



## **Governing Body**

323rd Session, Geneva, 12–27 March 2015

**GB.323/PV**

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### **Minutes of the 323rd Session of the Governing Body of the International Labour Office**



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of the Governing Body of the  
International Labour Office**

The 323rd Session of the Governing Body of the International Labour Office was held in Geneva, from Thursday, 12 to Friday, 27 March 2015, with Mr Apolinário Jorge Correia of Angola as Chairperson.

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



## Table of contents by order of item on the agenda

<i>Item No.</i>	<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Decision paragraph No.</i>
<b>Institutional Section</b>				
1	GB.323/INS/1	Approval of the minutes of the 322nd Session of the Governing Body	3	3
2	GB.323/INS/2	Agenda of the International Labour Conference (2017–19)	7	18
3	GB.323/INS/3	Preparation for the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization by the 105th Session of the International Labour Conference (2016)	10	34
4	GB.323/INS/4 and GB.323/INS/4(Add.)	Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013)	14	50
5	GB.323/INS/5, GB.323/INS/5/Appendix I, GB.323/INS/5/Appendix II, GB.323/INS/5/Appendix III	The Standards Initiative	20	84
6	GB.323/INS/6(Rev.)	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	25	99
7	GB.323/INS/7(Rev.1) and GB.323/INS/7(Add.)	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	28	114
8	GB.323/INS/8(Rev.1) and GB.323/INS/8(Add.)	Complaint alleging non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), made by the delegates to the 103rd Session (2014) of the International Labour Conference under article 26 of the ILO Constitution	34	149
9		Reports of the Committee on Freedom of Association		
	GB.323/INS/9	374th Report	39	173
10	GB.323/INS/10	Report of the Working Party on the Functioning of the Governing Body and the International Labour Conference	40	177, 178
11	GB.323/INS/11 and GB.323/INS/11(Add.)	Report of the Director-General	41	179
	GB.323/INS/11/1	<i>First Supplementary Report:</i> Monitoring and assessment of the progress towards decent work at the national level	43	187
	GB.323/INS/11/2 and GB.323/INS/11/2(Add.)	<i>Second Supplementary Report:</i> Developments in the relationship between the ILO and the International Organization for Standardization (ISO), including in the field of occupational safety and health	46	199
	GB.323/INS/11/3(Rev.)	<i>Third Supplementary Report:</i> Documents submitted for information only	47	200
	GB.323/INS/11/4	<i>Fourth Supplementary Report:</i> Appointment of an Assistant Director-General	47	201

<i>Item No.</i>	<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Decision paragraph No.</i>
	GB.323/INS/11/5	<i>Fifth Supplementary Report:</i> Report of the Committee set up to examine the representation alleging non-observance by Chile of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), and the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37), made by the College of Teachers of Chile AG, under article 24 of the ILO Constitution	47	<b>202</b>
	GB.323/INS/11/6	<i>Sixth Supplementary Report:</i> Report of the Committee set up to examine the 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)	49	<b>203</b>
<b>12</b>		Reports of the Officers of the Governing Body		
	GB.323/INS/12/1	First report: Representation alleging non-observance by the Government of Peru of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the International Trade Union Confederation (ITUC), the Trade Union Confederation of the Americas (TUCA) and the Autonomous Workers' Confederation of Peru (CATP)	50	<b>204</b>
	GB.323/INS/12/2	Second report: Representation alleging non-observance by Peru of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the ILO Constitution by the Autonomous Confederation of Peruvian Workers (CATP) and the United National Union of Workers of the National Tax Administration Supervisory Authority (SINAUT–SUNAT)	50	<b>205</b>
	GB.323/INS/12/3	Third report: Representation alleging non-observance by Colombia of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and the Collective Bargaining Convention, 1981 (No. 154), made under article 24 of the ILO Constitution by the General Confederation of Workers	51	<b>206</b>
	GB.323/INS/12/4	Fourth report: Representation alleging non-observance by Paraguay of the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the ILO Constitution by the Single Confederation of Workers	51	<b>207</b>
	GB.323/INS/12/5	Fifth report: Representation alleging non-observance by Poland of the Social Security (Minimum Standards) Convention, 1952 (No. 102), made under article 24 of the ILO Constitution by the Independent and Self-Governing Trade Union "Solidarnosc" (NSZZ "Solidarnosc")	52	<b>208</b>
<b>13</b>	GB.323/INS/13(&Corr.)	Composition and agenda of standing bodies and meetings	52	<b>209–212</b>
<b>Policy Development Section</b>				
<i>Employment and Social Protection Segment</i>				
<b>1</b>	GB.323/POL/1	Area of critical importance: Protecting workers from unacceptable forms of work	61	<b>240</b>
<b>2</b>	GB.323/POL/2(Rev.)	Area of critical importance: Creating and extending social protection floors	68	<b>269</b>
<b>3</b>	GB.323/POL/3	Conclusions of the Meeting of Experts on Non-Standard Forms of Employment	71	<b>283</b>

<i>Item No.</i>	<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Decision paragraph No.</i>
<i>Social Dialogue Segment</i>				
4	GB.323/POL/4	Sectoral and technical meetings in 2014 and proposals for sectoral work in 2016–17	74	294
<i>Technical Cooperation Segment</i>				
5	GB.323/POL/5	The ILO's Development Cooperation Strategy 2015–17	77	306
6	GB.323/POL/6(&Corr.)	Regional perspectives on development cooperation: The Arab States	80	314
<b>Legal Issues and International Labour Standards Section</b>				
<i>Legal Issues Segment</i>				
1	GB.323/LILS/1	Incomplete delegations to the International Labour Conference and Regional Meetings	83	323
2	GB.323/LILS/2	Promotion of the ratification of the 1986 and 1997 Instruments for the Amendment of the Constitution of the International Labour Organisation	85	338
<i>International Labour Standards and Human Rights Segment</i>				
3	GB.323/LILS/3	Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2016	87	345
4	GB.323/LILS/4	Outcome of the Meeting of Experts concerning the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) (Geneva, 4–6 February 2015)	91	360
<b>Programme, Financial and Administrative Section</b>				
<i>Programme, Financial and Administrative Segment</i>				
1	GB.323/PFA/1, GB.323/PFA/1/D1 and GB.323/PFA/1/1	The Director-General's Programme and Budget proposals for 2016–17	113	468
2	GB.323/PFA/2	Delegation of authority under article 18 of the Standing Orders of the International Labour Conference	114	470
3	GB.323/PFA/3 and GB.323/PFA/3(Add.)	Update on the headquarters building renovation project	118	490
4	GB.323/PFA/4	Information and communications technology questions: Progress report on the ILO Information Technology Strategy 2010–15	120	497
5	GB.323/PFA/5	Other financial questions: Report of the Government members of the Governing Body for allocation of expenses	120	499
<i>Audit and Oversight Segment</i>				
6	GB.323/PFA/6	Appointment of the External Auditor (2016–19)	121	503
7	GB.323/PFA/7/1	Independent Oversight Advisory Committee (IOAC): Selection process	121	508
	GB.323/PFA/7/2	Independent Oversight Advisory Committee (IOAC): Annual report	123	517
8	GB.323/PFA/8	Report of the Chief Internal Auditor for the year ended 31 December 2014		
		Report of the Chief Internal Auditor on significant findings resulting from internal audit and investigation assignments undertaken in 2014	125	525

<i>Item No.</i>	<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Decision paragraph No.</i>
	<i>Personnel Segment</i>			
<b>9</b>		Statement by the staff representative	125	
<b>10</b>	GB.323/PFA/10	Amendments to the Staff Regulations	127	<b>535</b>
<b>11</b>	GB.323/PFA/11/1	Matters relating to the Administrative Tribunal of the ILO		
		Composition of the Tribunal	128	<b>540</b>
	GB.323/PFA/11/2	Recognition of the Tribunal's jurisdiction by two international organizations	129	<b>546</b>
<b>High-Level Section</b>				
	<i>Strategic Policy Segment</i>			
<b>1</b>	GB.323/HL/1	Global employment and social challenges: Emerging trends and the role of the ILO	143	<b>599</b>
<b>Appendices</b>				
<b>I.</b>		Statement by the Director-General to the Programme, Financial and Administrative Section of the Governing Body (323rd Session – 16 March 2015)	145	
<b>II.</b>		The Director-General's response to the issues raised by Governing Body members during the discussion of the Programme and Budget proposals for 2016–17 (323rd Session – 25 March 2015)	150	
<b>III.</b>		Statement by the Chairperson of the Staff Union Committee to the Programme, Financial and Administrative Section of the Governing Body (323rd Session – 18 March 2015)	156	
<b>IV.</b>		Update on member States' contributions received between 1 and 18 March 2015	160	
<b>V.</b>		Scale of assessments of contributions to the budget for 2016	161	
<b>VI.</b>		Final list of persons attending the session	166	



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## Institutional Section

1. The Institutional Section met on Monday, 16, and Friday, 20 March and from Tuesday, 24 March to Friday, 27 March 2015. The Chairperson of the Governing Body, Mr A.J. Correia (Government, Angola), chaired the Section. The Employer Vice-Chairperson of the Governing Body, Mr J. Rønnest (Denmark), spoke as Employer coordinator for the Section, except in respect of item 9, Reports of the Committee on Freedom of Association, where Mr C. Syder was coordinator; and item 11, Report of the Director-General, where Mr K. De Meester was coordinator. Mr L. Cortebecq (Belgium), spoke for the Workers.
2. The following Governing Body members chaired the remaining sections and segments of the 323rd Session:

### **Policy Development Section**

#### ***Employment and Social Protection Segment***

*(Thursday, 19 March 2015)*

*Chairperson:* Ms J. Pitt (Australia)

*Employer coordinator:* Ms R. Goldberg

Item 2, Area of critical importance: Creating and extending social protection floors:  
Mr M. Ceretti

Item 3, Conclusions of the Meeting of Experts on Non-Standard Forms of Employment (Geneva, 16–19 February 2015): Ms G. Pineau

*Worker spokesperson:* Mr P. Dimitrov

Item 3, Conclusions of the Meeting of Experts on Non-Standard Forms of Employment (Geneva, 16–19 February 2015): Mr L. Cortebecq

#### ***Social Dialogue Segment***

*(Wednesday, 18 March 2015)*

*Chairperson:* Ms F. Kodra (Albania)

*Employer coordinator:* Mr P. Woolford

*Worker spokesperson:* Mr B. Thibault

#### ***Technical Cooperation Segment***

*(Wednesday, 25 March 2015)*

*Chairperson:* Mr H. Iddrisu (Ghana)

*Employer coordinator:* Ms J. Mugo

*Worker spokesperson:* Mr M. Guiro

**Legal Issues and International Labour Standards Section**  
(Tuesday, 24 March 2015)

***Legal Issues Segment***

*Chairperson:* Mr G. Corres (Argentina)

*Employer coordinator:* Mr L. Horvatic

*Worker spokesperson:* Ms C. Passchier

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

*Chairperson:* Mr G. Corres (Argentina)

*Employer coordinator:* Mr C. Syder

*Worker spokesperson:* Ms C. Passchier

**Programme, Financial and Administrative Section**  
(Monday, 16 – Wednesday, 18 March, and Wednesday, 25 and Friday, 27 March 2015)

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

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

*Employer coordinator:* Mr M. Mdwaba

*Worker spokesperson:* Mr S. Gurney

***Audit and Oversight Segment***

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

*Employer coordinator:* Mr M. Mdwaba

*Worker spokesperson:* Mr S. Gurney

***Personnel Segment***

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

*Employer coordinator:* Mr P. Woolford

*Worker spokesperson:* Mr S. Gurney

**High-Level Section**  
(Monday, 23 March 2015)

***Strategic Policy Segment***

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

*Employer coordinator:* Mr J. Rønne

*Worker spokesperson:* Mr L. Cortebeek

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**Working Party on the Functioning of the Governing Body  
and the International Labour Conference**  
(Friday, 20 March 2015)

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

*Employer coordinator:* Mr J. Rønnest

*Worker Vice-Chairperson:* Mr L. Cortebeek

**Committee on Freedom of Association**  
(Thursday, 18 to Friday, 19 March 2015)

*Chairperson:* Mr P. van der Heijden (Netherlands)

*Employer coordinator:* Mr C. Syder

*Worker spokesperson:* Mr Y. Veyrier <sup>1</sup>

## **First item on the agenda**

### **Approval of the minutes of the 322nd Session of the Governing Body** (GB.323/INS/1)

#### ***Decision***

- 3. The Governing Body approved the minutes of its 322nd Session.***

(GB.323/INS/1, paragraph 2.)

## **Second item on the agenda**

### **Agenda of the International Labour Conference (2017–19)** (GB.323/INS/2)

- 4. The Chairperson*** recalled that, at its 322nd Session (November 2014), the Governing Body had approved the concept of a strategic and coherent approach to the setting of the Conference agenda for 2017–19, and that three agenda items had been proposed for future sessions of the Conference: effective ILO development cooperation in a changing global context (general discussion); violence against women and men in the world of work (standard setting, double discussion); and labour migration (double discussion).
- 5. The Employer coordinator***, expressing continued support for the strategic and coherent approach, said that the Strategic Policy Framework 2018–21 should be used as the basis for deciding on the Conference agenda. The 2016 evaluation of the impact of the Social Justice Declaration, the other centenary initiatives and the post-2015 development agenda could be fed into the Strategic Policy Framework. It would be important to draw on the

<sup>1</sup> Substituting Mr L. Cortebeek.

experience of the two-week session of the Conference in 2015 to see whether it made sense to continue with three agenda items. He supported the procedural roadmap outlined in paragraph 32 and the proposal in paragraph 33(b) to place the item on the agenda of the 325th Session of the Governing Body (November 2015). While the current three proposed items were all important, his group supported postponing a decision in that respect in order to put them in the proper context. Regarding the item on standard setting on violence against women and men in the world of work, he said that it was extremely important and for that reason further in-depth preparation was needed to discuss its scope and definition and to analyse the need for a labour standard in that regard. Preparations for discussing ILO development cooperation and labour migration should also continue.

6. *The Worker spokesperson* agreed that it was important to take a strategic and coherent approach to setting the Conference agenda. Such an approach would enable the *World Employment and Social Outlook (WESO)* to provide an analytical background for key items on the agenda. His group supported a general discussion on migration for 2018, focusing on fair recruitment and effective governance of migration bilaterally and regionally. Concerning the proposed item on violence against women and men in the world of work, he indicated that his group supported a Convention, supplemented by a Recommendation, for discussion in 2017 and 2018, which would allow time to undertake the necessary preparatory work. There was still no international labour standard on gender-based violence, which affected women disproportionately. Development cooperation could be covered by a Conference discussion on the end of a poverty theme, which would also permit discussion of the ILO's role in the implementation of the post-2015 development agenda.
7. Concerning the governance initiative, his group was not in favour of reducing the number of agenda items for the Conference; a reduction of the duration of the Conference to two weeks should not be allowed to undermine its role as the supreme political organ of the Organization. The relevance of the standard-setting function of the Conference, in the context of the standards initiative, should be reaffirmed. He reiterated his group's proposal for a comprehensive General Survey in 2017 of the working time instruments and said that recurrent discussions under the Social Justice Declaration, the General Survey and the Standards Review Mechanism should be used to identify gaps in standards. Noting that in 2016 there would be a general discussion on decent work in global supply chains, and 2017 would mark the 40th anniversary of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, he said that the ILO should, in the context of the enterprise initiative, aim to relaunch that Declaration and conduct a robust follow-up. Discussion of the end of the poverty initiative should cover rights and social dialogue, as well as employment and social protection. The importance of addressing growing inequality was also highlighted. As for the green initiative, it was important for the ILO to promote a just transition to a low-carbon, sustainable development path. The outcomes of forthcoming events such as the Meeting of Experts on Sustainable Development, Decent Work and Green Jobs in October 2015, and the UN Climate Change Conference in Paris should be taken into account in that regard. He welcomed the forthcoming report of the Director-General on the future of the work initiative. The technical departments of the Office, as well as the ILO's constituents, should be able to propose subjects for the agenda of future sessions of the Conference.
8. *Speaking on behalf of the group of industrialized market economy countries (IMEC)*, a Government representative of Norway referred to the comprehensive proposal prepared by the Office which was in line with the decision taken by the Governing Body at its November 2014 session. That meant that a final decision on the Conference agenda for 2017, 2018 and 2019 could be taken at a later session. The implementation of the strategic and coherent approach would depend on new developments and the outcomes of forthcoming discussions. In view of the shortened Conference session, there should be no

more than one standard-setting item on the agenda at a time. In 2017, the agenda of the Conference already included a standard setting item – namely the second discussion on the revision of Recommendation No. 71, as well as the recurrent discussion on fundamental principles and rights at work. Therefore, the third item that could be added was the proposed item on development cooperation as a general discussion and as a follow-up to the 2016 evaluation of the impact of the Social Justice Declaration. For 2018, in the lead up to the 2019 centenary session, her group would be in favour of including an item on the women at work initiative. The proposed discussion on violence against women and men in the world of work would fit well in that regard. IMEC looked forward to further consultations on the format of that item. Her group supported the inclusion of a general discussion on labour migration in 2018, in preparation for discussions on issues arising out of the future of work initiative in 2019. It was hoped that the report of the Director-General on that initiative, to be presented at the forthcoming session of the Conference, would provide clarity on what the initiative would consist of and how it would be undertaken. IMEC supported the procedural roadmap and the draft decision.

9. *Speaking on behalf of the Africa group*, a Government representative of Kenya supported the implementation of the strategic and coherent approach to the setting of the Conference agenda, and noted and endorsed the actions to be taken with regard to the three items proposed for future Conference sessions as described in Appendix III. He sought further clarity, however, concerning the type and nature of the standard to be developed on violence against women and men in the world of work. He noted and endorsed the procedural roadmap and the request to place the item on the agenda of the 325th Session of the Governing Body.
10. *A Government representative of Turkey* emphasized his Government's commitment to the strategic and coherent approach to the setting of the Conference agenda. In that respect, effective ILO development cooperation in a changing global context was an important topic for a general discussion. It would revitalize the commitment to putting the Decent Work Agenda into practice. Although the item was worthy of being discussed at the centenary session in 2019, he was not opposed to it being discussed in 2017. He strongly supported the inclusion of labour migration for a general discussion in 2018, and suggested that the topic should include post-migration problems faced by migrants as a priority area for action. That would help to establish stronger linkages with the implementation of the post-2015 sustainable development agenda.
11. *A Government representative of France* said that, at the 322nd Session of the Governing Body, France had supported the proposed strategic and coherent approach to agenda setting up to 2019. Noting that flexibility needed to be built into the approach, he said that the 2016 evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization would undoubtedly prove useful in determining which agenda items to retain through to 2019. Care should be taken to ensure that important issues were not sidelined. For example, violence against women and men in the world of work was very important, and should be on the agenda no later than 2018.
12. *A Government representative of the United States* voiced strong support for a standard-setting item on violence against women and men in the world of work. Gender-based violence was the most prevalent human rights violation globally. In the United States, an estimated 2 million workers suffered workplace violence annually. Costs to businesses included, inter alia, employee absence, reduced productivity and increased security costs. As women were at increased risk, special attention must be paid to sectors with a disproportionately high number of women workers, such as domestic work and the apparel industry. Moreover, more should be done to address the fact that sexual violence often pushed women out of their chosen fields, particularly the sciences and technology.

The ILO's resources and expertise were uniquely suited to addressing those problems, and the Governing Body should place the item on violence on the agenda.

