the PPP model in the field of vocational training. The ILO should assume an increasingly important role in the development of new partnerships in the private sector and the Republic of Korea would spare no effort in cooperating to that end.
- 470.** *A representative of the Director-General (Deputy Director-General, Field Operations and Partnerships (DDG/FOP))* noted the concerns regarding the low participation of the social partners in the development and implementation of ILO programmes. Such participation was important for national ownership, which should remain central to ILO work. The Office was determined to align itself with the UN Quadrennial Comprehensive Policy Review to ensure the coherence of its programmes. Regarding the financing of Resident Coordinators, in accordance with a decision of the Governing Body, the Office would present a document for decision on that subject in March 2014. The Office intended to pay strategic attention to South–South cooperation but recognized that it should not replace ODA. He further indicated that the aim of decentralization was in line with the Director-General's current strategy.

471. *Another representative of the Director-General* (Director, PARDEV) said that DWCPs were the main means of ensuring the active participation of constituents. The Office ran 113 DWCPs, each of which had been developed together with constituents at the local level. Recent analyses had shown that 73 per cent of all active UNDAFs had been developed with the participation of constituents. That was no mean feat considering that the ILO was not the only participant in UNDAFs. The field offices had been able to mobilize the entire UN system in support of constituents and had ensured their participation in DWCPs. He had noted the concerns regarding the low allocation of resources to activities on standards and social dialogue, which simply indicated that the development partners were not sufficiently prioritizing those aspects. The Office had a twofold strategy to raise the share of those aspects in its technical cooperation programme: first, the importance of standards and social dialogue would be highlighted in international development strategies and forums; and secondly, the Office was working towards less earmarking of technical cooperation, enabling it to allocate more resources to those aspects. Regarding PPPs, internal Office procedures ensured that no partnership could be approved without the endorsement of ACT/EMP and ACTRAV. In relation to the question raised by IMEC on paragraph 21, the Turin Centre was actively involved in staff training courses. He highlighted the importance of SSTC, which had also received particular attention in the Programme and Budget for 2014–15.
472. *The Worker spokesperson* greatly appreciated the training programmes developed by the Turin Centre and hoped that many would be continued. With regard to DWCPs, workers' organizations were often not consulted during the drafting of programmes. Given that the ILO worked on the basis of tripartism and best standards, it should make every effort to reflect the considerations of employers' and workers' representatives, many of whom knew little about the programmes in their own country.
473. *The Employer coordinator* highlighted two consequences of the dwindling support from donors. First, it was necessary to spend smartly. Figure 2, for example, showed an increase in funding for employment creation; the ILO should focus on those areas where funding was needed. Secondly, gaps in spending should be bridged through alternative means, such as PPPs and the creation of conditions for private sector investment in the economy.
474. *The representative of the Director-General* (DDG/FOP) said that country and regional directors often voiced the same frustrations regarding UNDAFs as those of the Workers' group, as the UN system was not used to doing business with social partners. Field colleagues needed to insist on cooperation with them and, subsequently, once all social partners were involved, to boost capacity building to make all contributions effective.
475. *Speaking on behalf of IMEC*, a Government representative of Italy asked for confirmation that the new formulation of point (b) of the draft decision also referred to the follow-up to the initiatives launched at the Fourth High Level Forum on Aid Effectiveness, held in Busan in 2011.
476. *Another representative of the Director-General* (Director, PARDEV) confirmed that the previous speaker's interpretation was correct.

## **Decision**

### **477. *The Governing Body requested the Office to:***

- (a) *enhance the participation of the constituents in the design and implementation of DWCPs and technical cooperation programmes formulated in the new context outlined in paragraphs 4–15; and***

- (b) *ensure active ILO participation, and facilitate the constituents' involvement in the global discussions and the resulting mechanisms related to effective cooperation and development.*

(GB.319/POL/7, paragraph 38, as amended.)

## Fifth item on the agenda

### Regional perspectives on technical cooperation: Latin America and the Caribbean (GB.319/POL/5)

- 478.** *A representative of the Director-General* (Director, Regional Office for Latin America and the Caribbean) introduced the paper.
- 479.** *The Employer coordinator* highlighted that many countries in the region were in the category of lower-middle to upper-middle income and therefore struggled to attract ODA. As countries still needed assistance, the ILO should draw up a well-articulated strategy on how to address the problem; the figure of 12.6 per cent for extra-budgetary funds mobilized by the ILO for the region between 2002 and 2012 was very low. Due to budgetary constraints faced by donors, the challenge of resource mobilization would continue to be felt unless innovative ways could be found to compensate for the shortfall; the private sector also needed support, so that enterprises could invest in their economies.
- 480.** In all cases, technical cooperation should be needs-based and take constituents' priorities into account. The 17th American Regional Meeting in 2010 had identified some of the areas requiring technical assistance, such as freedom of association, collective bargaining, sustainable enterprises and labour administration. Additional priorities included social inclusion, social protection and formalization of the informal economy. Success in tackling the informal economy, in particular, was a prerequisite for promoting sustainable and inclusive economic growth and development, and indeed the Employers' group had proposed placing it on the agenda of the International Labour Conference. Most support was being directed towards Central America, the Dominican Republic and Haiti, but it might be sensible to explore how to distribute assistance to other needy areas.
- 481.** In terms of expenditure on technical cooperation, support given to the eradication of child labour was crucial. The group endorsed the Brasilia Declaration on Child Labour, adopted at the third Global Conference on Child Labour held in October 2013 and expressed the hope that it would provide guidance not only to Latin America and the Caribbean but also to other regions. The Conference had, in addition, illustrated the importance of South–South cooperation, the Brazilian Government having both hosted and funded it. The lack of funding for other, equally important, areas, such as capacity building, was a cause for concern. It was particularly alarming that employers' organizations had received no contributions whatsoever to strengthen tripartism and social dialogue. She wondered whether the ILO was doing enough to address that lack of funding.
- 482.** The group supported the draft decision but noted that the strategy should ideally be part of an overall resource mobilization strategy, so as to avoid the fragmentation of ILO activities.



- 483.** *The Worker spokesperson* said that reality in the region did not tally with the indications of the statistics. Some groups of countries were experiencing sustained growth in GDP and other indicators, while in others the situation was dramatically worse. At the same time, higher growth rates did not necessarily equate to better standards of living and levels of inequality were considerable. It was important to clamp down on unacceptable contracting systems, outsourcing, precarious and informal work – the latter had reached brutal levels inconsistent with development. The 17th American Regional Meeting had also pointed out that technical cooperation should reinforce the process of tripartism and go beyond mere consultations. There was a need to further institutionalize tripartism linked to real governance and democracy as in many cases tripartite consultations were not genuine. Regional integration processes should also be used to promote decent work through social funds, industrial policies and an institutionalization of tripartism.
- 484.** A more comprehensive approach on technical cooperation in the region was required: of the 19 strategic outcomes for extra-budgetary funds, most funds had been spent on only five. Child labour, for example, although a vital topic, had accounted for 28 per cent of funds, whereas other important areas of the Organization’s work, like tripartism and compliance with labour standards, had not received the same emphasis. In fact, the most notorious deficits in the region were in the areas of freedom of association and collective bargaining as well as social dialogue, whereas resources for these were very limited. More resources should be allocated and more focus placed on these, as well as on labour administration and social security. There was also concern that priorities were donor-driven and did not reflect the priorities of the constituents such as in El Salvador, where a project on child labour received a large amount of resources but none had been allocated to address the key challenges identified as a result of tripartite consultations within the framework of the Global Jobs Pact.
- 485.** Although the Office’s consultations with constituents in the region on policy combinations to promote the formal economy were commendable, the reporting on activities was very selective, leaving out a range of good examples while showcasing some problematic projects from the workers’ point of view. For example the project on decent work in the banana sector in the Dominican Republic which excluded trade union centres, the Better Work project in Nicaragua, which had been criticized by the trade unions, and the SIMPAPRO project which had been criticized on many occasions by the workers’ group for failing to promote freedom of association and collective bargaining as a central element in improving working conditions, wages and productivity in SMEs. More generally the distribution of resources towards sustainable enterprises did not address the needs of workers and was narrowly focused on employers’ needs. Such programmes should also focus on workers’ needs and priorities, and result in a better distribution of resources.
- 486.** He welcomed the Office’s efforts in support of ACTRAV in various countries to promote accession to Convention No. 189. The next stage in many countries was to enforce it. He further asked for more detailed information on the use of XBTC in capacity building of constituents and for an analysis of how technical cooperation had contributed to addressing gender inequality, youth unemployment and various vulnerable groups of workers. The Office’s promotion of SSTC was appreciated, while the promotion of PPPs should first be subject to rigorous analysis and procedures to ensure that the Organization’s aims were not diverted. The region of Latin America and the Caribbean was still the most unequal in the world, which implied that the ILO must continue to work on inclusion. The group supported the draft decision.
- 487.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica emphasized the diversity of the region. In allocating funding for cooperation, per capita income was often the only indicator applied, but it was skewed upwards by remittances from emigrant workers, so additional indicators should be used. The social and economic situation in the

region had improved, with unemployment at an all-time low, but labour inspectors still played a vital role in verifying statistics. Informal employment remained one of the most serious problems in the region, particularly for women and young workers. SSTC had enabled common solutions and best practices to be implemented, but it was no substitute for ODA. Freedom of association and collective bargaining must be promoted, as well as youth employment. It was important to involve not only governments but also workers and employers in institutional development and social dialogue. More detailed information and graphs on projects targeting those two areas were needed, as was information on the funding contributed by the countries themselves.

- 488.** A large number of Conventions had been ratified by the region. The region had pioneered the ratification of Conventions on indigenous and tribal peoples and would appreciate support in their implementation. He hoped that the Office would support more SSTC projects and thereby diversify the sources of cooperation. There was potential for increased sharing of experiences between countries. In this regard, the Office would not have to assign the whole amount of resources to all projects, as many could be partially funded by participants. However, he was concerned that the data presented only reflected extra-budgetary funds; it would be preferable to include the ordinary budget, to which the region had increased the proportion of its contributions.
- 489.** *Speaking on behalf of IMEC*, a Government representative of Italy noted that many resource mobilization strategies had been proposed for various purposes, both at headquarters and in the field, and sought reassurance from the Office that the general strategy review would take a coordinated and coherent approach in order to prevent duplication of effort and to coordinate, track and manage ILO resources appropriately.
- 490.** *Speaking on behalf of the Africa group*, a Government representative of Zambia commended the results achieved in reducing poverty and inequality, tackling informality and targeting resources outside the regular budget to build knowledge, develop policies and legislation, and achieve standards compliance, all of which could serve as best practices for other regions.
- 491.** *A Government representative of Trinidad and Tobago* reiterated that many labour ministries in the region relied on technical support in the absence of regular budget allocations and therefore expressed the hope that the ILO's resource mobilization strategy would respond to the particular challenges and realities of all countries in the region.
- 492.** *A Government representative of Colombia* stressed that cooperation and resources were imperative in eliminating the causes of inequality in the region.
- 493.** *A Government representative of Panama* said that, while his country had often been excluded from ODA, it had benefited from the ILO's technical cooperation, which had helped to reduce inequalities. Panama acknowledged South-South cooperation as an important support mechanism for the region; it would therefore continue to fund and develop the Latin American and Caribbean Labour Information and Analysis System.
- 494.** *A Government representative of Argentina* welcomed the results achieved in the region but called on the Office to adopt a more geographically balanced approach in its distribution of resources. He also supported the proposed strategy of diversifying the sources of funding; linking resource allocation to the priorities defined by the constituents; and facilitating the active participation of employers' and workers' organizations throughout the project cycle. He encouraged the Office to strengthen its coordination with other regional and international organizations in the labour and social sector and with the Common Market of the Southern Cone (MERCOSUR).

495. *A Government representative of Brazil* reiterated the need to diversify sources of cooperation in order to harmonize the commitments, objectives and means of implementation available to the tripartite constituents. The approach differed from, and was preferable to, the concept of “broadening the donor base”, which had attracted criticism.
496. *The representative of the Director-General* concurred that inequality was the main problem in the region and that the statistics did not show the whole picture. Proposed measures had to be prioritized in order to reduce inequality. The distribution over five thematic areas had been determined by the donor countries’ priorities. Resources had been concentrated in Central America primarily because some countries in the area had suffered natural disasters; other countries were in the process of building peace; and the donor countries’ focus was on Central America. More detailed information on countries’ substantial contributions should be included in future analyses. She took on board the areas of action suggested by the Governments. It was important to proceed in a more coherent manner, on the basis of factors other than gross domestic product (GDP) and per capita income. More innovative approaches to diversify the sources of cooperation and enhance the complementarity between sources were required, and would be included in the overall technical cooperation strategy for October 2014.

### **Decision**

497. *Considering the analysis of the present situation and in view of the need to strengthen the ILO’s technical cooperation programme in Latin America and the Caribbean, the Governing Body requested the Office to develop a strategy for mobilizing resources for the region, to be discussed in the context of the general review of the ILO’s technical cooperation strategy during its 322nd Session (October 2014).*

(GB.319/POL/5, paragraph 37.)

### **Sixth item on the agenda**

#### **Enhanced programme of technical cooperation for the occupied Arab territories**

(GB.319/POL/6)

498. *A representative of the Director-General* (Director, Regional Office for the Arab States) introduced the paper.
499. *The Employer coordinator* asked for more detail on the launch of the Decent Work Programme. The ILO’s efforts in the West Bank and Gaza should be aligned with the National Development Plan, the sectoral strategy of the Ministry of Labour and the UNDAF for the State of Palestine. The ILO’s efforts to involve the social partners were commended. What was the Office doing to obtain more donor support for job creation in this region? Additional resources should be mobilized to boost youth employment and develop the private sector.
500. *The spokesperson for employers’ organizations in Arab countries* said that the occupied Arab territories needed more support from the international community, because their economic and social development were stymied by occupation and the restrictions imposed on the free movement of persons and goods. Their economic infrastructure was in need of

strengthening. Donor countries should abide by their commitments to provide financial support for technical cooperation benefiting the occupied Arab territories.

- 501.** *The Worker spokesperson* said that the Palestinian Authority's lack of decision-making powers greatly hampered governance processes. The occupation of Palestinian territory gave rise to threats to the enjoyment of human rights there which ran counter to the logic of decent work. The Palestinians had a country with defined borders, yet their access to land and water resources in the occupied territory was restricted. ILO action should take into account the fact that the Palestinian economy consisted of a network of disconnected economic zones. He called for recognition of the Palestine General Federation of Trade Unions (PGFTU) as the most representative organization. Private sector initiatives should look beyond the promotion of an entrepreneurial culture and self-employment with more emphasis on the development of productive capacities. The ILO needed to guarantee a constant and growing presence in the occupied Palestinian territory and to take more innovative steps to further decent work and sustainable economic activities there. It should do all it could to secure a lifting of restrictions on movement. The measures announced by Israel to ease those restrictions were insufficient to comply with that country's international responsibilities and obligations as an occupying power. Due respect for the Palestinian people's right to self-determination was the best way to guarantee peace and development everywhere.
- 502.** *Speaking on behalf of the Africa group*, a Government representative of Zambia recommended, in view of the progress recorded in the paper, that the ILO should consider enhancing technical cooperation in order to enable Palestinian workers to achieve the goals of the Decent Work Agenda.
- 503.** *A Government representative of Egypt* endorsed the statement made on behalf of the Africa group. He condemned the Israeli colonization of Palestine and the restrictions imposed on the Palestinian people. Such arbitrary actions were contrary to international law, inimical to peace and an obstacle to employment for all. Palestinian workers were therefore paying a high price as a result of the catastrophic economic situation. For that reason, the international community should give more financial support to the enhanced programme of technical cooperation, in order to alleviate the suffering of the Palestinian people.
- 504.** *A Government representative of Algeria* endorsed the statement made on behalf of the Africa group. Difficult social and economic conditions of the Palestinian people were caused by the practices of the occupying authorities. The enhanced programme of technical cooperation was of special importance because it helped young people to find work. The Organization should allocate more resources to the ILO Office in Jerusalem.
- 505.** *A Government representative of Sudan* endorsed the statement made on behalf of the Africa group and appealed for more extra-budgetary resources for institution building and addressing the economic and social challenges.
- 506.** *A Government representative of the United Arab Emirates* said that the Palestinian economy was being undermined by a weak infrastructure due to the Israeli occupation and by the practices of the occupying authorities. It was also suffering from the restrictions placed on imports, exports, capital and employment. More efforts to eliminate all those hindrances were needed.

- 507.** *The Ambassador of Palestine, with the consent of the Officers, addressed the Governing Body.*<sup>1</sup>
- 508.** *The representative of the Director-General highlighted the fact that all the restrictions on mobility, access and private-sector development had prevented any large-scale job creation. That explained the ILO's practical, modular approach based on core rights and international standards. Technical and financial sustainability was crucial, especially as a successful outcome of the peace negotiations was far from guaranteed. Consequences would be calamitous if the Palestinian Authority's budget ran out, if public sector employees were without salaries and if private sector alternatives were not available. The Decent Work Programme was launched in October 2013 and was fully in line with national priorities. An effort was being made to mobilize donor support for various aspects of technical cooperation.*

### **Outcome**

- 509.** *The Governing Body took note of the report, commending the efforts made by the ILO in the occupied Arab territories. It called for resources to continue to be made available to allow the Organization to maintain its technical engagement in the region, and provided guidance.*

<sup>1</sup> In the absence of a right to speak under the Standing Orders of the Governing Body, the statement is not reproduced.

## Legal Issues and International Labour Standards Section

### Legal Issues Segment

#### First item on the agenda

#### Standing Orders of the International Labour Conference: Proposed amendments arising from the Conference reform proposals of the Governing Body (GB.319/LILS/1(Rev.1))

- 510.** *A representative of the Director-General* (Legal Adviser) said that, following informal consultations held in September, the document had been revised to leave open the question of the Conference session at which the amendments would be adopted. Some of the proposed amendments had already been the subject of comments in the Working Party on the Functioning of the Governing Body (WP/GBC) and it had been suggested that the approval of proposed amendments and their submission to the International Labour Conference could be postponed to a later session so that all amendments arising from the current Conference reform process could be adopted together. The amendments submitted, in addition to any agreed further changes and Office amendments on certain technical issues, would be presented in a new document taking into account any further decisions arising from WP/GBC discussions.
- 511.** *The Worker spokesperson* considered that, as many aspects of the reform were still under discussion, it would be better to defer the adoption of the amendments. If necessary, the agreed changes could be implemented by suspending the relevant provisions of the Standing Orders. Regarding the opening sitting, the Workers supported the proposed amendments to article 76, which avoided the artificial splitting of the sitting into two. They also concurred that the Director-General's Report should be devoted at every session to a social policy theme of current interest chosen by the Director-General, on the understanding that programme implementation and related issues would be covered in the report of the Governing Body Chairperson. Regarding the World of Work Summit, the group disagreed that there was consensus on the need to amend the Standing Orders. Despite mixed results, the Summit should be tested again before drawing any conclusions. The same applied to the interactive debates. Consequently, his group did not support the inclusion of paragraphs 4 and 5 of article 12. Nor did it support the proposed amendments to article 23 to allow for the deferred publication of the *Provisional Records*, as amendments should first be supported by a clear assessment of the resulting savings. In the meantime the suspension of the relevant provisions of the Standing Orders should continue. Regarding the non-reactivation of the Resolutions Committee, the Workers favoured the establishment of a Selection Committee subcommittee in the event of the submission of resolutions on matters not included on the Conference agenda, and retaining the existing special rules for the discussion of resolutions. The Workers supported subparagraph (b) of the draft decision but proposed replacing subparagraph (a) by: "requests the Office to take note of the amendments regarding which consensus has been reached in order to propose a complete set of amendments to the International Labour Conference for adoption once the process of reform is completed; and".

- 512.** *The Employer coordinator* said that simplification, modernization, clear cost benefit and reflection of the current agreed practice should characterize the approach to changes to the Standing Orders. Regarding article 76, he considered that the proposal of publishing a document 24 hours in advance, setting out the proposed Standing Orders suspensions, did not simplify the practice. Instead, he suggested deleting the entire second sentence of the article as the first sentence contained sufficient safeguards. His group endorsed the amendments to article 12 on the plenary period and the World of Work Summit, and to article 23 on *Provisional Records*, and also supported both amendments proposed by the group of IMEC. Concerning the non-reactivation of the Resolutions Committee, the Employers' group was unconvinced of the proposal to refer the resolutions to a subcommittee of the Selection Committee. Firstly, resolutions relating to urgent or formal matters not on the agenda could still be submitted to the Conference and dealt with by the Selection Committee, another committee or the plenary, an approach that had not created problems since 2006. Secondly, no resolutions on matters not on the agenda had been submitted since the suspension of the Resolutions Committee in 2006. Given the debate on reducing the length of the Conference and the broad consensus on non-reactivation of the Resolutions Committee, a new form of Resolutions Committee or other potentially costly mechanism should be avoided. All that remained was to clarify that the Selection Committee would be competent. Subject to their proposal on article 76, the Employers endorsed the draft decision and the Workers' proposed amendment to paragraph 26(a).
- 513.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica considered that the Working Party should wait until it had covered all the points for discussion before adopting amendments to the Standing Orders. GRULAC supported the amendment to article 76 and suggested that proposed Standing Orders suspensions should be notified by email to the Workers' and Employers' groups and to the regional government coordinators at the same time as their online publication. GRULAC supported the point under paragraph 7 of the document, on the understanding that the report of the Chairperson of the Governing Body would contain information on programme progress and implementation provided by the Director-General. In relation to paragraph 8 of the document, the group doubted whether panels were a suitable forum to consider the Report of the Director-General, unless it were specified that such panels would be held continuously and in the same room, to avoid losing the unity and coherence of those discussions. In addition, particular care had to be taken in selecting moderators, considering that as non-members of accredited tripartite delegations they would in principle not be entitled to participate in those or any other Conference meetings. Such meetings should respect delegates' and technical advisers' right to intervene. The proposals on the World of Work Summit were supported with the same provisos. Regarding the amendments to the *Provisional Record* requirements, the group suggested that, at the same time as the *Provisional Record* was posted online, the groups and regional coordinators should be notified of the timeframe for amendments. It was also proposed to further amend article 23(3) by adding the words "or the text" after "recordings". GRULAC supported the non-reactivation of the Resolutions Committee and the examination of resolutions by the Selection Committee. The current composition of the Selection Committee, which coincided with the composition of the Governing Body, should be maintained, including an identical or similar number of deputy members. GRULAC supported the decision point under paragraph 26(a), subject to its subamendment to article 23 and on the understanding that the Conference would only adopt the amendments once overall consensus had been reached. Accordingly, the amendments would not be included in the agenda of the 103rd Session of the Conference (2014).
- 514.** *Speaking on behalf of IMEC*, a Government representative of Canada supported the implementation of the agreed Conference reform measures and welcomed the proposal to abolish the Resolutions Committee. While her group agreed to the amendment under paragraph 5 of the document, it believed that the amendments were not the essential

measures that would shorten the opening sitting. This would require shorter introductory speeches and eliminating the reading out of Committee members' names. IMEC was not convinced by the proposal to enshrine a World of Work Summit into the plenary, but agreed to introduce the possibility of interactive debates such as panel discussions into the Conference Standing Orders. IMEC was concerned by the removal of the legal requirement to submit a biennial Programme Implementation Report, given its importance to the Conference that decided on the programme and budget. IMEC could only agree with the proposed deletions in article 12 if an additional paragraph was added with the wording: "Every two years, a programme implementation report of the Director-General on a completed financial period is to be submitted to the Conference. If such a programme implementation Report of the Director-General to the Governing Body is attached to the report of the Chairperson of the Governing Body, no special Report of the Director-General to the Conference is necessary." IMEC agreed in principle with the amendment of article 23 of the Standing Orders, but wished to replace the word "delegate" with "person" in paragraph 3, since not only delegates addressed the plenary. With these further amendments, IMEC supported decision point 26(a) as well as the amendment proposed by GRULAC.