- 13.** *A Government representative of Japan* welcomed the strategic and coherent approach, and agreed that it was not appropriate to set the Conference agendas for 2017, 2018 and 2019 at the current Governing Body session. Japan was in favour of including the proposed item on effective ILO development cooperation in a changing global context on the 2017 Conference agenda. The importance of the topic was highlighted and a Conference discussion should include an evaluation of the effects of the review of field structures that had begun in 2013. The item on non-standard forms of employment, which had been removed from consideration pending further work by the Office, should be placed on the Conference agenda as soon as possible as it captured the new challenges facing the world of work. The Office was requested to undertake further work, taking into consideration the final report of the Meeting of Experts on Non-standard Forms of Employment, which should be taken into account in the 2015 recurrent discussion on labour protection, and the outcome of that discussion at the forthcoming session of the Conference. Similarly, the item on the resolution of labour disputes should be considered as a potential future agenda item, given its relevance for all member States. Japan supported the draft decision.
- 14.** *A Government representative of Brazil* said that, while the discussion had made it clear that the strategic and coherent approach enjoyed broad support, it remained unclear how much support there was for each individual proposed agenda item. Recourse should be made to section 6.2 of the compendium of rules applicable to the Governing Body of the International Labour Office. Brazil supported a general discussion on labour migration and was of the view that gender issues, as encapsulated in the second proposed item, should be on the agenda before 2019. It also supported development cooperation in the framework of the end of poverty initiative. However, the draft decision should be re-worded so as to yield a more concrete outcome.
- 15.** *A Government representative of Mexico* supported the strategic and coherent approach and the roadmap for its implementation, particularly the proposed consultations with constituents and opportunities for them to propose agenda items for future sessions. Mexico especially supported the inclusion of the proposed items on labour migration and violence against women and men in the world of work. Consideration should be given to a general discussion on labour migration in 2016, with a focus on two priorities: processes to ensure fair contracts for migrant workers; and fair and efficient governance of migration and labour mobility at the bilateral and regional levels. Mexico was in favour of standard setting in 2017 on the issue of violence against women and men in the world of work, and supported the draft decision.
- 16.** *The Employer coordinator* reiterated his view that it was worth examining whether other instruments could more effectively address the issue of violence against women and men in the world of work than a standard-setting discussion.
- 17.** *A representative of the Director-General* (Director, International Labour Standards Department (NORMES)) recalled that the intention had been to seek guidance on the proposed items at the current session, in preparation for the 325th Session when concrete decisions would be made, in particular to complete the agenda of the Conference for 2017. The emerging consensus on the importance of the item relating to the question of violence against women and men suggested that it could be included on the 2017 Conference agenda. Before the following Governing Body session, the Office would undertake further work in order to provide clearer elements to support the proposal made for standard setting on that subject, including information on preparatory work already undertaken, the possible content and the added value of standard setting. Consideration would be given to whether the holding of a general discussion on the topic prior to standard setting would be

necessary. Further work would also be needed to consider the linkage between the item on development cooperation and the end of poverty initiative. Finally, she signalled that at the Governing Body session in November 2015, constituents would have the opportunity to consider the selection of the proposed instruments that could be the subject of the next General Survey, to be undertaken by the Committee of Experts in 2017. The Governing Body would consider the report form for the General Survey in March 2016. She proposed new wording for the draft decision, to reflect the discussion.

### **Decision**

- 18. *The Governing Body decided to place this item on the agenda of its 325th Session (November 2015) with due consideration given to the discussion that took place at the 323rd Session (March 2015).***

(GB.323/INS/2, paragraph 33, as redrafted by the Governing Body.)

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

#### **Preparation for the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization by the 105th Session of the International Labour Conference (2016)**

(GB.323/INS/3)

- 19.** *The Employer coordinator* said that the scope of the upcoming evaluation of the ILO Declaration on Social Justice for a Fair Globalization was determined by the Declaration itself; the evaluation should identify actions taken by the tripartite constituents as a result of the Declaration, and steps taken by the Governing Body and the Office to follow up on governance capacity and knowledge-based issues in pursuit of the ILO's four strategic objectives. The Office and the constituents should not go beyond what had been decided when the Declaration had been adopted. Once the evaluation had been carried out, it would be possible to draw linkages with the centenary initiative, the post-2015 development agenda and the 2018–21 Strategic Policy Framework. It was difficult to anticipate what the priorities for the evaluation should be when information on actions taken and their consequences was still lacking. Intense activity should be carried out to obtain that information. It would be important for the questionnaire to obtain relevant information on policy coherence from different ministries and institutions.
- 20.** The review of the recurrent discussion model, mentioned in paragraph 16, should be undertaken as a separate exercise and addressed as a technical rather than a political issue. His group had some doubts as to whether the recurrent model for discussion was the best one. The strategic objective to be addressed by the 2018 recurrent discussion did not need to be fixed at the 325th Session of the Governing Body.
- 21.** Regarding paragraph 25, on modalities for the Conference discussion, partnership with multinational enterprises and the private sector had been foreseen in the Declaration but there was no reason to change the rules on participation in Conference discussions: the Employers' group was the channel for further future involvement of multinational enterprises. Those involved in the creation of the Declaration should be included in the group for consultation. He asked whether the Evaluation Office of the ILO had contributed or would contribute to the evaluation process. The Employers supported the schedule

outlined in paragraph 30, with the exception of the discussion on the next cycle of recurrent discussions proposed for November 2015. His group supported the draft decision.

- 22.** *The Worker spokesperson* agreed that the broad objective of the evaluation should be to strengthen the Declaration's impact in the run-up to the ILO centenary and beyond. The evaluation should be a forward-looking policy exercise; the links with relevant activities proposed in paragraph 7 were therefore welcome. The enabling nature of the rights enshrined in the 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), would deserve a particular focus. The 2017 recurrent discussion should be used to review the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, in light of its revision in 2010 and its alignment with the Declaration, with a focus on achieving universal ratification and effective implementation of the fundamental Conventions; coordination with the 2016 evaluation would be important. The ILO's role in the multilateral system as it approached its centenary was also a priority for the evaluation.
- 23.** On the questions posed in paragraph 16, the Declaration, along with the Declaration of Philadelphia (1944), provided a platform for setting rules for fair globalization. Therefore, the Organization should use the 2016 Conference discussion and the years leading to 2019 to strengthen implementation mechanisms and test new ones, in order to remain the primary arbitrator of labour matters and promoter of socially just growth. In that regard, the Conference discussion should review the four strategic objectives to check whether there were still policy gaps. Constituents should be invited to share information on positive outcomes or persisting challenges with regard to the strategic objectives, and the discussion should provide detailed guidance on the implementation of Parts I(B) and I(C) of the Declaration, as well as addressing the cross-cutting issues of gender equality and non-discrimination.
- 24.** Parts II(A) and II(B) of the Declaration should be comprehensively addressed by the Office and the constituents respectively (paragraph 12). As concerned the Organization as a whole, it was particularly important to review how it had helped member States and representative organizations to facilitate coherent social policy and sustainable development. Under Part II(A), the discussion should also provide practical guidance on how to immediately begin the peer reviews envisaged in paragraph (iii) and focus on how the ILO could provide assistance to Members to promote the strategic objectives within the framework of bilateral and multilateral agreements (paragraph (iv)). New partnerships with multinationals and global-level unions (paragraph (v)) should be addressed with reference to supply chains. As concerned member States, new dimensions that would deserve attention under Part II(B) were: the regional dimension of decent work evoked in paragraph (i); indicators or statistics (paragraph (ii)), including in view of the expected approval of the sustainable development goals; the review of Members' situation as regarded the ratification and implementation of ILO instruments with a view to achieving an increasing coverage of each of the strategic objectives (paragraph (iii)); the sharing of national and regional good practices to implement decent work (paragraph (vi)); and the provision of assistance to Members' efforts to give effect to the Declaration (paragraph (vii)).
- 25.** With regard to the third point under paragraph 16, Part II(C) of the Declaration was fairly explicit, and the discussion should focus on how other international and regional organizations promoted decent work, and what they committed to do in the future. Furthermore, guidance should be provided on how the ILO should assess the employment effects of trade and financial market policies.



26. There should be a five-year recurrent discussion cycle, which would allow social security to remain separate from labour protection; and the link between recurrent items and the General Surveys should be maintained, with the latter being discussed one year ahead of the recurrent discussion items. A decision on the next recurrent discussion cycle at the 325th Session of the Governing Body was preferable to an ad-hoc decision for 2018 only.
27. With regard to the proposed questionnaire to be sent to member States, questions on policy coordination and coherence, and information on any reviews conducted by member States of ratification or implementation of ILO instruments, were key. The participation of international organizations in the evaluation was important but should not be limited to the proposed interactive panel discussion (paragraph 23). The inclusion of ministries other than ministries of labour would enhance the impact of the discussion, notably with regard to policy coherence. While it was important that the Office raised awareness about the discussion to take place, it was not its role to “involve other actors” (paragraph 29): “representative employers’ and workers’ organizations” would be democratically selected and included by the Employers’ and Workers’ groups. He agreed with the proposed schedule and supported the draft decision.
28. *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of China said that the evaluation must be primarily concerned with progress made towards the objectives of the Declaration through the Decent Work Agenda, and the effectiveness of ILO support to member States and the social partners in those areas. As the recurrent discussions provided the main means of follow-up to the Declaration, the evaluation should cover their nature, modality, cycle and outcomes. The evaluation should include relevant international organizations, with a view to addressing macroeconomic policy coherence. The ILO should make full use of its existing data concerning the outcome of the programme and budget implementation since 2008. Independent external evaluators should be hired to ensure objectivity. The Evaluation Office should participate actively in the evaluation.
29. *A Government representative of India* appreciated the approach of drawing linkages between the Declaration and the ILO centenary initiatives, the recurrent discussion at the International Labour Conference in 2017 and the post-2015 sustainable development agenda. The proposed questionnaire should cover all four strategic objectives and the efforts made to meet them by member States and the ILO. With regard to paragraph 16, progress under the Declaration should be analysed in relation to Decent Work Country Programmes (DWCPs). Evaluation of the recurrent discussions should be included in the scope of the exercise. Otherwise, it should be strictly limited to the assessment of mechanisms put in place to implement the Declaration and should not extend to initiatives undertaken by governments in their sovereign capacity. He supported the schedule (paragraph 30) and took note of the scope of and arrangements for the evaluation (paragraphs 11–29). While the participation of multilateral organizations through a panel discussion at the Conference was welcome, their contributions should be limited to the scope of the Declaration. The ILO must remain true to its principles and objectives when working with other international organizations, and must approach collaborations guarding against the possibility of conditionality.
30. *A Government representative of Trinidad and Tobago* said that, given the importance of the evaluation with regard to the ILO’s strategic orientation beyond its centenary, it should be comprehensive and inclusive, with all relevant stakeholders taking part. Constituents and stakeholders should be made aware, before the distribution of the questionnaire, of the significance of the evaluation; that could be achieved without great cost to the Organization. The envisaged important role for the field offices in receiving responses to the questionnaire was welcome, and the ILO should strive to achieve a 100 per cent response rate.

31. *Speaking on behalf of the Africa group*, a Government representative of Ghana said that the Africa group would postpone its substantive responses to the questions posed in paragraph 16 until after the upcoming meeting of the African Union Specialised Technical Committee on Social Development, Labour and Employment. By way of initial observations, the evaluation must give due regard to regional specificities; the capacity of the labour administration and inspection system in Africa was limited, for example. With regard to the impact of the Declaration, the ILO might wish to identify to what extent the trade or financial policies of its partner international organizations had promoted decent work. The Yaoundé Tripartite Declaration on the implementation of the Social Protection Floor, the conclusions of 11 African Regional Meetings and the Declaration on Employment and Poverty Alleviation in Africa provided a useful roadmap for assessment of the Declaration's impact in the region. Furthermore, the evaluation could inform ILO support to African member States in the implementation of the 2015 Declaration and Plan of Action on Employment, Poverty Reduction and Inclusive Development in Africa, and the African Union's Agenda 2063.
32. *Speaking on behalf of IMEC*, a Government representative of Australia supported the linkages set out in paragraphs 6–10. The Office should have further developed certain elements of the evaluation in preparation for the current session. For example, a draft questionnaire could have been provided for comment by the Governing Body, with the questions in paragraph 16 having been largely resolved through internal discussion and informal consultations. Such an approach would have been in keeping with the Governing Body's role, which was to provide high-level guidance on the methodology for the evaluation. While it was important that the questionnaire should cover policy coherence, it would also be valuable to include questions concerning assistance from the Office, instances of the outcome of the recurrent discussions influencing policy and programme development at the national level, and the inclusion of employment and labour issues in UN Development Assistance Frameworks. With regard to the review of the recurrent discussion model, IMEC maintained its position: the evaluation should cover the modalities for recurrent discussions, including their seven-year cycle. The schedule appeared to be reasonable, but the Office would need to move swiftly to finalize the questionnaire by April 2015. He supported the draft decision.
33. *A representative of the Director-General* (Deputy Director-General, Management and Reform (DDG/MR)) clarified that the Evaluation Office would be consulted throughout the process, although the evaluation was not one of its formal projects. Responding to IMEC, he said that the paper had been the subject of detailed consultations with the tripartite group, whose view had been to outline the current framework and start the process set out in paragraph 30.

## **Decision**

### **34. *The Governing Body:***

- (i) provided further guidance on the preparation of the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization, including on the proposed schedule set out in paragraph 30 of document GB.323/INS/3; and*
- (ii) placed this item on the agenda of its 325th Session (November 2015).*

(GB.323/INS/3, paragraph 31.)

## Fourth item on the agenda

### Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013)

(GB.323/INS/4 and GB.323/INS/4(Add.))

35. *A Government representative of Myanmar* said that his Government wished to thank the Office and the ILO Liaison Officer for their cooperation and goodwill towards his country. Since 2011, his Government had implemented wide-ranging reforms with the twin objectives of establishing peace, stability and the rule of law, and achieving social and economic development. Substantial progress had been made, including the adoption and enactment of a number of labour laws. In particular, the entry into force of the Labour Organization Law had led to the creation of independent workers' and employers' organizations. Myanmar had joined the Association of Southeast Asian Nations (ASEAN) Economic Community (AEC), which would become operational in 2015 and which aimed to strengthen regional economic cooperation and increase regional trade. Furthermore, the adoption of the Foreign Investment Law in November 2012 spoke of the Government's commitment to creating a vibrant economy and encouraging foreign direct investment. Nevertheless, the protection and promotion of labour rights remained a high priority. Seventy local companies in Myanmar had so far joined the UN Global Compact and a programme on responsible business had been established to promote the UN Guiding Principles on Business and Human Rights. Furthermore, Myanmar had been accepted as a candidate member to the Extractive Industry Transparency Initiative in July 2014. The Government was committed to the elimination of forced labour through the implementation of the Joint Action Plan on the Elimination of Forced Labour by 2015 and the extension of the Supplementary Understanding, with a view to continuing its work with the ILO. However, the draft decision before the Governing Body was premature. An assessment of progress made should be carried out internally before it was imposed unilaterally. A discussion could then be held with the ILO Liaison Officer to establish a way forward. Accordingly, the decision should be postponed to the November 2015 session of the Governing Body. If that was not possible, the Governing Body should consider amending the date in the draft decision point (a) to March 2016, and replacing the word "report" in point (b) with "information report". His Government was confident that it could continue to work together with the ILO on the basis of better mutual understanding.

36. *The Worker Vice-Chairperson* said that, while some progress had been made with regard to forced labour, there were a number of areas where the practice continued. In that regard, the sharp drop in the number of prosecutions was of major concern and the Office should provide more information to determine whether sanctions, where imposed, were sufficient. In particular, the group was concerned that those further up the chain of command had largely avoided sanctions of any kind. The November 2015 session of the Governing Body should discuss the possible extension of the Joint Action Plan, and the Freedom of Association and Social Dialogue in Myanmar project should also be continued and strengthened. There was an urgent need to amend the Labour Organization Law and the Settlement of Labour Dispute Law, and the ILO should work with the Government of Myanmar to identify other priority legislative reforms. Although improvements had been seen with regard to legislation on freedom of association, substantial obstacles to the full exercise of fundamental labour rights remained. The group was disappointed that the Committee of Experts had not yet fully commented on legislation that clearly violated Convention No. 87, and that it had not addressed the specific cases brought to its attention. While a number of labour federations and confederations had been recognized, they had

not yet been registered and the group urged the President of Myanmar to direct the Chief Registrar to proceed to those registrations. Cases of anti-union harassment were of great concern. The Settlement of Labour Dispute Law did not provide adequate tools to prevent such practices and, despite calls for its abolition, section 18 of the Peaceful Assembly and Procession Act remained in force. Regarding foreign investment, a large proportion of investors were not applying policies on human rights or due diligence, a finding that echoed concerns previously raised by local communities. Accordingly, the ILO should increase its engagement with multinational enterprises and further promote ILO standards and the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.

37. *The Employer coordinator* said that his group hoped that the tempo of progress on the elimination of forced labour and the promotion of freedom of association would be maintained. His group supported the work of the ILO and called on donors to support ILO projects in Myanmar. He supported the draft decision.
38. *Speaking on behalf of ASPAG*, a Government representative of China said that the extension of the Supplementary Understanding provided evidence of the commitment of the Government of Myanmar to continue working with the ILO. Myanmar was a country in transition, and he urged the ILO to assist in achieving practicable strategies for the elimination of forced labour. He requested the Office to publish draft decisions in sufficient time in the future.
39. *Speaking on behalf of the European Union (EU) and its Member States*, a Government representative of the Netherlands said that the following countries aligned themselves with the statement: Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Republic of Moldova and Switzerland. While welcoming the extension of the Supplementary Understanding and noting the positive steps taken and progress achieved in Myanmar, he called on the Government to address areas of continuing concern. Regarding the use of child labour, more remained to be done with both Government forces and non-state armed groups, in particular to end ongoing recruitment. The Government of Myanmar should work with the Office on the key issues that relate to labour, and promote investment and development. The EU was working with the authorities of Myanmar, the private sector, civil society and the population, to help create the best possible regulatory environment and to promote responsible investment in the country. He supported the draft decision.
40. *A Government representative of the Bolivarian Republic of Venezuela* said that his Government welcomed the reforms undertaken by the Government of Myanmar and the progress achieved with the support of the ILO. The Office should continue to provide all the technical cooperation required to eliminate forced labour. He requested the Office to observe the deadlines for the publication of draft decisions established by the Standing Orders of the Governing Body.
41. *A Government representative of Australia* said that the Government should continue working with the ILO on implementation of the Joint Action Plan. Her Government looked forward to receiving an update on progress made and on outstanding actions in November 2015. Australia remained committed in its support of the reform process.
42. *A Government representative of India* said that the promotion of trust and the betterment of labour should be the ultimate aim of every member State. To that end, the respect of workers' rights was of paramount importance, and the promotion of dialogue and cooperation was essential in resolving all labour-related issues. He urged the ILO and all member States to continue to extend their assistance and guidance to enable Myanmar to move forward on the path of reform.

43. A *Government representative of the United States* encouraged the Government to continue consulting regularly with employers and all representatives of organized labour on labour policies and programmes, and expressed concern regarding the implementation of the Joint Action Plan. Although there had been numerous prosecutions of military personnel, no prosecutions of non-military perpetrators in the public or private sector had taken place since the criminalization of forced labour in 2012. The Government must hold all perpetrators accountable. It was worrying that the training programme outlined in the Joint Action Plan had stalled. The planned training for the military and police was critical to ensure that the Government was able to assume responsibilities for investigation and prosecution. The arrest, prosecution and continued detention of Captain Chit Ko for contacting the ILO raised serious questions about the Government's commitment to labour reform. The Government should drop the charges and release him immediately. Further legal reform was needed to remove barriers to the official registration of existing workers' organizations, foster collective bargaining, create effective dispute settlement mechanisms and set appropriate penalties. The Government should accelerate its efforts to eliminate forced labour and undertake comprehensive labour reform. She supported the draft decision.
44. A *Government representative of Thailand* commended the progress made by the Government of Myanmar towards socio-economic development and the elimination of forced labour, and said that the country should be given adequate time and space to carry out its ongoing internal reform.
45. A *Government representative of Indonesia*, while welcoming the continued progress made by Myanmar, said that the Government still needed to address a number of issues. Solid commitments by the Government and continued support from the international community and the ILO were important to ensure further improvements and better labour conditions in the country.
46. A *Government representative of Norway* expressed concern that the Government of Myanmar had not taken sufficient advantage of the support provided by the ILO. More measurable results needed to be seen, and the Government should take the necessary steps to address the remaining concerns. Regarding the review of labour law currently under way, it was hoped that the efforts of the ILO, in collaboration with the Government and other donor countries, would result in a comprehensive and coherent labour code. He supported the draft decision.
47. A *Government representative of Cuba* said that the participation of the ILO had been essential in the progress made by Myanmar. It also demonstrated that cooperation in all forms was the best way to overcome obstacles and achieve results.
48. A *Government representative of Cambodia* said that strong commitment from the Government of Myanmar was still required in multiple areas to ensure further progress and improvement of labour issues in the country. In order to guarantee safe and sound labour conditions in Myanmar, cooperation and dialogue between all relevant parties were necessary, as was support from the ILO.
49. A *Government representative of China* said that the positive actions taken by the Government of Myanmar and its cooperation with the ILO should be fully recognized by the Governing Body. He supported the Myanmar Government's proposal to postpone the draft decision.

**Decision**

50. *The Governing Body noted that while progress had been made, a number of fundamental activities required under the Action Plan for the Elimination of Forced Labour in Myanmar by 2015 had not yet been implemented. In that context the Governing Body:*

- (a) *requested the Director-General to prepare a report for consideration at the 325th Session of the Governing Body (November 2015) on the implementation and possible need for extension of the Action Plan, the status of any outstanding individual cases including those specifically referred to in the report, and steps necessary to ensure prosecution and accountability of those who had exacted forced labour; and*
- (b) *called on the Government of Myanmar to take all necessary actions to ensure compliance with the Forced Labour Convention, 1930 (No. 29), and requested the Government to submit, to the 325th Session of the Governing Body (November 2015), a report on the measures it would take to do so in the shortest possible time.*

(GB.323/INS/4(Add.), paragraph 1.)