- 515.** *Speaking on behalf of the Africa group*, a Government representative of Angola indicated that his group, following long discussions, supported the draft decision.
- 516.** *Speaking on behalf of ASPAG*, a Government representative of Australia said that his group did not support the Workers' amendment, but that it approved the draft decision in the document, subject to the amendments by IMEC and GRULAC.
- 517.** *The Worker spokesperson* agreed to the amendments proposed by GRULAC and the amendment to article 23 proposed by IMEC. However, in relation to article 12, it would be premature to take a decision before consensus had been reached by the Working Party.
- 518.** *A Government representative of Switzerland* supported decision point 26(a) and the amendments proposed by IMEC and GRULAC, but could not support the amendment proposed by the Workers.
- 519.** *The representative of the Director-General* said that the Office would come back to the Governing Body in March 2014 with a series of proposed amendments including those on which there was now tripartite consensus. In response to a request for clarification, she explained that the Conference could always suspend the Standing Orders to implement proposals on which consensus had already been reached, as had been done in the past.

## **Decision**

### **520. The Governing Body:**

- (a) *took note of the discussions on the document and deferred further consideration of this matter until its 320th Session (March 2014); and*
- (b) *requested the Office to prepare for its 320th Session (March 2014) a set of proposed amendments as necessary to implement a new procedure for the discussion of resolutions relating to matters not included in an item placed on the agenda of the Conference, taking into account the preferences expressed by the Governing Body during the debate.*

(GB.319/LILS/1(Rev.1), paragraph 26, as amended.)



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## Second item on the agenda

### Privileges and immunities of the International Labour Organization: Follow-up

#### Question of privileges and immunities in relation to officials of the secretariats of the Employers' and Workers' groups of the Governing Body (GB.319/LILS/2/1)

- 521.** *The representative of the Director-General* explained that the analysis contained in the document concluded that members of the secretariats of the Employers' and Workers' groups, when entrusted with a mission by the Organization, enjoyed the status of experts on mission under the Convention on the Privileges and Immunities of the Specialized Agencies (the 1947 Convention) and its Annex I relating to the ILO. It was important that the decision entrusting the secretariat members with their mission be sufficiently explicit, and that their individual nomination be officially recorded so that there could be no doubt about their identity. The document did not propose to increase existing privileges and immunities but simply invited the Governing Body to take note of the result of the legal analysis of the 1947 Convention with a view to facilitating the implementation of the legal protection provided therein. It also urged ILO Members that had not yet done so to accede to the Convention and apply its Annex I or otherwise provide the same level of legal protection.
- 522.** *The Employer coordinator* noted that the document helped the Governing Body to better understand the vital role of the International Organisation of Employers (IOE) and the International Trade Union Confederation (ITUC) for the operation of tripartism in the ILO's bodies and meetings, and the functioning of the Organization as a whole. The Employers agreed with the legal assessment and expected that those Members that had not yet acceded to the 1947 Convention and its Annex I, or provided through other ways the same level of protection, would do so in the very near future. They further stated that IOE and ITUC officials were, as experts on mission, accountable to the Organization only via their respective Employers' and Workers' groups in the ILO and that, therefore, they enjoyed autonomy and instruction freedom from the Director-General. The Employers supported all points for decision and agreed with the suggestion to provide IOE and ITUC officials performing missions for the ILO with a certificate following the model used for members of commissions of inquiry and other high-level missions as evidence that they were entitled to appropriate privileges and immunities.
- 523.** *The Worker spokesperson* took note of the protection provided under the Convention and supported the point for decision, highlighting the essential role of the secretariats of the Employers' and Workers' groups for the full realization of tripartism at the ILO. Their protection required the commitment of Members to accession to the 1947 Convention or, at least, the acceptance of the application of the Convention's provisions through bilateral agreement with the ILO. The Workers called on member States that had yet to do so to accede to the Convention and requested the Director-General to take measures to facilitate the legal protection of members of the secretariats of the Employers' and Workers' groups as experts on mission.

- 524.** *Speaking on behalf of IMEC*, the Government representative of Canada agreed that under certain conditions members of the IOE and ITUC enjoyed certain privileges and immunities under the 1947 Convention when formally entrusted with a particular ILO task by an organ of the Organization. For the IOE and ITUC to be able to directly nominate their officials participating in ILO missions, the ILO decisions entrusting a mission would need to provide for both the participation of IOE and ITUC officials and the delegation of authority to the IOE and ITUC to nominate the specific persons. Individual nominations would need to be officially recorded and the names of those directly nominated would have to be communicated to the Director-General. Provided that an up-to-date list of the experts on mission would be maintained by the Office, IMEC supported the points for decision.
- 525.** *Speaking on behalf of the Africa group*, a Government representative of Angola stated that the 1947 Convention did not provide any protection or privileges and immunities to representatives of employers' and workers' organizations. However, when undertaking the functions of the secretariats of the Employers' or Workers' groups of the ILO, they acted on behalf of the Organization and benefited, therefore, from the privileges and immunities provided to experts entrusted with official missions in accordance with Annex I of the Convention. He requested that the decision be postponed until the following session of the Governing Body, to allow the Government members time to consult with their capitals.
- 526.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica noted that IOE and ITUC officials, albeit not ILO officials, performed an important task as secretariats of the Employers' and Workers' groups during the Governing Body and the International Labour Conference. He noted that IOE and ITUC officials did not enjoy, as such, any privileges and immunities. However, when entrusted with official ILO missions, they could benefit from certain privileges and immunities for the duration of the mission and in countries that had adhered to the 1947 Convention and its Annex I, or had entered into bilateral agreements providing equivalent protection. As experts on mission, they would act as members of an official mission, be accountable to the Organization and not receive instructions from the IOE or ITUC. In order to align the points for decision with the request made to the Office by the Governing Body at its 313th Session, GRULAC proposed two amendments adding "defined in a tripartite manner" after "ILO official missions".
- 527.** *A representative of the Government of India* noted that a large number of ILO member States had not ratified the 1947 Convention and did not provide an equivalent legal framework. He wondered how legal protection could thus be uniformly guaranteed. He also raised the question as to whether all members of the secretariats of the ITUC and IOE would automatically benefit from the privileges, or if they would be specific to each mission, and whether a member of an ILO mission who was a member of another organization such as an NGO would have the same immunities. Consequently, he proposed deferring the agenda item until March 2014.
- 528.** *The Employer coordinator* said that he did not object to the wording of the amendment proposed by GRULAC but could not accept the rationale behind it.
- 529.** Similarly, *the Worker spokesperson* stated that not all missions were defined and decided by the three constituents, and sought clarification from the Legal Adviser on the matter.
- 530.** *The representative of the Director-General* noted that although the initial request by the Governing Body was to analyse the question related to missions defined "in a tripartite manner", the document showed that that protection was applicable in general to any official mission entrusted by an organ of the Organization, including the Director-General. As to the questions raised by the Africa group and India, she explained that IOE and ITUC

members entrusted with official missions were experts on mission. Their status was thus linked to two factors – their expertise and a request made to them to represent the Organization. It did not derive from their membership of the IOE or ITUC. She also recalled that the document before the Governing Body consisted in a legal analysis and that the Governing Body was only asked to take note of that analysis. The legal protection referred to was provided in pre-existing legal texts, notably the 1947 Convention and its Annex I, and the document did not add any further legal protection. A list of experts on mission, drawn up to facilitate their protection, could be maintained by the Office.

- 531.** *Speaking on behalf of the Africa group*, the Government representative of the Congo reiterated the wish to have additional time to reflect and consult. However, having heard the explanation by the Legal Adviser and, as neither Employers nor Workers wished to postpone the discussion, the Africa group did not object to the adoption of the decision point, but wished that its position be reflected on the record.

## **Decision**

### **532. The Governing Body:**

- (a) took note of the legal protection available under the Convention on the Privileges and Immunities of the Specialized Agencies and its Annex I for members of the secretariats of Employers' and Workers' groups entrusted with the execution of an official mission for the Organization defined in a tripartite manner;*
- (b) requested the Director-General to take the necessary measures to facilitate implementation of this legal protection in relation to official missions of the ILO defined in a tripartite manner; and*
- (c) in order to ensure the effective recognition of such legal protection, again urged ILO Members that have yet to do so to accede to the Convention on the Privileges and Immunities of the Specialized Agencies and apply its Annex I or otherwise provide the same level of legal protection.*

(GB.319/LILS/2/1, paragraph 8, as amended.)

## **Identification document for Employer and Worker members of the Governing Body**

(GB.319/LILS/2/2)

- 533.** *The representative of the Director-General* introduced the document, recalling that the detailed proposal it contained responded to a specific request of the Governing Body formulated in March 2013. The purpose of the proposed identification document for Employer and Worker members of the Governing Body was to assist in identifying persons who were entitled to the rights already established by Annex I to the 1947 Convention and thus to facilitate the recognition of their status when travelling. It would not, however, replace the laissez-passer currently issued by Switzerland and the ILO, nor any passports or identity cards issued by national authorities. The Legal Adviser recalled that the Employer and Worker Vice-Chairpersons attended the ILO Regional Meetings outside their own region and participated in ILO-related high-level missions. An identification document would therefore assist them during such missions. If requested by the Governing

Body, the Office could produce the cards at a minimum cost for the June 2014 elections of the Governing Body. A specimen of the card was shown to the Governing Body.

- 534.** *The Worker spokesperson* supported the proposal of introducing an identification document for Employer and Worker members of the Governing Body, as proposed by the Office. With reference to paragraph 8 of the document, he said that the lack of protection of the Worker members of the Governing Body and delegates to the Conference in the countries of which they were nationals could seriously restrict their freedom of expression and the exercise of freedom of association rights. The Workers' group therefore requested the Office to prepare a document for the November 2014 session of the Governing Body containing a detailed analysis of the issue and proposing, if necessary, an amendment to Annex I of the 1947 Convention. The Workers' group supported the draft decision as amended with that additional request.
- 535.** *The Employer coordinator* found that the proposal was clear and the proposed features and action appeared to be proportionate and reasonable. The group's only request was that the text proposed in paragraph 19 of the document for the back of the identification document should not include the words "including immunity of jurisdiction and inviolability of documents", as it was inappropriate to select those examples rather than others. The Employers' group strongly supported the draft decision and emphasized that it would be dismayed if the draft decision did not enjoy tripartite support, given that the card would be far more user-friendly, practicable and effective than the currently available document referred to in paragraph 2. It should have been created long ago.
- 536.** *Speaking on behalf of IMEC*, a Government representative of Canada said that IMEC supported, in principle, the issuance of an identification card to the Worker and Employer members of the Governing Body. Nevertheless, paragraphs 7 and 8 of the document were misleading. While all ILO member States should recognize that the bearers of the card are ILO Governing Body members, rights connected to Governing Body membership had to be granted by the 1947 Convention or other agreements. As to the text to be printed on the back of the document, IMEC proposed that the words "including immunity of jurisdiction and inviolability of documents" should be replaced with "in States that are parties to this Convention and have accepted Annex I". IMEC suggested that, if card holders left the Governing Body before the end of their term, they should be required to return the card immediately and the Office could declare the cards invalid. The Office had to be informed immediately if a card was lost or stolen. While the identification card could only have declaratory value, it would improve application of the legal protection provided by the 1947 Convention to the Worker and the Employer Governing Body members in States party to the Convention having accepted Annex I. The recognition of the identification document would be improved by broadly communicating its existence and design to all relevant actors. However, a concrete decision was first required on its design, the text it would contain and how it would be handled. IMEC therefore proposed that the draft decision should be amended to read: "The Governing Body requests the Office to present a revised proposal for the Governing Body member card for Worker and Employer members of the Governing Body at the 320th Session in March 2014."
- 537.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica noted that the identification card would be recognized only in States that had ratified the 1947 Convention or had signed a bilateral treaty with the ILO on the application of its provisions. Moreover, the relevant privileges and immunities would not be applicable in relation to the authorities of a State of which the person was a national. GRULAC proposed that a passport-size format should be used for the proposed identification document rather than a credit-card format, since it would otherwise be difficult to reproduce relevant provisions on the document. It was further proposed that an ILO telephone number should be printed on the card so that national authorities could rapidly

verify its authenticity and validity. With regard to the text proposed in paragraph 19, GRULAC suggested that the words “El portador” should be replaced with “El titular” and that the words “including immunity of jurisdiction and inviolability of documents” be deleted. Subject to these comments, GRULAC supported the draft decision but requested that the Office present a document for the final approval of the Governing Body at its March 2014 session.

- 538.** *Speaking on behalf of ASPAG*, a Government representative of Australia stated that the proposal still raised some outstanding issues and concerns, and that more time and information was needed for the group to consider the matter. Questions relating to travel and identification documents and to immunities and privileges were matters of State and required significant government consultation among ministries and departments. He therefore proposed that the draft decision should be amended to read: “The Governing Body requests the Office to provide further information and clarification in relation to privileges and immunities of the proposed identity card to the Governing Body at the 320th Session in March 2014 with consideration of this matter to be deferred until the 322nd Governing Body meeting in October/November 2014.”
- 539.** *Speaking on behalf of the Africa group*, a Government representative of Angola noted that the document did not indicate any urgency in respect of the issuance of a Governing Body member card. Similarly, it did not propose any action to be taken in connection with the 1970 Conference resolution. He noted that, according to section 17 of the 1947 Convention, the relevant privileges and immunities would not be enjoyed in the State of which the holder of the document was a national. Moreover, there could be legal problems if such a document was not issued on the basis of a legal agreement with ILO constituents. The Africa group therefore recommended that the legal and administrative implications of the identification document should be further clarified and the decision deferred to a future meeting of the Governing Body.
- 540.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica expressed support for the amended version of the draft decision proposed by ASPAG.
- 541.** *A representative of the Government of Egypt* considered that the matter needed deeper analysis and further clarity, as it raised important legal issues, including as to the purpose, scope and validity of the document, as well as to the competence of the Governing Body to decide on such a document, the obligations of States under the Convention and the scope of its Article V for the authorities of the State of which the members of the Governing Body were nationals. In light of the legal and administrative issues involved, Egypt supported the proposals of the Africa group and of ASPAG. In preparing a future document the Office would need to consult with the United Nations, identify if a similar practice was followed in other organizations, and address the questions raised during the debate. Consultations should take place with member States so as to facilitate the decision-making process.
- 542.** *A representative of the Government of India* supported ASPAG’s proposal. Noting that a large number of member States had not ratified the 1947 Convention nor had any other equivalent legal framework in place, he requested more information on measures that could be undertaken to foster the universal acceptance of the card, as well as to the text that could be incorporated for that purpose into bilateral agreements for countries that had not ratified the 1947 Convention. He questioned the necessity of the card and wished to know what difficulties had been faced in that regard in the past. He considered that more clarification and analysis were also necessary on the apparent inconsistency between paragraphs 8 and 14 of the document (referring to section 17 of the 1947 Convention), and recalled that the 1970 Conference Resolution concerning Freedom of Speech of Non-Governmental Delegates to ILO Meetings just affirmed the importance attached to

freedom of speech. He also acknowledged that it would be very difficult for the ILO to implement its mandate and core objectives in countries which did not abide with the 1947 Convention or had gaps in the implementation of legal protection mechanisms.

- 543.** *A representative of the Government of Trinidad and Tobago* supported GRULAC's statement and ASPAG's proposal for the decision point. Trinidad and Tobago was favourable to the issuance of a card to facilitate the execution of the duties of Employer and Worker representatives. However, a number of issues needed to be considered, as not all countries had ratified the 1947 Convention and, given the sovereignty of States in such matters, the applicable arrangements could vary among jurisdictions. The representative stated that the 1970 Conference Resolution was not binding and that the granting of privileges and immunities in relation to nationals would require an amendment of Trinidad and Tobago's national laws. He empathized with those requesting more time to study the matter, as the question fell outside the sphere of labour ministries, and asked about the role of the Governing Body and the Conference in the process. More dialogue and consultation were necessary.
- 544.** *A representative of the Government of Switzerland* supported IMEC's statement. Switzerland, which had a host country agreement with the ILO and had adhered to the 1947 Convention a little more than a year ago, appreciated the Office's efforts to ensure the privileges and immunities of the Organization. The speaker stressed that the new card would not work as an identity or travel document and that national identity documents and entry visas, where applicable, remained necessary. Moreover, the laissez-passer co-signed by the Swiss Mission and the Director-General would continue to exist alongside the new card produced by the Office.
- 545.** *A representative of the Government of the Islamic Republic of Iran* supported ASPAG's position and endorsed the statements of the Africa group, Egypt and India. A number of important questions remained to be addressed, in particular as to the application of privileges and immunities in relation to the authorities of a State of which the person is a national. The proposed arrangement could be duplicative and information was needed as to the cost implication and other details such as the period of validity, whether it would be a biometric document, or the means of verifying that the member was on an official ILO mission. Moreover, the ministries of foreign affairs and of the interior, as well as other organizations, would need to be involved in the process. More time was needed.
- 546.** *The representative of the Director-General* stated that the document that the Office would prepare for the next discussion of the item would take up all the concerns and questions raised by Governments, as well as the clarifications requested by the Workers' group on paragraph 8 of the document.

## **Decision**

- 547.** *The Governing Body deferred further consideration of this item until its next session.*

(GB.319/LILS/2/2, replaces paragraph 25.)

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## International Labour Standards and Human Rights Segment

### Fourth item on the agenda

#### Strengthening the ILO's standards system and its impact, including the follow-up to the 2012 ILC Committee on the Application of Standards

548. *The Director-General* emphasized that the issues under discussion were acknowledged by everybody as being of the utmost importance. They concerned questions that were of fundamental, and even existential, importance for the ILO and touched on the heart of the standards supervisory system. The 2008 ILO Declaration on Social Justice for a Fair Globalization recognized standards as a “unique advantage” of the ILO and called on the Organization to “promote the ILO’s standard-setting policy as a cornerstone of ILO activities by enhancing its relevance to the world of work, and ensure the role of standards as a useful means of achieving the constitutional objectives of the Organization”. Everyone was therefore acutely aware not only of the gravity of the unresolved matters, particularly since the 101st Session (2012) of the Conference, but also of the pressing need to find a way forward to reach consensus on those matters. In his Report to the Conference in 2013, he had suggested a “standards initiative” aimed at consolidating “tripartite consensus on an authoritative supervisory system” and enhancing “the relevance of international labour standards through a standards review mechanism”. He had also expressed the view that “the shared weight of responsibility to find solutions could hardly be clearer”.
549. Three conclusions could be drawn from that background: first, there were critically important matters that needed to be addressed with a degree of urgency; second, there was a shared common objective of having a strong, credible and authoritative standards system as a key to the achievement of the ILO’s constitutional objectives; and third, there was a shared responsibility to find a consensus and everyone was ready to make the necessary efforts and even compromises that that implied. The Governing Body was aware of the efforts already made to that end. Informal tripartite consultations had been held in February, followed by the so-called “Swiss Chalet Process”, under the good offices of the Government of Switzerland with the participation of representatives of the Employers’ and Workers’ groups. He wished to express appreciation to those who had contributed to such initiatives, and specifically to the Government of Switzerland for its generous facilitation of the consultations. Although not as much progress had been made along the road to solutions as would have been hoped, the time and the effort invested had not been wasted. They had allowed clarification of the points under discussion and understanding of divergent views and options. But it was now necessary to move forward more quickly and more decisively so that, as a minimum, a substantial degree of consensus could be achieved before the 2014 session of the Conference in areas where it did not yet exist.
550. He had sought to consult widely on the best way forward, and the question had been discussed at length by the Officers of the Governing Body. A draft decision had been prepared, as requested by the Officers, which was purely procedural, although it embodied three underlying thoughts: first, there was urgency, and the stated aim would be to submit concrete proposals to the Governing Body in March 2014; second, the process ahead needed to be fully tripartite and inclusive – all groups had crucial interests in it and contributions to make to it, which were indispensable; and third, it was for the Director-General to take direct responsibility for the ongoing process, in accordance with the

commitments he had made at the outset of his mandate and which naturally he stood ready to fulfil.

- 551.** *The Employer Coordinator* expressed appreciation of the good offices of the Government of Switzerland in facilitating the “Swiss Chalet Process”, which had allowed for the clarification of a number of issues under consideration. There was urgency to reach, by consensus, a decision with regard to the list of cases, the mandate of the Committee of Experts on the Application of Conventions and Recommendations and its interpretation of the right to strike.
- 552.** The institutional framework within which solutions were to be designed was clear. His group was in favour not only of the ILO standards system, as reaffirmed in the ILO Declaration on Social Justice for a Fair Globalization, but also of the full and efficient functioning of the supervisory mechanisms. Before the 103rd Session (2014) of the Conference, there was a need to have clarity, in particular with regard to the nature of the report of the Committee of Experts. The group was also very interested in the question of the balance between the supervisory mechanisms. That question required close examination in the light of new developments and current realities. From that perspective, the gradation of the constitutional procedures – namely those set out in articles 19–22, 24 and 26–33 of the Constitution – needed to be taken into account, as did the ultimate goal of achieving the proper implementation of international labour standards.
- 553.** The group reiterated its willingness to create opportunities for a constructive tripartite dialogue with respect to the right to strike and the ways to exercise that right, without prejudice to its position that it was a matter to be addressed under national legislation and practice. With respect to standards policy, it agreed with the Director-General that it was important to continue the examination of the standards review mechanism, as much remained to be done. It was open to exploring the possibility set out in article 37(2) of the ILO Constitution providing for a genuine, authoritative, internal interpretation mechanism in addition to the International Court of Justice. The group also reiterated its willingness: first, to engage in further dialogue on those issues and to seek consensus; second, to reaffirm its principles and convictions, which were genuine and constructive; and third, to seek solutions. The group supported the draft decision. In addition, it would be important for the Director-General and the Office to set an agenda outlining the way forward so that all the parties could prepare adequately.
- 554.** *The Worker spokesperson* recalled that, despite the fact that his group had not been at the origin of the conflict, it had always sought solutions, as it had, for example, during the two rounds of informal tripartite consultations held since June 2012 and during the “Swiss Chalet Process”. Although it had not resulted in solutions, the process had been useful in that it had given the social partners time to study all the pieces of the puzzle. He thanked the Swiss Government for its good offices. There had been no discussion of the right to strike during the “Swiss Chalet Process”. The discussion had focused on the fundamentals of the system, namely international labour standards and the supervisory system. In that regard, he reaffirmed that the search for solutions should not be focused on a single vision, but should encompass various options.
- 555.** The social partners had had the opportunity to provide information to governments about the situation, as all three groups of constituents should be part of the process. There was now a need to turn to a new methodology, as set out in the draft decision, which the group supported, subject to the deletion of the word “proper” in the second paragraph and the replacement of the word “required” by “and” in the last paragraph.



- 556.** *Speaking on behalf of IMEC*, a Government representative of Canada welcomed the draft decision and recalled that the IMEC governments placed a high level of importance on the ILO supervisory system, given the key role that it played in facilitating the implementation of, and adherence to, international labour standards with a view to improving working conditions throughout the world. IMEC was committed to facilitating the resolution of the issues that were creating the current difficulties surrounding the ILO supervisory system. Despite the smooth functioning of the Conference Committee on the Application of Standards in June 2013, there were matters that remained to be discussed and resolved. While appreciating the efforts made so far, IMEC recognized that there was a pressing need for substantive progress. The ILO supervisory system was a unique and essential element of the Organization's mandate and mission, and was often cited as being the most advanced and best-functioning one within the international community. It was imperative that issues relating to the functioning of the supervisory system should be dealt with openly and constructively so as to strengthen, rather than diminish, its effectiveness, credibility and prestige. The solution would require full tripartite participation and consensus, and the involvement of, and communication with, governments would henceforth be critical in resolving the outstanding issues. Notwithstanding the current challenges, the Employers', Workers' and Government groups had all steadfastly expressed their belief in, and support for, the ILO supervisory system. IMEC was encouraged by the unanimous support and looked forward to participating in the consultations that the Director-General would undertake personally, and which would have to involve all groups.
- 557.** *Speaking on behalf of ASPAG*, a Government representative of Australia reiterated ASPAG's support for a robust and effective ILO supervisory system, which was essential to encourage adherence in law and practice with internationally determined norms and values in the increasingly challenging and ever-changing world of work. ASPAG highlighted its support for the important roles played within the ILO supervisory system by the Committee on the Application of Standards and the Committee of Experts. With reference to the matters that had arisen during the Conference in June 2012, and particularly the opinions of the Committee of Experts, ASPAG remained committed to contributing to a resolution, in cooperation with the tripartite partners, and remained of the view that the matter would be resolved only through tripartite commitment and support. ASPAG appreciated that the social partners had sought some "time out" from tripartite discussions to build greater understanding and confidence in an informal atmosphere, but was disappointed that the talks had not made further progress in clarifying some outstanding issues. ASPAG was also mindful that time was passing by and that governments had an expectation that those matters would not interfere with the proper functioning of the Conference in June 2014. ASPAG was therefore willing to support and participate in the consultation process to be undertaken by the Director-General with a view to a detailed discussion taking place in March 2014 of proposals to resolve the outstanding matters. ASPAG reaffirmed its resolve to ensure that the ILO supervisory system operated effectively and in the interests of all those who needed and benefited from it.
- 558.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania said that the following countries aligned themselves with the statement: Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Republic of Moldova, Armenia and Georgia. The EU and its Member States had followed with great attention the informal bipartite discussions to improve the functioning of the ILO supervisory system and thanked all those involved, in particular the Swiss Government. They attached great importance to the proper functioning of the Conference Committee and the need for the impartial supervision of the implementation of international labour standards. The ILO supervisory system contributed not only to the implementation of labour standards, but also to the promotion of universal human rights,

whether civil and political or economic, social and cultural. The ILO supervisory system was important also because EU policies and law made reference to ILO standards and their supervision, and the ratification and effective implementation of core ILO labour standards was promoted by the EU. They therefore strongly supported the direct and active involvement of the Director-General in finding a long-term and durable solution to the problem through a process that should fall within the following parameters: it should be in the framework of the ILO Constitution; it should involve all the tripartite constituents – employers, workers and governments; and it should take into consideration the time concerns, bearing in mind that continued delay threatened the credibility of the supervisory system.

- 559.** *Speaking on behalf of the Africa group*, a Government representative of Botswana reiterated the full commitment of the Africa group to reforms aimed at strengthening the supervisory system. The group held the system in high esteem, as it played a key role in enhancing compliance with international labour standards. Noting the recent consultations in September 2013 and the commitment of the Director-General to ensuring that the consultation process continued, the group called for the full participation of governments in the process to resolve the matter with the urgency it deserved and with a view to reaching consensus to enhance the integrity of the supervisory system and strengthen its role in addressing the social problems of the modern world.
- 560.** *A Government representative of Japan*, while supporting the statements by IMEC and ASPAG, expressed concern at the slow progress of the consultations between the Employers' and Workers' groups and the fact that consensus had not yet been reached. The standards system was the most fundamental function of the ILO and it would be fatal if it did not operate properly, as the whole system for the appropriate application of standards would be jeopardized. Furthermore, the ILO had been entrusted by the international community, as reaffirmed by the 1996 Ministerial Conference of the World Trade Organization (WTO) in Singapore, with the role of dealing with international labour standards. That had led to the adoption of the 1998 ILO Declaration on Fundamental Principles and Rights at Work. In that context, it was necessary to support the initiative of the Director-General to ensure that the ILO fulfilled that role effectively.
- 561.** *A Government representative of the Russian Federation* welcomed the readiness of the Director-General to take the necessary measures to seek a solution to the current problems, based on consultations with all the groups. It was hoped that in March 2014 the Governing Body would be able to consider a draft decision that would ensure that disagreements that were detrimental to the Organization did not resurface during the 2014 session of the Conference. It was of particular importance to ensure the proper functioning of the ILO supervisory system with a view to guaranteeing labour and social rights throughout the world. He noted the effective operation of the Committee of Experts and welcomed the readiness of the Employers' and Workers' groups to participate in dialogue, which it was hoped would strengthen rather than weaken the standards system.
- 562.** *A Government representative of France*, in expressing support for the statements made by IMEC and the EU, emphasized that the ILO supervisory system was an essential element of international economic and social governance and a core function of the ILO. She thanked the Swiss Government for its support for the consultation process. In the coming months, the Director-General would be able to build upon the work that had been undertaken over the past year. All the elements of the debate were now well identified and the parties had all expressed the intention of reaching consensus within the framework of the ILO Constitution. France, which had put forward proposals with a view to strengthening the ILO supervisory system and improving tripartite ownership, would do its best to facilitate consensual solutions under the auspices of the Director-General.

563. *The Employer coordinator* agreed that progress had been made in the dialogue and in understanding the basis on which the current complex discussion was taking place. It had been necessary for the social partners to engage in bilateral consultations to clarify issues as a prelude to tripartite discussions. His group was confident that urgent and necessary measures could be taken as there was a shared purpose, even though issues remained to be addressed within the constitutional framework. In a spirit of compromise, the Employers' group could accept the changes to the draft decision proposed by the Workers' group.
564. *The Worker spokesperson* welcomed the statements made by Government representatives in which they had emphasized the necessity and quality of the ILO supervisory system. He agreed that a certain amount of progress had been made during the consultation process, even though the results were not yet visible. He welcomed the agreement reached on the continuation of the process.

## **Decision**

565. *The Governing Body took note of the information made available to it on the informal discussions which had taken place between representatives of the Employers' and Workers' groups on principles to improve the functioning of the ILO supervisory system through the good offices of the Government of Switzerland (the "Swiss Chalet Process"). It further recalled the informal tripartite consultations that had been convened in September 2012 and February 2013 and reported to the Governing Body at its 317th Session in March 2013, and recognized that the Committee on the Application of Standards had been able to complete its work at the 102nd Session (2013) of the International Labour Conference.*
566. *Despite the efforts made to date, which had allowed the clarification of a number of issues under consideration, the Governing Body underlined the pressing need for substantive progress to be made on matters which were of fundamental importance to the functioning of the ILO supervisory system in advance of the 103rd Session (2014) of the Conference.*
567. *The Governing Body therefore instructed the Director-General to undertake, as a matter of priority, consultations with all groups with a view to the submission to the Governing Body at its 320th Session (March 2014) of concrete proposals that address the main issues which are outstanding in relation to the supervisory system. In so doing, it underlined the importance of full tripartite participation in the process as key to the building of tripartite consensus and to maintaining the strength and authority of the system.*

## **Fifth item on the agenda**

### **Entry into force of the Maritime Labour Convention, 2006 (MLC, 2006) (GB.319/LILS/5)**

568. *A representative of the Director-General (Director, NORMES) recalled that, to date, 47 member States, representing over 75 per cent of the world's gross tonnage of ships, had registered ratifications of the Maritime Labour Convention, 2006 (MLC, 2006). Four more ratifications had been received, but had not yet been registered, pending receipt of*

information on the social security coverage of seafarers. The MLC, 2006, was a comprehensive instrument that consolidated 68 existing international maritime labour standards and introduced new approaches to ensure decent working and living conditions for seafarers and a level playing field for quality shipowners. She described the innovations introduced by the Convention in terms of the design and structure of its legal provisions, the system of the certification of ships, the tacit amendment procedure, and the flexibility as to the means of implementation. Those new concepts and approaches could be considered in future ILO standard-setting activities. The Office was providing technical assistance to member States for the widespread ratification and effective implementation of the MLC, 2006, including training and capacity-building courses and workshops and legal gap analyses, and numerous tools were being developed, such as the “Frequently Asked Questions” publication, handbooks, guidelines and the MLC, 2006, database. Concerning the Special Tripartite Committee, another unique feature of the Convention, she indicated that, having formally established the Committee in June 2013, the Governing Body should now confirm the dates of its first meeting as being from 7 to 11 April 2014 and adopt its agenda, the process for appointing the Chairperson and additional Shipowner and Seafarer representatives, and the procedure for inviting other organizations or entities to be represented on the Committee by observers. She indicated that the nominations for Shipowner and Seafarer representatives had been received.

**569.** *The Worker spokesperson* welcomed the entry into force of the Convention and noted the significant increase in the level of ratification over the past year. He welcomed the amount of resources allocated by the Office for the promotion of the Convention, the number of materials produced, and the training delivered, observing that insufficient ratification of an ILO instrument could be attributed to the absence of its promotion by the Office. The Workers’ group also welcomed the emphasis on implementation, including on building the capacity of maritime labour inspection systems, which was a key element. The success of the MLC, 2006, was important to the whole ILO. Sustainable funding from the regular budget of the Organization should, therefore, be allocated to enable the Convention to achieve its full potential and its Code to be amended to reflect the changes in the shipping industry. As the implementation of the MLC, 2006, by port State control officers was also important, he expressed satisfaction with the number of vessels that had been prevented from leaving port for reasons of non-conformity with the Convention. The Workers’ group endorsed the draft decision in paragraph 29 of the document.

**570.** *The Employer coordinator* said that the MLC, 2006, would be a helpful model for other ILO standard-setting activities. In addition, the Special Tripartite Committee was relevant as it would consider proposals for amendments to the Code of the MLC, 2006, in accordance with Article XV of the Convention. The existence of such a Committee further demonstrated the need for a general mechanism to monitor on a continuous basis the working of standards, which could take the necessary action to ensure their relevance, and served as a reminder of the concerns over the external credibility and relevance of labour standards that had arisen in the absence of a standards review mechanism. He agreed with all the points of the draft decision but sought clarifications with respect to paragraph 29(d), concerning the appointment and funding of the participation of additional Shipowner and Seafarer representatives on the Special Tripartite Committee. He also wished to know whether the voting mechanism would be adjusted in the event that members were unable to attend.

**571.** *Speaking on behalf of the Africa group*, a Government representative of Botswana commended Liberia and Togo, which had ratified the MLC, 2006, as at 20 August 2012. He also commended the 16 additional African countries that had since registered ratifications, and the progress made by other African countries towards ratification. The five-year plan of action for the Convention’s rapid and widespread ratification had been a success, given the number of registered ratifications. He noted the Office’s focus on the

capacity building of maritime labour inspection systems in flag and port States through tripartite workshops. The Africa group welcomed the fact that the agenda of the Special Tripartite Committee would include an exchange of information related to the implementation of the Convention, which would undoubtedly enhance the effectiveness of the Convention. It supported the draft decision in paragraph 29 of the document.

- 572.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania said that the following countries aligned themselves with the statement: Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Republic of Moldova and Armenia. Noting the importance of the MLC, 2006, she recalled the bipartite agreement and legislative instruments at the European level that had been adopted or were being considered in order to implement the Convention, the provisions of which were even more favourable than the Convention. Nineteen EU Member States had so far ratified the Convention and there were good prospects for ratification by the remaining countries, apart from landlocked States. The EU had supported and contributed, financially and otherwise, to the ILO work on the Convention from the outset. It shared the views expressed in the Office document that the lessons learned from the innovative design of the Convention could be applied to other international labour standards. The EU supported the convening of a meeting of the Special Tripartite Committee, and requested that the EU should be invited to attend. The EU supported the draft decision in paragraph 29 of the document.
- 573.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica noted that the entry into force of the MLC, 2006, created a reporting obligation for ratifying Members and permitted port State control, irrespective of whether the flag States concerned had ratified the Convention. The Convention was also the first international labour standard that imposed on flag States the obligation to certify living and working conditions on board ships. Concerning the first meeting of the Special Tripartite Committee, the Governing Body needed to approve the nomination of additional Shipowner and Seafarer representatives, confirm the dates proposed and adopt the agenda of the meeting. In that connection, GRULAC supported the draft decision in paragraph 29 of the document.
- 574.** *A Government representative of Italy* stated that the parliamentary approval of the ratification of the MLC, 2006, had been published in Italy's *Official Gazette* on 24 October 2013, and that steps were now being taken for the preparation and deposit of the formal instrument of ratification.
- 575.** *A Government representative of Bulgaria* said that while the MLC, 2006, had entered into force for Bulgaria on 20 August 2012, his country faced difficulties in adopting national requirements for the training and certification of ships' cooks, as there was not yet a "model course". More detailed training programmes and requirements for the qualifications of trainers and for training facilities would ease the application of the Convention. The *Guidelines on the medical examinations of seafarers*, jointly developed by the ILO and the International Maritime Organization (IMO), were a useful example in that respect. With regard to certification, the same approach could be adopted as the one under the IMO's International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (the STCW Convention), which prescribed the form and content of certificates. He welcomed the ILO database on the application of the MLC, 2006, and recommended that additional information should be added for users, such as information on the competent authorities and shipowners' and seafarers' organizations of ratifying States that could be contacted in case of queries or complaints. His Government supported the draft decision in paragraph 29 of the document.

- 576.** *A Government representative of Germany* concurred with the statement made on behalf of the EU and its Member States. The Convention was not only a political success, but also set new standards with regard to the quality of the technical work of the ILO. Germany had ratified the Convention in August 2013, adjusted its maritime labour legislation to the new requirements and ensured that international competition for seaborne trade would not diminish the working and living conditions of seafarers.
- 577.** *A Government representative of Indonesia* referred to the national maritime legislation and stated that such legislation was, in part, in line with the requirements of the MLC, 2006. His Government was currently in the process of ratifying the Convention and was conducting awareness programmes in that connection, but further procedural steps were needed. In that regard, his Government would welcome any technical assistance that the Office could offer.
- 578.** *A Government representative of Panama* echoed the comments made on behalf of GRULAC. The entry into force of the MLC, 2006, presented a challenge for his Government, as, in addition to being the world leader in ship registration, Panama was also a port State that had to inspect standards on board foreign-flagged ships. He referred to the extensive national and international activities in law and practice that the Government had undertaken since ratifying the Convention, and noted that national laws had been amended to align them with the provisions of the Convention. A computerized system had been established by the Panama Maritime Authority to provide information and services to users worldwide. In addition, numerous inspectors had been trained and it was hoped that Panama could continue to actively participate in training activities, including training of foreign maritime administrations. His Government supported the draft decision in paragraph 29 of the document.
- 579.** *A Government representative of India* elaborated on the legislative and practical measures taken by India as a flag State, a port State and the world's second largest seafarer-supplying country. The ratification of the MLC, 2006, had been approved on 3 July 2013. His Government expressed support for the draft decision in paragraph 29 of the document.
- 580.** *A Government representative of Japan*, recalling that his country had registered its ratification in August 2013, expressed the hope that additional countries would ratify the Convention so that seafarers, shipowners and other stakeholders in the maritime industry would benefit.
- 581.** *A Government representative of China* noted that, although his country had not yet ratified the MLC, 2006, discussions and preparations for its ratification were under way. He expressed the hope that his Government could attend the first meeting of the Special Tripartite Committee as an observer.
- 582.** *The representative of the Director-General* answered the questions raised by the Employer coordinator. Concerning the voting arrangements in the event of absent Shipowner and Seafarer representatives in the Special Tripartite Committee, Article XIII(4) of the MLC, 2006, provided that a weighted system would be used. That provision was also contained in article 13(1) of the Standing Orders of the Special Tripartite Committee. In response to the question concerning the funding arrangements for Shipowner and Seafarer representatives on the Special Tripartite Committee, she explained that the Governing Body had decided to cover the expenses of 15 representatives from shipowners' and seafarers' groups. Those representatives should be nominated by each group and their names should thereafter be communicated to the Office so that invitation letters could be sent. All member States that had ratified the MLC, 2006, would automatically be members of the Committee with voting rights, while non-ratifying member States could participate as observers without the right to vote. She added that the Office would continue to provide

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technical assistance, such as supporting the first legal workshop on the MLC, 2006, for francophone African States, to be held in Senegal in December 2013.

**583.** *The Employer coordinator* expressed his group's agreement with the draft decision in paragraph 29 of the document.

### **Decision**

**584. The Governing Body:**

- (a) took note of the information in the introduction and Part A of document GB.319/LILS/5;*
- (b) decided to convene a meeting of the Special Tripartite Committee in Geneva from 7 to 11 April 2014;*
- (c) adopted the Committee's first agenda as proposed in the appendix to document GB.319/LILS/5;*
- (d) appointed to the Committee, having consulted the Joint Maritime Commission in accordance with Article XIII, paragraph 2, of the MLC, 2006, the additional Shipowner and Seafarer representatives in accordance with article 4, paragraph 3, of the Standing Orders of the Committee;*
- (e) requested the Director-General to address an invitation to all ratifying Members and Shipowner and Seafarer members appointed to the Special Tripartite Committee; and*
- (f) delegated decisions relating to the appointment of the Chairperson of the Committee, and other matters that may arise related to the convening of the meeting, including invitations to observers, to the Officers of the Governing Body.*

(GB.319/LILS/5, paragraph 29.)

## **Programme, Financial and Administrative Section**

### **Programme, Financial and Administrative Segment**

#### **First item on the agenda**

#### **Programme and Budget for 2012–13**

#### **Regular budget account and Working Capital Fund (GB.319/PFA/1)**

- 585.** *A representative of the Director-General (Treasurer and Financial Comptroller) indicated that, since the publication of the document, 34.2 million Swiss francs (CHF) had been received from 18 member States. Further details are reported in Appendix I.*
- 586.** *The Worker spokesperson noted the year-on-year increase in the number of governments that had not paid their contributions reported in the document. He thanked the governments that had subsequently made payments and hoped that others would follow suit before the end of the financial year. The Workers agreed with the draft decision.*
- 587.** *The Employer coordinator indicated that his group was in agreement with the draft decision.*
- 588.** *Speaking on behalf of the Africa group, a Government representative of Zimbabwe commended the member States that had already paid their contributions for 2013. Despite the financial challenges affecting the global economy, the group encouraged the timely payment of contributions, which allowed the Office to remain viable and meet constituents' needs, especially at a time of financial uncertainty and restrictions. The Africa group supported the draft decision.*
- 589.** *A Government representative of Algeria indicated that his country had paid its contributions in September 2013.*

#### **Decision**

- 590.** *The Governing Body delegated its authority under article 16 of the Financial Regulations by requesting the Director-General to submit proposals for any necessary transfers within the 2012–13 expenditure budget to the Chairperson for approval, prior to the closing of the biennial accounts, subject to confirmation of such approval by the Governing Body at its 320th Session (March 2014).*

(GB.319/PFA/1, paragraph 11.)



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## Second item on the agenda

### Steps towards a new Strategic Policy Framework

(GB.319/PFA/2)

- 591.** *The Employer coordinator* welcomed the paper, recalling that his group had consistently asked for work on the new Strategic Policy Framework (SPF) to start early and to involve constituents closely. The discussion on the SPF was a key priority for his group as it would determine ILO policy approaches over a period of six years. The debate on the ACIs in the context of the Programme and Budget for 2014–15 had indicated that the space for reform was limited by the existing SPF. The new SPF would enable a better prioritization of the work of the Organization. Among the weaknesses identified in the current SPF, the 19 outcomes did not provide any focus. Also, measurement criteria did not provide an adequate reflection of the quality, cost and scale of interventions. External advice should be sought to improve ways of measuring ILO action, both in qualitative and quantitative terms. The new SPF should reflect findings and recommendations of recent high-level evaluations, lessons learned through ILO work in the field and experience from the ACIs. Regarding the option in paragraph 14(c) to postpone a new SPF to 2018, he inquired as to what ILO planning document would cover the period 2016–17 and requested the Office to outline the implications of a stand-alone programme and budget document. The question of the length of the SPF could only be settled once issues of focus and content had been resolved. A four-year cycle had merit as it would allow the Organization to adopt the new strategic planning on new priorities and improve the current SPF. He supported the timeline proposed for the preparation of the new SPF and the holding of consultations to that end, provided that travel costs for the team members were covered to enable wide and adequate participation.
- 592.** *The Worker spokesperson* stated that a new SPF should provide a clear and strategic vision of the ILO's direction in view of current challenges in the world of work. The new SPF should reflect the Organization's added value: the ratification, implementation and development of international labour standards, social dialogue and tripartism. Capacity building for constituents was an important related element. The ILO Declaration on Social Justice for a Fair Globalization continued to provide the key framework for the next SPF. Its full potential was yet to be realized but the next SPF offered an opportunity for progress by focusing on the four strategic objectives and on policy coherence. The Declaration reaffirmed the ILO's constitutional mandate "to examine and consider all international economic and financial policies in the light of the fundamental objective of social justice", requiring the Office not only to communicate with other parties in the multilateral system but to comment more actively on their policies, as a means of incorporating the Decent Work Agenda in their strategies and practices. That was particularly important in the context of the crisis and of the development of a post-2015 development agenda. A new SPF provided a focus for ILO action and the key challenge would be to find a balance between the need to prioritize and a "pick-and-choose" exercise with the components of the Decent Work Agenda. In that light, he asked for clarification regarding paragraph 10 concerning the statement "achieving a limited number of Organization-wide outcomes rather than a longer list of specific dimensions of the Decent Work Agenda". While the 19 outcomes might not be retained, it was not possible to do away with key elements of the Decent Work Agenda. Work on the four strategic objectives was needed to transform what was still perceived as a concept on paper into reality. The impact of the ACIs should be assessed to see if they had met their intended purpose and that should, in turn, inform the next SPF. Another related question was the linkage between the SPF and the seven centenary initiatives.