**Fifth item on the agenda****The Standards Initiative**

(GB.323/INS/5), (GB.323/INS/5/Appendix I)

(GB.323/INS/5/Appendix II) and (GB.323/INS/5/Appendix III)

51. *The Employer coordinator* welcomed the document, which gave a fair and balanced account of what had been achieved in the November session of the Governing Body and the Tripartite Meeting held in February 2015 on the right to strike. Those results were important in breaking the deadlock that had prevented the ILO supervisory system from operating properly, but were only a first step towards ensuring an effective and well-functioning supervisory system. The Employers position remained unchanged on the fact that the “right to strike” was not recognized in Convention No. 87. However, the “Joint Statement” was considered as a commitment to continue to work together to strengthen the supervisory system despite the differences of views. The Employers remained committed to finding solutions to the many problems described in the document. It was important to abide by the timetable given in paragraph 19, while progressing one step at a time towards a solution. The joint statement of the Workers and Employers stated the need to clarify and streamline supervisory procedures, including the role and mandate of the Committee on Freedom of Association (CFA). It would indeed be advisable for the Chairperson of the CFA and the Chairperson of the Committee of Experts on the Application of Conventions and Recommendations (CEACR) to prepare a report on the interrelationship, functioning and possible improvement of the various supervisory procedures, as proposed in paragraph 20. The tripartite partners should be closely involved in its preparation and drafting. His group supported the draft decision in paragraph 25.

52. *The Worker Vice-Chairperson* clarified some points in relation to the joint statement presented by the Workers and Employers at the tripartite meeting held in February 2015. The joint statement did not attempt to resolve all the problems, but it did allow the ILO to resume the unimpeded supervision of international labour standards, which was crucial to

the promotion of decent work everywhere. Nor did the statement mean that the Workers' view on the right to strike had changed. The right to strike was fundamental to democracy and a fundamental option for workers. It was protected by the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). He welcomed the commitment of the Employers' group, despite their disagreement on the interpretation of that Convention, to restore mature industrial relations and to acknowledge the right of workers to take industrial action in support of their legitimate industrial interests. He endorsed the Government group's statement reaffirming that the right to strike was an intrinsic corollary of the right of freedom of association. Perhaps the most important element of the joint statement by the social partners was the recognition of the mandate of the CEACR, since it should permit the resumption of normal supervision of cases in the Conference Committee on the Application of Standards (CAS).

- 53.** On the draft decision, he welcomed subparagraph (a). His group looked forward to the discussion in the Working Group on the working methods of the CAS, since it should guarantee that the CAS henceforth operates normally. The Workers and the Employers had agreed to a methodology for the selection of a long and a short list of cases and for the drawing up of consensus-based conclusions with enhanced participation by the social partners. His group therefore supported subparagraph (c). As the Workers' group had agreed to the launching of the Standards Review Mechanism (SRM), and given the prevailing atmosphere of trust and mutual respect between the social partners, it was in favour of subparagraphs (d) and (e) on the Tripartite Working Group to be established under the SRM and its composition. Since a joint report from the Chairpersons of the CEACR and the CFA could provide useful insights into the functioning and possible improvement of the supervisory system, the Workers endorsed subparagraph (f). They likewise agreed with subparagraphs (g) and (b), because they no longer sought referral to the International Court of Justice of the interpretation of the right to strike under Convention No. 87.
- 54.** *Speaking on behalf of the Government group*, a Government representative of Italy expressed her appreciation of the social partners' constructive approach to dialogue. She emphasized that the Government group recognized that the right to strike was linked to freedom of association, which was a fundamental principle of the ILO. It specifically recognized that freedom of association, in particular the right to organize activities for the promotion and protection of workers' interests, could not be fully realized without protecting the right to strike, which albeit part of the fundamental principles and rights at work of the ILO, was not an absolute right. The scope and conditions of that right were regulated at the national level. Hence member States were responsible for the effective implementation and observance of labour standards.
- 55.** The process of nominating nine countries to participate in the Working Group on the working methods of the CAS was complete. The CAS itself might wish to revise the composition of the Working Group in order to reflect the particular regional structure of the Government group. Observers without speaking rights would be able to attend meetings of the Working Group. As to the Working Group on the SRM, her group intended to complete the process of nominating the 16 government participants and of identifying a suitable independent Chairperson before the Governing Body session in June 2015. In order to contain costs and allow for more intense discussions, the Working Group should meet once a year for one week. She agreed that the Chairpersons of the CEACR and the CFA should be requested to jointly prepare the report mentioned in paragraph 20. While agreeing with the financial provisions suggested in paragraph 25(g), she requested clarification of the alternative methods of financing mentioned therein. Lastly, she proposed a number of amendments, which had been circulated in a paper distributed the previous day.

- 56.** *Speaking on behalf of the Group of Latin American and Caribbean Countries (GRULAC)*, a Government representative of the Bolivarian Republic of Venezuela said that GRULAC had played an active role in the Tripartite Meeting held in February 2015, at which the Government group had reached a common position recognizing the link between freedom of association and the right to strike. It was regrettable that the findings and recommendations of the CAS Working Group had not been submitted to the Working Group on the Functioning of the Governing Body and the International Labour Conference. That procedure should be followed in future. As for the SRM, it would be advisable to consider whether it was really necessary for the Tripartite Working Group to meet twice a year for three days. His group agreed with the time frame proposed in paragraph 19 and was in favour of the joint report mentioned in paragraph 20, which should be presented to the 326th Session of the Governing Body. Lastly, the decision adopted at the current session should be reviewed at the 328th Session, without prejudice to the prior consideration of any other issue arising in respect to the topic which might prove necessary. He supported the draft decision in paragraph 25, subject to the amendments proposed by the Government group.
- 57.** *Speaking on behalf of ASPAG*, a Government representative of China welcomed the fact that the social partners had reached agreement on the standards initiative, without the need to refer the matter to the International Court of Justice. Selection of the cases submitted to the CAS should be depoliticized and based on objective criteria. The list should be balanced between fundamental and technical Conventions, geographical representation and a country's level of development, and should be released before the opening of the Conference. As to the newly launched SRM, it could ensure a clear, robust and up-to-date body of standards, meeting the needs and challenges of the current world of work. All international labour standards, except outdated, withdrawn, replaced or recently consolidated standards, should be subject to discussion and, if so agreed, reviewed. Concerning the joint report referred to in subparagraph (f) of the draft decision, it was important that the work of the various supervisory mechanisms should not overlap. The roles and mandates of the CFA should therefore be clarified, as should those of regular supervision procedures under articles 24 and 26 of the ILO Constitution. His group supported the draft decision.
- 58.** *Speaking on behalf of the Africa group*, a Government representative of Kenya expressed appreciation of the fact that tripartite dialogue had prevailed in resolving the issues raised by Convention No. 87 in relation to the right to strike and the modalities and practices of strike action at the national level. His group looked forward to working closely with the social partners with a view to fully re-establishing the effective functioning of the CAS, including the planned review of the entire supervisory system. It proposed that government delegates be funded from the budgetary provisions mentioned in subparagraph (g) of the draft decision, in order that they could attend the Tripartite SRM Working Group. It supported the draft decision, as amended by the Government group.
- 59.** *Speaking on behalf of IMEC*, a Government representative of the United States welcomed the progress made in relation to the Standards Initiative, especially the outcome of the Tripartite Meeting on Convention No. 87 in relation to the right to strike. That meeting had created a new momentum of trust between the social partners and of unity among governments. The package of measures set out in the joint statement of the social partners and the two statements by the Government group showed the way towards an effective and lasting solution to the issues surrounding the ILO's supervisory system. IMEC supported the reactivation of the CAS Working Group and its proposed agenda. An independent chair should be appointed from the Government group in addition to the nine Government members. Governments should not be involved in drawing up the list of individual cases to be reviewed by the CAS, whose conclusions would provide constituents with valuable guidance.



60. The SRM should be launched as soon as possible; however, some clarifications and modifications were needed. While IMEC could support the objectives of the SRM as set out in paragraph 9 of document GB.323/INS/5, care should be taken not to overburden the process. The main focus should be on arriving at a body of up-to-date standards. A follow-up mechanism should be included, to ensure that standards in need of revision were put on the agenda of the International Labour Conference within a reasonable time frame. Her group agreed that the ILO Declaration on Social Justice for a Fair Globalization was the right framework for the SRM and concurred with the role of the Legal Issues and International Labour Standards Section of the Governing Body, as outlined in paragraph 14. It was in favour of establishing the SRM Working Group defined in paragraph 15 and of appointing an independent chair from the Government group, in addition to the 16 Government members. The members of the Working Group should have expert knowledge of the ILO's legal framework and it should be possible to vary the membership according to the expertise needed for the standards under review. The Working Group required clear terms of reference to ensure that the work of the Cartier Working Party was not duplicated.
61. When selecting the standards to be reviewed, careful consideration should be given as to whether to exclude the fundamental and governance Conventions, since they had special status. Her group agreed with the contents of paragraph 16(2) and with the suggested time frame, on the understanding that it could be adapted if necessary. The joint report referred to in paragraph 20 should be discussed at the 326th Session (March 2016). She trusted that its examination would not compromise the independence of the CEACR. She requested clarification of the costs mentioned in paragraph 22. In order to contain costs, the SRM Working Group should meet for one week, once a year.
62. *Speaking on behalf of ASEAN*, a Government representative of Cambodia welcomed the outcome of the Tripartite Meeting held in February 2015 and the efforts to ensure the effective functioning of the CAS. The criteria for the selection of cases to be submitted to the latter should be objective and well-balanced between fundamental and technical Conventions, geographical representation and the country's level of development. ASEAN was in favour of launching the SRM. It was crucial to clarify the roles and mandates of the CFA and the articles 24 and 26 procedures. ASEAN supported the draft decision as it stood in paragraph 25.
63. *A Government representative of France*, noting that the effective application of international labour standards was at the core of the Organization's work, welcomed the restored capacity for dialogue within the Governing Body, the willingness of the constituents to ensure the effective functioning of the labour standards system, and the re-launch of the SRM. The important statement delivered by Governments at the Tripartite Meeting in February should have been mentioned in the draft decision. Governments were willing to consider the conditions for exercising the right to strike; however, conflicting interpretations emerging from the CAS could threaten the legitimacy of tripartism. There was still no legitimate procedure for resolving the interpretation question concerning Convention No. 87 and other possible interpretation questions. His Government was still in favour of establishing a flexible, low-cost interpretative body under article 37(2) of the Constitution that would convene at the express request of the Governing Body.
64. *A Government representative of Indonesia* welcomed the outcome and report of the Tripartite Meeting. In particular, he welcomed the efforts by the social partners to issue a joint statement concerning a package of measures to find a possible way out of the existing deadlock in the supervisory system. Underlining the importance of tripartite dialogue, he hoped that the constructive atmosphere would continue. He supported the efforts to establish an SRM.

65. A *Government representative of Japan* said that the dispute on supervisory mechanisms should be resolved through internal tripartite consultation. In that regard, he welcomed the efforts made at the Tripartite Meeting to reach consensus. He agreed with the proposal in the joint statement by the Workers and Employers that the list of cases chosen for the CAS should be based on objective criteria and be balanced between the fundamental and technical Conventions, geographical representation and a country's level of development. In the light of the proposal that no conclusions would be issued in the absence of consensus, however, he said that the Employers and Workers should give due consideration to ensuring that such a situation did not arise, as it would undermine the role of the CAS. He would welcome a report on the inter-relationship, functioning and possible improvement of the supervisory procedures.
66. A *Government representative of Germany* welcomed the progress made and the efforts made by the social partners in particular to overcome the deadlock. Much remained to be done, however, and his Government was willing to take an active part in the process.
67. A *Government representative of Brazil* hoped for a final consensus, including on the application of article 37 of the Constitution. The interpretation question should be resolved by the International Court of Justice, rather than by an internal ILO tribunal. The right to strike was formally recognized in the International Covenant on Economic, Social and Cultural Rights, as well as in the founding instruments of regional bodies such as the Organization of American States. He supported the establishment of the SRM. More transparent criteria should govern the selection of cases for the CAS. The role of governments, as the bearers of the treaty obligations concerned, could be strengthened. The hierarchy and priority given to the Committee's procedures should be clarified. The frequency of reporting should be reduced, and the supervisory function treated as a unitary process.
68. A *Government representative of India* welcoming the outcome of the Tripartite Meeting, reiterated the importance of tripartite discussion. In that regard, the International Labour Conference was the supreme forum for deciding on matters relating to the world of work. She supported the launch of the SRM and looked forward to a joint report by the Chairpersons of the CEACR and the CFA on the operation and possible improvement of the supervisory procedures related to articles 22, 23, 24 and 26 of the Constitution. Consideration should be given to the burden of reporting, and to new reporting formats.
69. A *Government representative of the United States* reiterated his Government's strong desire to see the ILO's supervisory machinery function fully and effectively and its willingness to work with the other governments and the social partners to that end. Noting with satisfaction the progress that had been made at the Tripartite Meeting, in particular with regard to the framework proposed by the Employers and Workers, he said that he welcomed the renewed spirit of collaboration and commitment to reinvigorating the supervisory system.
70. A *Government representative of Angola*, noting with satisfaction the outcome of the Tripartite Meeting, said that the right to strike was not absolute, being subject to national law. The list of cases to be handled by the CAS should be balanced between the core and technical Conventions, geographical representation and the level of development of the various countries.
71. A *Government representative of Turkey*, noting that the Tripartite Meeting had provided the opportunity for constructive social dialogue, said that the joint statement by the Employers and Workers had given hope that consensus could be reached on a way out of the current deadlock in the supervisory system. He also welcomed the consensus on the mandate of the CEACR, and hoped for a similar consensus on the work of the CAS. He

recalled that the CAS was not a tribunal but rather a platform for tripartite dialogue, and that its conclusions were not court rulings. That principle should be reflected in the wording of the conclusions. Efforts to ensure balance in the list of cases – which should be adopted earlier – should not result in the omission of cases involving more serious breaches. When complaints were made, there should also be an explanation of the steps taken at the national level to resolve the issues.

72. *A Government representative of China*, highlighting the importance of social dialogue, tripartism and technical cooperation, welcomed the positive outcome of the Tripartite Meeting. He supported the proposal in the joint statement by the Workers and Employers that the list of cases chosen for the CAS – which should be ready before the opening of the session of the Conference – should be based on objective criteria and be balanced between the fundamental and technical Conventions, geographical representation and a country's level of development. He agreed that the overall objective of the SRM should be to guarantee the implementation of international labour standards that responded to changing patterns of the world of work, for the purpose of the protection of workers and taking into account the development of sustainable enterprises. He supported the establishment of an SRM Working Group, as proposed in paragraph 17.
73. *A Government representative of the United Kingdom* said that the positive outcome of the Tripartite Meeting demonstrated the unique role that the ILO played in finding sustainable and consensual solutions; its importance should not be underestimated. He noted with satisfaction that plans were in place to ensure the effective functioning of the CAS, and looked forward to a renewed tripartite relationship and the wider benefits that such a relationship would bring. Welcoming the commitment that had been expressed in the Governing Body towards the SRM, he said that his Government would play a constructive role in ensuring that the body of international labour standards was relevant and effective.
74. *A Government representative of Belgium*, highlighting the link between the right to strike and freedom of association, said that further consideration should be given to whether the fundamental Conventions should be covered by the SRM. In that regard, it would be useful to prepare terms of reference. Reaffirming her Government's commitment to ensuring the effective functioning of the CAS, she noted that although significant progress had been made, much remained to be done.
75. *The representative of the Director-General (DDG/MR)* explained that the measures proposed in paragraph 25(g) could be funded through the reallocation of any savings or under-expenditure achieved across the Office, or by using the provisions for unforeseen expenditure provided for under Part II of the budget. It was only when those options were exhausted that consideration would be given to alternative methods of financing. The presentation of the report of the Working Party on the Functioning of the Governing Body and the International Labour Conference later in the session would provide an opportunity for the Governing Body to consider the relationship between the Working Party and the CAS Working Group. There was no provision, in the estimated cost of meetings of the SRM Working Group, for covering the travel costs of Government representatives.
76. *The representative of the Director-General (DDG/MR)*, referring to point (c) of the draft decision, said that no recommendations for the Governing Body had been made at the meeting of the Working Group on the Working Methods of the Committee on the Application of Standards, which had been held on 23 March 2015. The outcome of that meeting would be developed further at the next meeting of the Working Group, in June 2015.
77. *The Employer coordinator* said that his group could support the draft decision as amended by the Government group.

78. *The Worker spokesperson* said that, in general, his group could support the amendments proposed by the Government group, apart from the additional wording suggested in point (b), since it had not been decided at the 322nd Session (November 2014) of the Governing Body not to pursue action in accordance with article 37 of the Constitution.
79. *Speaking on behalf of the Government group*, a Government representative of Italy said that the decision taken in November 2014 contained a reference to deferring further consideration of the possible establishment of a tribunal in accordance with article 37(2) of the Constitution. Her group had wished to recall that decision in the point in question.
80. *The Worker spokesperson* said that, in view of that explanation, a separate point should be added which would refer to action under article 37(1), on which no decision had been taken in November 2014.
81. *The representative of the Director-General (DDG/MR)* suggested that point (b) should be amended to read “pursuant to the decision taken in November 2014, decides, in light of the outcome and the report ...”.
82. *Speaking on behalf of the Government group*, the Government representative of Italy endorsed the wording proposed by the representative of the Director-General.
83. *The Worker spokesperson* and the Employer coordinator also agreed to the wording proposed by the representative of the Director-General.

## **Decision**

### **84. *The Governing Body:***

- (a) *took note of the outcome and report of the Tripartite Meeting on the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), in relation to the right to strike and the modalities and practices of strike action at national level;*
- (b) *pursuant to the decision taken at the 322nd Session of the Governing Body (November 2014), decided, in light of the outcome and report of the Tripartite Meeting, not to pursue for the time being any action in accordance with article 37 of the Constitution to address the interpretation question concerning Convention No. 87 in relation to the right to strike;*
- (c) *decided to take the necessary steps to ensure the effective functioning of the Committee on the Application of Standards at the 104th Session of the International Labour Conference (June 2015), taking into account any recommendations made by the Working Group on the Working Methods of the Conference Committee on the Application of Standards, in particular with regard to the establishment of the list of cases and the adoption of conclusions;*
- (d) *called on all parties concerned, in light of the commitments made at the Tripartite Meeting and at the 323rd Session of the Governing Body (March 2015), to contribute to the successful conclusion of the work of the Conference Committee on the Application of Standards at the 104th Session of the International Labour Conference (June 2015);*

- (e) *decided to establish under the Standards Review Mechanism (SRM) a Tripartite Working Group composed of 32 members: 16 representing Governments, eight representing Employers and eight representing Workers to meet once per year for one week;*
- (f) *requested the Director-General to prepare draft terms of reference for the Tripartite SRM Working Group for its consideration and submission to the 325th Session of the Governing Body (November 2015) for decision;*
- (g) *decided that this Tripartite SRM Working Group would report to the Governing Body at its 325th Session in November 2015 on progress made in the implementation of the SRM;*
- (h) *requested the Chairperson of the Committee of Experts on the Application of Conventions and Recommendations (CEACR), Judge Abdul Koroma (Sierra Leone), and the Chairperson of the Committee on Freedom of Association (CFA), Professor Paul van der Heijden (Netherlands), to jointly prepare a report, to be presented to the 326th Session of the Governing Body (March 2016), on the interrelationship, functioning and possible improvement of the various supervisory procedures related to articles 22, 23, 24 and 26 of the ILO Constitution and the complaints mechanism on freedom of association;*
- (i) *decided that the cost of the measures proposed in document GB.323/INS/5 estimated to cost up to US\$226,800 in 2015 and up to \$707,200 in 2016–17 be financed in the first instance from savings in Part I of the budget for the respective bienniums or, failing that, through Part II, on the understanding that should this subsequently prove impossible, the Director-General would propose alternative methods of financing;*
- (j) *decided to place on the agenda of its 328th Session (November 2016) an overall review of this decision, without prejudice to any other issue arising out of the standards initiative requiring prior consideration.*

(GB.323/INS/5, paragraph 25, as amended.)