- 593.** The Workers saw the potential value of a four-year cycle for 2016–19, given that the current six-year cycle might have limited flexibility to accommodate evolving needs. The Office needed to adapt better its priorities to the guidance provided by the Governing Body and the International Labour Conference, notably regarding follow-up to recurrent item discussions. While welcoming the Office’s commitment to consultations, he asked for clarification regarding the reference to consultation with ILO donors. Although it was important to ensure adequate financing, priorities should first be set democratically by the Governing Body. The Workers also expected the ILO field review to provide many more linkages between priorities identified in the SPF and the programme and budget and regional priorities, and they wished to see qualitative as well as quantitative analysis. The Workers also wished to know which technical experts the Office had in mind in paragraph 16. Furthermore, given the importance of the consultation exercise, they asked that the item be included in the agenda of the March 2014 Governing Body to provide guidance to the Office on progress.
- 594.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe regretted that limited flexibility had “straightjacketed” the ILO’s interventions and reaction to emerging needs. The contents of a future strategic plan should address the ACIs prioritized by the Governing Body and should avoid focusing on too many areas. The Africa group supported the UN General Assembly’s recommendation to align budgeting cycles with the Quadrennial Comprehensive Policy Reviews (QCPRs), which would enhance “One UN” action and delivery across agencies. The group was in agreement with the methodology proposed for collecting information. While informal consultations with tripartite constituents and the donor community were important, the Office should also draw on monitoring and evaluation documents on the implementation of DWCPs, as well as on lessons learned. Regarding the point for guidance, his group considered that it was the right time to begin consultations on the new SPF; it supported a four-year cycle and agreed with the proposed timeline for preparing the new SPF and with the proposed consultations.
- 595.** *Speaking on behalf of ASEAN*, a Government representative of Viet Nam underscored the reasons why the ILO should proceed to the preparation of a new SPF, notably: to address a number of weaknesses; to align itself with the common goals of the UN system; and to achieve the MDGs relating to its mandate and align itself with the UN post-2015 objectives. The new SPF should focus on key results, bearing in mind the limitations in financial and human resources. There was a need to focus on decent work, productive employment, social protection floors and poverty elimination. ASEAN noted the Office’s initiative to strengthen work on research and statistics by establishing a Central Research Department. However, uncertainties and changes in the global economy and labour market posed significant challenges for long-term forecasts. The group favoured the option of a four-year cycle. The ILO should organize informal and formal consultations with all stakeholders, in particular regional and country offices and tripartite constituents. ASEAN member States would welcome any opportunity to contribute to that process.
- 596.** *Speaking on behalf of IMEC*, a Government representative of the Netherlands noted that, irrespective of its merits, the current SPF was the product of a different phase of the Organization. A new SPF should focus on a more limited set of Organization-wide outcomes, and should provide a clear and concise framework assisting the ILO to better deliver on decent work, by focusing on outcomes rather than activities. While the new SPF should be simpler, it should still focus on the ILO’s added value and should provide for a basis for implementation and monitoring, serving as a document from which other ILO strategies and plans logically flowed. Relevant governance instruments needed to be taken into account in the development process. IMEC wished to know how the biennial programme and budget, the four pillars of decent work, the seven century initiatives and the eight ACIs would be linked to the next SPF. The Office should provide a clear

overview of the ILO's "chain of governance" at the following Governing Body session. Such an overview should also include how the Office saw the role of DWCPs in the SPF and any possible changes to the ILO field structure which would impact the SPF. Furthermore, the International Training Centre in Turin should be involved in the elaboration of the new SPF.

- 597.** The ILO was encouraged to align its planning and budgeting cycle with the QCPR cycle as soon as practically possible. The speaker elaborated on the options presented in paragraph 14: option (a) was not preferable as it would put the ILO out-of-sync with other UN agencies and would not allow for incorporating the recommendations of the current QCPR. Option (b) might be considered, provided that it was followed by four-year cycles to align the SPF with the QCPRs in the medium term. However, a six-year SPF might be too long and inflexible, and would not allow the recommendations of the current QCPR and post-2015 agenda developments to be taken into account. Option (c) would allow for rapid harmonization with other UN agencies but would introduce a 2016–17 programme and budget falling outside a strategic umbrella. He asked the Office to indicate how a sui generis set of indicators would be developed, including the costs attached to that process, and how they would work in practice. He also asked the Office to comment on the planning and cost implications of two further options. The first was to extend the current SPF to the end of 2017, which would require additional work to adjust specific targets. The second option would be to develop a skeleton SPF for 2016–17 that would form the basis of the fully-fledged SPF for 2018–21. That would allow the results of the current QCPR and the post-2015 development agenda to be taken into account and would enable the ILO to align its cycle with other UN agencies by 2018. However, it would require the negotiation of a new SPF in the near future, as well as follow-up negotiations in 2016 and 2017. The Office's views were sought on the planning and cost implications of these two additional options. Regarding the point for guidance, before starting preparations on the new SPF, more information was needed on the advantages and disadvantages of the different options available. IMEC requested the Office to provide a follow-up paper for discussion at the March 2014 Governing Body session.
- 598.** *A Government representative of Indonesia* supported the ASEAN statement. In view of the QCPR adopted by the UN General Assembly, the ILO should consider adopting a four-year cycle for its SPF to align itself with other UN agencies, thereby enhancing the coherence, effectiveness and accountability of the UN system.
- 599.** *A Government representative of China* said that the end of the current SPF and the Director-General's reforms created ideal conditions to begin the development of a new SPF. A four-year cycle would allow the ILO to meet the needs of member States and align itself with the UN system. China supported the adoption of the new SPF in March 2015. The ILO's limited resources should be focused on a limited number of outcomes. Promoting full consultation was a key element in developing the new SPF.
- 600.** *A Government representative of Mexico* said that, in accordance with UN General Assembly Resolution 63/232 and the recommendations of the Joint Inspection Unit (JIU), the ILO should align itself with the QCPR cycle. Her Government was in favour of a four-year cycle starting in 2016. The new SPF should be a flexible document that could be adapted to the direction established by the QCPR and the changing needs of the world of work. Mexico could support the provisional time frame for the preparation of the new SPF, which should however include clear provisions for consultations in the context of the next regional meetings.

- 601.** *A Government representative of India* pointed out that the ILO's strategic mandate on labour standards had been overtaken by a number of organizations including the OECD, the ISO and the Economic and Social Council (ECOSOC). The ILO needed to be more flexible, dynamic and research-oriented to meet new challenges. It was a good time to develop a new SPF, given the limited flexibility of the current results-based framework. A shorter and more flexible SPF cycle, with a more research-oriented action plan, would enable the ILO to retain its eminent role in the world of work. He objected to the reference to consultation with donors, indicating that the strategic plan should reflect the needs of ILO constituents, rather than the capacity of donors. His country supported adopting a four-year cycle and the proposed timeline for preparing the new SPF.
- 602.** *A Government representative of Brazil* supported the point made by the previous speaker concerning consultation with donors.
- 603.** *A representative of the Director-General* (Director, Strategic Programming and Management Department (PROGRAM)) confirmed that the ILO was taking the advice of external experts in the preparation of the new strategic plan, especially with a view to drawing lessons from current experience in the UN system and to improving the current ILO measurement framework. With regard to the planning document that would cover the period 2016–17 in the event that option (c) in paragraph 14 was retained, two alternatives could be considered: either to extend the timeline of the current SPF by two years, or to complement the Programme and Budget for 2016–17 with a sui generis measurement framework in anticipation of the development of a complete measurement framework in 2018. Although constituents had indicated a preference for a four-year cycle, as opposed to a six-year one, views were divided about the start date of the new strategic plan. A number of delegations had advocated support for alignment with the QCPR review cycle and at the same time a start date of 2016, yet it was not possible to have both options. As for the role of donors, they contributed one third of the ILO's total resources and, as important partners of the ILO, could express views on what the ILO might best be doing in the future. When drafting strategic plans, broad consultations tended to be useful, but they would not reduce the Governing Body's prerogative to make decisions on the Organization's strategic priorities.
- 604.** *The Worker spokesperson* requested confirmation that the current item would be revisited at the March 2014 session of the Governing Body. Although it might be useful to align ILO planning and budgeting with the QCPR cycle, more information was required on the benefits and implications of doing so. He acknowledged that donors were vital to the process but stressed the importance of the correct sequencing of processes involving donors: the strategy should be agreed through a democratic and tripartite process and then presented to donors, not vice versa.
- 605.** *The representative of the Director-General* confirmed that, should the Governing Body so decide, a follow-up paper would be presented to its next session in March 2014.

## **Outcome**

- 606.** *The Governing Body wished to give further consideration to the question of a new SPF at its 320th Session (March 2014) on the basis of a paper from the Office that would provide additional information on the implications of shifting to a four-year strategic plan and alignment with the UN recommended cycle.*

(GB.319/PFA/2.)

## Third item on the agenda

### Proposed 2014–15 budgets for extra-budgetary accounts

#### International Occupational Safety and Health Information Centre (CIS) (GB.319/PFA/3/1)

- 607.** *The Worker spokesperson* expressed appreciation for the work of the CIS in disseminating knowledge on OSH issues and its establishment of the global database on legislation relevant to that topic. Noting the significant reduction in extra-budgetary income as a proportion of the CIS budget, his group supported the draft decision in paragraph 6 of the document, authorizing the Director-General to manage the CIS extra-budgetary account, but recommended that a rights-based approach be given priority in the funding and that information on the CIS be regularly included in the implementation report as part of reporting on outcome 6.
- 608.** *The Employer coordinator* expressed support for the draft decision.
- 609.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe expressed concern that transferring the CIS's functions and responsibilities to the new Governance and Tripartism Department (Governance) could lead to some of the Centre's more critical issues being overlooked. Further explanations would also be welcome as to why the biennial budget for the CIS extra-budgetary account would no longer be submitted to the Governing Body but would instead be placed at the discretion of the Director-General.
- 610.** *A representative of the Director-General* (Director, Governance and Tripartism Department (GOVERNANCE)) said that the Director-General had emphasized the need to ensure more consistency and greater impact for the Organization's actions. The reforms would allow the CIS to operate in a broader framework, including the collection and dissemination of information on OSH, without losing its effectiveness. The reason for placing the CIS budget at the discretion of the Director-General was that almost all of its funds came from the Office, and not from external budget donations.

#### Decision

- 611. The Governing Body:**
- (a) *noted the decision of the Director-General to integrate the former activities of the CIS into the reformed structure of the ILO;*
  - (b) *decided to no longer require the submission of biennial budgets of the CIS extra-budgetary account; and*
  - (c) *authorized the Director-General to use at his discretion the remaining funds available in the CIS extra-budgetary account and any future extra-budgetary income received to promote and enhance the OSH activities of the ILO.*

(GB.319/PFA/3/1, paragraph 6.)

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## Inter-American Centre for Knowledge Development in Vocational Training (CINTERFOR) (GB.319/PFA/3/2)

- 612.** *An Employer member from Ecuador* underscored the role of the network of vocational training institutions, coordinated by CINTERFOR, which enabled hundreds of vocational training professionals to share their experience and knowledge with the ILO and its Members. A clear example of the practical and rapid return for the Organization was the transfer of the National Industrial Apprenticeship Service (SENAI) model for forecasting labour requirements in the medium term – a model first transferred in Central America in 2012. The Centre’s knowledge management platform had also been crucial in incorporating the dissemination, interaction and collective building of knowledge, including through its tools and teaching materials, but he wished to know whether the Regional Office planned to enhance the platform and facilitate access for other continents. With regard to micro-, small and medium-sized enterprises, CINTERFOR had created learning capsules under the Avanza System to facilitate the measurement and improvement of productivity and sustainability. He asked what role CINTERFOR would play in the Regional Programme for the Promotion of Formalization (FORLAC). Lastly, he called upon CINTERFOR to focus resources on fostering PPPs that might extend vocational training programmes to the formal economy.
- 613.** *The Worker spokesperson* said that in November 2011, the Workers’ group had requested that vocational training be linked to the Decent Work Agenda and that collective bargaining and freedom of association be recognized as integral elements of decent employment and vocational training. Given that Appendix III lacked a section on the vocational training clauses in collective bargaining, he asked how CINTERFOR planned to integrate those elements in the forthcoming biennium. Additional information would also be welcome on the extent to which the System for Integrated Measurement and Improvement of Productivity (SIMAPRO) had improved working conditions – the Workers’ group had often expressed fears that it focused too much on productivity. He asked whether initiatives to improve the quality of on-the-job training had been incorporated into broader strategies aimed at formalizing the informal economy. In the context of increasing consensus for vocational training covering technology, education and social dimensions, he expressed concern that CINTERFOR did not address the social dimensions sufficiently, not least in micro-, small and medium-sized enterprises. The lack of participation by trade unions in many of the Centre’s cooperation activities was of particular concern. Better coordination with ACTRAV would help to mainstream workers’ priorities in the Centre’s activities and ensure greater union participation, while working in a tripartite context could improve the Centre’s work at the regional level. The abolition of a post in the library, without dialogue and consultation with management and staff at CINTERFOR, was also a cause for concern. While agreeing with the draft decision, he expected the concerns raised to be addressed in the next biennium.
- 614.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica expressed the group’s firm support for the proposed budget for CINTERFOR and its gratitude for the US\$50,000 contribution by the host country. The figures for the 2012–13 biennium were evidence of the enormous potential for national and international support in the area of technical cooperation. The Centre had played an essential role for over half a century in supporting the Office, not least through its contribution to the 2010–15 SPF. The Programme and Budget for 2014–15 had made a specific reference to the Centre’s promotion of SSTC. Given the major employment challenges faced by Latin America and the Caribbean, especially in the area of youth employment, it was essential that

CINTERFOR continued to promote vocational training and served as a model worldwide for initiatives concerning technical education, vocational training and labour.

- 615.** *A representative of the Director-General* (Regional Director, ILO Regional Office for Latin America and the Caribbean) said that the time was ripe for CINTERFOR to assess and draw lessons from its achievements over the previous 50 years. The future should involve a more holistic approach in which the knowledge management platform and network of vocational training institutions and programmes should be enhanced, while technical capacity would be used to bridge the gaps in countries between areas where training was required and strategic areas for economic development. A key area would be to boost the participation of workers, employers and governments in a reinvigorated social dialogue process.
- 616.** Another key component was the inclusion in the strategy of SSTC and the rich experience to be gained from the vocational training institutions at the governmental and private levels. That accumulation of knowledge would be a fundamental pillar of the programme, especially for young people, of whom six in every ten in the region worked in the informal economy.

### **Decision**

- 617.** *The Governing Body approved the income and expenditure estimates of the CINTERFOR extra-budgetary account for 2014–15, as set out in Appendix I of document GB.319/PFA/3/2.*

(GB.319/PFA/3/2, paragraph 16.)

## **Fourth item on the agenda**

### **Building questions**

#### **Headquarters building renovation project**

(GB.319/PFA/4)

- 618.** *A representative of the Director-General* (DDG/MR), stressed that GB.319/PFA/4 was intended solely to alert members to the variety of options and issues associated with the renovation project, but decisions on how to progress further would not be made until March 2014. The three options available were: to retain the 2010 original estimate of CHF203.4 million – with the implication of an approximately 25 per cent reduction in the scope of the work; to revise the estimate to some CHF262 million to reflect essential environmental and safety conditions and other work underestimated in 2010; or to revise the estimate to some CHF273 million to also include additional beneficial, but non-essential, changes.
- 619.** *The Worker spokesperson* said that it was essential in light of the huge amount of money at stake and the challenges of the renovation work, to be able to count on maximum technical competence on the part of the Project Manager and the pilot as well as oversight by the Office and the Governing Body. He reiterated the group's request that the Swiss social partners should be involved in the Coordination Committee, so that they could work alongside the Swiss authorities, the Swiss Confederation, the Canton of Geneva, the

Building Foundation for International Organizations and the City of Geneva to ensure the successful completion of the project.

- 620.** The group was concerned that the cost increase greatly exceeded the 20 per cent variation that had been envisaged in 2010. In the case of two of the three options proposed, the variation ranged from 29 per cent to 34 per cent. Even if the costs identified in 2010 were not based on specific designs or in-depth evaluations, the high variation indicated deficiencies in the manner in which the project had been handled. The management and governance initiative recently taken by the Office should thus have been implemented from the very beginning of the project. The additional costs were related to highly sensitive issues such as the safety of ILO staff. For instance, the additional areas for asbestos removal identified by the independent asbestos survey had led to a doubling of that budget heading. He stressed that the renovation of the building should comply with health and safety regulations for ILO staff and workers engaged as contractors in the project.
- 621.** With regard to the third and most expensive option, he could not at this stage take a decision and deferred the matter to the Governing Body in March 2014. However, he noted with concern that the ILO archives would be at serious risk in the event of a fire and that should be looked at.
- 622.** The group strongly supported the Office's efforts to find sustainable financing options such as the sale of non-strategic plots of land and commercial loans to be financed from rental income. It encouraged the Office to negotiate the best possible deals, given the high value of the land, and requested further details regarding the draft law modifying the zoning of ILO lands.
- 623.** The document submitted to the next session in March 2014 should contain detailed information on the financing modalities of phases I and II and of the different options, including more details concerning the revised policy of the Swiss Government with respect to financial assistance for major renovation projects. The Workers' group supported the draft decision in paragraph 42.
- 624.** *The Employer coordinator* asked whether the renovation would be undertaken by a general contractor or coordinated by the Project Manager. If no decision had yet been taken in that regard, the group wished to know when a decision was likely to be taken.
- 625.** The first option of retaining the approved budget could not really be considered without detailed information on how the scope of the work could be reduced while meeting safety standards and ensuring energy conservation. The Employers' group wished to be informed about the concrete possibilities of staying within the approved budget and about the impact of such a decision. The group found it alarming that the initial plans had failed to take safety considerations into account.
- 626.** He requested information regarding the possible impact of simultaneous phase I and phase II renovation work on the Office's staff and work and clarification between beneficial and essential work.
- 627.** With regard to possible sources of additional funds, while a loan on favourable terms had been suggested as a possible solution, the section on financial arrangements was not sufficiently clear on that point to enable a decision to be taken. The Employers' group requested more information on how the Office's previous figures had underestimated the costs to such a degree, as well as reassurances that no further significant increases in the cost of renovation could be expected. The submission of documents for a building permit to allow the local authorities to comment on whether the renovations were compatible with Swiss regulations raised some concerns in that regard. The group requested further specific



reassurances that no issues could be foreseen which might stall the project or generate further costs. A question was also posed on whether there was an expert assisting the Office.

- 628.** The Employers' group supported the draft decision in paragraph 42.
- 629.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica noted with satisfaction that savings had been made in two areas: replacement of the elevators and renovation of the kitchens and restaurant areas. She stressed the importance of adhering to deadlines, since delays could lead to cost increases. GRULAC also welcomed the decision not to build a temporary office pavilion. While recognizing the importance of the new governance structure, the group emphasized that the costs of such oversight should be based on the principle of proportionality. Expressing the hope that the redesign process would enhance cross-functional synergies, she emphasized that the Office's staff should be consulted at all stages of the process.
- 630.** The document to be submitted to the next session should contain more detailed information regarding possible alternative sources of financing. Mention had been made of the sale or disposal of non-strategic plots of land and the letting of vacant office space. Measures to enhance the building's environmental sustainability could also generate savings and the document should include estimates in that regard.
- 631.** GRULAC suggested that special attention should be given to the elimination of asbestos and access to the building for persons with disabilities. It supported the draft decision.
- 632.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe welcomed the establishment of the Governance Committee and the participation of the Swiss authorities in the Coordination Committee. He noted with satisfaction that work on the refurbishment of the elevators had been completed and that savings had been made.
- 633.** With regard to the revised estimates, the group agreed that the renovation project should comply with safety and insulation requirements. The Office should continue to engage with the host Government concerning preferential loan rates and the funding of specific elements of the project. The group looked forward to receiving an update in that regard at the 320th Session, together with an analysis of the viability of completing the renovations by 2019 or 2022. The Africa group supported the draft decision.
- 634.** *Speaking on behalf of IMEC*, a Government representative of the United Kingdom expressed regret at the failure to undertake a transparent assessment at the outset. As a result, many key elements had not been taken into account in the project approved in 2010. IMEC welcomed the appointment of the Project Manager and the establishment of the Governance Committee and looked forward to reviewing the results of the independent review of cost estimates at the next session. It was essential to ensure the safety of ILO staff and visitors and to comply with current and local standards in that regard.
- 635.** IMEC strongly urged the Office to consider innovative financing methods such as the sale of ILO land. It would welcome an update on financing options based on current financial rules and regulations at the next session. In that context, it welcomed the Director-General's commitment to a continuous analysis of the cost estimates in order to identify savings and simplifications.
- 636.** *A Government representative of Japan* requested further information on how the Office proposed to secure the financial resources required to meet the increased costs.

- 637.** *A Government representative of Switzerland* expressed regret that the initial estimates had omitted factors such as the cost of aligning the building with local environmental and safety standards. While welcoming the establishment of the Coordination Committee, her Government regretted that the Office had limited the scope of its mandate, which should not consist solely in ensuring that the renovation work complied with Swiss regulations but should also include the provision of support for completion of the work within the fixed deadlines and of advice on technical issues related to project planning and implementation. She encouraged the Office to make full use of the Committee's potential and of the expertise that Switzerland could place at its disposal.
- 638.** With regard to the financing of the project, the recent adoption by the local Swiss authorities of the draft law modifying the zoning of ILO lands would facilitate the sale or enhanced use of the land. She also encouraged the Office to consider additional sources of financing. The Swiss Confederation was in a position, following a decision by the Federal Council in June 2013, to provide loans at preferential rates for the renovation of offices belonging to international organizations in Switzerland.
- 639.** *A Government representative of France* expressed deep concern about the errors committed at the outset of the renovation project, particularly the failure to anticipate risks and to make adequate provision for compliance with standards. The Office claimed that the project could be financed, for instance through a loan, but the question arose whether those funds could be put to better use in the context of the ILO mandate. His Government inquired about the cost of running the renovated building. Lower operating costs could perhaps offset part of the cost increase that was currently being proposed. At any rate, funds required for the ILO capacity-building projects proposed by the Director-General should not be diverted to cover increased renovation costs. He urged the secretariat to do its utmost to find alternative means of offsetting the cost increase, including, if necessary, the sale of land.
- 640.** *The representative of the Director-General* emphasized that the Governing Body was not discussing increases in the specific costs that had been approved in 2010. The increases related to a far wider scope of work in terms of regulatory, environmental and preparatory costs. As far as the regulatory aspects were concerned, the initial approach in 2010 had been to maintain the safety and environmental standards that had been applicable when the building was constructed in the 1970s. Subsequent assessments had revealed significant changes in standards entailing major additional costs.
- 641.** A reduction of around 55 per cent in heating and cooling costs from additional insulation and greater use of lake water was anticipated. Discussions were also under way with the local power and water authorities on additional ways to improve energy management. He noted that it would take some time to realize the full monetary benefit of the recent changes in land zoning but that consultations had resumed with the Swiss authorities. The objective was to propose a financing plan that avoided any greater impost on the regular budget of the Organization than had been approved in 2010.
- 642.** In response to a question by the Employers' group, he said that it had been decided to apply a construction management approach, a decision that had been endorsed by the Governance Committee and the Director-General. With regard to the difference between beneficial and essential work, the latter included protection of the Office's archives. An overall assessment would be provided to the Governing Body at its next session.
- 643.** If the budget approved in 2010 were to be maintained but safety requirements were introduced, a 25 per cent reduction in the renovation project would be required. No decision had yet been reached on the areas that would be affected by such reductions. A thorough assessment of that option was ongoing.