## **Sixth 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.323/INS/6(Rev.))**

85. *The special representative of the Director-General for Guatemala, providing an update to the report, said that the Office would help to disseminate the general directive issued by the Public Prosecutor's Office, to which reference was made in paragraph 44, to*

prosecutors, their assistants, and investigators in the capital and elsewhere in the country. A delegation of members of the Special Investigation Unit for Crimes against Trade Unionists and staff from the Public Prosecutor's Office were currently discussing investigation techniques and judicial follow-up with the Colombian Public Prosecutor's Office and the Colombian Directorate of Criminal Investigation and Interpol (DIJIN). He encouraged the Public Prosecutor's Office to continue to organize regular round-table meetings as a means of providing and receiving information on current investigations. On International Human Rights Day in December 2014, some events had been jointly organized with staff of the Public Prosecutor's Office, members of the Special Investigation Unit for Crimes against Trade Unionists and the 22 national civil police officers who had been assigned to investigations into attacks targeting human rights activists. He hoped that the Office could provide assistance with the drawing up of a protocol on the protection of trade unionists and their institutions. In September 2014, a fruitful dialogue had been conducted with representatives of the Executive Body, the Labour Committee of Congress and the social partners on the harmonization of legislation with Convention No. 87, in line with the recommendations of the Committee of Experts on the Application of Conventions and Recommendations. In March 2015, two workshops on international labour standards had been attended by 20 new judges. In February 2015, labour inspectors had been familiarized with those standards. In April 2015, a round of lectures given by international specialists in collective bargaining techniques would be arranged for the executive and legislative branches, judiciary, employers, workers and civil society. The Tripartite Committee on International Labour Affairs had requested technical assistance with the preparation of material for the major awareness-raising campaign on international labour standards. That material would be ready for presentation in the very near future.

- 86.** *A Government representative of Guatemala* (Minister of Labour and Social Security) said, with reference to points 1 and 2 of the roadmap, that thanks to the establishment and strengthening of the Special Investigation Unit for Crimes against Trade Unionists, a total of eight convictions had been handed down in the 58 cases mentioned in paragraph 4 and suspects had been identified in 13 of the 42 cases under investigation, for whom 11 arrest warrants had been issued and a further two had been requested. A report issued by the International Commission against Impunity in Guatemala (CICIG), an independent international entity, had shown that not all victims in the cases in question had been trade unionists; that there had been various motives for the crimes; that closer cooperation of the complainants with the Public Prosecutor's Office would have been necessary in order to substantiate the complaints; that most murders had occurred in hot spots of violence; that there had been problems in the investigations; and that the investigations carried out by the Special Investigation Unit for Crimes against Trade Unionists had shown a higher level of planning and substantiation. Cases which had been investigated and brought to trial had borne out the CICIG's contention that there was no evidence of a state practice of killing trade unionists in Guatemala.
- 87.** On points 3 and 4, he said that the Government had set up special bodies to strengthen preventive, protective and reactive mechanisms to combat threats and attacks on trade union leaders and members. The Ministry of the Interior had assisted with the establishment of two bodies, one of an advisory nature and the other providing technical information about those attacks, in which the trade union sector was represented. After the entry into force of the current Protocol for the Implementation of Immediate and Preventive Security Measures for Human Rights Activists, an additional four trade union leaders and one labour rights defender had been placed under protection. Steps were being taken to ensure that the free 1543 hotline would be functional as soon as possible. The general directive issued by the Public Prosecutor had been adopted on 4 February 2015 and was already being applied within proceedings concerning offences against trade unionists. The Independent Tripartite Commission set up by the Ministry of Labour and Social

Welfare to resolve disputes caused by the exercise of trade union freedom had examined four cases which had been brought before the ILO Committee on Freedom of Association, namely Nos 3040, 3062, 3094 and 2341; more detailed information would be provided as soon as possible.

- 88.** On points 5 and 6, he said that the Ministry of Labour had conducted tripartite consultations on strengthening labour inspection and sanctions procedures, but no consensus had been reached on the proposals. The Labour Commission of Congress had issued a favourable opinion on the draft reforms to the Labour Code on labour inspection submitted by the Government, but it was still possible for tripartite constituents to explore the possibility of arriving at consensus on legislative provisions which would satisfy all sectors. Similarly, on the harmonization of national legislation with Convention No. 87, since the workers and employers had submitted no proposals, in August 2014 the Government had submitted a bill to Congress in the belief that that step would encourage Congress to take action and would oblige employers and workers to submit proposals and participate in the debates of the various congressional working groups. In September 2014, the Chairman of the Labour Committee and the Director of the ILO International Labour Standards Department had agreed on a mechanism to assist Congress to draft laws in line with international labour standards. Since then, the Labour Committee, with the direct support of the representative of the ILO Director-General, had undertaken several studies and had held consultations with both sides of industry.
- 89.** On point 7, he reported that more than 700 rulings in labour disputes had been handed down in 2014. More than 100 had concerned judicial checks on the enforcement of reinstatement orders. The number of penalties imposed on employers had doubled between 2011 and 2014. With regard to point 8, he said that three diploma courses on the interpretation of international labour standards had been run for labour and social welfare magistrates and judges. Since 2013, more than 27 courses had been held to train magistrates, judges and officials of labour courts in the more correct application of labour and social welfare laws. The Office of the Special Representative of the Director-General in Guatemala had assisted in training and capacity building for the Public Prosecutor's Office. Proposed legislative amendments on sanctions to be imposed on judges who did not apply labour laws correctly had undergone a first reading in Congress. Turning to point 9, he said that the awareness-raising campaign had been on the agenda of various meetings of the Tripartite Committee on International Labour Affairs, in which the social partners were involved. An ILO expert had recently consulted with the tripartite constituents about the contents of the campaign, which, it was hoped, would be financed by the Government in due course. Furthermore, over 3,500 employers engaging in activities covered by inspection programmes had attended 26 courses, where freedom of association and collective bargaining had been among the main subjects.
- 90.** His Government would endeavour to ensure that its observations to the Committee on Freedom of Association were submitted in due form, although that would require better capacity on the part of all the institutions involved to compile comprehensive data within a reasonable period of time. Institutional strengthening had, however, resulted in a quadrupling of labour inspections between 2011 and 2014 and in a tenfold increase in the number of workers covered by such inspections. Decent work had been promoted by an almost eightfold increase in the number of jobs offered by the Public Employment Service in the same period. He expressed his gratitude to the ILO for its support, which had made such results possible.
- 91.** *The Worker Vice-Chairperson* said that according to the trade union movement in Guatemala, there had been no progress on the substantive issues in the 2013 roadmap. Seventeen trade union leaders had been murdered in 2013–14, but there had been no arrests in those cases and apart from one conviction handed down in October 2014 for a

murder committed in October 2008, no further arrests had been made regarding the 58 murders of trade unionists previously denounced before the ILO. Given such impunity, freedom of association was impossible. There was no legal and institutional framework to protect individual and collective labour rights. The Protocol on security measures for human rights activists, presented by the Minister of the Interior in August 2014, failed to offer specific protection for trade unionists, and even those granted security were having to cover the expenses of bodyguards themselves. The promised hotline for reporting crimes had not been set up. Moreover, obstacles had been placed on freedom of association and collective bargaining, including on the registration of trade unions. Under the new Bill No. 4703, the power to impose sanctions for labour law violations would lie only with the judiciary, not the inspectorate as recommended by the ILO. The Tripartite Committee for the Settlement of Disputes before the ILO had not solved any cases – a situation which required urgent redress. The time spent by the Human Rights Ombudsman on cases of possible violations of labour rights had been reduced, and the Special Ombudsman for Labour Rights had been dismissed. There had been no capacity building for the social partners in freedom of association, collective bargaining and social dialogue. Furthermore, it was unclear whether the CICIG's mandate would be extended. Lastly, a Presidential decree on minimum wages in four municipalities, which had been imposed without any consultation, had resulted in a cut in the minimum wage of over 50 per cent; however, the Constitutional Court had ordered its provisional suspension in January 2015.

92. He called on the Government of Guatemala to give urgent attention to all of the priority points identified in November 2014 that still required additional and urgent action, before the review by the Officers of the Governing Body. In view of the important role played in the country by the representative of the Director-General, he called on the international community to provide the necessary resources for his work to continue.
93. *The Employer coordinator* noted that, while some progress had been made as stated in paragraph 44, additional and urgent action was still required to implement the roadmap. His group supported the draft decision in paragraph 45.
94. *Speaking on behalf of GRULAC*, a Government representative of Cuba emphasized the importance of fundamental labour rights in achieving decent work and requested the ILO to continue its technical assistance to ensure the full implementation of the roadmap. He called on the tripartite constituents in Guatemala to continue to engage in social dialogue in all sectors to achieve lasting solutions and the full application of Convention No. 87. He endorsed the invitation to the international community to contribute to the operation of the Office of the Special Representative of the Director-General in Guatemala. He supported the draft decision.
95. *Speaking on behalf of Denmark, Finland, Norway and Sweden*, a Government representative of Norway expressed deep concern about the persistent threats against trade unionists and the prevailing impunity for anti-union activity. He called on the Government of Guatemala to respect its commitments to the rule of law and human rights; to implement the roadmap fully at all levels of government; to take urgent action to convict the perpetrators of murder and violence against trade unionists; to implement protective measures for trade unionists; and to align national legislation with ILO Convention No. 87. In view of the important role played by the ILO's Country Office in Guatemala, he urged the Government and the social partners to strengthen their engagement with the ILO. He supported the draft decision.
96. *A Government representative of the Dominican Republic* acknowledged the efforts undertaken by the Government of Guatemala, and the Minister of Labour in particular, to strengthen dialogue and negotiation and to comply with the roadmap. Ministers of Labour of the Central American region had declared their commitment to continuing action to



create decent work. He expressed thanks to the ILO for its technical support to Guatemala and the region, which he hoped would continue.

97. *A Government representative of the United States* expressed deep regret that few tangible changes had occurred in the labour situation in Guatemala. Labour laws were not enforced, nor were violations remedied within the prescribed time frames. The labour inspectorate still lacked the resources needed for its work. Compliance with labour court orders was weak, and employers were not prosecuted for non-compliance. The promised rapid response team to prevent irregular workplace closures had not been set up. Additional and urgent action was still required for the investigation, prosecution and conviction for those responsible for the murders of trade union officials and members and other acts of violence. The negotiation of new collective agreements by the Government had been suspended, and the Government had allowed four municipalities to reduce the minimum wage by almost 50 per cent. He expressed consternation at the fact that the Special Ombudsman for Labour Rights had been dismissed. The United States was of the opinion that it would be appropriate to initiate a commission of inquiry, but could nevertheless support the draft decision. As to subparagraph (e) of the decision, he expressed the highest regard for the work of the Office of the Special Representative of the Director-General, but it was a matter of concern that the Government was not making sufficient use of the support offered to produce measurable results.
98. *A Government representative of Cuba* welcomed the ILO's cooperation with Guatemala. The Government was continuing to respond with renewed commitment to compliance with the roadmap by extending social security coverage, strengthening legislation and collective bargaining, consolidating various sectoral programmes and creating thousands of new jobs. He urged the Office to continue its technical assistance.

## **Decision**

99. *Taking into account the information communicated by the Government and workers' and employers' organizations of Guatemala in relation to all of the points in the roadmap set out in document GB.319/INS/7(&Corr.), and on the recommendation of its Officers, the Governing Body:*
- (a) *requested the Government to take without delay, with the assistance of the Office and in consultation with the social partners, all the measures necessary to fully implement the roadmap, including measures to address the priority areas that continued to require additional and urgent action;*
  - (b) *requested the Office to provide the Officers of the Governing Body, at its 324th Session (June 2015), with updated information on the progress made based on clear indicators and results achieved, including information provided by the Government and employers' and workers' organizations of Guatemala, in particular on the follow-up given to the points of the roadmap;*
  - (c) *included this item on the agenda of its 324th Session (June 2015) in order to decide whether other measures would need to be adopted in relation to this complaint;*
  - (d) *deferred until its 325th Session (November 2015) the decision on the appointment of a commission of inquiry;*

- (e) *invited the international community to facilitate the necessary resources to enable the Office of the Special Representative of the Director-General in Guatemala to continue to support the tripartite constituents in the implementation of the Memorandum of Understanding and the roadmap.*

(GB.323/INS/6(Rev.), paragraph 45.)

## **Seventh item on the agenda**

### **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.323/INS/7(Rev.1) and (GB.323/INS/7(Add.))**

- 100.** *The Chairperson* said that document GB.323/INS/7(Rev.1) contained in an appendix the text of a Tripartite Agreement which had been signed on that very day between the Fijian Minister of Employment, Productivity and Industrial Relations and social partners in the presence of the Director-General.
- 101.** *A Government representative of Fiji* said that his country was committed to the terms and conditions of the Tripartite Agreement, including the various specific milestones and time frames. He thanked the Director-General, the General Secretary of the Fiji Trades Union Congress (FTUC) and the CEO of the Fiji Commerce and Employers' Federation (FCEF), who had helped to facilitate the Agreement. Fiji was currently experiencing unprecedented growth, employment was on the rise, wages had increased, minimum wage standards had been introduced, employer contributions to superannuation schemes were higher, a draft law had been tabled to increase worker compensation and a number of socio-economic reforms had been introduced, including for free education, water, medicine and electricity and higher welfare payments. The country had also participated in a successful Universal Periodic Review, introduced a new Constitution and held its first democratic elections. He looked forward to working with the Fijian social partners in order to give meaningful implementation to the core ILO Conventions for the betterment of Fiji and the Fijian people, and supported the draft decision.
- 102.** *The Worker spokesperson* said that the reasons presented in the past for establishing a commission of inquiry were clear: the Government had done absolutely nothing of substance to address numerous issues raised by the ILO; it had refused to sign a Memorandum of Understanding and instead issued one which intentionally failed to commit to compliance with Convention No. 87; and trade unions had subsequently suffered substantially. The Tripartite Agreement, agreed that morning, demonstrated a remarkable and welcome change in attitude by the Fijian Government. The Government should now prove that the Agreement was not empty words and that the political will to comply with ILO core Conventions existed. The Workers recommended adopting the draft decision.
- 103.** *A Worker member from Fiji* said that much effort had been required from the social partners to reach an agreement that addressed the concerns of all involved and that considerable goodwill and good faith would be needed to realize the goals set. He expressed appreciation for the collective support that had contributed to the Agreement.

The Workers' group in Fiji was fully committed to ensuring that the country would deliver on its commitments and had set firm deadlines for what needed to be done. The intended changes would only be possible with the continued assistance and oversight of the Governing Body.

- 104.** *The Employer coordinator* congratulated the Government, the FCEF and the FTUC for the Tripartite Agreement and supported the draft decision.
- 105.** *An Employer member from Fiji* thanked the ILO for its assistance to Fiji. The country's economy had grown significantly and the focus was now on decent work. The new Agreement augured well for industrial relations in the country and would bring about a situation that was better for all constituents.
- 106.** *Speaking on behalf of ASPAG*, a Government representative of China congratulated Fiji for its facilitation of the visit of the direct contacts mission to Fiji in October 2014, and the tripartite parties of Fiji for the Tripartite Agreement. The Agreement was a result of the goodwill and understanding shown by tripartite parties and would contribute to the ongoing social and economic development of Fiji. As a result of the Agreement, a commission of inquiry was unnecessary and the Governing Body should defer its decision on the matter to the November session.
- 107.** *Speaking on behalf of the EU*, a Government representative of the Netherlands said that the former Yugoslav Republic of Macedonia, Serbia, Albania and Norway aligned themselves with her statement. While urging the Fijian Government to respect freedom of expression and assembly, as encapsulated in the requests which the EU had made to Fiji at the previous Governing Body session, she expressed appreciation for the new Tripartite Agreement and looked forward to receiving the joint implementation report at the following Governing Body session. She endorsed the draft decision.
- 108.** *A Government representative of Australia*, speaking also on behalf of New Zealand, said that the new Tripartite Agreement was a positive step forward and a fine example of the role the ILO could play to find constructive solutions through social dialogue. The tripartite parties should continue building a strong foundation for the economic and social development of Fiji through ongoing positive dialogue. Further constructive dialogue was also needed with the ILO to assist the process of aligning Fiji's labour legislation and practice to international labour standards. As a close neighbour and a Pacific partner, Australia offered its support to Fiji, particularly in matters pertaining to labour policy and legislation.
- 109.** *A Government representative of India* praised the Government of Fiji for taking the recommendations of the direct contacts mission in the right spirit and initiating reforms to improve workers' rights. The Memorandum of Understanding prepared by the Fijian Government, the establishment of a committee to review essential national industries and amendments being drafted for the Workmen's Compensation Act, 1978 all seemed positive steps forward. In view of such measures, he urged the Governing Body to defer the decision on the establishment of a commission of inquiry until November 2015.
- 110.** *A Government representative of Thailand*, welcoming the Tripartite Agreement, commended the facilitation of the visit of the ILO direct contacts mission in October 2014 and the progress on the mission's recommendations. Fiji had made positive steps and should therefore be given reasonable time to complete reviews and implement the recommendations. The decision on a commission of inquiry should be deferred until November 2015.

111. *A Government representative of China*, noting the recent social welfare reforms in Fiji and the new Tripartite Agreement, said that the ILO should provide Fiji with the necessary technical assistance and allow it enough time to implement the recommendations of the direct contacts mission. It was therefore unnecessary to establish the commission of inquiry at the current time.
112. *A Government representative of Canada* welcomed the Tripartite Agreement. The parties involved should make full use of the opportunity to ensure respect for freedom of association and protection of the right to organize. He looked forward to the joint implementation report in June, by which time he hoped that tangible progress would have been made. He supported the draft decision.
113. *A Government representative of Cuba* expressed his appreciation for the spirit of cooperation demonstrated by all parties in signing the Agreement and requested the Office to continue offering technical assistance.

### **Decision**

114. *Taking into account the Tripartite Agreement recently signed by the Government of the Republic of Fiji, the Fiji Trades Union Congress (FTUC) and the Fiji Commerce and Employers' Federation (FCEF) (reproduced in Appendix II to document GB.323/INS/7(Rev.1)), on the recommendation of its Officers, the Governing Body:*
- (a) *requested the Government and the social partners, in accordance with the Tripartite Agreement, to submit a joint implementation report to its 324th Session (June 2015);*
- (b) *deferred until its 325th Session (November 2015) the decision to consider the establishment of a commission of inquiry.*

(GB.323/INS/7(Rev.1), paragraph 3.)

### **Eighth item on the agenda**

#### **Complaint alleging non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), made by the delegates to the 103rd Session (2014) of the International Labour Conference under article 26 of the ILO Constitution (GB.323/INS/8(Rev.1) and GB.323/INS/8(Add.))**

115. *A Government representative of Qatar* said that his Government spared no effort to protect all the rights of all workers, including migrant workers, who were specified in Qatar's Constitution and Labour Code. It attached great importance to meeting its obligations under Conventions Nos 29 and 81 and was committed to cooperation with the ILO and its supervisory mechanisms. Qatar was enacting legislation to protect all workers in the workplace. In February 2015, it had introduced amendments to the Labour Code to protect

wages by obliging employers to pay them by direct transfer to the worker's bank account, and a wage protection unit had been established. Further amendments had granted greater powers to labour inspectors to detect violations and enforce penalties, and the number of labour inspectors had been doubled. The Ministry of Labour and Social Affairs had opened offices in several locations in the country to handle complaints from workers outside the capital and to expedite processing; complaints could also be submitted through workers' complaints bodies and a dedicated hotline. Labour inspectors received continuous training in occupational safety and health at the national level and at the ILO's International Training Centre in Turin. The country collaborated continuously with the ILO and was holding consultations on a technical assistance programme in the areas of labour inspection, occupational safety and health and international labour standards. Proposed amendments to Law No. 4 of 2009 on the entry and exit of migrant workers, their residence and sponsorship were aimed at regulating the employer-worker relationship and the right to leave the country. An automated notification to the Ministry of the Interior would replace the exit permit. Furthermore, an amendment to Ministerial Order No. 18 of 2014 would result in improved standards of accommodation for workers. His Government trusted that the Governing Body would take account of its efforts to address the issues raised in the complaint and would provide Qatar with sufficient time to implement reforms and continue its efforts to make the country a safe place for workers. The protection of workers was of strategic importance to Qatar's development and growth. He expressed the hope that the complaint would be removed from the agenda of the Governing Body.