644. He reiterated that the changes in the 2010 estimates were not based on errors. There had indeed been some oversights regarding the amount and cost of preparatory work. The decision on complying with the relevant safety and environmental standards had been a conscious decision and was not a matter of oversight.

### **Decision**

645. *The Governing Body took note of document GB.319/PFA/4 and of the revised estimates and requested the Director-General to submit proposals at its 320th Session (March 2014) on any revisions to project scope and financing options.*

(GB.319/PFA/4, paragraph 42.)

## **Fifth item on the agenda**

### **Information and communications technology questions**

#### **Progress on IT infrastructure investments**

(GB.319/PFA/5/1)

646. *The Employer coordinator* noted with appreciation that all completed projects had been implemented within their approved budget allocations, and that most projects were being implemented according to plan. The recentralization of IT services and responsibilities was of crucial importance. Decentralizing IT functions involved serious risks with regard to costs, sustainability and coherence. He repeated the request made in November 2012 for more information on the recentralization and on the possible risks of continued decentralization. He also wanted to know whether the use of videoconferencing with full translation was being factored into the IT plans as that would offer both cost efficiencies and convenience.
647. *The Worker spokesperson* welcomed the overview on progress with the IT infrastructure investments, and the breakdown of the sums allocated to the project. The Office had been right to suspend decisions on projects that would be affected by building renovations. He welcomed the prudent approach to the email system and the adoption of a cloud-based service in the three phases described in paragraphs 13 to 15. He noted that the email system must guarantee the privacy of ILO emails and the security of the data of the ILO and of all UN bodies, especially where private companies were providing the service. He was happy to note that training manuals for the staff were being published in English, French and Spanish. Like the Employers' group, he was anxious to know what provision had been made for videoconferencing facilities.
648. *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe commended the Office on the significant progress made in improving the IT infrastructure. He was satisfied that projects had remained within the allocated budget and the agreed time frames. In view of the risks and security threats associated with hosting the email system with a commercial cloud-based service provider, he requested that the Office consider migrating to a new system only when a viable cloud computing service was identified. He also requested an explanation of the shortcomings of the current GroupWise system, and hoped IT training would be available in a timely manner for all staff.

649. A Government representative of Brazil said that the security of communication and archives was of the utmost importance to everyone.
650. A representative of the Director-General (Chief Information Officer) gave an overview of the new Information and Technology Management Department (INFOTEC) structure. He highlighted the fact that management of information and technology was being consolidated within INFOTEC. Functions being consolidated included the library, server rooms, telecommunications and other IT infrastructure, and decentralized local area network (LAN) administrators were being brought together with other IT support staff. The consolidation of the records, archives and software development functions was currently being evaluated. The new department was headed by a Chief Information Officer with a focus on ensuring the strategic use of technology and information. IT functions in the field were also being evaluated in the context of the field review, with a view to aligning those functions with headquarters.
651. The IT governance structure had been officially established through an Office Directive, consisting of an IT Governance Committee with representation from throughout the Office, including the field. The IT governance framework included advisory bodies that considered the costs and benefits of proposed investments in applications and technology and helped to expedite the decision-making process.
652. He clarified the benefits of moving from GroupWise to Microsoft Outlook for email, noting improved communications, working remotely and integration with existing products.
653. With regard to videoconferencing, the department was working to identify tools and technologies to implement a global videoconferencing infrastructure within the Office.

### **Outcome**

654. *The Governing Body took note of the report.*

(GB.319/PFA/5/1.)

### **Progress on IRIS field roll-out** (GB.319/PFA/5/2)

655. *The Worker spokesperson* noted that the IRIS roll-out to regional offices was almost complete, but that there had been a slight delay in the roll-out to Africa, originally scheduled to be completed by the end of 2013 and now rescheduled for the second quarter of 2014. He inquired about the reasons for the delay. With regard to the roll-out of IRIS functionality beyond regional offices, while appreciating the benefits of having a single system for all offices, he wondered whether account had been taken of the smaller office staff capacity and the volume of work in the regions and, in that light, whether the proposed timeline was realistic. Also, given the development of a new SPF, he queried whether the strategic management functionality was flexible enough to allow for those changes. He emphasized the importance of training staff in IRIS.
656. *The Employer coordinator* inquired whether the IRIS roll-out in the field had taken place within the agreed budget, and what cost increases had taken place, if any.
657. *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe noted with satisfaction that the combined implementation of human resources and payroll to the

Regional Office for Africa would serve as a pilot for roll-out to other external offices during the following biennium.

- 658.** *A representative of Mexico* welcomed the efforts made by the Office to extend the IRIS system to all regional offices, and the decision to implement human resources and payroll functions through IRIS. With a view to the successful completion of the reform process, it was important to have IRIS functions in all the external offices, and to train the staff of the regional offices in the new model. She hoped the Director-General would keep the Governing Body informed of progress in the current roll-out schedule, due to be completed within the 2014–15 biennium.
- 659.** *The representative of the Director-General* explained that the delay in roll-out to the Africa region was due to several factors, noting that the overall timing of IRIS deployment had had to be changed in 2010–11 due to unexpected natural disasters which affected the Asia and the Pacific region. As a consequence, the roll-out in Asia had been delayed, impacting the schedule for Africa. More importantly, he pointed out that insufficient connectivity in Africa had been the major obstacle to earlier implementation of IRIS. The upgrade of connectivity in October 2012 had allowed the Office to partially implement IRIS to the Regional Office in 2013. Unlike the other regions, Africa had received additional functionality in the first phase of the roll-out, specifically IRIS Payroll, which provided an opportunity for the Office to pilot the model to be used in the 2014–15 global IRIS implementation.
- 660.** The future roll-out model for 2014–15 took into account smaller external offices that already administered human resources functions and therefore had the capacity to do that work in IRIS. More complex functions, such as payroll processing, would be performed centrally at headquarters, freeing up capacity in field offices for other activities.
- 661.** Concerning possible cost increases, the roll-out of IRIS to the regional offices had been carried out within existing resource allocations.
- 662.** In closing, he pointed out that the Strategic Management Module in IRIS had been developed in-house and was sufficiently flexible to accommodate changes to the SPF.

### **Outcome**

- 663.** *The Governing Body took note of the report.*

(GB.319/PFA/5/2.)

### **Sixth item on the agenda**

#### **Other financial questions**

#### **Appointment of a replacement member to the Independent Oversight Advisory Committee (IOAC)**

(GB.319/PFA/6/1)

- 664.** The item was referred to the Officers of the Governing Body for consideration.

## Audit and Oversight Segment

### Seventh item on the agenda

#### Annual evaluation report 2012–13

(GB.319/PFA/7)

- 665.** *The Worker spokesperson* welcomed the reconstituted Evaluation Advisory Committee (EAC) and the appointment of the new Chairperson. Concerning the follow-up to high-level evaluations, he asked how the priorities identified by the Indian constituents at the 316th Session of the Governing Body had been taken into account in the new DWCP. He particularly stressed the priority given by Indian constituents to the ratification of the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), and technical support for early ratification of Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). He welcomed the suggestion that ILO constituents should be included throughout the evaluation process. He asked why evaluation budgets should be increased significantly, as suggested in the document. Referring to table 1, he agreed with the topics proposed for high-level evaluation in 2015, and also with the postponement to 2016 of the evaluation of the field structure. The decision on the 2016 strategy evaluation for one of the ACIs might well be premature, since the current SPF would come to an end in 2015. Only limited information was available in the evaluation reports on gender equality and women's empowerment, as admitted in paragraph 21, and he hoped that situation would improve in the future. He would like to have more information on the figures given in paragraph 25 for follow-up actions targeting constituents and questioned why so few recommendations were addressed to Workers, compared with those addressed to the other constituents.
- 666.** He welcomed the efforts of the Evaluation Unit (EVAL) regarding training and capacity building in evaluation for staff and inquired whether the new e-learning module had already been used and, if so, by how many staff members.
- 667.** With regard to the evaluability of CPOs, referred to in paragraph 40 of the report, the important factor to be taken into account in developing the new SPF was the recommendation regarding the need to improve the evaluability of CPOs. He drew attention to recommendation 10 in paragraph 60 concerning Regular Budget Supplementary Account (RBSA) support and noted the time delays in approvals and release of funding. The allocation of different funds to specific outcomes should be anticipated in order to improve planning. With those comments, the group endorsed the recommendations of the report and approved the draft decision in paragraph 61.
- 668.** *The Employer coordinator* said that it was reassuring that the evaluation culture, as reflected in the use of evaluation results for governance and management purposes, had improved. He asked what action the Office intended to take to secure more rigorous monitoring and measurement of impact. He wondered what the recommended shift of focus from attribution to contribution, in paragraph 42, meant for results reporting in future. He asked how the evaluation results were reflected in the Programme and Budget for 2014–15, and how they would be used to guide the development of the new SPF. Referring to paragraph 40, he was concerned at the continuing gap between what could and what should be evaluated for CPOs. He wondered how the Office intended to address the findings on CPOs, and how the recommendations of EVAL would be taken on board. Weak monitoring and reporting of results was a missed chance to learn from both success and failure. The Employers' group therefore particularly supported recommendation 7 on

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developing logical frameworks for accountability and performance monitoring through the systematic collection of baseline measurements.

- 669.** *Speaking on behalf of the Africa group*, a Government representative of Egypt welcomed the appointment of a new Chairperson of the EAC, and the efforts to revise and develop its methods of work and its role. She looked forward to the finalization of work on the outstanding recommendations, especially those on sectoral activities and employment policy. She concurred with the need to increase participation of the tripartite constituents in high-level evaluation, and to allocate more resources to it. She strongly supported the proposed evaluation, in 2015–16, of the technical cooperation strategy and field structure. The Office should shed more light on investigative follow-up activities and the updating of the evaluation network to reflect the Office reforms. More support was needed from the Office to enable constituents from the developing countries to take part in training workshops. She supported the ongoing work on strengthening DCWPs. The 17 Ouagadougou targets were in line with the 19 global outcomes of the SPF, and the ILO Declaration on Social Justice for a Fair Globalization recognized that the strategic objectives were interrelated and mutually supportive. National ownership and leadership should be the guiding principle for all operational activities.
- 670.** *Speaking on behalf of IMEC*, a Government representative of the Netherlands endorsed the role of the EAC as a corporate advisory mechanism to ensure that evaluation results were properly followed up by the Office. All project evaluations should be completed in a timely manner. As far as the adequacy of the budget was concerned, EVAL should be careful to strike a balance between the in-depth approach to evaluation and the number of evaluations carried out. The Office should explain how credible evaluation at country level was to be achieved, given the weakness in the evaluability of CPOs. He asked how EVAL and the IPEC evaluation unit related to each other. IMEC supported the proposed shift of focus from attribution of results to assessing the ILO's contribution to analysing the impact of its work. He pointed out that the evaluation findings of the RBSA required special attention by the Office in light of newly emerging priorities. He endorsed the recommendations in the report, and urged the Office to take account of the views of IMEC when reporting on the annual evaluation for 2013–14. IMEC welcomed the proposed evaluation in 2015 of the ILO's technical cooperation strategy.
- 671.** *Speaking on behalf of the Nordic countries*, a Government representative of Denmark suggested that when developing action plans the Office should reduce the number of new expert meetings in Geneva, while paying more attention to how the ILO would deliver its programmes on the ground.
- 672.** *A Government representative of India* welcomed the focus in the document on enhancing evaluation through evidence-based information and the effective follow-up of evaluations, stressing that the implementation of recommendations from high-level evaluations was vital to improving the strategic policy plans of the ILO. Welcoming the inclusion of new ACIs in the proposed topics for high evaluation, she cautioned that it would as yet be premature to evaluate progress in some new areas, such as formalization of the informal economy and creating and extending the SPF. Her Government also recommended that coverage of training programmes should be widened to include social partners and that evaluations should be conducted with the active involvement of national knowledge networks. Stressing that the evaluability of the outcome of relevant indicators must be assessed beforehand, so that impact assessment formed a natural consequence of the programme, she conveyed her Government's support for the draft decision.

- 673.** *A representative of the Director-General (Director, EVAL), noting the substantial progress on all 11 milestones related to the three evaluation strategy outcomes, acknowledged some of the remaining challenges regarding the outcome on the use of evaluations. He was confident that the development of the new SPF would provide a good opportunity to reflect lessons learned from evaluation reports. With regard to the role of the EAC in the evaluation process, it had been decided that every high-level evaluation needed to undergo an in-depth review. Accordingly, no details were as yet available on the follow-up to the recommendations of some high-level evaluations, including the evaluation for India.*
- 674.** With regard to the reference in the report about raising the budget, he pointed out that the comment had emanated from an independent assessment of the high-level evaluations and that EVAL itself believed that the quality of the evaluations had not been compromised by budgetary constraints. On the issue of the involvement of constituents in management response to evaluation recommendations, he explained that when a recommendation suggested action related to or targeted at constituents, EVAL would ask line managers how they had dealt with it for the data that it reported. The role of the constituents in the follow-up to evaluations depended on the design of the project and not the evaluation process.
- 675.** He further explained that the CPO evaluability exercise had been performed in collaboration with the Strategic Programming and Management department (PROGRAM) and drew attention to its positive elements and the progress that had been made, although there was still scope for further improvement. Turning to the concerns about the use of monitoring and evaluation, he conveyed the finding from various evaluations that projects were often overambitious and project managers were accordingly encouraged to be more realistic in their design and to invest more time in monitoring and evaluation. In that context, he drew attention to a new procedure requiring every project above US\$5 million to undergo an evaluability assessment, which, it was hoped, would lead to better results. He also noted that, the continuing challenges notwithstanding, the monitoring and evaluation practice in the ILO compared favourably with that in other organizations.
- 676.** On the more theoretical question of attribution versus contribution, he stressed the importance in the ILO of maintaining a distinction between the two concepts. Most of the work performed in the ILO was a joint effort together with the constituents and, accordingly, it would be misleading for the ILO to attribute the result to itself. Thus, it was important that the ILO should focus on how it contributed to the achievements that its constituents delivered which, in turn, would also facilitate impact measurement.
- 677.** Lastly, reviewing the relationship between EVAL and IPEC, he explained that over time IPEC had built its own evaluation capacity, and differences in the evaluation time frames of the two bodies had led to the discrepancies between the figures on follow-up to the recommendations, which were no reflection on quality, and affirmed his belief that there would be no such discrepancies in the figures for the following year.

### **Decision**

- 678.** *The Governing Body took note of document GB.319/PFA/7 and endorsed the recommendations to be included in the ILO's rolling plan for the implementation of recommendations to be reported on in the annual evaluation report of 2013–14. It also confirmed the priorities identified in the report on the programme of work for 2015–16.*

(GB.319/PFA/7, paragraph 61.)



## Eighth item on the agenda

### Discussions of high-level evaluations

#### Strategies and Decent Work

#### Country Programmes

(GB.319/PFA/8)

- 679.** *The Employer coordinator* said, regarding the evaluation of the strategy on OSH, that further attention should be given to the lack of situational and outcome analysis in technical cooperation project proposals and to the inadequacy of the products of the ILO's CIS relevant to middle and low-income countries. His group supported the recommendation that the Office must actively involve tripartite constituents in increasing the sustainability of its OSH outcomes and welcomed efforts to provide training for SMEs. Referring to the limited ratification of OSH instruments, he said that an in-depth analysis of the ratification situation was needed in order to draw reliable conclusions and that ratification should not be overrated. However, adequate implementation and better OSH in practice was what should count. Greater emphasis should be placed on providing support for employers.
- 680.** Regarding the evaluation of the strategy to promote sustainable enterprises and decent work, he said that, although ACT/EMP played a key role in many projects, its field specialists had not been adequately involved in the preparatory interview phase of the evaluation. That prevented the report from integrating key information on the enabling environment line of work. Acknowledging that the efforts devoted to the various indicators had been uneven, he stressed that promoting an enabling environment should be a priority, as current efforts were still quite modest compared to the resources devoted to other areas within outcome 3. The enabling environment should be at the forefront of the outcome. The evaluation overlooked the fact that the ILO had methodologies such as the Enabling Environment for Sustainable Enterprises (EASE) toolkit, designed to assess the enabling environment, which needed to be given more attention in the Office. The ILO needed to be careful in promoting enterprise associations which could undermine existing structures of business representation. Referring to the recommendations, he said that the EASE toolkit provided standardized country assessments which allowed constituents to develop policy recommendations on prioritized areas that affected the enabling environment for enterprises to grow and create decent work; that decisions to prioritize countries were for the constituents, not international organizations, to make; that there was no reason to suggest that non-profit foundations were in a better position than business organizations to provide financial inputs for possible strategies for small enterprise development at the country level; and that indicators on productivity and sound economic performance should be included among those used to monitor progress in newly formed or strengthened enterprises. He wondered why recommendation 5 did not reflect the finding that the effects of productivity and profitability on workers' employment situations were not sufficiently understood. His group did not support recommendation 9, because all legitimate enterprises – not just cooperatives – needed to be promoted.
- 681.** Regarding the evaluation of the strategy to promote decent work in the Arab region, his group welcomed the finding that the impact of the strategy had been most significant in the areas of employment and social protection. The fact that Strategic Objective No. 1 (Employment) had received an overwhelming part of the total technical cooperation funding in the region did not mean that other pillars of the Decent Work Agenda were not receiving due attention; it simply highlighted the fact that it made sense for the Office to set priorities. Regarding coordination with other donor agencies, the Employers agreed that

converting competition into collaboration was the way forward and therefore they supported recommendation 4. They also supported recommendation 6. Lastly, referring to the technical cooperation projects mentioned in the evaluation, he said that the Office should address the capacity gaps among constituents to sustain the results achieved.

- 682.** *The Worker spokesperson* said, in respect of the evaluation of the ILO's strategy on OSH, that his group agreed that the Programme on Safety and Health at Work and the Environment (SafeWork) often lacked the strategic focus and operational strategy to optimize the ILO's comparative advantage in the field of OSH. The six-month anniversary of the Rana Plaza disaster was approaching and work on the promotion of OSH standards required priority attention. Noting that the ILO's advisory work had focused on the need for standards application, he said that, while that was important, greater efforts were needed to promote ratification of the OSH Conventions, particularly the Occupational Safety and Health Convention, 1981 (No. 155), and the Occupational Health Services Convention, 1985 (No. 161), and Conventions related to dangerous sectors like agriculture, construction, chemicals and mining. His group had been surprised to note that no reference was made to SECTOR. With reference to Better Work and Better Factories Cambodia it requested the Office to address the labour rights issues that remained unaddressed and to ensure that any interventions included the promotion of the right to bargain collectively and to organize. His group strongly endorsed recommendations 1 and 3 and welcomed recommendation 4. Regarding the other recommendations, he said that there should be greater worker involvement in the OSH programme; wondered what was meant by "less obvious infractions"; and highlighted the need to go beyond the CIS to raise the profile of OSH. He requested clarification from the Office on its responses to recommendations 1 and 8.
- 683.** The evaluation of the ILO's strategy to promote sustainable enterprises and decent work confirmed that the Office had failed to give effect to the conclusions concerning the promotion of sustainable enterprises adopted by the International Labour Conference at its 96th Session (2007) and that the level of efforts and resources had been uneven and that most focus had been on entrepreneurship. He requested a more strategic and integrated approach to decent work. Based on the need to review all products for enterprise development to be in line with the decent work pillars, his group endorsed recommendation 8 and strongly supported recommendations 4, 5, 9 and 10. It was disappointed, however, by the absence of information on attempts by the Office to respond to programme deficiencies. Regarding recommendation 7, his group was not convinced that the international financial institutions and development banks were championing a decent work agenda in their work on enterprises and would appreciate further clarification in that regard. It urged the Office to acknowledge the role of framework agreements and the need to provide guidance to enterprises to promote responsible workplace practices along the entire supply chain. The work to promote cooperative and social enterprises should be prioritized. It was hoped that work in the ACI of productivity and working conditions in SMEs would allow the Office to take a more balanced approach to the work on enterprises focusing on improving working conditions and industrial relations.
- 684.** The three countries assessed as part of the independent evaluation of the ILO's strategy to promote decent work in the Arab region had been selected on the basis of unknown criteria. To omit countries that had DWCPs in place and that continued to face social problems and rights violations would prevent substantive conclusions on the strategy from being drawn. The situation of the Syrian people remained a serious cause for concern. The ILO should work with host countries to create suitable jobs to alleviate the problems facing those displaced by the conflict. Recalling paragraph 20(a) of the framework for action for the effective and universal respect, promotion and realization of fundamental principles and rights at work 2012–16, he said that urgent action should be taken to remedy the situation mentioned in paragraph 100 of the report. The group asked the Office to allocate

resources to build the capacities of genuine workers' organizations. The effectiveness of the ILO initiatives in Jordan remained debatable, as major issues facing migrant workers had not been adequately addressed. The Office should also do more to promote the ratification of Convention No. 87 and the application of Convention No. 98 in the country. Without an end to the occupation of the Occupied Palestinian Territory, the realization of decent work would not be possible. Noting that the ILO's interventions in Lebanon were ad hoc and unsustainable owing to the perceived absence of a decent work strategy, he called for that situation to be remedied by ensuring work to include a rights-based approach, including ratification of Convention No. 87 and the implementation and enforcement of Convention No. 98. Turning to recommendation 2, contained in paragraph 114 of the report, his group invited the Office to consult with ACTRAV on engaging with emerging workers' organizations. He also requested the Office to address gender-based discrimination and the many rights' violations suffered by women in the region. His group approved the draft decision contained in paragraph 131 of the report.

- 685.** *Speaking on behalf of the Africa group*, a Government representative of Egypt said that her group had taken note of the information concerning the budget of the ILO's strategy on OSH. It was important for the programme to use available resources efficiently and to identify new sources of funding. Her group noted with concern that the evaluation had found CIS resources and knowledge products to be inadequate for middle and low-income countries. That could be remedied by better tailoring knowledge resources to their needs. Given that the relevance of the strategy was the only element that had been rated satisfactory, her group encouraged the Office to take immediate action to improve the programme's performance. Turning to the independent evaluation of the ILO's strategy to promote sustainable enterprises and decent work, she said that her group welcomed the efforts made by the ILO but that the strategy should be enhanced to provide better support to ILO constituents during the current period of slow economic growth. Turning to the independent evaluation of the ILO's strategy to promote decent work in the Arab region, she said that the ILO's experience in crisis management should be reflected in regional programmes and that the Office should provide the programme with sufficient funding to deal with the Syrian refugee crisis. Her group approved the draft decision contained in paragraph 131 of the report.
- 686.** *A Government representative of India* said that the sample size selected by EVAL was too small to allow general conclusions concerning the ILO's strategy on OSH to be drawn. The evaluation of the ILO's strategy showed the progress achieved to range from satisfactory to not so satisfactory. In view of that fact, it was important to ensure that adequate manpower and financial resources were allocated to that area, especially given the increased mandate for OSH. The ILO was the organization with the global mandate for OSH standards, but other organizations could end up taking the lead if it did not give sufficient attention to that area. Turning to the independent evaluation of the ILO's strategy to promote sustainable enterprises and decent work, he said that sustainable enterprises could serve to promote sustainable development, but were not an end in themselves. The fact that different countries were at different stages of development meant that what was sustainable in one country may not be sustainable in another, which precluded a prescriptive approach. Instead, ILO sustainable enterprise development initiatives should be tailored to country-specific needs and realities.
- 687.** *A Government representative of Kenya* said that his Government aligned itself with the statement made by Egypt on behalf of the Africa group. The use of the evaluation criteria referred to in the document would be of great assistance when taking decisions on policies and strategies, including those on accountability. His Government therefore supported the draft decision.