- 116.** *The Employer coordinator* said that his group recognized the progress made and the commitments given by the Government of Qatar with regard to the issues raised in the complaint. However, those issues were serious and urgent action on them was still required. As a next step, the Governing Body should therefore send a high-level tripartite mission to the country before its session in November 2015.
- 117.** *The Worker Vice-Chairperson* said that the Government of Qatar did not even remotely honour its obligations under Conventions Nos 29 and 81. There was no question that forced labour continued to be a serious and systemic problem in Qatar, and the findings of the ad hoc committee and the Committee of Experts remained valid. Since submitting the complaint, his group had learned of additional serious violations, including an agreement with the Democratic People's Republic of Korea under which workers were not paid for their labour and the money went instead to the regime of that country. The mass deportation of workers who dared to protest against their working conditions sent a strong message to workers not to complain.
- 118.** There was no evidence of any real progress in legislative reform or of enforcement of the existing legislative provisions, including those on combating human trafficking. A reform of the *kafala* system had been announced a long time previously, but workers could apparently still be tied to an employer for five years and the conditions for obtaining a "release permit" were unclear. While it was theoretically possible to change employers in the event of exploitation by petitioning the Government, in practice infrequent use was made of that remedy. The Government must observe the principles set forth in the 2015 report of the Committee of Experts in any reform to the *kafala* system. Furthermore, the draft law to extend certain rights to domestic workers had not been enacted. It was essential that the ILO should contribute to the design of such legislation to ensure compliance with the Domestic Workers Convention, 2011 (No. 189).
- 119.** Confiscation of migrant workers' passports was still a serious problem, but the Government did not provide information on its action to enforce the law or the number of penalties imposed. Recruitment agencies engaged in elaborate and unethical schemes to shift the cost of recruitment to workers; such fees were not merely a problem of migrant workers' country of origin. As to the availability of interpreters, his group had learned that

three had been hired by the National Human Rights Committee, but had never received an employment contract; two had never worked and the third had worked for only three months and had never been paid.

- 120.** Notwithstanding the increase in the number of labour inspectors, there were still too few of them, given the sizeable migrant workforce and the numerous workplaces that plainly still needed proper inspection. Furthermore, it was not clear whether the inspectors had the requisite training and resources for their tasks. There was still only talk of legislation to increase fines and other penalties for violations of labour law, but no action on it.
- 121.** The contents of paragraphs 17 to 25 of the document did not reflect the realities encountered by the vast majority of migrant workers interviewed by the International Trade Union Confederation (ITUC) and human rights NGOs. His group had first-hand information that migrant detainees faced serious abuses and that, in a number of cases, workers (including domestic workers) had been detained for no apparent reason other than that they had fallen out of favour with their employer. Some had even been falsely accused of crimes and had not been provided with due process of the law. However, other than concerns raised by ITUC, the voices of the workers were absent from the Office's mission report. There were, in fact, no trade unions in Qatar, and the lack of freedom of association for migrant workers contributed to the ongoing violations of laws against forced labour and other labour laws. Recent testimonies of workers in Qatar revealed that many were abused every day, lived in squalor, were paid a pittance in the world's richest country, had no access to effective grievance or dispute-settlement procedures and risked injury or death. Despite promises from the Government, little real progress had been made. The Workers' group was seriously concerned by the situation and therefore supported the draft decision and urged the Governing Body to send a high-level tripartite mission to Qatar before its next session. Failing that, his group would have to press for the establishment of a commission of inquiry.
- 122.** *Speaking on behalf of ASPAG*, a Government representative of China noted with satisfaction the numerous measures taken by the Government of Qatar and the progress made towards addressing the issues raised in the complaint. Those steps demonstrated the Government's serious commitment to improving the working conditions of all workers in Qatar. His group welcomed the Government's openness to constructive dialogue and cooperation with the ILO. It encouraged the Government to pursue its cooperation with the Office and requested the latter to provide the Government with the technical assistance it required for the promotion and protection of workers' rights. The Government should be allowed ample time to carry out and implement the reforms it had announced. Neither a high-level tripartite mission nor a commission of inquiry was necessary. He therefore proposed that the draft decision should be reconsidered and the item removed from the Governing Body's agenda.
- 123.** *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said that the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Republic of Moldova and Georgia aligned themselves with the statement. Compliance with ILO fundamental Conventions was essential for the economic and social stability of any country. An environment conducive to dialogue and trust between employers, workers and governments helped to create a basis for solid and sustainable growth and inclusive societies. He therefore encouraged the Qatari authorities to work closely with the ILO, to step up their efforts to implement Conventions Nos 29 and 87 and to give full support to the high-level tripartite mission. He endorsed the draft decision.
- 124.** *A Government representative of Bahrain* commended the Government of Qatar for its constructive efforts and the measures it had adopted to protect both the national and the immigrant labour force. More time and effort were doubtless required for that purpose. He

was, however, confident that the Government would abide by its obligations under the two Conventions in question. He called on the Governing Body to strengthen its dialogue with the Qatari authorities and to allow them enough time to make progress with their efforts to safeguard the common interests of all workers. He fully supported the statement of the Government of Qatar and, in view of the progress already made, reiterated that the item should be removed from the Governing Body's agenda.

- 125.** *A Government representative of the Russian Federation* expressed serious concern about the systematic violation in Qatar of the rights of over 1.5 million workers, most of whom were migrants. All available information had to be taken into account in order to reach a balanced decision. For that reason, he supported the draft decision.
- 126.** *A Government representative of the United Arab Emirates* noted that the Government of Qatar was continuing its cooperation with the ILO. The measures which had been taken to upgrade legislation, to protect wages and to improve labour inspections and workers' accommodation demonstrated the commitment of the Government of Qatar to comply with the recommendations made by the ILO. The Government should, however, be given more time and assistance to achieve the outcomes outlined in the mission report. A tripartite high-level mission and a commission of inquiry were unnecessary and the item should be removed from the Governing Body's agenda.
- 127.** *A Government representative of the United States* said that the problems outlined in the report were extremely serious. Although the Government of Qatar had initiated a process to address them, the *kafala* system left over a million workers vulnerable to forced labour and passport confiscation. Labour inspectorates were under-resourced and in need of training. He therefore encouraged the Government to enact the proposed law to repeal the *kafala* system in full compliance with Convention No. 29 as soon as possible, and he recommended that it should implement the full programme of work outlined in the proposed Decent Work Country Programme. A high-level tripartite mission should be undertaken before June 2015. He strongly supported the draft decision.
- 128.** *A Government representative of India* noted that the Government of Qatar had undertaken a series of reforms to comply with ILO Conventions Nos 29 and 81. Forced labour was to be condemned in all its forms. He encouraged the Government to complete the reform process without delay to ensure the protection of workers' rights, and called on the ILO to provide technical assistance. The measures taken by the Government should be taken into account before the Governing Body decided on future action.
- 129.** *A Government representative of Algeria* welcomed the spirit of cooperation shown by the Government of Qatar. He took note of the legislative measures that had been taken, which reflected the ILO's recommendations and represented considerable progress in modernizing the country's social legislation. The Government should be encouraged to pursue its reform programme.
- 130.** *A Government representative of China* said that, in view of the progress made by the Government of Qatar in updating its Labour Code to protect migrant workers and, in view of the spirit of cooperation shown by the Government during the ILO mission, a commission of inquiry would not be necessary. He favoured instead continued technical assistance to Qatar from the Office, and he urged the Government of Qatar to continue amending its policies.
- 131.** *A Government representative of the Islamic Republic of Iran* said that the Government of Qatar had shown its willingness to improve working conditions, and should be given time to institutionalize the reforms in progress. He called on the Office to provide the Government with the assistance it needed to meet its commitments.

132. A *Government representative of Sudan* thanked the Government of Qatar for having supplied all the information that it had been asked to supply. The Government of Qatar had taken legislative measures to improve the rights of workers and comply with Conventions Nos 81 and 29, and should be given time to implement the changes. It was taking adequate measures to stem trafficking in persons. It should be encouraged to continue its efforts and to legislate to improve the situation of domestic workers. She was in favour of removing the item from the agenda of the Governing Body.
133. A *Government representative of Turkey* said that it was evident from the information provided by the Government of Qatar and the report of the high-level mission that the Government should continue to work closely with the ILO while drafting the necessary legislation, stepping up enforcement measures and strengthening its labour inspection system. The fact that the Government had begun a dialogue with the ILO illustrated its commitment to overcoming the deficiencies in its labour legislation and in its inspection system. The Government should be given reasonable time to implement its planned reforms before any decision on further action was taken.
134. A *Government representative of Pakistan* said that the Government of Qatar had demonstrated its commitment towards cooperating with the ILO and implementing its recommendations. It should be given time to put its reforms into effect. There was no need at present for another high-level mission to the country.
135. A *Government representative of Brunei Darussalam*, noting the information submitted by the Government of Qatar and the progress that had been made, expressed support for continued cooperation between Qatar and the ILO, and between Qatar and other stakeholders, to address the promotion and protection of workers' rights. Qatar had shown good faith, transparency and willingness to cooperate, and should be given adequate time to attain its goal. A second high-level mission to the country was not necessary at present, and nor was a commission of inquiry.
136. A *Government representative of Indonesia* observed that Qatar was currently updating its labour legislation to protect workers' pay and improve labour inspection. She expressed the hope that the new legislation would soon enter into effect. There was still room for improvement, and she encouraged the Government to focus on the concerns mentioned in paragraph 4 of the document.
137. A *Government representative of the Dominican Republic* acknowledged the efforts being made by Qatar to address the concerns in the original complaint. It should be encouraged to take every possible step to meet ILO standards.
138. A *Government representative of Norway* said that compliance with the eight fundamental ILO Conventions was essential to achieving justice, sustainable development and inclusive growth. He was gravely concerned at the serious allegations against Qatar. The Government of Qatar should take the necessary measures to fulfil its obligation to end the use of forced labour and immediately review the functioning of the sponsorship system, ensure access to justice for migrant workers and ensure that adequate penalties were applied for violations. The new legislation on migrant workers must be enacted speedily, and framed so as to protect workers from any form of exploitation tantamount to forced labour, while providing them with full enjoyment of their rights at work. He urged the Government to remove any restrictions on the freedom of association of migrant workers. In spite of the efforts made to strengthen its capacity, the labour inspectorate was still not adequately equipped to ensure compliance with labour law. Norway encouraged the Government of Qatar to step up its cooperation with the ILO, including by giving full support to the anticipated high-level mission to the country. He supported the draft



decision, and looked forward to the report of the high-level mission to be presented at the 324th Session (June 2015) of the Governing Body.

139. *A Government representative of Thailand* said that he welcomed the Government of Qatar's efforts to promote and protect the rights of migrant workers and its spirit of cooperation. The Government of Qatar needed more time to implement its planned reforms and it was premature for the Governing Body to decide on any further action.
140. *A Government representative of Jordan* said that he welcomed the renewed commitment of Qatar to carry out the expected reforms. Qatar had fully cooperated with the high-level mission during its visit to the country in February. However, there was certainly room for improvement, and a need to translate words into action.
141. *A Government representative of the Bolivarian Republic of Venezuela* said that it was evident from the report of the high-level mission that the Qatari authorities had received the mission in a spirit of cooperation and open dialogue. He supported the statement by the representative of the Qatari Government, which was committed to improving the situation of migrant workers and fulfilling its obligations under the ILO Conventions.
142. *A Government representative of Mauritania* welcomed the steps already taken by the Government of Qatar to improve the rights of migrant workers and expressed support for the statement by the Government representative of Qatar.
143. *A Government representative of Cuba* appreciated the detailed information provided by the Government of Qatar. He acknowledged the spirit of cooperation that it had demonstrated and the frank and open dialogue that had taken place during the high-level mission. He welcomed the initiatives already taken to improve conditions for migrant workers.
144. *A Government representative of Canada*, noting with appreciation that a high-level mission had already been undertaken to examine the serious allegations against the Government of Qatar, urged the Government to hold accountable individuals and companies found responsible for violating the human rights of migrant workers. He encouraged it to accept another high-level tripartite mission to the country before the item was next considered by the Governing Body, to help ensure that the proposed legislative changes addressed the root causes of the problems. He supported the draft decision.
145. *An Employer member from the United Arab Emirates* said the Government of Qatar had provided the Governing Body with the information it had requested and had taken steps to improve the situation of migrant workers. A decision to send another high-level mission to Qatar at the current time would not be justified.
146. *The Worker spokesperson* expressed regret that a number of Governments had expressed their support for the situation in Qatar. Many of the changes that had been made were cosmetic and insufficient to put an end to the exploitation of migrant workers in Qatar. The Governing Body should be taking urgent action to address the issue, not giving more time to a Government that was resorting to modern forms of slavery. The way in which migrant workers were being treated in Qatar went against the values enshrined in the ILO Constitution and could not be tolerated. If the Qatari authorities were so confident that they were taking measures to address human trafficking and forced labour, they should have no reason to hold back from inviting a tripartite mission to the country to verify the situation.
147. *A Government representative of Qatar* said that the State of Qatar was taking all appropriate measures to uphold human rights and was committed to making progress. Some trade unions had hidden agendas and made allegations for reasons of their own. An objective assessment of his Government's report and the conclusions of the high-level

mission would highlight the positive aspects. He reiterated his Government's willingness to cooperate with the ILO.

148. *The Chairperson* said that the Office had revised the draft decision on the item to take into account the views expressed during the discussion.

### **Decision**

149. *On the basis of discussions which had taken place, the Governing Body decided:*

- (a) *to request the Government of Qatar to submit to the Governing Body for consideration at its 325th Session (November 2015), information on action taken to address all issues raised in the complaint;*
- (b) *to defer further consideration of agenda item GB.323/INS/8 until the 325th Session (November 2015) of the Governing Body, in light of the information referred to in paragraph (a) above.*

(GB.323/INS/8(Rev.1), paragraph 7, as redrafted by the Governing Body.)

### **Tribute to Lee Kuan Yew, first Prime Minister of Singapore**

150. Before the discussion of the next item, the Governing Body paid tribute to Lee Kuan Yew, first Prime Minister of Singapore, who had died on 23 March 2015.
151. *A Government representative of Singapore* said that Mr Lee had been a key architect of Singapore's tripartite model, which had been critical to the country's industrial harmony and economic development over the years. He had worked with the Singapore National Trades Union Congress to modernize the trade union movement, and had introduced key initiatives such as the Industrial Relations Act, 1965, the Employment Act, 1968, and the National Wages Council in 1972. He had always had workers' welfare close to his heart and his policies had helped build a fair and inclusive society.
152. *A Worker member from Singapore* said that Mr Lee had been a founding father of an independent Singapore, a dear friend of the labour movement, and the core founder of the People's Action Party. He had never forgotten his trade union roots, and as Singapore's first Prime Minister he had championed a constructive brand of tripartism. Mr Lee had believed strongly in tripartism, and when Singapore had gained independence, 50 years ago, it had also joined the ILO.
153. *The Director-General* said that the international community had lost a global statesman and a great leader in his region, as well as a great supporter of tripartism and of the ILO. The unique tripartite system which he had constructed in Singapore had contributed importantly to its prosperity, and his deep, consistent concern for the situation and interests of working people was what made his passing so poignant for the ILO.

## Ninth item on the agenda

### Reports of the Committee on Freedom of Association

#### 374th Report (GB.323/INS/9)

- 154.** *The Chairperson of the Committee on Freedom of Association* said that the Committee had noted 151 pending cases, of which 32 had been examined on their merit. The Committee had begun its evaluation of its working methods with a view to ensuring effectiveness and impact, through clarity of work and principles. It would continue those discussions and report back to the Governing Body in March 2016, in accordance with the timeline agreed in the joint statement by the Workers' and Employers' groups of February 2015. The Committee had already taken some innovative decisions: for example, to list in paragraph 2 of its report the names of the participants at the meeting of the Committee, following a practice similar to that followed in reports under article 24 of the ILO Constitution. A positive and constructive spirit had again guided the Committee's debates.
- 155.** The Committee had decided to make use of the procedural option of calling a government to come before it to improve the exchange of information, and to highlight the importance of the matters before it in long-outstanding cases – on the current occasion, the Committee had asked the Government of Cambodia to provide detailed information in relation to its recommendations concerning the two cases against it.
- 156.** The Committee had issued urgent appeals to governments that had not yet sent their observations, despite the time that had elapsed since the submission of complaints. The cases concerned were No. 3070 (Benin); No. 3064 (Cambodia); No. 3004 (Chad); No. 3067 (Congo); No. 3753 (Djibouti); No. 2723 (Fiji); Nos 2203, 2869, 2989, 3040 and 3062 (Guatemala); No. 2794 (Kiribati); No. 3018 (Pakistan); and No. 3105 (Togo). Those Governments should transmit their observations as a matter of urgency. The Committee had also examined Cases Nos 2318 and 2655 (Cambodia) and No. 2902 (Pakistan) without having received a response from the Government.
- 157.** The Committee had examined eight cases in which governments had informed it of measures taken to give effect to its recommendations. The Committee had noted with satisfaction the amendment of legislation by the Government of Bosnia and Herzegovina to ensure an easy and efficient registration procedure, which had resulted in the registration of the Confederation of Independent Trade Unions of Bosnia and Herzegovina. The case demonstrated that the Committee's recommendations remained relevant and valid, even when governments took considerable time to implement them. The Committee also noted with satisfaction the reassignment of a dismissed worker in Case No. 2602 (Republic of Korea). The Committee welcomed several steps by the Korean Government to strengthen its labour inspection and legislation aimed at protecting dispatched workers, and encouraged it to pursue its efforts, in consultation with the social partners concerned, to strengthen the protection of subcontracted agency workers' rights to freedom of association and collective bargaining. Finally, in Case No. 2836 (El Salvador), the Committee had noted with satisfaction the reinstatement of a dismissed trade union leader.
- 158.** He drew the Governing Body's attention to two serious and urgent cases. The first was Case No. 2318 (Cambodia), which concerned the murder of three trade union leaders between 2004 and 2007, and more recent threats and acts of violence against workers during a strike. The Committee deeply deplored the absence of information from the

Government in relation to its recommendations, urged it to be more cooperative in the future and, given the number of allegations made, invited it to come before the Committee at its May 2015 session to provide detailed information on the steps taken to investigate the murders and other acts of violence. The Committee firmly expected the Government to make a commitment to ending the prevailing situation of impunity by establishing independent judicial inquiries to fully uncover the underlying facts and identify and punish those responsible, thus preventing the repetition of such acts. The second serious and urgent case was Case No. 2254 (Bolivarian Republic of Venezuela). The Committee had expressed its deep concern at the long-standing allegations, which concerned serious forms of stigmatization and intimidation directed against the Venezuelan Federation of Chambers and Associations of Commerce and Production (FEDECAMARAS), and its member organizations, their leaders and affiliated companies. Noting that the Government had not yet provided a plan of action, as recommended by the Governing Body in March 2014 following the high-level tripartite mission, the Committee had urged the Government to immediately adopt tangible measures to strengthen bipartite and tripartite social dialogue. The Committee had further urged the Government to take immediate action to create a climate of trust based on respect for employers' and workers' organizations, and had requested it, as a first step, to enable a representative of FEDECAMARAS to be appointed to the Higher Labour Council.

- 159.** Lastly, noting with concern new allegations relating to escalations of harassment and intimidation and the detention of some employers and entrepreneurial leaders, the Committee had requested the Government to provide its observations in that connection, and had indicated its intention to examine the new allegations at its next meeting.
- 160.** *An Employer member of the Committee*, highlighting the recommendations in Cases Nos 2318 and 2655 (Cambodia), said that freedom of association was a constitutional principle of the ILO and a fundamental human right, and repeatedly ignoring the Committee's recommendations was utterly unacceptable. He also highlighted the fact, with regard to Case No. 2946 (Colombia), that the Constitutional Court had called upon the legislature to take steps within two years to address the question of the right to strike in the oil sector; it was hoped that the issues could be resolved at the national level. He noted with satisfaction the registration, after many years, of the Confederation of Independent Trade Unions of Bosnia and Herzegovina (Case No. 2225).
- 161.** Thanking the members of the Committee for their spirit of constructive dialogue, he welcomed the new Worker member and wished the Employer member from Mexico a speedy recovery. The Employers attached critical importance to the review of the Committee's working methods and were ready to assist the Chairperson with the report that he was to prepare jointly with his counterpart in the Committee of Experts on the Application of Conventions and Recommendations (CEACR) in support of the standards initiative. As a Governing Body Committee, the Committee on Freedom of Association welcomed the Governing Body's feedback on its work. Indeed, the legislative aspects of two definitive cases had been transmitted to the CEACR (paragraph 12). There had been rich discussion during the review of the Committee's working methods on the admissibility criteria for complaints, geographical equilibrium – as the majority of complaints came from Latin America – and the organization of the Committee's agenda. There was much to consider before the next meeting; in particular, more certainty was required concerning the scope of the principles of freedom of association. More information from the Office about how it processed the wide variety of complaints it received would be appreciated. The working methods review should help the Committee to be more effective and transparent, while ensuring that it continued to fulfil its mandate by promoting respect for trade union rights.