- 688.** *A representative of the Director-General* (Director, GOVERNANCE), responding to comments regarding the ILO's strategy on OSH, said that the Office's plan of work would be adjusted in light of the concerns expressed during the debate. Account would be taken of the need to devise tools adapted to the economic and technological development of various countries and regions. All the constituents would have to make a common effort to secure the ratification and implementation of the relevant Conventions. The reform process had led to closer cooperation on safety at work among the Office's units and services.
- 689.** *A representative of the Director-General* (Director, Enterprises Department (ENTERPRISES)), replying to observations concerning the ILO's strategy to promote sustainable enterprises and decent work, said that the emphasis on developing entrepreneurship reflected demand from country offices. The portfolio had been rebalanced in order to focus more on the enabling environment and best workplace practices. The ILO's highly advanced impact assessment of programmes and projects was carried out almost in real time and included the viability of enterprises. Enabling environment assessments had been undertaken at a fairly early stage in the biennium and ten more had since been completed. Modules seeking to improve productivity and workplace practices were based on cooperation between workers and employers. The Sustaining Competitive and Responsible Enterprises (SCORE) programme had one OSH module. The Office was aware of the need to achieve scale and sustainability.
- 690.** *A representative of the Director-General* (Regional Director and Assistant Director-General, Regional Office for Arab States), responding to remarks on the ILO's strategy to promote decent work in the Arab region, said that flexibility was the cornerstone of the ILO's response to the volatile situation in that region. An attempt was being made to learn from the ILO's experience in North Africa. A subregional response framework had been put in place to address the impact of the Syrian crisis on labour markets. A decent workplace programme had just been launched for the Occupied Palestinian Territory. As far as resources were concerned, collaboration and not competition was the maxim.

### **Decision**

- 691.** *The Governing Body requested the Director-General to take into consideration the findings, recommendations and lessons learned of the three high-level independent evaluations presented in document GB.319/PFA/8 and to ensure their due implementation.*

(GB.319/PFA/8, paragraph 131.)

## **Ninth item on the agenda**

### **Matters relating to the Joint Inspection Unit (JIU)**

#### **Reports of the JIU (GB.319/PFA/9)**

- 692.** *The Worker spokesperson* expressed support for the Office's position on the seven JIU reports and their ensuing recommendations addressed to the ILO. Given the heavy volume of JIU-related work, it would be advisable to discuss a follow-up mechanism aligned with the human and financial resources of the Office.

- 693.** *The Employer coordinator* noted that the ILO's acceptance of most JIU recommendations showed how useful they had been. He noted that the Employers' group had intended to inquire why four JIU reports produced in 2012 containing recommendations for the Office were not included in the paper, but had been informed that the reports were imminent. Neither did the paper make any reference to the follow-up to recommendations made in the JIU reports in 2010 and 2011. The Office should provide a rolling reference document to show the implementation status of the recommendations from the three previous years. He requested clarifications as to why any policy, legal and financial implications of the paper had to be subject to guidance from the Governing Body.
- 694.** *Speaking on behalf of the Africa group*, a Government representative of Egypt highlighted four main points. First, his group supported efforts to further multilingualism in ILO work and to rectify the imbalance in the use of working languages. Second, the group attached particular attention to business continuity. The formulation of the new SPF would offer an opportunity to consolidate sustainability of business continuity. Third, the establishment of a single UN system Investigation Unit required further study. Fourth, his group agreed with the Office about the need for a cautious approach to the recommendations on UN system-wide alignment of planning and reporting cycles.
- 695.** *Speaking on behalf of ASPAG*, a Government representative of Australia welcomed the ILO's follow-up to JIU recommendations, underscoring the importance of increased UN coherence to avoid duplications and to ensure optimal use of scarce resources. The Office should further reaffirm its commitment to results-based management and harmonize its practices in order to achieve a common approach with regard to implementation of ILO activities at all levels through existing JIU mechanisms. On multilingualism, the Office had taken effective measures to redress existing imbalances in the use of the working languages within the secretariat. Still, most vacancies at the managerial and Professional levels required applicants to master languages that often had nothing to do with the related field-based positions. The Office should accommodate widely spoken languages in the regions as a selection criterion. Finally, the ILO was among the organizations that had implemented many JIU recommendations, either fully or in part. That indicated that the tripartite structure of the ILO was by no means an obstacle to its fruitful participation in a more coherent UN system.
- 696.** *Speaking on behalf of IMEC*, a Government representative of the Netherlands noted the complementary oversight role of the JIU and encouraged the Office to consider and implement its recommendations where and as feasible. He commented on three points. First, the Office should provide a short overview of the current "state of play" with regard to the ILO's business continuity policy, an explanation of the role that the business continuity plan played in that policy and information about when the plan would become operational. Second, on ICT governance, the Office should fill the vacancy of Chief Information Officer as soon as possible. Third, on the management of sick leave in the UN system, an exchange of practices and experience in fighting absenteeism could provide for fruitful cooperation between UN organizations. Detailed data on sick leave did not need to be shared with the Governing Body on a biennial basis, but the Director-General should address the matter when reporting on the ILO's human resources policy and signal issues of concern in a timely manner.
- 697.** *The Government representative of the Netherlands*, speaking on behalf of his Government, noted that the document under consideration had been tabled for guidance from the Governing Body and that that practice should be kept in the future. He also expressed interest in the idea of having a rolling overview of the implementation of JIU recommendations.

- 698.** *A Government representative of India* urged the Office to eliminate the imbalance in the use of working languages within the secretariat. Sixty per cent of the global workforce worked in Asia and the Pacific, yet that region contributed less than 15 per cent of the ILO's human resources. The primary reason for that state of affairs was that most professionals did not know or need the required languages. There was a need to accommodate languages spoken in various regions, besides English, among the selection criteria for ILO recruitment.
- 699.** *A representative of the Director-General* (Director, PROGRAM) noted that, in line with the Office's practice, the four reports produced by the JIU in 2012 would be submitted to the Governing Body in a year's time, once the process of receiving comments from the Chief Executives Board (CEB) had been completed. Concerning the follow-up to recommendations, the web-based system introduced by the JIU in 2011 allowed the Office to report, on a rolling basis, on the status of implementation of the recommendations as of that date.
- 700.** *Another representative of the Director-General* (Treasurer and Financial Comptroller) indicated that the Office's business continuity policy defined the objectives of business continuity management, its governance structure and the responsibilities for preparing the related plan. The latter provided details in the form of "playbooks" for ILO crisis management, addressing critical processes, protocols and disaster-recovery sites. Business continuity preparedness was a matter monitored closely by the IOAC. He also indicated that a Chief Information Officer had been appointed in July 2013.

### **Outcome**

- 701.** *The Governing Body took note of the report and provided guidance to the Office.*

(GB.319/PFA/9.)

## **Personnel Segment**

### **Tenth item on the agenda**

#### **Statement by the staff representative**

- 702.** The statement by the Staff Union representative is reproduced in Appendix II.

### **Eleventh item on the agenda**

#### **Other personnel questions**

#### **Amendments to the Staff Regulations:**

#### **Age of retirement in the ILO**

(GB.319/PFA/11)

- 703.** *The Employer coordinator* noted that the decision of the United Nations Joint Staff Pension Board (UNJSPB) to raise the normal age of retirement to 65 for new participants

with effect from 1 January 2014 was consistent with recent developments in many ILO member States aimed at securing the financial sustainability of pension systems.

- 704.** The Employers' group recognized that such a change would have an impact on staffing and that the implications would therefore need to become part of the overall human resources strategy requested by the Governing Body at its 316th Session in November 2012. Recalling the opening remarks made by the Director-General concerning the sense of urgency and responsibility felt for the implementation of ILO reform, he requested confirmation that work on the strategy was progressing satisfactorily and that the complete proposal regarding policies and practices in all areas of the Director-General's human resources reform, including proposals to reform recruitment and selection procedures, would be presented for consideration in March 2014. On that basis, he confirmed the support of his group for the draft decision.
- 705.** *The Worker spokesperson* confirmed that his group also supported the draft decision. The Workers' group welcomed the level of dialogue between the Administration and the Staff Union in the ILO concerning the implications for staff of changes in the age of retirement and, echoing the views expressed by the Employer coordinator, also looked forward to extensive discussion of the wider human resource policy implications to be presented in March 2014 and expressed the hope that the good dialogue between the Administration and the Staff Union continued.
- 706.** *Speaking on behalf of the Africa group*, a Government representative of the United Republic of Tanzania took note of the fact that the proposed amendments to the Staff Regulations were a consequence of decisions taken by the United National Joint Staff Pension Fund (UNJSPF) and therefore supported the draft decision. With respect to the ongoing discussions within the Joint Negotiating Committee, relating to the extension of the new age of retirement to serving staff, while he encouraged the continuation of discussions in the spirit of social dialogue, he expressed concern about the impact of such an extension on staff retention, career opportunities for serving staff or new talent, staffing costs and budgets. He therefore suggested that contracts of ILO officials should not be extended beyond their statutory age of retirement and requested that the Governing Body be provided with information on extensions beyond normal retirement age on an annual basis.
- 707.** *A representative of the Director-General* (Director, Human Resources Development Department) confirmed that work on the broad range of challenges facing the Office in the area of human resources was ongoing and was progressing at a rapid pace. The Office intended to continue the ongoing comprehensive consultations and negotiations with the Staff Union so as to inform the comprehensive package of human resource policies and practices to be presented to the 320th Session of the Governing Body in March 2014.

## **Decision**

- 708.** *The Governing Body amended article 11.3 as set out in paragraph 9 of document GB.319/PFA/11 with effect on 1 January 2014, subject to approval by the United Nations General Assembly of the corresponding amendments to the Regulations of the United Nations Joint Staff Pension Fund.*

(GB.319/PFA/11, paragraph 10.)

## High-Level Section

### Strategic Policy Segment

#### First item on the agenda

#### The global economic and employment situation and policy options

(GB.319/HL/1)

- 709.** *The Director-General* introduced the paper. He noted that recent downward revisions in the global growth projections issued by the International Monetary Fund (IMF) reflected the difficulties facing all major components of the global economy. Those difficulties were characterized by weak household consumption, low private investment and increased pressure on the public sector to reduce fiscal deficits. Many countries were trying to boost exports as a way to compensate for weak demand, but with weak global demand that had been a zero-sum game.
- 710.** Moreover, preliminary estimates by the ILO's new Research Department showed that slower growth would lead to nearly 1 million more unemployed in 2014. That, together with other indicators such as high youth unemployment and an increased incidence of non-standard forms of employment, had contributed to a widening of income inequalities in many countries.
- 711.** There were, however, some positive developments in emerging and developing countries that showed more resilience to external developments than had been the case in earlier crises. That had been due to careful macroeconomic management, the extension of social protection floors and fast-growing business environments. In Europe, some of the hard-hit economies may have started growing again, though from a low basis.
- 712.** More fundamentally, there was growing awareness of the importance of employment-centred strategies and mounting evidence that policy coherence could support and sustain global growth, boost investment and create more and better jobs. That included the communiqués issued by the G20 under the Russian Presidency. In that regard, he observed that the ILO's active participation in the work of the G20 had contributed to the new emerging consensus.
- 713.** Finally, he provided an overview of the Office's work in connection with the post-2015 sustainable development agenda and its efforts to: address crisis-related challenges in the worst-hit Eurozone economies, where social dialogue offered multiple opportunities; intensify research and policy engagements with other international organizations, such as the World Bank; and carry out evidence-based analysis of policy packages and labour market policies, which would be boosted thanks to the creation of the Research Department.
- 714.** *The Employer coordinator* said that, while there were some signs of a global economic recovery, differences between countries were an indicator of the importance of local factors in determining economic performance. He disagreed with the paper on two points. First, he did not agree that the root cause of the crisis had been a cycle of weak aggregate demand that had led to low investment and decreased government spending and revenues. A more thorough analysis of the factors behind recent economic and labour market trends was needed. Second, he expressed concern with the analysis of trade issues as presented in



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the document. It was indeed important not to see trade as one directional and to acknowledge differences in comparative advantages and trade complementarities.

- 715.** He welcomed the reference to the G20 declarations and emphasized the importance of improving frameworks to reinforce competitive markets to enable sustainable enterprises. He was pleased with the acknowledgement that the middle class had increased in some countries and that improvements had been made in narrowing inequality. He outlined the different potential factors underlying income inequality and indicated that the solution should not come at the expense of growth.
- 716.** He welcomed the forthcoming Conference discussion with a view to preparing a Recommendation on facilitating the transition from the informal to the formal economy, as a larger formal sector would relieve some of the fiscal constraints on governments, allowing them to build a sustainable protection system.
- 717.** Finally, he emphasized the need for more flexible forms of employment to adapt to economic fluctuations and relieve long-term unemployment. He expressed the Employers' desire to see action on the resolution adopted by the International Labour Conference at its 96th Session (2007) concerning the promotion of sustainable enterprises and for the ILO to promote enabling environments for start-ups based on fact-based analysis and referring to the World Bank's *Doing Business* report.
- 718.** *The Worker Vice-Chairperson* said that his group could not agree with the Office's analysis of the recovery of the global economy. Among other indicators, economic growth was below pre-crisis levels and unemployment, including among young people, remained dismal. This was made worse by IMF policies which seriously underestimated the recessionary impact of austerity policies on growth. What was needed was a clear focus on wage-led growth strategies with a view to accelerate recovery. The Office's document failed to mention the role of the Global Jobs Pact, the social partners and the public sector in exiting the crisis. The deficit in global aggregate demand could not be counteracted through austerity measures, which had led to stagnant wages, attacks to collective bargaining and deregulatory labour market reforms. This had resulted in a widespread increase in precarity, informality and working poverty. These policies had to be reversed and policies for sustainable growth put in place through effective social dialogue.
- 719.** The crisis had also led to slower growth in developing countries and increased levels of unemployment and informality. The Office's analysis of progress on the reduction of poverty in low-income countries was too optimistic, as progress in that regard was very country-specific. The number of people in extreme poverty in low-income countries had actually risen by 103 million and, despite the rise of the middle class, growth was imbalanced. These countries were facing a problem of chronic poverty reflecting unequal growth and inequality that had to be addressed.
- 720.** The ILO should advocate for the inclusion of decent work as a specific goal in the post-2015 development agenda, call for inclusive growth and stress the role of labour market policies to achieve equity. There was a pressing need for coordinated global action and the G20 should support measures to raise aggregate demand and reduce inequalities, put job creation and decent work as a central priority, promote social protection floors, address tax evasion and avoidance, reform the international financial system and follow up on previous commitments. While he welcomed the conclusions of the recent G20 Labour and Employment Ministers' meeting in Moscow on the promotion of quality job creation and job-rich and sustainable growth, these measures needed to be implemented at national level. He recalled that the Global Jobs Pact remained very relevant and policies needed to be evaluated in relation to it.

- 721.** The Workers welcomed the ILO's engagement with other organizations and international financial institutions, but considered that collaboration should go beyond research. Moreover, the ILO needed to take a stronger stance on substantive policy issues in those countries that were facing attacks to collective bargaining and workers' rights with a view to develop alternative policies level. The Workers called for a future discussion in the Governing Body on the ILO's work in countries facing acute crises.
- 722.** *Speaking on behalf of the Africa group*, a Government representative of Egypt expressed support for the Office's paper and his group's concern at the high unemployment rates in Africa, especially among young people. Further challenges included creating decent work, tackling disparate growth rates, formalizing the informal economy and overcoming the lack of data. He stressed that policy-makers should seek to avoid a vicious cycle of low demand and investment. The group appreciated the discussions at various international forums on economic growth and job creation, in particular those held at the G20 St Petersburg Summit where the G20 Leaders' Declaration had been issued. It was essential for decent work, among other issues, to remain at the heart of the post-2015 agenda. He noted, however, that the paper would have been more balanced if it had underlined challenges faced by different regions and analysed the various employment policies. Foremost among policies in Africa were initiatives adopted by the New Partnership for Africa's Development (NEPAD) aimed at strengthening complementarity between countries and a declaration of intent signed between the African Commission, the ILO and the African Development Bank to boost youth employment.
- 723.** *Speaking on behalf of GRULAC*, a Government representative of Costa Rica emphasized the importance of technical cooperation and multilateral support to address the negative impacts of the crisis. He referred to GRULAC's desire to see a more equitable approach to global resource allocation and indicated that donor support should not be tied to criteria that could result in the withholding of assistance to vulnerable groups in the region. Stressing the fundamental need for a collaborative and symbiotic approach, he recommended convening a high-level summit on decent work to discuss issues related to employment, quality jobs and growth. He pointed to the benefits that could accrue from cooperation across member States. Furthermore, given the contribution of micro- and small enterprises (MSEs) to growth in the region, novel approaches were needed to foster access to credit. He also recalled the importance of establishing national floors of social protection and the need to address migration from a perspective which recognized it as a critical tool for development.
- 724.** *Speaking on behalf of ASEAN*, a Government representative of Viet Nam expressed support for the ILO's engagement with international financial institutions to develop a research agenda focused on job creation and productivity. He expressed the hope that the policies agreed by G20 member countries would be adopted by ILO member countries. He noted the Secretary-General's report on the MDGs to the 68th session of the United Nations General Assembly, which suggested that efforts by the ILO and its constituents to include decent work in the new development framework should begin to shift to the country level. He acknowledged the challenges involved in translating policy into action at the country level and supported the Office's plan to increase its analytical work on the evidence base for policies that promoted improvements in employment and the role of social protection. Finally, he asked the Office to give attention to the situation of individual member States and their proposals that resulted from national-level policy debates.
- 725.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania said that the following countries aligned themselves with the statement: Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania and Georgia. She noted that the ILO should continue to demonstrate its value in international forums through strong evidence-based research covering employment quality and income,

through comparative policy analysis and by mapping employment challenges in its Member States. The EU concurred with the Office's focus on youth employment. Regarding the interdependence of economies, she asked the Office to elaborate on elements that would be conducive to fast recovery and employment growth. Global as well as regional cooperation was indispensable in achieving real recovery. In that light, the recent G20 declarations were encouraging and the Office should continue its cooperation with the G20 and other international organizations in the interest of policy coherence. The EU would continue to contribute to multilateral work and had taken new internal initiatives for improved economic governance and a strengthened social dimension of the European monetary union.

- 726.** *A Government representative of Cyprus* noted that the restructuring of the banking sector, restriction of capital flows and financial uncertainty had continued to reduce domestic demand and business activity, further deteriorating employment prospects. Fiscal consolidation on its own was not sufficient, and measures were needed to stabilize the economy and increase job creation, with youth employment as a priority. The ILO had provided Cyprus with valuable technical expertise.
- 727.** *A Government representative of Italy* highlighted that welfare systems in many countries were not structured to face the long-term economic crisis that had led to unemployment, poverty and inequality in many countries. He remarked on Italy's labour market reforms to boost employment and tackle the country's social problems and concluded by expressing Italy's commitment to the ILO and to the creation of a more effective social environment.
- 728.** *An Employer member from Algeria* said that two important elements had not been mentioned in the Office's document. The first was the dysfunction of the international financial system as the root cause of the financial crisis; in that regard, he called for a reform of the international financial system. The second was the need to promote good governance through tripartite social dialogue and consensual measures in order to favour sustainable development.
- 729.** *A Worker member from the United States* noted that the recent job growth in the United States masked record levels of inequality and the trend towards poorer quality jobs and precariousness, which dated back to decades of inadequate wage growth and broken wage-productivity linkages. That trend had gone hand in hand with a decline in collective agreement coverage. Referring to the high income inequality, she noted that despite rising corporate earnings, the share going to workers was at a historic low. Workers' organizations in the United States were calling for: fiscal and monetary policies focused on decent job creation, a more equal income distribution and growth; active labour market programmes; and regulation of the financial sector to protect the economy against speculation. The ILO had an essential role to play in analysing policies and providing policy advice to governments to bring about shared prosperity.
- 730.** *A Government representative of the United Republic of Tanzania* said that investment in the key priority areas outlined in the Five-Year Development Plan had led to improved growth, employment and social protection in the United Republic of Tanzania. She urged the ILO to engage with other international organizations by providing technical, financial and policy support to member States to promote decent employment and social security.
- 731.** *A Government representative of Australia* said that jobs and growth were central to the new Australian Government's policy agenda. Australia would be holding the G20 presidency in 2014 at a critical time of slow global growth. In addition to the Leaders' Summit, Australia would also host a G20 Employment and Labour Ministers' Meeting in the second half of 2014. Her country looked forward to the ILO's active participation in those forums.

- 732.** *A Government representative of Panama* attributed Panama's economic resilience to the Government's active involvement in fostering public and private investment, permanent tripartite dialogue and commitment to collective bargaining and freedom of association. She mentioned the proposal of the Third Global Conference on Child Labour to accelerate eradication of the worst forms of child labour by 2015 and declare the region child labour free by 2020.
- 733.** *A Government representative of France* said that, notwithstanding some social and labour market concerns, there were reasons to be optimistic with regard to poverty reduction and the rising middle class in some countries. Long-term strategies should, however, be implemented and the ILO should have a unique role in that regard. He noted the reforms that had been implemented in France based on social dialogue and collective bargaining to achieve social justice and reverse the trend of youth unemployment. The future activities of the ILO should be informed by joint international action, particularly through the G20 summits, the implementation of DWCPs and the Global Jobs Pact.
- 734.** *A Government representative of Ghana* said that the contribution of employment and social policies to recovery and growth should not be underestimated. Noting that labour markets in Africa continued to suffer from weak demand-side factors, he expressed the opinion that, if households were empowered economically, child labour could be greatly reduced. The creation of decent and sustainable jobs was one of his Government's top priorities.
- 735.** *A Government representative of Thailand* said that Thailand had introduced a number of measures to promote a business-friendly climate, narrow the income gap and boost consumption, and help low-income groups cope with the recession, including efforts to provide social protection coverage. He noted that decent work should form an essential part of the post-2015 development agenda. Thailand welcomed the joint ILO–World Bank research agenda and encouraged the expansion of inter-agency cooperation in the field of research and statistics under the new central Research Department.
- 736.** *A Government representative of Germany* said that the resolution entitled “The youth employment crisis: A call for action”, which had been adopted by the International Labour Conference at its 101st Session (June 2012), had paved the way for effective answers to the youth employment crisis. He appreciated the attention that the G20 had devoted to the issue. EU Ministers of Labour had recently met in Berlin and had taken up many recommendations from the Call for Action, which included introducing the Youth Guarantee scheme to ensure that young people would receive further training within four months of leaving school. A number of EU countries were reforming their vocational training systems and the social partners had a key role to play in that regard, as they were the most in tune with the skills needed. The ILO represented the best platform for devising solutions to youth unemployment based on shared country experiences.
- 737.** *A Worker member from Romania* said that the European social model had been a very positive example in comparison to other economic models. However, European political, economic and financial institutions, as well as the Governments of the Member States, had implemented structural reforms and austerity measures which had gone against that model leading to social dumping, higher unemployment, growing inequalities, more precarious work, cuts in public services, less social protection and an increase in poverty. The facts had shown the failure of those policies and there was now a need to focus instead on policies for extraordinary investments, job creation, growth based on principles of solidarity, and the application and implementation of labour laws and social rights. Political will in favour of social dialogue should be at the basis of such policies.

738. *An Employer member from New Zealand*, noting that trade was a key driver of economic growth, disagreed with the statement in the paper that net exports could not be increased by all economies in the global economic system. Trade should be viewed as mutually beneficial because it led to increased competitiveness and productivity. The Director-General had supported the G20 St Petersburg Declaration, paragraphs 41–49 of which endorsed the contribution of free trade and investment to global growth. The Office’s collaboration with other international economic and trade organizations demonstrated the crucial nature of trade in job creation. The ILO should commit to an agenda that supported trade and continue to examine how trade had affected jobs and income.
739. *A Government representative of India* said that the unique platform of the ILO should be leveraged to allow employers to promote relevant skills; ensure the formalization of the informal sector; oversee compliance with labour standards; provide data analysis support; and foster experience-sharing. The increasingly globalized economy required more global governance from all nations. In that regard, the inclusion of regional groups in G20 discussions and the acknowledgement of the effect of labour and social policies on aggregate demand were good starting points. Furthermore, the growth of the middle class could also serve as a catalyst for global recovery. Finally, she pointed out that, in India, public employment generation programmes and cashless health insurance for unorganized workers helped reduce the employment deficit and address informality.
740. *A Government representative of Brazil*, noting that respect for the fundamental principles and rights at work was essential to a sustainable recovery process, said that Brazil supported the participation of the ILO in the discussions on that subject at the G20 level. She highlighted the role of the private sector in job creation, as well as the importance of trade for global economic growth. The decline in poverty and income inequalities in Brazil, among other developing countries, increased purchasing power and benefited the world economy. Social dialogue and the exchange of experiences should be considered to identify long-term solutions to common challenges.
741. *A Government representative of Togo* stressed the importance of multilateral cooperation in devising sustainable development strategies. In Togo, measures to promote youth employment had been implemented successfully, along with an increase in the salary scale, mainly targeting teachers, with a new revision scheduled for the first semester of 2014. Furthermore, a document fostering social protection had been signed with the support of the ILO. Women’s empowerment and rural development would be the main target for future action on social policies.
742. *A Government representative of the Russian Federation* said that a declaration had been signed at the recent G20 St Petersburg Summit identifying economic growth and job creation as priorities. In addition, her country had hosted the first joint Meeting of Finance and Labour Ministers, which had drafted specific obligations for job creation and the employment of vulnerable categories of workers. The integrated approach to job creation and economic development was unprecedented and should help balance labour market demand and supply, stimulate business and investment, and improve social protection. Although there was no single recipe for the link between employment and economic growth in all countries, cooperation between the G20 leaders and the ILO, the OECD and the World Bank was crucial to strengthening that link.
743. *An Employer member from the United States* stressed the importance of flexibility in employment in view of the changing world of work. Excessive restrictions led to lost opportunities for employment and the postponement of investment decisions, while changes in lifestyle led workers to look for greater flexibility. Employers were not anti-regulation but regulation should create a balance between employers’ and workers’ needs.

Policies needed to provide protection while creating a business-friendly environment, which was key to creating decent and productive jobs.

- 744.** *A Worker member from Angola* said that although there were signs of global economic recovery, the employment crisis was unprecedented, particularly in relation to vulnerable groups such as young females. The recent crisis exacerbated existing political and social crises in Africa. Although progress had been made in Angola in certain areas, further efforts were needed to reduce economic dependency on oil, build institutional capacity, fight against corruption, and reduce informal employment among others. Austerity measures had driven down wages without achieving growth. She requested the ILO's support to guarantee wages that provided a proper quality of life, foster decent employment, enforce international labour standards and promote collective bargaining.
- 745.** *A Government representative of China* stressed the importance of reaching a consensus on common solutions to face the negative effects of the crisis worldwide. The promotion of employment should play an important role in social and economic development. The quest for development would require in-depth and interlinked actions including labour, fiscal and industrial policies aimed at the creation of sustainable jobs and the upgrading of workers' skills. The ILO should promote greater tripartite collaboration and coordination in the future through the new Research Department.
- 746.** *A Government representative of Kenya* said that, in the aftermath of the crisis, several initiatives had been launched in the Kenyan labour market to support vulnerable segments of society, such as women and young people. Education and vocational training programmes had been implemented with the aim of reducing child labour and lowering unemployment rates. The post-2015 development agenda should include a more coordinated and inclusive policy debate at the international level and technical assistance to countries willing to translate policies into actions.
- 747.** *A Government representative of Trinidad and Tobago* said that the ILO should focus on workers' well-being. New ILO standards should take into account the widespread use of new information and communication technologies and the related risks for a work-life balance. Furthermore, ILO programmes should support national development programmes on HIV and AIDS and non-communicable lifestyle diseases. He requested the Office to convene a high-level summit on decent work.
- 748.** *A Government representative of Colombia* said that formalization was the key to decent work and social security and could be achieved through skills development and social protection. He suggested that paragraph 33 of the document should be further developed to identify concrete actions to facilitate economic growth. He further suggested that the Office should generate more cooperative mechanisms between countries to develop intervention strategies that would contribute to the further formalization of sectors.
- 749.** *A Government representative of the Sudan* noted that her Government was working to mitigate unemployment through cooperation with the ILO and the United Nations Environment Programme (UNEP). There was a need for greater efforts in the field of education and more studies concerning job creation for women and immigrants. She called on the Director-General to hold a world summit to discuss social justice, corporate responsibility and the strengthening of links between the Office and other international organizations.
- 750.** *A Government representative of Zimbabwe*, noting that employment had been introduced into the MDGs as an afterthought, said that employment creation should be a central focus of the post-2015 development agenda and of the ILO's Strategic Policy Framework. The Office should continue its collaboration with the multilateral system to promote

employment, particularly youth employment through skills acquisition, and should take action through region-specific assistance.

- 751.** *An Employer member from China* said that emphasis should be placed on building an environment conducive to the creation of sustainable enterprises, which could promote economic growth and job creation. Despite economic fluctuations, 10.66 million new jobs were created annually in China, mainly in the private sector. Furthermore, the Government had introduced measures to encourage enterprise creation and inclusive labour market policies, including measures for disadvantaged groups. In view of the large number of graduate jobseekers in China, provisions had also been made to encourage entrepreneurship and the Government was working with businesses to facilitate the entry of graduates into the labour market.
- 752.** *A Government representative of Romania* noted that the challenge in her country was to balance decent job creation and fiscal discipline. To that end, the Government had introduced a number of measures to improve working conditions and purchasing power. It was also reviewing the effect of current legislation on the labour market and was working to expedite the absorption of EU financing. In particular, the Government was focusing on creating jobs for young people and promoting entrepreneurship.
- 753.** *A Government representative of the Netherlands* said that, although fiscal consolidation did not yield short-term results, it was important for long-term growth and sustainable government finances were needed to strengthen consumer confidence.
- 754.** *A Government representative of the Republic of Korea* indicated that the new Government had been reviewing national policies with a view to increasing employment and restoring the middle class. The Government supported self-reliance through work by offering tailored support packages to vulnerable groups such as women, young people and the working poor. However, in the globalized context, policies needed to be coordinated at the international level. He remarked that the ILO's technical assistance was important in terms of implementing national job-creation policies and, consequently, the Office should enhance its research capabilities in the area of macroeconomic policies and disseminate best practices. In that regard, he welcomed the ILO's establishment of a central Research Department and its joint research agreement on job creation and productivity with the World Bank.
- 755.** *A Government representative of the Bolivarian Republic of Venezuela* said that he did not share the Office's views on the global economic recovery and noted that measures adopted to redress the financial sector were creating further social and economic problems. Paragraph 21 of the document undermined the progress made in developing and emerging economies. The countries of Latin America and the Caribbean had successfully implemented public policies to promote growth and employment. In his country in particular, a number of social inclusion policies predated the crisis and had provided a strong buffer to its effects.
- 756.** *A Government representative of Egypt* summarized four achievements of the trade unions in Egypt since the revolution in January 2013: the minimum wage had been raised in all public institutions and would shortly be fixed for the private sector; efforts were being made to reopen the 4,600 factories that had been closed because of the events during the previous regime and restore them to full capacity; small enterprises had been offered tax breaks; and new laws to strengthen the rights of persons unfairly dismissed were to be approved.

- 757.** *A Government representative of Argentina* expressed concern that global growth and employment remained below pre-crisis levels and that in many countries social security was being cut back. Along with labour market policies, employment and wage initiatives would be required to boost growth and consumption, and collective bargaining was needed to ensure that growth was fair and inclusive. Given the uncertainty of international markets, the main challenge for his region was the preparation of a strategy for job creation and for extending labour rights to all citizens.
- 758.** *A Government representative of Zambia* pointed out that the labour market had been struggling with the effects of globalization even before the crisis and although it was creating jobs, they were not all decent jobs. The adoption of the Social Justice Declaration had been a significant milestone in reaffirming ILO values, and particularly decent work. Another key instrument was the Global Jobs Pact, which Zambia had implemented because it strongly believed that the private sector was an engine of growth.
- 759.** *A representative of the Council of Europe* brought the Governing Body's attention to recent decisions by the European Committee of Social Rights regarding a collective complaint against Greece lodged by five Greek pension trade unions alleging non-compliance with the 1961 European Social Charter, owing to changes in the legislation introduced by austerity measures. The Committee had urged the Government of Greece to maintain the social security system at a satisfactory level and conduct research into the impact of austerity measures on vulnerable groups; otherwise, the effects of those measures threatened to plunge a significant segment of the population into poverty.
- 760.** *A representative of the Director-General (Deputy Director-General for Policy)* said that global data clearly supported the broad patterns identified in the document with regard to the deficit of demand. There seemed to be a misunderstanding regarding the point on trade, and she indicated that the Office recognized the significant positive impact of trade on growth. Nevertheless, at the global level, exports should be balanced by imports, which at an aggregate level had been declining. In those circumstances, increasing exports was not the way out of the crisis for all countries unless and until global demand increased. In that regard, some organizations, notably the United Nations Conference on Trade and Development (UNCTAD), emphasized the need for emerging and developing economies to place more emphasis on increasing domestic demand. With regard to the public sector and fiscal consolidation, the Office observed a new emerging consensus that, where fiscal deficits were high, fiscal consolidation was a necessary target for the medium term, but growth should be emphasized in the short term. She expressed strong support for: work on the informal economy as an area of critical importance; advocacy for decent work as an explicit goal in the post-2015 agenda; more support for technical assistance and employment policies for different regions; and continued engagement with the G20 and other international organizations.

## **Outcome**

- 761.** *The Governing Body took note of document GB.319/HL/1 and requested the Office to take into account the comments made during the discussion concerning the role of the ILO in supporting sustainable recovery.*

(GB.319/HL/1, paragraph 34.)



## Appendix I

### Update of member States' contributions received between 1 September and 21 October 2013

Since 1 September 2013, contributions for 2013 and prior years amounting to CHF34,194,225 were received from 18 member States as follows:

Member States	Contributions received for 2013	Contributions received for arrears	Total contributions received in Swiss francs
Algeria	449 851	–	449 851
Bahamas	3 962	–	3 962
Bangladesh	90	–	90
Bolivia, Plurinational State of	24 582	–	24 582
Burundi	–	2 938	2 938
Colombia	334 687	–	334 687
Germany	14 084 517	–	14 084 517
Iran, Islamic Republic of	–	1 100 000	1 100 000
Iraq	9 358	–	9 358
Israel	1 133 021	132 701	1 265 722
Republic of Korea	7 694 464	2 146 131	9 840 595
Republic of Moldova	2 959	–	2 959
Montenegro	14 358	–	14 358
Papua New Guinea*	7 238	15 014	22 252
Russian Federation	5 610 145	–	5 610 145
Tajikistan	–	7 500	7 500
Tanzania, United Republic of	–	5 644	5 644
United Arab Emirates	1 414 952	113	1 415 065
<b>Total</b>	<b>30 784 184</b>	<b>3 410 041</b>	<b>34 194 225</b>

\*Papua New Guinea regained its right to vote.

Including contributions received between 1 September and 21 October 2013, the total contributions received in 2013 amounted to CHF283,326,355. Of this amount, CHF247,979,020 represented contributions for 2013 and CHF35,347,335 represented contributions for arrears.

The balance due as of 21 October 2013 was CHF157,364,123.

## Appendix II

### **Statement by the Chairperson of the Staff Union Committee to the Programme, Financial and Administrative Section of the Governing Body (319th Session – October 2013)**

Madam Chairperson,  
Director-General,  
Members of the Governing Body,

Dear colleagues here today, and those following via the Intranet from our duty stations around the world.

Madam Chairperson,

Very few ILO officials have the privilege of addressing this Governing Body, and even fewer get to share the views, concerns and aspirations of the staff. I have had the honour of doing so on 12 separate occasions, including today, and it is a responsibility that I, on behalf of the ILO Staff Union Committee, have never taken lightly.

So, as I sat down to write what will be my last speech to the Governing Body as Chairperson of the Staff Union Committee, I must admit to having been faced with somewhat of a dilemma.

If I try to say everything I have wanted to, but have not been able to say on the other 11 occasions, I risk putting the room to sleep.

And I cannot do this, given the important work you have ahead of you.

I decided that, with the little time which remains for me – the little remaining attention I can demand from your very busy schedule – it would be most effective to focus my final speech to you on *one* thing; the *one* thing that, in our view, is essential to finding a way forward for the ILO, and for the United Nations system in this time of crisis. That is an effective and functioning industrial relations framework based on a commitment to good-faith social dialogue.

I suggest this, not as someone whose “day job” will focus on collective bargaining, but as someone who, when I applied for a job with the ILO as a 27-year-old, did so because I fully identified with the values of our Organization.

This is not only something *I* believe in. We are fortunate that this is something that our Director-General and his Administration believes in. And it is a principle that, as our shareholders for almost a century, I know that the Governing Body believes in: The principle that change can be best conceived and introduced, when it is achieved through dialogue.

It is somewhat ironic that, as we are emerging from years of what this Governing Body referred to as a “culture of conflict”, the United Nations, and the UN common system is confronted with a culture of conflict of an altogether different making.

First, let me recognize that, here in the ILO, we continue building a positive working relationship between the Union and the Administration – due in no small part to the deliberate commitment and considerable efforts made by the Union and management – and, as you would expect, things seem to be returning to normalcy here.

This is not to say that “tout est pour le mieux dans le meilleur des mondes possibles”. By no means would I suggest – nor would I expect our Union’s members to accept – such unrestrained optimism.

But we have made a commitment to make things work. We have committed to continuous dialogue with the Director-General and his Administration. Through this approach, we raised the concerns of the staff with the speed of the reform, as well as with areas where the consultative nature of the restructuring was not delivering as advertised. We were appreciative of the speed of the response we received, and how seriously these concerns were taken.

We have actively engaged with the review of the field operations, structure and technical cooperation, which is of particular concern to our members, and the staff as a whole. Overall, we have been pleased with their commitment to engage with the Union, both here in headquarters and in each of the regions. We are confident that the feedback they have received from the field staff is reflective of the issues raised by the Union in countless regional Staff Union committee meetings, as well as through the ONE ILO resolutions adopted by most ILO offices across the globe. The Union will continue to follow these issues closely, to ensure we can translate the issues raised through the consultative process into concrete, tangible results.

If you look at the big picture, and compare where we are today with the state of social dialogue in the ILO only two or three years ago, the considerable progress made in a short time is striking. Good faith dialogue is producing results.

However, if today in the ILO we are now making it work, if we are making progress here – we regret that the same is not true in the UN secretariat, or in the common system as a whole.

Many of you may be aware of the decision by the UN Secretary-General to withdraw collective bargaining rights from his own unions, not a year after engaging in a new, constructive approach to staff–management relations for UN staff. This not only contravenes the principles of good faith and the effective right to collective bargaining – including within the public service – but we now understand that it was done on the basis of misinformation to the member States. Unilateral moves to modify rules on treating collective redundancies in the FAO have heightened tensions and led to calls for industrial action from some staff.

The same is true in the common system, and, while not on your agenda today, allow me to speak to an issue that will be considered by UNGA in the coming week. In recent months, we have also witnessed numerous examples of the International Civil Service Commission violating its own methodologies, or changing them for the worse, with mounting pressure to make further changes, irrespective of the impact on the Noblemaire and Flemming Principles. Questioning these changes is not to question the authority of the member States to establish, and to change, common system terms and conditions of service. It is to highlight the fact that the abandonment of sound technical methodologies, which are based on clear, objective criteria, and have stood the test of time, will have a much greater impact on the United Nations, including its ability to attract and retain a competent, committed workforce.

We do not negotiate our salaries, nor a wide array of conditions of employment. It is part of being an international civil servant that these decisions are taken elsewhere, by a group of “independent, technical experts” in the ICSC, or based on their recommendation, by the General Assembly or this Governing Body. However, this lack of influence is offset by the fact that these conditions of service are subject to methods of calculation which have, up until now, been based on fair and transparent principles. Once the fundamental aspects of these methodologies are eroded for short-term political considerations, we run the very real risk of undermining, structurally, the ICSC’s reputation for independent, technical expertise in matters of conditions of service, and the confidence our staff have in the UN system as a whole.

To be clear, we are not suggesting that a financial crisis does not exist, or that UN staff should be shielded from its effects. The methodologies have these safeguards built in, to reflect the impacts of difficult economic times in our member States, and we are seeing that at work today. But we hold that it is precisely during times of the crisis that we must rely on the technical soundness of these methodologies, and must rely on social dialogue as a mechanism for introducing any changes which might be needed.

We would respectfully suggest that, while remaining fully cognizant of – and responsive to – the recession, we remember to also look *beyond* this current crisis, and consider the consequences of any decisions on the integrity of the common system, and the confidence, morale and productivity of the staff.

In little more than a year, we have seen the growing lack of confidence of UN staff in the common system manifest itself in demonstrations outside of the ICSC session, a strike of UN common system staff in Malawi, threats of industrial action in several other agencies, and legal challenges; many, many legal challenges.

If the recent experience in the ILO is anything to go by, we can clearly demonstrate the benefit of introducing changes through dialogue. Even in times where concessions were required due to the crisis, such as with the recent changes to travel conditions, the staff have largely accepted these. Why? It is because they believe in the values of the ILO. It is, at least in part, because of the confidence they have in their Union; they participated in the process and trust that the deal we reached was the best one we could get. They also trust in the process of collective bargaining, as a means for finding balanced, creative solutions in good times and bad.

Not too long ago, my predecessors used the opportunity of our address to the Governing Body to call for the withdrawal of the ILO from the UN common system.

While I will not go so far today, if the dialogue process outside of the ILO fails, if questions of confidence continue to be raised in relation to the ICSC's ability to fulfil its mandate as an independent, impartial, technical body, or if participation in the UN system comes at the expense of the unique tripartite nature, and values of the ILO, then these calls may begin once again.

But rather than move in such a radical direction, perhaps the time has come for us – all of us, together – to reconsider the way in which terms and conditions are determined for the United Nations system. If questions of confidence continue to be raised by the organizations, the staff, and even the member States, we should perhaps consider whether after nearly 40 years the current system has run its course.

While this may be my final address to you, and recognizing this may create work for my successor, I wanted to end with a concrete forward-looking proposal. As reform sweeps across the ILO and the UN system generally, perhaps what is needed is a fundamental rethink of the ICSC and related bodies, and a reform of the way in which we make policy in the UN system. Such a process could draw lessons from the national civil services in our own member States. The approach of the UN Joint Staff Pension Board could also be instructive, with representatives of all of the main tripartite actors – in this case, representatives of staff, management and governing bodies – coming together to construct the right policies at the right time, taking into account expert advice and the current context.

This would require visionary leadership, and a willingness to engage in good faith dialogue. Building on the positive recent experience here in the Office, and, making use of the technical expertise of the Office in matters related to social dialogue, we may have the necessary elements in place to lead such a reform.

We are convinced that such a review would be in the interest of the ILO, its staff, and of the security, integrity and independence of the international civil service.

Thank you.

## Appendix III

### Bureau international du Travail – Conseil d’administration International Labour Office – Governing Body Oficina Internacional del Trabajo – Consejo de Administración

*319<sup>e</sup> session – Genève – octobre 2013*  
*319th Session – Geneva – October 2013*  
*319.<sup>a</sup> Reunión – Ginebra – octubre de 2013*

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Membres gouvernementaux titulaires Miembros gubernamentales titulares	Titular Government members
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## Canada    Canadá

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## Colombie    Colombia

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## Congo

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**Danemark    Denmark  
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**Egypte    Egypt    Egipto**

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**El Salvador**

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**Etats-Unis    United States  
Estados Unidos**

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## France Francia

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**République islamique d'Iran**  
**Islamic Republic of Iran**  
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**Italie Italy Italia**

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**Japon Japan Japón**

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**Lituanie Lithuania Lituania**


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**Niger Níger**


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**Qatar**


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**République-Unie de Tanzanie**  
**United Republic of Tanzania**  
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**Togo**

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**Trinidad and Tobago**  
**Trinidad y Tabago**

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**Viet Nam**

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**Zambia    Zambia**

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<b>Membres gouvernementaux adjoints</b>	<b>Deputy Government members</b>
<b>Miembros gubernamentales adjuntos</b>	

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**Algérie    Algeria    Argelia**

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**Angola**

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**Botswana**

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**Bulgarie    Bulgaria**

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**Cambodge    Cambodia  
Camboya**

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## Chypre Cyprus Chipre

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## République de Corée Republic of Korea República de Corea

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## Costa Rica

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**Emirats arabes unis  
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**Ghana**

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*substitute(s):*

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*accompanied by:*

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**Indonésie Indonesia**

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**Kazakhstan Kazakhstán  
Kazajstán**

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**Kenya**

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### **Liban    Lebanon    Líbano**

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M<sup>me</sup> N. RIACHI ASSAKER, Ambassadeur,  
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### **Malte    Malta**

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### **Mexique    Mexico    México**

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Sr. J. GÓMEZ CAMACHO, Embajador,  
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### **Pakistan    Pakistán**

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### **Panama    Panamá**

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## **Pays-Bas Netherlands Países Bajos**

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## **Roumanie Romania Rumania**

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## **Soudan Sudan Sudán**

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## **Sri Lanka**

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**Suisse    Switzerland    Suiza**


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**Venezuela  
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Venezuela (Bolivarian Rep. of)  
Venezuela (Rep. Bolivariana de)**


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**Miembros empleadores titulares**

<b>Vice-président du Conseil d'administration:</b> <b>Vice-Chairperson of the Governing Body:</b> <b>Vicepresidente del Consejo de Administración:</b>	<b>Sr. D. FUNES DE RIOJA (Argentina)</b>
<b>Secrétaire du groupe des employeurs:</b> <b>Secretary of the Employers' group:</b> <b>Secretario del Grupo de los Empleadores:</b>	<b>Mr B. WILTON (IOE)</b>
<b>Secrétaire adjoint du groupe des employeurs:</b> <b>Deputy Secretary of the Employers' group:</b> <b>Secretario Adjunto del Grupo de los Empleadores:</b>	<b>Sr. R. SUAREZ SANTOS (IOE)</b>

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Mr P. ANDERSON (Australia), Chief Executive, Australian Chamber of Commerce and Industry.