- 162.** Time-management problems resulting from the number of cases on the agenda needed to be addressed. It was vital that the Committee had sufficient time to properly discuss all alleged breaches of the principles of freedom of association and collective bargaining, given the importance of the guidance which it was mandated to give to governments. Furthermore, different approaches to the wide variety of cases that the Committee considered warranted consideration. While the opportunity to review the Office's papers prior to Committee sessions was welcome, there were practical difficulties involved, such as the fact that Committee members did not arrive in Geneva until the day before the Committee met. However, the Committee's latest session had benefited from further information from the Office as a result of the new principles which had been developed together. The Office should use track changes during the amendment process; that would save considerable time and free Committee members to attend other meetings. In addition, it was necessary to reflect on whether the Committee's work would benefit from secretariat support.
- 163.** Lastly, it was crucial that Governments should consider Case No. 2254 (Bolivarian Republic of Venezuela), which was a serious and urgent case. Freedom of association applied equally to private sector employers' organizations, and was not an exclusive right of trade unions.
- 164.** *A Worker member of the Committee* recalled that behind the Committee's conclusions and recommendations lay the reality of women and men who were victims of anti-union discrimination – women and men who may have been attacked, jailed, or even injured or murdered. Those individuals had suffered such serious violations solely for trying to exercise their right to freedom of association, or their right to bargain over wages and working conditions by acting collectively, including when they had no choice but to go on strike. The report's purpose was to do justice to those women and men, and restore the effective exercise of freedom of association and collective bargaining. Human rights at work were at stake, and specifically freedom of association, which was essential for effective social dialogue and collective bargaining – as was tripartism, a founding ILO principle.
- 165.** The review of the Committee's working methods was necessary in order to strengthen the effectiveness of the implementation of its conclusions and recommendations. The evolution of the Committee's procedures must remain based on the general principle of legal certainty in its recommendations, which in turn required the universality, stability and clarity of the principles on which it relied.
- 166.** The Workers' group was deeply concerned by Case No. 2318 (Cambodia), which contained allegations ranging from brutal acts of violence, including the murder of three trade union leaders, to the ongoing repression of trade unionists. Despite numerous requests over nearly ten years, the Government had again failed to respond to the allegations. The same was true with regard to Case No. 2655 (Cambodia), and the Government had thus been asked to come before the Committee at its May 2015 session. Of continuing concern was the failure, in many instances, to secure the reinstatement of workers dismissed due to anti-union discrimination – such as in Cases Nos 3030 (Mali) and 3069 (Peru). When workers were dismissed for legitimate union activities, they, and their families, were penalized immediately by the loss of employment and income. Case No. 2620 (Republic of Korea) had been dealt with as far back as March 2009: workers who were in the country illegally and who tried to establish trade unions were arrested and deported when elected as union leaders. The Seoul High Court's decision in favour of the Migrants' Trade Union's registration was still pending after more than eight years. The recommendation in paragraph 305 of the report was, therefore, welcome, and the Government should be aware that the Office may be able to provide technical assistance. The rights of migrant workers were a concern more generally; firm recognition by the

Committee of migrants' basic human right to freedom of association should constitute the basis for the ongoing discussions between sending and receiving governments on that matter. The Workers' group expected Employers and Governments to assist in establishing measures to protect migrant workers from exploitation.

- 167.** A number of cases concerned a refusal by employers (public or private) to bargain collectively, or collective bargaining not being conducted in good faith, both of which undermined the provisions and principles contained in Convention No. 87, and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). The allegations in Cases Nos 2941 and 3026 (Peru) both referred to legal restrictions and, in practice, impediments to collective bargaining on public sector wages. The recommendations in paragraph 672, which underlined the Government's obligation to bring its legislation into conformity with Conventions which it had ratified, were especially important. Case No. 2946 (Colombia) concerned anti-union discrimination, mass dismissals and pressure and persecution aimed at making trade unionists give up their membership; specifically, there were violations against the exercise of freedom of association in the oil sector. Governments must not define "essential services" with a view to denying the right to strike, and must respect the criteria set by the Committee. Special attention should be given to the recommendation in paragraph 257(g) – it was not the first time that the Committee had expressed the view that the employment of workers through repeated renewals of fixed-term contracts for several years could hinder the exercise of trade union rights in certain circumstances. On Case No. 2882 (Bahrain), concerning grave allegations of, inter alia, widespread arrest, torture and dismissals, no information had been provided by the Government on the outcome of the appeals brought by trade unionists. The relevant recommendation recalled the Government's commitment, in the tripartite agreement, to work to ratify Conventions Nos 87 and 98. The case highlighted the fact that governments could always request ILO technical assistance. Again, the Committee had needed to remind governments that it was for independent bodies to determine the legality of strikes; in that regard, the Workers' group noted Cases Nos 3029 (Plurinational State of Bolivia), 3032 (Honduras) and 3084 (Turkey).
- 168.** Positive developments, such as those in Case No. 3073 (Lithuania) on the rights of police in relation to Conventions Nos 87 and 98 and the Collective Bargaining Convention, 1981 (No. 154), were welcome.
- 169.** The Government of Pakistan had failed to respond to allegations on several occasions (Case No. 2902), despite being a member of the Governing Body, and an urgent appeal made in November 2014. Case No. 3050 (Indonesia) involved allegations of attacks by paramilitary organizations, injuring workers who were taking part in a peaceful strike to demand, inter alia, the increase of minimum wages and to protest against outsourcing, particularly in state-owned enterprises.
- 170.** *Speaking on behalf of the Government group of the Committee*, which consisted of members appointed by the Governments of Argentina, Dominican Republic, Japan, Kenya, Romania and Spain, the Government member from Spain reiterated the willingness of the Government members to continue to actively participate in the work of the Committee, through dialogue with the members from the Employers' and Workers' groups, to facilitate the consensus necessary for the Committee to fulfil its mandate.
- 171.** *A Government representative of Cambodia* said that, although financial constraints made it difficult for her Government to meet the Committee's demands, her Government had just sent an updated report to the Committee on progress in Case No. 2318. Cambodia was committed to working and cooperating closely with the Office, the social partners and other relevant stakeholders in order to promote decent jobs and comply with the

international labour standards set out in the Conventions to which it was a party. The authorities of Cambodia were prepared to meet the Committee in May 2015.

172. *Speaking on behalf of GRULAC*, a Government representative of Cuba noted with satisfaction that a list of the members that had participated in the meeting had been included in the report. Reiterating the commitment of the countries in his region to respecting the right to freedom of association and collective bargaining, he once again drew the Governing Body's attention to the imbalances in the number of cases examined by the Committee: 96 of the 151 cases brought before the Committee and 17 of the 32 cases examined on their merits – in other words 63 per cent of cases addressed by the Committee – were from countries in Latin America and the Caribbean. The Committee's report on the review and clarification of its mandate, which was to be presented in March 2016, would offer a prime opportunity to take account of his group's various statements concerning the need for improvements in the way the Committee functioned, for clear criteria in order to promote greater objectivity and for compliance with procedural rules. His group agreed that promoting national mechanisms for the settlement of cases would facilitate domestic solutions. His group would be willing to share its experiences and good practices in the area of freedom of association and the settlement of cases.

## Decision

173. *The Governing Body took note of the introduction to the report of the Committee, contained in paragraphs 1–69, and adopted the recommendations made in paragraphs: 89 (Case No. 2882: Bahrain); 112 (Case No. 3029: Plurinational State of Bolivia); 128 (Case No. 2318: Cambodia); 141 (Case No. 2655: Cambodia); 183 (Case No. 3015: Canada); 219 (Case No. 3057: Canada); 257 (Case No. 2946: Colombia); 268 (Case No. 2960: Colombia); 285 (Case No. 3034: Colombia); 305 (Case No. 2620: Republic of Korea); 336 (Case No. 3044: Croatia); 358 (Case No. 3058: Djibouti); 371 (Case No. 2811: Guatemala); 423 (Case No. 3032: Honduras); 435 (Case No. 3077: Honduras); 478 (Case No. 3050: Indonesia); 504 (Case No. 3073: Lithuania); 543 (Case No. 3030: Mali); 561 (Case No. 3024: Morocco); 586 (Case No. 3052: Mauritius); 598 (Case No. 2902: Pakistan); 626 (Case No. 2937: Paraguay); 672 (Cases Nos 2941 and 3026: Peru); 694 (Case No. 2996: Peru); 723 (Case No. 2998: Peru); 769 (Case No. 3009: Peru); 801 (Case No. 3043: Peru); 832 (Case No. 3056: Peru); 854 (Case No. 3069: Peru); 873 (Case No. 3084: Turkey); 930 (Case No. 2254: Bolivarian Republic of Venezuela), and adopted the 374th Report of its Committee on Freedom of Association as a whole.*

(GB.323/INS/9.)

## Tenth item on the agenda

### Report of the Working Party on the Functioning of the Governing Body and the International Labour Conference (GB.323/INS/10)

174. *The Employer coordinator* recalled that group meetings were planned on the Sunday before the start of the Conference, which would affect the per diem and accommodation costs.

- 175.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe welcomed the report as a true reflection of the deliberations of the Working Party, and supported the draft decisions.
- 176.** *Speaking on behalf of IMEC*, a Government representative of Norway said that strong commitment from all parties and the Office was needed for the trial of the two-week Conference to be successful. Regarding the Governing Body, she was confident that the changes would enable the ILO's work to be conducted effectively. The current two-week Governing Body session, which had included in-depth discussions on the programme and budget had remained on, or even ahead of, schedule, which demonstrated the value of thorough preparation and advance consultations. However, the purpose of the High-Level Section was still unclear; any decision by the Screening Group to place it on the agenda must be driven by genuine need. IMEC would submit written amendments to paragraphs 4 and 12 of the report. It supported the draft decisions.

## **Decisions**

### **177. The Governing Body:**

- (a) *decided to propose to the Conference that it implement, on a trial basis, the proposed arrangements for a two-week session of the International Labour Conference in June 2015, as set out in document GB.323/WP/GBC/1(Rev.1);*
- (b) *requested the Office to prepare for the 325th Session (November 2015) of the Governing Body an analysis of the trialled format of a two-week session in June 2015, which would allow the Governing Body to draw the lessons of this experience and take the appropriate decisions as regards the format arrangements for the future sessions of the International Labour Conference.*

(GB.323/INS/10, paragraph 9.)

### **178. The Governing Body:**

- (a) *decided that the words "technical cooperation" should be replaced with "development cooperation" where it was appropriate and that the title of the Technical Cooperation Segment should be readjusted accordingly;*
- (b) *requested the Office to improve the current format of the Supplementary Report of the Director-General describing the follow-up action taken by the Office as a result of previous decisions through the implementation of the improvements proposed in paragraph 8 of document GB.323/WP/GBC/2 as well as by any additional improvement which could serve the objective of the relevant report;*
- (c) *requested the Office to review the text of its Standing Orders, including the Introductory Note, and to propose amendments, including those needed to implement the agreed changes, to its 326th Session (March 2016).*

(GB.323/INS/10, paragraph 17.)



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## Eleventh item on the agenda

### Report of the Director-General

(GB.323/INS/11 and GB.323/INS/11(Add.))

#### *Decision*

**179.** *The Governing Body took note of the information presented in the report.*

(GB.323/INS/11 and GB.323/INS/11(Add.))

### First Supplementary Report: Monitoring and assessment of the progress towards decent work at the national level

(GB.323/INS/11/1)

**180.** *The Worker Vice-Chairperson* said that the monitoring and assessing of progress towards decent work at the country level through the use of indicators was a pressing priority for his group, since it was the only means of objectively assessing the real value of the laws and policies which were being implemented. That was why his group had supported the Monitoring and Assessing Progress on Decent Work (MAP) project and the work on decent work country profiles. They had confirmed the feasibility and usefulness of the indicators; helped to ensure evidence-based policy-making and development planning; guaranteed the legitimacy of the data through the involvement of tripartite social dialogue; and allowed countries to add their own indicators. Decent work indicators were necessary in order to measure progress towards decent work for all. The ILO Department of Statistics should enhance its work together with the technical departments on indicators covering the Decent Work Agenda in view of the anticipated adoption of the UN post-2015 sustainable development goals, because targets under each goal had to be accompanied by indicators in the form of measurable outcomes. Governments and the Office had to ensure that in intergovernmental negotiations in New York and in the UN Statistical Commission's discussions, the indicators adopted on the decent work goal covered all four pillars of the Decent Work Agenda and were not reduced to a handful of employment and social protection indicators. The Office should also establish the necessary operational mechanisms to provide assistance to constituents on the decent work indicators and should continue to work on the production of those indicators. After the UN General Assembly in September, the Office should present updated information to the November session of the Governing Body.

**181.** *The Employer coordinator* said that his group was in favour of improving labour market statistics by making existing data more robust and by gathering new data in order to gain a fuller understanding of national contexts. An integrated ILO database would be valuable, since capacity building must be based on reliable, timely labour force surveys from a greater number of countries. Since many countries found it challenging to collect data on employment and to allocate resources, the Office should provide assistance. Data that respected international definitions was crucial to evidence-based policy development. However, governments would clearly not collect all the data featured in the ILO manual if they saw no need for it. The Employers supported the activities proposed in paragraph 9 and the approach set out in paragraph 8. Decent work was a relative concept, a goal to be achieved within the capacity and development goals of each country. It could not therefore be a quantifiable, objective, universal standard. The ILO should focus on fact-based statistics that helped countries to improve in areas which national constituents identified as

priorities for economic development and job creation. His group supported the draft decision, as amended by the EU.

- 182.** *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said that Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina, Norway, Republic of Moldova, Armenia and Georgia aligned themselves with the statement. The MAP project was an excellent example of cooperation between the ILO and the EU and had improved the capacities and understanding of national constituents with regard to decent work and its measurement. The EU agreed with the lessons and recommendations and welcomed the importance attached to social dialogue and the acknowledgment of the need to focus more on countries' specific economic and social contexts and requirements. It was therefore necessary to continue to provide partner governments with technical assistance in preparing national assessments, improving statistical capacities and designing policy responses. An efficient approach to the review and monitoring of the post-2015 sustainable development agenda at national, regional and global level would be crucial to assessing progress towards the achievements of goals and targets. To that end, it was important to have robust, measurable indicators as well as high-quality data. National ownership and leadership were also of key importance for the effective implementation of the agenda at country level. The Office could play a key role in the context of the new agenda, on account of its specific expertise in developing guidelines, methodologies and criteria for assessing progress towards decent work.
- 183.** To encompass the various data and the participative methodologies which should be used in measuring progress towards decent work and to reflect the exact nature of the post-2015 agenda, she proposed that the draft decision should be amended to read: "The Governing Body requests the Director-General to take account of its guidance in enhancing support to constituent capacities to improve tools and methodologies, including statistical data, to monitor and assess progress towards decent work and towards goals and targets of the envisaged post-2015 development agenda."
- 184.** *Speaking on behalf of the Africa group*, a Government representative of Kenya welcomed the progress made in the development of a framework for the measurement of decent work and the development of selected country profiles. The engagement of national tripartite constituents and national statistics offices was crucial; however, other key agencies with cross-cutting mandates might also need to be included. The Africa group supported the areas identified for further improvements, but noted that there was no budgetary provision for decent work indicators. He called for a firm commitment by the member States and constituents to ensure that sufficient resources were included in the budget for the next biennia. More resources should also be allocated for the recommendations made at the 19th Session of the International Conference of Labour Statisticians in October 2013 regarding strengthening of departmental statistics and regional-based capacities. The Turin Centre could provide support in training. He supported the draft decision.
- 185.** *A Government representative of Pakistan* said that decent work country profiles were important, as they offered countries – including Pakistan – a baseline assessment of recent progress and could be used as input for national priorities and policy-making across all social and economic areas. In the absence of specific budgetary provisions for decent work indicators, the ILO should use its large donor network to obtain the necessary financial resources. The Programme and Budget for 2016–17 should contain such specific budgetary provisions. He supported the draft decision.
- 186.** *A representative of the Director-General* (Director, Department of Statistics) said that at the current stage of negotiations on the post-2015 development agenda, the outcomes of the MAP project and the advanced methods used in the decent work country profiles meant

that the Office would be better equipped to negotiate in order to provide concrete indicators and proposals based on tripartite input. He thanked the EU for the help it had provided the Office in the project, which had had a spillover effect in other member States. He clarified that the UN Statistical Commission and UN General Assembly had stated that the final list of indicators would be approved by the session of the UN Statistical Commission in March 2016 after an intergovernmental process. The ILO would be actively involved and governments would have to facilitate the interchange of information between ministries and national statistical offices. The Office would endeavour to present a set of indicators for March 2016. The Department of Statistics had received support in the next programme and budget and would be better equipped to assist countries and regions.

### **Decision**

- 187.** *The Governing Body requested the Director-General to take account of its guidance in enhancing support to constituent capacities to improve tools and methodologies, including statistical data to monitor and assess progress towards decent work and towards goals and targets of the envisaged post-2015 development agenda.*

(GB.323/INS/11/1, paragraph 15, as amended.)

## **Second Supplementary Report: Developments in the relationship between the ILO and the International Organization for Standardization (ISO), including in the field of occupational safety and health** (GB.323/INS/11/2 and GB.323/INS/11/2(Add.))

- 188.** *The Worker Vice-Chairperson* said that three elements were particularly important in assessing the pilot implementation of the ILO–ISO agreement in ISO Project Committee 283: consistency of ISO standards with international labour standards; the effective presence of the ILO in the relevant ISO committee or body; and safeguarding the ILO’s leadership in global labour policy and activities, including occupational safety and health (OSH) standards. He expressed deep concern that a resolution which conflicted with core international labour standards on workers’ representation in an OSH management system had been circulated and voted on without consultation with the ILO and despite its opposition. The adopted resolution contained a definition of workers’ representatives that ran counter to the Workers’ Representatives Convention, 1971 (No. 135). He agreed that, if unchanged, the resolution would undermine the vital role of worker participation in the range of relevant issues that could arise under OSH management systems. He was even more concerned at the updated information in the appendix, that the ISO was of the view that the agreement did not require its standards to defer exclusively to international labour standards in case of conflict. The agreement clearly stated that international labour standards had to be the source of reference, meaning ISO standards must defer exclusively to international labour standards in case of conflict. Prior to the upcoming meeting of ISO Project Committee 283 in July 2015, the Director-General should seek to resolve the dispute with the ISO through high-level contacts. The ILO should engage in the meeting with the objective of ensuring that the draft of ISO standard 45001 included references to workers’ representatives in line with Convention No. 135 and of ensuring consistency with ILO standards on other issues. He requested the Office to keep the Officers of the Governing Body and the regional coordinators informed of the outcome of that meeting. In light of the seriousness of the issues, any developments should be included on the agenda of the Governing Body session in November 2015. If the ISO draft did not comply with

ILO standards after the meeting in July, the Governing Body would have to decide at its session in November 2015 on a course of action. In such a case, the ILO should consider informing ISO voters of the inconsistency and recommending that they should vote against the ISO standard. He expected the flagship programme on OSH to result in greater visibility of ILO standards on the subject. He proposed amending the draft decision to reflect the points he had made.

- 189.** *The Employer coordinator* said that the voluntary standard was intended to be complementary to national and international law with which companies had to comply in the first place. The International Organisation of Employers would continue to represent itself and contribute to the ISO process. The Office did not represent all constituents; its role was to provide guidance on ILO issues and to promote international labour standards, not to impose its views. The ISO was not disrespecting the agreement by not referring to the exact wording proposed by the ILO. It was not very clear from the document where the problem lay exactly. National experts were also trying to influence the ISO process to ensure that their country's standards were reflected, meaning that differing opinions were driving the process. The standard would be accredited in many countries and therefore all rules of the International Accreditation Forum would apply to its interpretation and processing. The issue would not damage ILO Conventions, which would have to be respected and implemented by member States regardless. The Employers could go along with the Workers' suggested amendments.
- 190.** *Speaking on behalf of the Africa group*, a Government representative of Sudan invited the ISO to continue to make efforts to integrate the relevant international labour standards in its decision-making process. Close cooperation was required between the ILO and ISO to agree on a joint definition of terms relevant to both organizations. He expressed concern that the decision taken by ISO Project Committee 283 regarding worker representation in OSH management systems was incompatible with international labour standards, especially Conventions Nos 87 and 98. The ISO Technical Management Board should examine the possibility of maintaining contact with the ILO to make greater progress in the area. He requested the Office to organize a follow-up meeting with the Technical Management Board. In view of the importance of prioritizing international labour standards, he supported the draft decision.
- 191.** *Speaking on behalf of GRULAC*, a Government representative of Cuba noted with concern the challenges detailed in paragraph 9 of the document. The ILO must maintain its position in the ISO 45001 process and keep the Governing Body informed. Collaboration with the ISO had historically been positive, which made the current situation particularly concerning. The group supported the draft decision, as amended by the Workers' group.
- 192.** *Speaking on behalf of IMEC*, a Government representative of Norway welcomed the fact that significant efforts by the ILO had resulted in closer adherence of ISO standards to international labour standards, but expressed alarm at the continuing challenges reported and the fact that the ILO-ISO agreement was not being observed. The Governing Body had authorized the agreement on condition that ISO standards would comply with international labour standards. Progress was still needed to ensure that ISO Project Committee 283 gave priority to such standards in the event of a conflict and ensured the ILO's effective participation in ISO working methods. The extension of the pilot for one year was worthwhile and any decision on expanding the programme on OSH management systems should take account of the outcome. The Governing Body should review the matter further and consider any related financial questions that could not be handled within the existing regular budget. Welcoming the recent contact between leadership of the ILO and ISO, she called for the ILO to continue to press for a mutual understanding with the ISO leadership. She encouraged Governing Body members to inform their national ISO

representatives that they expected compliance with the agreement. The group supported the draft decision, in both its original and amended forms.

- 193.** *A Government representative of Japan* cautioned that if the ILO terminated its collaboration at that point, the ISO would develop new standards that would not be in line with ILO standards, which would then prevail in enterprises worldwide. The ILO should therefore participate actively in technical committees and informal communications and collaboration with the ISO for a further year. The Office should develop a clear strategy on reflecting international labour standards in new ISO standards on OSH management systems.
- 194.** *A Government representative of India* expressed disappointment at the slow progress and continuing problems in collaboration with the ISO. The recent developments showed that the ILO had a very limited role in drafting some sections of ISO 45001. The pilot implementation of the agreement, in her opinion, diluted the core mandate of the ILO, which had the global mandate on OSH standards. The ISO was a private organization issuing voluntary standards, which must not be allowed to take the place of binding ILO instruments. She did not support the extension of the pilot, and requested additional details on why the agreement should be continued. The Governing Body should continue discussing the item and set a firm timeline for a decision on extending the pilot. She supported the draft decision, as amended.
- 195.** *Speaking on behalf of Argentina and Brazil*, a Government representative of Brazil supported the Workers' amendment to the draft decision.
- 196.** *A Government representative of China* firmly believed that the implementation of the agreement should aim at achieving the objectives in paragraph 4 of the document, and appreciated the ILO's efforts to address the challenges in the collaboration. He expressed concern that the ISO apparently did not accept the responsibilities under the agreement to defer to international labour standards. Discontinuing the ILO–ISO collaboration might make the situation worse, as the ILO's authority on labour matters and international labour standards would not be taken into account. He urged the ILO to find a solution to the dispute on ISO 45001. He also encouraged member States to liaise with their ISO representatives at the national level to obtain consistency of ISO standards with international labour standards. He supported the draft decision.
- 197.** *A representative of the Director-General* (Senior Counsellor to the Deputy Director-General for Policy (DDG/P)) said that the Office operated in a very disciplined manner within the ISO committee – operating under the mandate of the Governing Body, which had authorized the agreement and the pilot work – and provided comments on elements related to international labour standards relevant to the drafting. The primary goal was to avoid conflict – either expressed or implied – that could undermine the ILO tripartite standards; the Office was not proposing to incorporate the exact wording of international labour standards into voluntary ISO standards. In relation to the ILO's constituents, the Office liaised with labour ministries at the national level in countries represented by the ISO members within ISO Project Committee 283, as well as with the international employers' and workers' secretariats. The goal was to encourage in-country dialogue between ILO constituents and national ISO bodies and within the ISO's mirror committees used to obtain public opinion on the drafting of an ISO standard. She valued efforts taken by ILO constituents at the national level to explain to ISO representatives why a voluntary standard should be complementary to, and not replace or conflict with, national or international law.

198. *The Worker Vice-Chairperson* emphasized that it was the responsibility of each government to promote and defend ILO Conventions in discussions about ISO standards, including at the national level.

### **Decision**

199. *Noting the progress but expressing concern at continuing challenges of recent collaboration with the International Organization for Standardization (ISO), the Governing Body:*

- (a) *requested the Director-General to seek to urgently resolve with the ISO, through high-level contacts, the disputed interpretation over certain elements of the Agreement;*

#### *Further decided:*

- (b) *to extend the pilot implementation of the ILO–ISO agreement of 2013, for the time necessary for the ILO’s effective participation in the development of ISO 45001 and up to one year;*
- (c) *to review the implementation of the ILO–ISO agreement at its 325th Session (November 2015).*

(GB.323/INS/11/2, paragraph 19, as amended.)

### **Third Supplementary Report: Documents submitted for information only (GB.323/INS/11/3(Rev.))**

### **Decision**

200. *The Governing Body took note of the information contained in the documents listed in the appendix to document GB.323/INS/11/3(Rev.).*

(GB.323/INS/11/3(Rev.), paragraph 3.)

### **Fourth Supplementary Report: Appointment of an Assistant Director-General (GB.323/INS/11/4)**

### **Decision**

201. *The Governing Body noted that the Director-General, after having duly consulted the Officers of the Governing Body, had appointed Ms Tomoko Nishimoto as Regional Director of the ILO Regional Office for Asia and the Pacific at the Assistant Director-General level. Ms Nishimoto made and signed the prescribed declaration of loyalty as provided under article 1.4(b) of the ILO Staff Regulations.*

(GB.323/INS/11/4, paragraph 4.)

**Fifth Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by Chile of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), and the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37), made by the College of Teachers of Chile AG, under article 24 of the ILO Constitution (GB.323/INS/11/5)**

**Decision**

**202. The Governing Body:**

- (a) approved the report contained in document GB.323/INS/11/5, and specifically the conclusions set out in paragraphs 72–75 concerning the application by Chile of Conventions Nos 35 and 37;*
- (b) noted the will of the Ministry of Education to develop the teachers' wage and welfare conditions through social dialogue and to find a durable solution to the pension issues raised in the representation by establishing, together with the College of Teachers of Chile, a Technical Board, which is expected to submit concrete proposals to that end and to deliver its final report at the end of the first semester of 2015;*
- (c) encouraged all parties concerned to reach a viable agreement in the very near future and request the Office to provide the parties to the representation with any technical, consultative or conciliatory services and good offices, which they may request;*
- (d) requested the Government of Chile to take the measures necessary for acquiring and preserving pension rights of the municipal teachers in conditions of legal certainty, uniform implementation and enforcement required for the proper functioning of the pension scheme based on capital accumulation accounts, in particular:*
  - (i) to accept the responsibility, in compliance with Article 10(5) of Convention No. 35 and Article 11(5) of Convention No. 37, for the administrative and financial supervision of the collection and payment of pension insurance contributions by the municipalities and municipal bodies employing the teachers, establish effective mechanisms for recuperation of arrears of unpaid contributions and, where necessary for this purpose, provide appropriate contributions by the public authorities to the financial resources of the municipalities or to the pension benefits of the teachers, in compliance with Article 9(4) of Convention No. 35 and Article 10(4) of Convention No. 37;*
  - (ii) to ensure participation of the representatives of the teachers and other categories of insured persons in the management of their pension schemes, including collection of insurance contributions and supervision of their effective payment into respective schemes by the*

*municipalities and other employers in respect of their employees, in compliance with Article 10(4) of Convention No. 35 and Article 11(4) of Convention No. 37, and to engage the process of dialogue with the representatives of the teachers for this purpose;*

- (iii) to improve the effectiveness of dispute resolution and appeal mechanisms in pension matters concerning municipal employees, ensure prompt rendition of justice in these cases and execution of court decisions engaging the liability of the municipalities for unpaid contributions, in line with Article 11 of Convention No. 35 and Article 12 of Convention No. 37;*
- (e) invited the Government to send reports under article 22 of the ILO Constitution on the application of Conventions Nos 35 and 37 by 1 September 2015 containing detailed information on the measures taken to give effect to the conclusions and recommendations made in points (a), (b) and (c) above, as well as on the solutions advanced through social dialogue within the work of the joint technical board established by the Ministry of Education and the College of Teachers of Chile, to be examined by the Committee of Experts on the Application of Conventions and Recommendations in relation with the follow-up on the recommendations adopted by the Governing Body in 1999 and 2006 on the previous representations submitted by the College of Teachers of Chile on similar issues;*
- (f) decided to make this report publicly available and declared closed the procedure initiated before the Governing Body as a result of the representation made by the CPC AG concerning the application by Chile of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), and the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37).*

(GB.323/INS/11/5, paragraph 76.)



**Sixth Supplementary Report: Report of the Committee set up to examine the 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.323/INS/11/6)**

***Decision***

**203. *The Governing Body:***

- (a) approved the report contained in document GB.323/INS/11/6;*
- (b) invited the Government, in light of the conclusions set out in paragraphs 47, 55, 61, 64 and 71 of document GB.323/INS/11/6, to take such measures without delay as might be necessary to ensure the effective implementation of Articles 12 and 16 of the Labour Inspection Convention, 1947 (No. 81);*
- (c) invited the Government to consider availing itself of ILO technical assistance, particularly with regard to the further elaboration of amendments to Law No. 131 of 2012 on state control of entrepreneurship activities;*
- (d) entrusted the Committee of Experts on the Application of Conventions and Recommendations with following up on the issues raised in the report in respect of the application of Articles 12 and 16 of Convention No. 81;*
- (e) made the report publicly available and closed the procedure initiated by the representation made by the National Confederation of Trade Unions of Moldova (CNSM) alleging the non-observance by the Republic of Moldova of Convention No. 81.*

(GB.323/INS/11/6, paragraph 72.)

## Twelfth item on the agenda

### Reports of the Officers of the Governing Body

**First report: Representation alleging non-observance by the Government of Peru of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the International Trade Union Confederation (ITUC), the Trade Union Confederation of the Americas (TUCA) and the Autonomous Workers' Confederation of Peru (CATP)**  
(GB.323/INS/12/1)

#### *Decision*

*204. In the light of the information presented in the report, and on the recommendation of its Officers, the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it.*

(GB.323/INS/12/1, paragraph 5.)

**Second report: Representation alleging non-observance by Peru of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the ILO Constitution by the Autonomous Confederation of Peruvian Workers (CATP) and the United National Union of Workers of the National Tax Administration Supervisory Authority (SINAUT–SUNAT)**  
(GB.323/INS/12/2)

#### *Decision*

*205. In light of the information presented in the report, and on the recommendation of its Officers, the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it.*

(GB.323/INS/12/2, paragraph 5.)

**Third report: Representation alleging non-observance by Colombia of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and the Collective Bargaining Convention, 1981 (No. 154), made under article 24 of the ILO Constitution by the General Confederation of Workers**  
(GB.323/INS/12/3)

***Decision***

*206. In the light of the information presented in the report, and on the recommendation of its Officers, the Governing Body decided that the representation was receivable with respect to Conventions Nos 111 and 144 and set up a tripartite committee to examine the representation. The Governing Body decided that the representation was not receivable in respect of Convention No. 154.*

(GB.323/INS/12/3, paragraph 5.)

**Fourth report: Representation alleging non-observance by Paraguay of the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the ILO Constitution by the Single Confederation of Workers**  
(GB.323/INS/12/4)

***Decision***

*207. In the light of the information presented in the report, and on the recommendation of its Officers, the Governing Body decided that the representation was not receivable.*

(GB.323/INS/12/4, paragraph 5.)

**Fifth report: Representation alleging non-observance by Poland of the Social Security (Minimum Standards) Convention, 1952 (No. 102), made under article 24 of the ILO Constitution by the Independent and Self-Governing Trade Union “Solidarnosc” (NSZZ “Solidarnosc”)  
(GB.323/INS/12/5)**

***Decision***

*208. In the light of the information presented in the report, and on the recommendation of its Officers, the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it.*

(GB.323/INS/12/5, paragraph 5.)

**Thirteenth item on the agenda**

**Composition and agenda of standing bodies and meetings  
(GB.323/INS/13(&Corr.))**

***Decisions***

Committee of Experts on the Application of Conventions and Recommendations

*Reappointments*

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

- Mr Brudney (United States);*
- Mr Cheadle (South Africa);*
- Ms Machulskaya (Russian Federation);*
- Ms Monaghan (United Kingdom);*
- Ms Owens (Australia);*
- Mr Shah (India).*

(GB.323/INS/13, paragraph 1.)

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*New appointments*

**210.** *In order to fill three of the four current vacancies, on the recommendation of its Officers, the Governing Body appointed the following persons as members of the Committee for a period of three years:*

- *Professor Shinichi Ago (Japan);*
- *Professor Lia Athanassiou (Greece);*
- *Professor Bernd Waas (Germany).*

(GB.323/INS/13, paragraph 2.)

13th African Regional Meeting  
(Addis Ababa, Ethiopia, 30 November–3 December 2015)

*Invitation of international non-governmental organizations*

**211.** *On the recommendation of its Officers, the Governing Body authorized the Director-General to invite the following international non-governmental organizations to be represented at the Meeting as observers:*

- *East African Trade Union Confederation (EATUC);*
- *East and Central African Social Security Association (ECASSA);*
- *Femmes Africa Solidarité (FAS);*
- *General Union of Chambers of Commerce, Industry and Agriculture for Arab Countries (GUCCIAAC);*
- *HelpAge International;*
- *International Confederation of Arab Trade Unions (ICATU);*
- *International Social Security Association (ISSA);*
- *New Faces New Voices (NFNV);*
- *Southern African Trade Union Coordination Council (SATUCC);*
- *UNI Global Union.*

(GB.323/INS/13, paragraph 6.)

Appointment of Governing Body representatives  
on various bodies

*Sectoral Meeting on Safety and Health in the Road Transport Sector  
(Geneva 12–16 October 2015)*

**212.** *The name of the Government member appointed as the Governing Body's representative, who will also chair the above Meeting, will be announced in due course.*

(GB.323/INS/13(&Corr.), paragraph 7.)

## **Closing statement**

**213.** *The Chairperson* said that the Governing Body had discussed a number of crucial issues over the course of its 323rd Session. In particular, the unanimous consensus around the programme and budget proposals was testament to the approach taken by the Director-General in listening to the constituents of the Organization. The support for the technical cooperation strategy provided further evidence of the confidence placed in his leadership. The discussion on the Standards Initiative had confirmed the dynamic established at the tripartite meeting held in February 2015, which offered a real plan of action and enabled the supervisory system to resume its work effectively. The session had also seen dialogue restored in Fiji with the signature of a tripartite agreement, in the presence of the Director-General. Furthermore, the Governing Body had agreed to trial a shorter, two-week format for the International Labour Conference, which would be put to the test at the 104th Session (2015). None of those achievements would have been possible without the political will for progress and the spirit of dialogue and cooperation which had allowed the Governing Body to pursue its work in a genuinely positive atmosphere.

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## Policy Development Section

### Employment and Social Protection Segment

#### First item on the agenda

#### **Area of critical importance: Protecting workers from unacceptable forms of work** (GB.323/POL/1)

- 214.** *The Employer coordinator* said that it was the understanding of her group that the area of critical importance (ACI) on “Protecting workers from unacceptable forms of work” (ACI 8) did not create a new ILO concept but rather sought to identify situations that could be recognized as being unacceptable based on the existing tripartite consensus. Further clarity was required with regard to the scope or specifics of the term “unacceptable forms of work”, which had not been the subject of any substantial discussion in the Governing Body and was open to differing interpretations. The Programme and Budget for 2014–15 defined it as comprising conditions that denied the fundamental principles and rights at work, put at risk the lives, health, freedom, human dignity and security of workers, or kept households in conditions of poverty.
- 215.** Concerning the first element of the definition, the Employers were firmly committed to combating unacceptable and abhorrent practices and conditions in the context of the ILO Declaration on Fundamental Principles and Rights at Work and agreed that ILO resources should be directed towards workers in those countries, sectors or industries where such unacceptable situations were more widely prevalent. While there was an important link between unacceptable work and informality – and her group strongly supported the negotiation of an ILO Recommendation on the transition to formality – not all work in the informal economy could be viewed as unacceptable. She requested clarification on the value added in addressing informality under ACI 8, as opposed to addressing it in the context of ACI 6 “Formalization of the informal economy”. Concerning the second element of the definition, it was indisputable that occupational safety and health conditions that threatened the lives, health, freedom, human dignity and security of workers were unacceptable.
- 216.** The Employers were concerned, however, by attempts to define the term beyond the broad consensus on the first two elements. “Unacceptable” was a strong, value-laden term that did not encompass work that was less than ideal or susceptible to improvement; rather, it referred to conditions of work that were so egregious that they should disappear. Recalling concerns raised in a recent workshop in Benin about the value added of including unacceptable forms of work as an ILO concept and about the possible confusion that could arise about the relationship between that and existing ILO concepts, such as Decent Work, she asked how it would be possible to ensure that work carried out under the “unacceptable forms of work” rubric was practical, feasible and not duplicative. The document failed to answer those questions, and neither did it define unacceptability with regard to the third element, relating to poverty. For example, there was no indication of how the Delphi survey used to review the concept of unacceptable forms of work contributed to the understanding of the concept and its specific application in the ILO context.
- 217.** Employers were particularly concerned about the references to minimum wages, protection from extreme income insecurity, and working-time arrangements, as those areas reflected wide national and sectoral variations. While there were certainly legitimate areas for

debate, they had never been discussed by the Governing Body in the context of their role in ACI 8. She recalled the Employers' view with regard to minimum wages, which had been discussed at the 103rd Session of the International Labour Conference (ILC) in the context of the General Survey on minimum wage systems that one size did not fit all. She also recalled the discussions of the 2011 Tripartite Meeting of Experts on Working-time Arrangements and the need to recognize flexibility in working time.

- 218.** The absence of a tripartite consensus on the meaning of what was “unacceptable” made demonstrable results under the ACI less likely. Such a tripartite consensus already existed in relation to the definition adopted in the Programme and Budget for 2014–15, but adding other working conditions, in particular wages, was problematic. References to “minimum living wage”, “wages”, “unduly low wages”, “other conditions of work” and “conditions of work, including wages” did not properly belong in the definition of the ACI unless, and until, their unacceptable dimensions had been more satisfactorily and narrowly defined. She nevertheless acknowledged the value added of the ACI, provided there was a clear definition and tripartite consensus on what constituted unacceptable. If the concerns that she had raised were taken into account, the Employers could support the draft decision.
- 219.** *The Worker spokesperson* said that the discussion should focus on fighting abuses of workers' rights, and not on definitions and technicalities. The concept of unacceptable forms of work had been defined in the 2014–15 programme and budget. The notion of “unacceptable forms of work” incorporated the denial of the fundamental principles and rights at work, including freedom of association and collective bargaining. The latter were enabling rights that prevented unacceptable forms of work and that should be better reflected in the strategy as well as in the activities to be implemented under the ACI. The concept of unacceptable forms of work added value as it went beyond fundamental principles and rights to address issues such as occupational safety and health, working time and wages. With regard to the latter, the intention was to tackle the issue of unduly low wages that were insufficient to lift a family out of poverty. He expressed support for the Delphi survey approach to assessing unacceptable forms of work and finding appropriate solutions, noting that relevant international labour standards were the benchmark against which the different dimensions should be assessed.
- 220.** Providing examples of work that he considered to be unacceptable, and of different categories of workers who were affected, he said that exploitation and decent work deficits represented multifaceted problems requiring multidimensional responses. Certain categories of workers were also more exposed than others to unacceptable forms of work, being in the formal or the informal economy and along global supply chains. Thus, the Workers fully supported building knowledge on the occurrences of unacceptable forms of work, understanding their causes, identifying policies and strategies to address them and promoting action to prevent or eliminate their recurrence. They also supported use of that ACI to increase the ratification and implementation rates of international labour standards. That should be a major priority reflected in the activities of 2015. He welcomed the development of fact sheets and policy briefs on innovative approaches and collective bargaining providing guidance on ways in which vulnerable workers could be protected from unacceptable forms of work. ACTRAV should be closely associated with that work. The development of a policy guide on minimum wages and feasible ways to extend protection to workers typically excluded from minimum wage coverage represented an important tool for future work. More visibility should be given to the issue of wages under the ACI. It was important to know the impact of country interventions, and in particular how the notion of unacceptable forms of work had been useful in facilitating integrated action along the various dimensions. The implementation of activities allowing workers to organize and defend their interests should be a key priority of such interventions. The virtuous cycle between the Office's policy advice, its technical assistance and the comments of the supervisory bodies should be replicated in other ACIs.