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Ms R. HORNUNG-DRAUS (Germany), Managing Director, Confederation of German Employers' Associations.

Ms L. HORVATIC (Croatia), Director, International Affairs, Croatian Employers' Association.

Mr D. LIMA GODOY (Brazil), Director y Presidente de las Relaciones Laborales, Confederación Nacional de la Industria.

Mr H. MATSUI (Japan), Co-Director, Nippon Keidanren.

Mr K. MATTAR (United Arab Emirates), Adviser, Federation of United Arab Emirates Chambers of Commerce and Industry.

Mr Y. MODI (India), Chairman and CEO, Great Eastern Energy Corporation Ltd.

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Mr C. SYDER (United Kingdom), Davies Arnold Cooper LLP.

M. A. YUMA (République démocratique du Congo), Président du Conseil d'administration, La Générale des carrières et des mines.

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Mr M. CONZEMIUS, accompanying Mr Hornung-Draus.

Mr B. PANT, accompanying Mr Modi.

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Miembros empleadores adjuntos	

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Ms H. LIU (China), Deputy-Director, China Enterprise Confederation.

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Mr K. RAHMAN (Bangladesh), Former President, Bangladesh Employers' Federation.

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**Membres suppléants assistant à la session:**

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M. S. LADOUYOU (Côte d'Ivoire).  
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<b>Membres travailleurs titulaires</b>	<b>Titular Worker members</b>
<b>Miembros trabajadores titulares</b>	
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<b>Secrétaire du groupe des travailleurs:</b> <b>Secretary of the Workers' group:</b> <b>Secretario del Grupo de los Trabajadores:</b>	<b>Sra. R. GONZÁLEZ (ITUC)</b>
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M. E. BENMOUHOU, accompagnant M. Kaddous.

Ms M. HAYASHIBALA, accompagnant Ms Sakurada.

M<sup>me</sup> V. ROUSSEAU, accompagnant M<sup>me</sup> Corteebeck.

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 Mr S. NDEBELE, Minister, Permanent Mission, Geneva.  
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**Autriche    Austria**

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**Bahreïn    Bahrain    Bahrein**

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## Bangladesh

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Mr K. MURSHED, Second Secretary, Permanent Mission, Geneva.

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## Bélarus Belarus Belarús

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Mr A. ANDREEV, Counsellor, Permanent Mission, Geneva.

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## Belgique Belgium Bélgica

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## Bolivia (Etat plurinational de) Bolivia (Plurinational State of) Bolivia (Estado Plurinacional de)

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## Burundi

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## Chili Chile

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## Côte d'Ivoire

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M. E. SORO DOLOUROU, Directeur de la réglementation du travail, ministère de l'Emploi, des Affaires sociales et de la Formation professionnelle.

M. K. ADJOUANI, Ambassadeur, Représentant permanent, Mission permanente, Genève.

M. T. MORIKO, Conseiller, Mission permanente, Genève.

M. K. SILUE, Conseiller, Mission permanente, Genève.

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## Croatie Croatia Croacia

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Ms V. VUKOVIC, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Ms Z. PENIC IVANKO, First Secretary, Permanent Mission, Geneva.

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## Djibouti

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M. M. DOUALE, Ambassadeur, Représentant permanent, Mission permanente, Genève.  
M. D. MAHAMOUD ALI, Conseiller, Mission permanente, Genève.

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## Equateur Ecuador

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Sr. L. GALLEGOS, Embajador y Representante Permanente, Misión Permanente, Ginebra.  
Sr. L. ESPINOSA SALAS, Consejero, Misión Permanente, Ginebra.  
Sra. A. JÁCOME, Misión Permanente, Ginebra.

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## Espagne Spain España

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Sra. A. MENÉNDEZ, Embajadora, Representante Permanente, Misión Permanente, Ginebra.  
Sr. V. REDONDO BALDRICH, Embajador, Representante Permanente Adjunto, Misión Permanente, Ginebra.  
Sr. D. CANO SOLER, Consejero de Empleo y Seguridad Social, Misión Permanente, Ginebra.  
Sr. G. VEGA MOLINA, Consejero, Misión Permanente, Ginebra.  
Sr. P. CARBAJAL GARCÍA, Jefe de Sección de la Consejería de Empleo y Seguridad Social, Misión Permanente, Ginebra.  
Sra. N. MARTÍ NIKLEWITZ, Administrativa de apoyo en la Consejería de Empleo y Seguridad Social, Misión Permanente, Ginebra.

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## Ethiopie Ethiopia Etiopía

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Mr G. AYEHU, Minister Counsellor, Permanent Mission, Geneva.

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## Fidji Fiji

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Mr J. USAMATE, Minister for Labour, Industrial Relations and Employment  
Mr T. WAQA, Permanent Secretary for Labour, Industrial Relations and

Employment, Ministry of Labour, Industrial Relations and Employment.

Mr S. SHARMA, Acting Solicitor General and Permanent Secretary for Civil Aviation.  
Ms S. DAUNABUNA, Acting Principal Legal Officer, Office of the Solicitor General.

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## Finlande Finland Finlandia

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Ms P. KAIRAMO, Ambassador, Permanent Representative, Permanent Mission, Geneva.  
Ms L. HEINONEN, Government Counsellor, Ministry of Employment and the Economy.  
Ms P. KANTANEN, Ministerial Adviser, Legal Affairs, Ministry for Foreign Affairs.  
Ms K. AIRAS, First Secretary, Permanent Mission, Geneva.  
Ms P. SARIVAARA-HEIKKINEN, Attaché, Ministry of Foreign Affairs.  
Ms S. SILTALA, Permanent Mission, Geneva.

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## Gabon Gabón

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M. B. NDONG ELLA, Ambassadeur, Représentant permanent, Mission permanente, Genève.  
M. F. MANGONGO, Conseiller chargé des questions sociales et des relations avec l'OIT, Mission permanente, Genève.

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## Grèce Greece Grecia

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Mr G. PAPADATOS, Minister Counsellor, Permanent Mission, Geneva.  
Ms M. GOUVA, Directory of International Relations, Section Relations with ILO.

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## Guatemala

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Sr. C. CONTRERAS SOLORZANO, Ministro de Trabajo y Previsión Social  
Sr. F. VILLAGRÁN DE LEÓN, Embajador, Representante Permanente, Misión Permanente, Ginebra.  
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Sr. C. ESCOBEDO, Consejero, Misión Permanente, Ginebra.  
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 Sra. S. BARRIOS, Primera Secretaria, Misión Permanente, Ginebra.  
 Sr. J. BENARD, Segundo Secretario, Misión Permanente, Ginebra.  
 Sra. A. TOLEDO ORDOÑEZ, Tercera Secretaria, Misión Permanente, Ginebra.

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### Honduras

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Sr. E. DIAZ ARRIVILLAGA, Embajador, Representante Permanente, Misión Permanente, Ginebra.  
 Sr. G. RIZZO ALVARDO, Embajador, Representante Permanente, Misión Permanente, Ginebra.  
 Sra. S. CHINTYA SHIN, Misión Permanente, Ginebra.

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### Iraq

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Mr Q. MAHAL, Attaché, Permanent Mission, Geneva.

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### Irlande Ireland Irlanda

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Ms P. O'BRIEN, Ambassador, Permanent Representative, Permanent Mission, Geneva.  
 Mr J. NEWHAM, Minister Counsellor and Deputy Permanent Representative to the WTO, Permanent Mission, Geneva.  
 Ms S. O'CARROLL, Assistant Principal Officer, Department of Jobs, Enterprise and Innovation.  
 Ms M. MCMAHON, Higher Executive Officer, Department of Jobs, Enterprise and Innovation.  
 Mr E. GIGUERE, Higher Executive Officer, Department of Jobs, Enterprise and Innovation.  
 Ms C. MURPHY, Administrator, Permanent Mission, Geneva.

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### Jordanie Jordan Jordania

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Mr R. SUKAYRI, Ambassador, Permanent Representative, Permanent Mission, Geneva.  
 Ms M. HATTAR, Counsellor, Permanent Mission, Geneva.  
 Mr S. DAJANI, Counsellor (ILO Affairs), Permanent Mission, Geneva.

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### Lettonie Latvia Letonia

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Mr R. JANSONS, Ambassador, Permanent Representative, Permanent Mission, Geneva.  
 Mr E. KORCAGINS, Director, Legal Department, Ministry of Welfare.  
 Ms I. DREIMANE ARNAUD, First Secretary, Permanent Mission, Geneva.

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### Libye Libya Libia

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Ms B. ALGADI, First Secretary, Permanent Mission, Geneva.

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### Luxembourg Luxemburgo

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M. J. HOSCHEIT, Ambassadeur, Représentant permanent, Mission permanente, Genève.  
 M. D. DA CRUZ, Représentant permanent adjoint, Mission permanente, Genève.  
 M<sup>me</sup> A. WEBER, Attaché, Mission permanente, Genève.  
 M<sup>me</sup> N. MÜLLER, Mission permanente, Genève.

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### Malaisie Malaysia Malasia

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Mr R. BAHARI, Labour Attaché, Permanent Mission, Geneva.

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## Malawi

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Ms E. MAKANGALA, Minister of Labour.  
 Ms N. CHINGUWO, Personal Assistant to the  
 Minister of Labour, Ministry of Labour.  
 Mr W. KAYIRA, Principal Secretary, Ministry  
 of Labour.  
 Mr W. MUSUKWA, Deputy Labour  
 Commissioner, Ministry of Labour.

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## Moldova, Rép. de Republic of Moldova República de Moldova

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Mr I. MOLDOVAN, First Secretary,  
 Permanent Mission, Geneva.

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## Mozambique

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M. P. COMISSARIO, Ambassadeur,  
 Représentant permanent, Mission  
 permanente, Genève.  
 M. J. DENGGO, Premier secrétaire, Mission  
 permanente, Genève.  
 M. M. TUNGADZA, Premier secrétaire,  
 Mission permanente, Genève.

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## Myanmar

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Mr K. TUN, Chargé d'affaires, Minister  
 Counsellor, Permanent Mission, Geneva.  
 Mr W. TUN, Counsellor, Permanent Mission,  
 Geneva.  
 Ms L. LWIN, First Secretary, Permanent  
 Mission, Geneva.  
 Mr T. NAING, Second Secretary, Permanent  
 Mission, Geneva.  
 Ms M. SANDAR, Attaché, Permanent Mission,  
 Geneva.

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## Namibie Namibia

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Ms S. NGHINAMUNDOVA, First Secretary,  
 Permanent Mission, Geneva.  
 Mr A. NGHIFITIKEKO, First Secretary,  
 Permanent Mission, Geneva.  
 Ms S. KATJINGISUA, Second Secretary,  
 Permanent Mission, Geneva.

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## Népal Nepal

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Mr S. BAIRAGI, Ambassador, Permanent  
 Representative, Permanent Mission,  
 Geneva.  
 Mr B. DHUNGANA, Counsellor, Deputy  
 Permanent Representative, Permanent  
 Mission, Geneva.  
 Mr G. BHANDARI, Second Secretary,  
 Permanent Mission, Geneva.

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## Nicaragua

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Sr. C. RAFFONE, Embajador, Representante  
 Permanente, Misión Permanente, Ginebra.  
 Sr. N. CRUZ TORUÑO, Representante  
 Permanente Alterno, Misión Permanente,  
 Ginebra.

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## Nigéria Nigeria

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Mr O. ILLOH, Permanent Secretary, Federal  
 Ministry of Labour and Productivity.  
 Ms T. BRAIMAH, Director (PM&S), Federal  
 Ministry of Labour and Productivity.  
 Mr E. OKOGWU, Deputy Director (E&W),  
 Federal Ministry of Labour and  
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 Ms M. NWORDU, Coordinate Director  
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 Mr O. OGUNMUKO, Assistant Director  
 (INSP), Federal Ministry of Labour and  
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 Mr A.O. OKIBE, Chief Labour Officer (PM),  
 Federal Ministry of Labour and  
 Productivity.  
 Mr N. MGBEMELE, PA to Honourable  
 Minister, Federal Ministry of Labour and  
 Productivity.  
 Mr A. EKWUFE, PA to Permanent Secretary,  
 Federal Ministry of Labour and  
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 Mr A. ESSAH, Labour Attaché, Permanent  
 Mission, Geneva.  
 Mr M. ABUBAKAR MOHAMMED, Director-  
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 and Productivity.  
 Dr P. BDLIYA, Director-General (NPC),  
 Federal Ministry of Labour and  
 Productivity.

Mr M. ABUBAKAR, Managing Director (NSITF), Federal Ministry of Labour and Productivity.

Mr J. OLANREWAJU, Director-General (MINILS), Federal Ministry of Labour and Productivity.

Mr S. ADESUGBA, Chairman (IAP), Federal Ministry of Labour and Productivity.

Mr H. OJUNGU USMAN, Chief Registrar, Federal Ministry of Labour and Productivity.

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### Norvège Norway Noruega

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Ms K. SOMMERSET, Minister, Permanent Mission, Geneva.

Ms G. KVAM, Specialist Director, Working Environment and Safety Department, Ministry of Labour.

Ms A. KLEVSTRAND, Permanent Mission, Geneva.

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### Pérou Peru Perú

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Sr. L. CHÁVEZ BASAGOITIA, Embajador, Representante Permanente, Misión Permanente, Ginebra.

Sr. H. WIELAND CONROY, Ministro Consejero, Representante Permanente Alterno, Misión Permanente, Ginebra.

Sra. S. ALVARADO SALAMANCA, Segunda Secretaria, Misión Permanente, Ginebra.

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### Philippines Filipinas

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Mr D. LEPATAN, Chargé d'affaires, Permanent Mission, Geneva.

Ms M. VALDERRAMA, Labour Attaché, Permanent Mission, Geneva.

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### Pologne Poland Polonia

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Mr R. HENCZEL, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Ms R. LEMIESZEWSKA, Counsellor to the Minister, Social Dialogue and Social Partnership Department, Ministry of Labour and Social Policy.

Ms M. NOJSZEWSKA-DOCHEV, First Secretary, Permanent Mission, Geneva.

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### Portugal

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M. A. VALADAS DA SILVA, Conseiller, Mission permanente, Genève.

M<sup>me</sup> M. SEVINATE, Mission permanente, Genève.

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### République dominicaine Dominican Republic República Dominicana

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Sr. H. HERNÁNDEZ SÁNCHEZ, Embajador, Representante Permanente, Misión Permanente, Ginebra.

Sr. P. MEDINA JIMÉNEZ, Ministro Consejero, Misión Permanente, Ginebra.

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### Rwanda

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M. M. RUGEMA, Chargé d'affaires, Mission permanente, Genève.

M<sup>me</sup> L. NTAYOMBYA, Chargée de la communication et services multilatéraux, Mission permanente, Genève.

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### Sénégal Senegal

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M. F. SECK, Ambassadeur, Représentant permanent, Mission permanente, Genève.

M. A. WAHAB HAIDARA, Ministre conseiller, Mission permanente, Genève.

M<sup>me</sup> N. LO, Premier conseiller, Mission permanente, Genève.

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### Singapour Singapore Singapur

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Ms Y. TAN, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr S. PANG, Deputy Permanent Representative, Permanent Mission, Geneva.



Ms C. LEE, First Secretary, Permanent Mission, Geneva.

Mr D. CHAN, Senior Manager, Labour Relations and Workplaces Division, Ministry of Manpower.

Ms S. YEO, Senior Manager, Workplace Policy and Strategy Division, Ministry of Manpower.

Ms J. LOH, Prosecuting Officer, Legal Services Division, Ministry of Manpower.

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**Slovénie   Slovenia  
Eslovenia**

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Ms K. STERBENC, Senior Adviser, Ministry of Labour, Family and Social Affairs.

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**Suède   Sweden   Suecia**

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Mr J. KNUTSSON, Ambassador and Permanent Representative, Permanent Mission, Geneva.

Mr C. ERIKSSON, Director, Special Expert, Ministry of Employment.

Mr O. EKÉUS, First Secretary, Permanent Mission, Geneva.

Ms T. JARL, Permanent Mission, Geneva.

Ms H. MARSK, Programme Manager, Swedish International Development Cooperation Agency.

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**République tchèque  
Czech Republic  
República Checa**

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Ms M. HOMOLKOVÁ, Second Secretary, Permanent Mission, Geneva.

Ms L. HANZLICKOVA, Permanent Mission, Geneva.

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**Tunisie   Tunisia   Túnez**

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M<sup>me</sup> C. KOCHLEF, Premier secrétaire, Mission permanente, Genève.

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**Turquie   Turkey   Turquía**

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Mr L. GENÇ, Adviser, Permanent Mission, Geneva.

Mr H. OYMAN, Expert, Permanent Mission, Geneva.

**Représentants d'autres Etats non membres assistant à la session  
Representatives of non-member States present at the session  
Representantes de otros Estados no miembros presentes en la reunión**

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**Saint-Siège    The Holy See  
Santa Sede**

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Mgr. M. DE GREGORI, Attaché, Mission permanente, Genève.

M. P. GUTIÉRREZ, Mission permanente, Genève.

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**Représentants d'organisations internationales gouvernementales**  
**Representatives of international governmental organizations**  
**Representantes de organizaciones internacionales gubernamentales**

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**Organisation arabe du travail**  
**Arab Labour Organization**  
**Organización Árabe del Trabajo**

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Mr A. LUQMAN, Director-General.  
 Ms D. SAEED, Chief of Cabinet.  
 Mr R. GUISSOUMA, Head, Permanent Delegation of the ALO in Geneva.  
 Ms Z. KASBAOUI, Permanent Delegation of the ALO in Geneva.

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**Union européenne**  
**European Union**  
**Unión Europea**

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Ms M. ZAPPIA, Ambassador, Head, Permanent Delegation of the European Union in Geneva.  
 Mr D. PORTER, Minister Counsellor, Deputy Head, Permanent Delegation of the European Union in Geneva.  
 Mr M. FERRI, First Counsellor, Permanent Delegation of the European Union in Geneva.  
 Ms E. PICHOT, Administrator, Unit for External Relations, Neighbourhood Policy, Enlargement, IPA, Directorate General for Employment, Social Affairs and Inclusion, European Commission.  
 Mr L. DIALLO, Policy Officer, Unit for External Relations, Neighbourhood Policy, Enlargement, IPA, Directorate General for Employment, Social Affairs and Inclusion, European Commission.  
 Ms L. VINCENT, Assistant, Permanent Delegation of the European Union in Geneva.  
 Ms C. DE CROMBRUGGHE, Permanent Delegation of the European Union in Geneva.

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**Organisation des Nations Unies pour l'alimentation et l'agriculture**  
**Food and Agriculture Organization of the United Nations**  
**Organización de las Naciones Unidas para la Agricultura y la Alimentación**

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Ms S. AVILÉS, Officer-in-Charge, FAO Liaison Office in Geneva.

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**Conseil des ministres du Travail et des Affaires sociales des Etats du CCG**  
**Council of Ministers of Labour and Social Affairs in GCC States**

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Mr K. BUHAZAA, Labour Affairs Acting Director.  
 Mr A. ALI, Legal Researcher.

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**Alliance coopérative internationale**  
**International Cooperative Alliance**  
**Alianza Cooperativa Internacional**

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Mr G. HONG, Sectoral Information Manager.

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**Conseil de l'Europe**  
**Council of Europe**  
**Consejo Europeo**

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Mr P. DUMITRIU, Ambassador and Permanent Observer, Permanent Delegation of the Council of Europe in Geneva.

Ms N. DORNON, Permanent Delegation of the Council of Europe in Geneva.

Ms J. NICOLLET, Permanent Delegation of the Council of Europe in Geneva.

Mr F. AMURRIO ALCARAZ, Permanent Delegation of the Council of Europe in Geneva.

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**Union africaine**  
**The African Union**  
**Unión Africana**

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Mr J. EHOZOU, Permanent Observer, Permanent Delegation of the African Union in Geneva.

Mr G. NAMEKONG, Senior Economist, Permanent Delegation of the African Union in Geneva.

Ms B. NAIDOO, Social Affairs Officer, Permanent Delegation of the African Union in Geneva.

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**Banque mondiale**  
**The World Bank**  
**Banco Mundial**

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Ms S. JACKSON, World Bank's Special Representative in Geneva.

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**Programme des Nations Unies pour le développement**  
**United Nations Development Programme**  
**Programa de las Naciones Unidas para el Desarrollo**

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Ms P. LANTZ, Director, Geneva Office.

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**Haut Commissariat des Nations Unies pour les réfugiés**  
**United Nations High Commissioner for Refugees**  
**Oficina del Alto Comisionado de las Naciones Unidas para los Refugiados**

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Ms A. ROUDIES, Senior Livelihoods Officer.

Ms L. PEDERSEN-ASTROM, Livelihoods Officer.

Mr J. OSTER, Livelihoods Officer.

Ms A. RAMIREZ.

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**Organisation mondiale du commerce**  
**World Trade Organization**  
**Organización Mundial del Comercio**

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Mr J. MONTEIRO, Economic Affairs Officer, Trade and Environment Division.

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**Représentants d'organisations internationales non gouvernementales  
assistant à titre d'observateurs**  
**Representatives of international non-governmental organizations as observers**  
**Representantes de organizaciones internacionales no gubernamentales  
presentes con carácter de observadores**

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**Business Africa**

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Ms J. MUGO, Secretary-General.

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**Organisation internationale des employeurs**  
**International Organisation of Employers**  
**Organización Internacional de Empleadores**

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Mr B. WILTON, Secretary-General.  
Mr R. SUAREZ SANTOS, Deputy Secretary-General.

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**Association internationale de la sécurité sociale**  
**International Social Security Association**  
**Asociación Internacional de la Seguridad Social**

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Mr H. KONKOLEWSKY, Secretary-General.  
Ms D. LEUENBERGER, Head, Resources and Services Branch.

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**Confédération syndicale internationale**  
**International Trade Union Confederation**  
**Confederación Sindical Internacional**

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Ms R. GONZALEZ, Director, Geneva Office.  
Ms E. BUSSER, Assistant Director, Geneva Office.

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**Organisation de l'unité syndicale africaine**  
**Organization of African Trade Union Unity**  
**Organización para la Unidad Sindical Africana**

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Mr O. LAKEMFA, Secretary-General.  
Mr A. MEHZOUD, Assistant Secretary-General, International Organizing Department.  
Mr A. DIALLO, Permanent Representative to the ILO and UN Offices in Geneva.

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**Fédération syndicale mondiale**  
**World Federation of Trade Unions**  
**Federación Sindical Mundial**

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Mr M. ALIGISAKIS.  
Ms A. KOUTSOUPI.

**Mouvement de libération  
Liberation movement  
Movimiento de liberación**

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**Palestine    Palestina**

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Dr I. KHRAISHI, Ambassador, Permanent Observer Mission, Geneva.

Mr I. MUSA, Counsellor, Permanent Observer Mission, Geneva.

Ms N. TARBUSH, Permanent Observer Mission, Geneva.