- 221.** His group welcomed the use of Decent Work Country Programmes (DWCPs) to address unacceptable forms of work. Comments of the ILO supervisory bodies should be used as guidance. Regarding the project in Thailand, clarification was sought as to why the Office was supporting non-governmental organizations, which were not traditional ILO constituents. He welcomed the ILO activities in Brazil in the context of the 2014 World Cup and the 2016 Olympic Games that had contributed to the future development of a replicable intervention model in promoting decent work in mega-events. He equally welcomed improvements in social dialogue mechanisms, which should be a key tool in initiatives under the ACI. The involvement of the ILO tripartite constituency in the construction of a strategy to protect workers from unacceptable forms of work was crucial to ensure workers' ownership of interventions and their sustainability. He reiterated the need to empower trade unions to take part in that task. He welcomed the fact that further cooperation with Bureau for Workers' Activities (ACTRAV), Bureau for Employers' Activities (ACT/EMP) and the social partners was envisaged. Such cooperation should take place both at headquarters and in the field.
- 222.** *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of the Islamic Republic of Iran said that it was essential to reach a common understanding of the concept of unacceptable forms of work. More research was needed to strengthen the ILO's knowledge base on the subject, and the Office should disseminate the findings of the studies it had undertaken so far with a view to developing innovative models of intervention. ASPAG encouraged the Office to strengthen partnerships at the country level with a view to exploring all areas related to the topic. The linkages with the other ACIs mentioned in paragraph 20 of the document could offer productive synergies. His group welcomed the initiative to consider the ACI as one of the ten policy outcomes in the Programme and Budget proposals for 2016–17. His group endorsed the draft decision.
- 223.** *Speaking on behalf of the Africa group*, a Government representative of Lesotho asked for a clearer definition of the concept of unacceptable forms of work. The strategic approach would help reduce or eradicate conditions that gave rise to such forms of work and accelerate the transition to decent work for all. The extensive work undertaken to strengthen the ILO knowledge base was commendable, as were the Office's efforts to secure the participation of the social partners in interventions and to develop sector-specific strategies. The lack of harmonization of policies on employment, migration and social protection was, however, worrying and priority should therefore be given to their harmonization. The intervention in Latin America aimed at improving labour inspection and promoting social dialogue and access to justice should be extended to Africa. His group was in favour of increased ratification and implementation of international labour standards in the relevant policy areas. It would welcome continued technical assistance with the implementation of DWCPs, which would help to address gaps in the protection of the most vulnerable workers. His group endorsed the draft decision.
- 224.** *Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)*, a Government representative of Cuba called on the Office to give priority attention to the most vulnerable categories of workers in each national context. It was necessary to gain a better understanding of the dimensions and parameters of unacceptable forms of work and to promote the application of international labour standards in order to overcome shortcomings in respect of protection against unacceptable forms of work. More information about the results of country-level interventions would be welcome. He drew attention to what had been said about combating inequality in the Lima Declaration adopted at the 18th American Regional Meeting in Lima, Peru, on 16 October 2014, including with regard to policy expectations and means of action. Since unacceptable forms of work were the result of failures in different and interrelated policy domains, it was vital to boost countries' capacity to ensure compliance with laws designed to combat

such forms of work and to promote decent employment practices. GRULAC supported the draft decision.

- 225.** *Speaking on behalf of the European Union (EU) and its Member States*, a Government representative of the Netherlands said that Turkey, the former Yugoslav Republic of Macedonia, Serbia, Albania, Bosnia and Herzegovina, Republic of Moldova and Armenia aligned themselves with the statement. In view of the millions of child labourers, victims of forced labour and people denied decent working conditions and basic rights at work, the ILO, the EU, multilateral organizations, governments and social partners must continue their efforts in the areas listed in paragraph 4 of the document. The focus of the ILO's work to protect workers against unacceptable forms of work was in line with the principles and commitments of the EU Strategic Framework and Action Plan on Human Rights and Democracy. Since the Office's experience had demonstrated that integrated policies worked best, he supported the multidimensional response to eliminating unacceptable forms of work proposed in paragraph 23. He welcomed the particular focus on the most vulnerable groups, such as migrant workers. Expanding the knowledge base was also crucial. The adoption of a recommendation on the transition from the informal to the formal economy at the 104th Session of the ILC would facilitate the development of working conditions that offered better protection for workers. He supported the draft decision.
- 226.** *A Government representative of Thailand* reported that in order to protect fishers – many of whom were migrants – from unacceptable forms of work, the Prime Minister of Thailand had established a Policy Committee on combating human trafficking and illegal fishing, and five subcommittees to drive policy in the related areas. An amendment to the Ministerial Regulation to protect labour in the sea fishing industry, adopted in December 2014, had extended its scope to include small fishing vessels, significantly improved provisions concerning rest periods and required the existence of an employment contract voluntarily signed by the fisher. Labour inspections had been made more stringent. Hotlines had been opened for migrant workers to lodge complaints. His country remained strongly committed to cooperation with other countries in the region that were sources of migrant labour, in order to protect all workers from unacceptable forms of work.
- 227.** *A Government representative of Norway* said that it was of paramount importance that the ILO undertook knowledge-based action. Categories of workers vulnerable to being trapped in unacceptable forms of work could be found in all regions of the world. In Norway, those were mainly concentrated in the construction industry. Experience had shown that a multidimensional integrated strategy was required to address gaps in the protection of vulnerable groups. At the country level, such a strategy had to include several authorities. The priorities identified in DWCPs, lessons learned from pilot programmes and recommendations from the supervisory bodies of the ILO should help to determine the focus of technical assistance. The ILO could also play an important role in campaigns to advocate the ratification and implementation of the relevant Conventions and in producing tools and practical guides and training manuals adapted to constituents' needs. Her Government supported the draft decision.
- 228.** *A Government representative of France* agreed with the Office's definition of unacceptable forms of work which would focus efforts on the most vulnerable workers. Efforts to eradicate such forms of work must be one of the ILO's priorities. The Office should pursue its efforts to widen its knowledge base. It was vital to formulate national strategies and involve the social partners in their definition and implementation. Recognition of fundamental rights at work should certainly be the starting point to tackle unacceptable forms of work. In that connection, he recalled his country's commitment to cooperating with the ILO in projects in the field.

- 229.** *A Government representative of India* said that, while the objective of protecting workers from unacceptable forms of work was consistent with the fundamental objectives of the ILO, care was needed regarding the definition and the boundaries of work under the concept. The concept should be used to identify the incidence of such forms of work and to design feasible solutions, but not to create any additional benchmarking. Country-specific interventions must be consistent with the national context and policy framework. Furthermore, work under that topic must be guided by the relevant ILO Conventions. The ACI should be linked with others, especially ACI 6. Extending social security coverage and providing wide-ranging skills development initiatives must be the key policy drivers to address the root causes of vulnerability, alongside capacity building for the social partners. She asked to what extent the global study on unacceptable forms of work had been successful in identifying protection gaps in different national contexts. She welcomed the ILO's initiatives on the elimination of compulsory child labour, forced labour and addressing unacceptable forms of work and said that the ILO should continue to provide technical expertise and capacity building, disseminate knowledge and share best practices through national and regional workshops. India supported the draft decision.
- 230.** *A Government representative of the United States* said that protecting workers from unacceptable forms of work corresponded to one of the Organization's key mandates as set out in the Constitution and reaffirmed in both the Declaration of Philadelphia and the 2008 Declaration on Social Justice for a Fair Globalization. She welcomed research aimed at providing a better understanding of such forms, their causes and means of addressing them. She requested information on preliminary findings on impact from pilot country-level interventions and a clearer description of how the Office was taking advantage of the synergies resulting from linkages between ACIs. Her Government encouraged the Office to seek the virtuous circle between its policy advice and technical assistance and the supervisory bodies' subsequent comments in all of its work. She supported the draft decision.
- 231.** *A Government representative of China* said that it was a major responsibility of the ILO and its member States to protect workers from unacceptable forms of work. Although the ILO had already achieved significant results, it should try to gain a more accurate picture of the distribution of such forms of work and analyse the causes thereof in various regions and countries of the world. Member countries should be encouraged to eliminate and prohibit unacceptable forms of work. Since the eight ACIs were interrelated, activities under them should be coordinated.
- 232.** *A Government representative of Argentina* said that tackling unacceptable forms of work was a crucial part of living in a society. Even in a time of economic crisis, his Government had passed legislation to promote harmony in the world of work, including the re-introduction of full collective bargaining rights and the National Minimum Wage Council and the adoption of legislation placing agricultural workers on the same footing as industrial and office workers; legislation to protect domestic workers, including the ratification of the ILO Domestic Workers Convention, 2011 (No. 189); a standard giving full effect to the rights of migrant workers, which had later been taken up by MERCOSUR; and legislation extending the social protection floor. It had ratified the Occupational Safety and Health Convention, 1981 (No. 155), the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), on occupational safety and health, and intended to ratify the Protocol of 2014 to the Forced Labour Convention.
- 233.** *A representative of the Director-General* (Deputy Director-General for Policy (DDG/P)), referring to the definition of unacceptable forms of work adopted by the Governing Body and by the ILC at its 102nd Session (2013), as part of the Programme and Budget for 2014–15, said that ACI 8 attempted to address the root causes of the multiple deficits of decent work faced by vulnerable workers, such as hazardous conditions of work, low pay

or non-payment of wages and excessive hours of work. The phrase “unacceptable forms of work” was new, but the concept itself was not, being anchored in the Constitution of the ILO at its foundation in 1919, which referred to the essential need for the establishment of a maximum working day, the provision of an adequate living wage, protection of workers against sickness, disease, and unhealthy conditions, protection of young children, young persons, old age, injury, and so on, and the subsequent Declaration of Philadelphia, which updated the Organization’s mandate referring to the need to protect the rights of all human beings in conditions of freedom and dignity, of economic security and equal opportunity. It was the ILO’s responsibility to support both national and international policies, especially those concerning “wages and earnings, hours and other conditions of work calculated to ensure a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection”, while protecting their lives and health and extending social security to provide a basic income to all in need of such protection. The same principles were enshrined in the 2008 Declaration on Social Justice for a Fair Globalization and they enjoyed wide-ranging consensus.

- 234.** Concerning the relationship between unacceptable forms of work and decent work, interventions to combat unacceptable forms of work targeted the most vulnerable categories of workers suffering the most severe deficits of decent work, such as migrant and domestic workers and those employed in particular sectors and in specific country conditions. Outcome 8 of the Programme and Budget proposals for 2016–17 would translate those shared core values and principles into practical work at the country level. Significant progress had already been made in a number of pilot countries. The country pilot programmes would continue to build understanding of what constituted unacceptable forms of work in specific country contexts and specific industries, and in relation to specific types of vulnerable workers.
- 235.** *A representative of the Director-General* (Director, Conditions of Work and Equality Department (WORKQUALITY)) said that although the term “unacceptable forms of work” was new, it encompassed and related to areas of policy on which the Office had been working for decades. The value added of the ACI strategy was to bring those together with the objective of accelerating the transition towards decent work. Various departments were involved in action concerning fundamental principles and rights at work, occupational safety and health, compliance with laws and working conditions. Examples of the positive impact of the ACIs included Uzbekistan, where action had resulted in a virtuous cycle between concerns raised by the supervisory bodies and subsequent action on the ground. The relevance of acting on multiple fronts and in cooperation with the ILO’s tripartite constituency was highlighted through the examples of actions in Thailand and Brazil.
- 236.** Concerning the relationship with other ACIs and future outcomes, outcome 9 on promoting fair and effective labour migration policies was especially relevant, as migrant workers in particular faced serious decent work deficits. In Thailand, the Office was working with an NGO specialized in health issues and with strong ties with the Cambodian migrant community in order to increase outreach to migrant workers. Referring to Benin, she clarified that actions were carried out in consultation with governments and constituents. Regarding the confusion surrounding the concept of unacceptable forms of work and its added value, it was similar to that concerning the concept of decent work when it was first introduced, but decent work had since been established as part of the Organization’s genetic makeup.
- 237.** *The Director-General* recalled that the discussion on ACI 8 was closely linked to that on the programme and budget proposals, and stated that he would take the matter up again as part of the debate on that topic.

238. *The Employer coordinator* noted that the centre of unacceptable forms of work lay in the fundamental principle and rights at work, and that was the starting point. Circumstances that put workers in harm's way – that destroyed their dignity, and so on – were not acceptable. She expressed her satisfaction at the consensus on what constituted unacceptable forms of work, but the terms of the definition needed further clarification and elaboration and should consequently be elaborated within national contexts, in order to permit a focus on the worst forms of work.
239. *The Worker spokesperson* welcomed the fact that a common understanding had been reached of the action needed to eliminate unacceptable forms of work while achieving decent work, sustainable enterprises and fair competition and taking account of national circumstances. However, in addition to fundamental principles and rights at work, the three remaining pillars of the Decent Work Agenda must also be addressed, including social protection to address the lack of income security. An integrated policy framework was needed at the national level, to create decent jobs, address unacceptable forms of work and ensure respect for international labour standards through legislation on collective agreements and social dialogue.

### **Decision**

240. *The Governing Body requested the Director-General to take account of its guidance in implementing the strategy for the ACI on “Protecting workers from unacceptable forms of work”, also in view of the proposed outcome 8 of the Programme and Budget proposals for 2016–17.*

(GB.323/POL/1, paragraph 26.)

## **Second item on the agenda**

### **Area of critical importance: Creating and extending social protection floors**

(GB.323/POL/2(Rev.))

241. *The Worker spokesperson* noted the crucial significance of the ACI on “Creating and extending social protection floors” (ACI 3). His comments had to be read in conjunction with those his group had made on the Programme and Budget proposals for 2016–17. His group supported the strategy for the ACI, which was clear, comprehensive and rooted in the rights-based mandate of the ILO. It endorsed the horizontal and vertical dimension of the extension of social protection that also underpinned outcome 3 in the programme and budget for the coming biennium. Extending social protection was socially just and also made economic sense. He called for the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), to be taken into account in the strategy of ACI 3 given that many migrant workers did not enjoy the same social security rights as other workers. Under area 1, his group welcomed the communication strategy. Work under area 2 was an excellent example of inter-agency cooperation, as evidenced by the recent adoption of a statement on social protection floors (SPFs) by the UN Committee on Economic, Social and Cultural Rights recognizing the importance of the guiding principles of Recommendation No. 202. Nonetheless, the ILO and other organizations had to continue efforts to convince the World Bank to move from ad hoc social safety nets to a comprehensive rights-based approach and SPF guarantees. Under area 3, his group welcomed the use of DWCPs to support countries in giving effect to Social Protection Floors Recommendation, 2012 (No. 202), and building SPFs and comprehensive social

security systems. He stressed the need to build the capacities of social partners and the need for inclusive social dialogue at national level. Promoting the participation of workers' and employers' organizations and other relevant and representative organizations involved in designing and implementing social protection systems was welcomed. The expertise of the Turin Centre could be used in that respect. The Workers' group would continue to advocate for SPFs to be included in the final list of sustainable development goals that the UN General Assembly would adopt in September 2015. His group welcomed the joint commitment of the ILO and United Nations Development Programme (UNDP) to support the implementation of Recommendation No. 202 through UN Country Teams and requested that social partners be associated to country work. He equally welcomed the commitment to build the capacities of economic and social councils to support the promotion of Recommendation No. 202. Under area 4, high-quality evidence-based reports, such as the *World Social Protection Report 2014–15* (WSPR), were indispensable for determining the current situation of social security coverage and for measuring progress.

- 242.** He cautioned that the floor was a floor and not a ceiling. In the light of austerity measures in some countries, an SPF could be misinterpreted as an alternative to a comprehensive social security system. It was therefore important to highlight that the ILO was pursuing the concept of horizontal and vertical extension of social protection. The Office should pursue its work on social protection and sufficient resources should be allocated to that important area of work.
- 243.** *The Employer coordinator* said that SPFs were an ACI and a relevant focus for the ILO, and Recommendation No. 202 was a standard that clearly offered added value. The Employers' group had endorsed the Plan of Action, described in the strategy, adopted by the Governing Body in November 2012. ACT/EMP should participate in the promotion of Recommendation No. 202. The Employers supported the SPF campaign being carried out under area 1 of the Plan of Action. Concerning area 2, efforts should not be duplicated and results should be optimized. Regarding area 3, social partners should be involved in implementing Recommendation No. 202. Since they were likely to constitute an important source of funding for SPFs, governments had to consult with them. They could also play a major role in ensuring that social protection approaches were appropriate to national circumstances. The ILO should organize capacity-building programmes to ensure that social partners took part in the discussions. Regarding area 4, the Office should also provide knowledge on good country experiences. Concerning area 5, it was important to distinguish between the contributions of social partners to social dialogue and the partnerships developed with economic and social councils.
- 244.** He stressed the focus on progressivity and sustainability in Recommendation No. 202. In addition to decent work, there was a need to consider issues of financing, good governance, fiscal sustainability, economic growth and an enabling environment for enterprise development. SPFs should be nationally defined and should be designed and implemented in coordination with employment policies. The various ACIs should be efficiently coordinated with SPFs. For example, the latter could offer incentives for moving towards the formal economy, a point that needed to be developed in more detail within the strategy. In extending SPFs, it was important to modernize social security systems and for some systems to resolve management and financing challenges.
- 245.** The ILO should focus on making a better assessment of needs and an evaluation of the impact of macroeconomic and other policies. Provided the points from the group were taken into account, it would support the draft decision.

246. *Speaking on behalf of the Community of Portuguese-Speaking Countries (CPLP)*, a Government representative of Brazil said that the five areas of action would help member States to address deficits in social security coverage and improve their systems in order to extend benefits to the most disadvantaged. She acknowledged the technical assistance that the CPLP was receiving from the ILO for the development of a multilateral agreement on social security. The ILO should continue to play its role as a facilitator of policies and a disseminator of knowledge, and strengthen its South–South and Triangular Cooperation. Her group supported the draft decision.
247. *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said that the following countries aligned themselves with the statement: Turkey, the former Yugoslav Republic of Macedonia, Serbia, Albania, Bosnia and Herzegovina, Republic of Moldova and Armenia. Social protection lay at the heart of the European social model. In the context of EU development cooperation, partner countries were encouraged to include the provision of social security in their national policies. Civil society organizations should be actively involved in strengthening social protection policies. A gender approach should be incorporated in designing, implementing and evaluating social protection programmes. Consideration should be given to meeting the particular needs of fragile and conflict-affected countries and improving social protection in those contexts. The group supported the inclusion in the post-2015 development framework of a target on the implementation at national level of universal and comprehensive social protection systems. More information was requested on how the Office would address the methodological challenges associated with assessing the costs and benefits of social protection programmes tailored to national circumstances, what would be achieved through the SPF campaign, and what resources would be allocated to it. The EU supported the draft decision, provided its guidance was taken into consideration.
248. *Speaking on behalf of the Africa group*, a Government representative of Ethiopia said that the African Union had taken policy initiatives that demonstrated high-level political commitment to social protection as a key area for sustainable and inclusive growth in Africa. Social protection was a priority area of intervention in their DWCPs. However, most social protection benefits in Africa were not adequate in terms of coverage and quality, and did not meet the minimum standards of the Social Security (Minimum Standards) Convention, 1952 (No. 102); it was necessary to progressively build SPFs and comprehensive social security systems that were sustainable and tailored to each country's specific circumstances. The group noted that only a limited number of African countries were receiving ILO support through ACI 3. As many countries as possible should be reached, in order to maintain the momentum of ongoing SPF efforts. The Africa group supported the draft decision.
249. *Speaking on behalf of ASPAG*, a Government representative of the Republic of Korea believed that creating and extending SPFs was at the heart of decent work. The *WSPR* showed how relevant the agenda was in a time of recession and slow growth. Noting the cross-cutting nature of ACI 3, the group welcomed progress made in the five strategic areas of intervention and was pleased that the post-2015 development agenda would reflect the importance of extending social protection. He highlighted the importance of cash transfer programmes in decreasing income inequality and helping individuals move out of poverty. In relation to health care and food security, the Office should intensify cooperation and coordination with relevant international and regional organizations. It should also assist constituents in their efforts to expand social security coverage for migrant workers and to facilitate the portability of social security benefits. ASPAG supported the draft decision.
250. *Speaking on behalf of GRULAC*, a Government representative of Cuba stressed the importance of encouraging comprehensive social protection systems that resulted in

greater linkages between contributory and non-contributory schemes. The region had enjoyed decent work and improved social protection systems over the past decade, but there was still a long way to go. The region's greatest challenges included the informal economy and establishing SPF for all workers, as well as the fragmentation of financing schemes and of the labour market, so the Office should involve more countries from the region in the Plan of Action. Through its strategy and five areas of action, the ILO could play a fundamental role in helping the region to continue to make progress. He recognized that the efforts made by the Office in raising awareness and advocating for SPFs had resulted in their inclusion in the sustainable development goals. The Office should continue to develop policy, knowledge and tools, provide technical assistance and build capacity. The group supported the draft decision.

- 251.** *A Government representative of Norway* supported the rationale behind the strategy and the need for SPFs in building sustainable societies. In Norway, economic development had progressed jointly with development of an extensive social protection system. The latter and active labour market policies had facilitated structural change and stimulated risk-taking in her country's economy. She drew attention to the necessity for countries to make fiscal space available for SPFs and supported the international coordination initiatives taken by the ILO to promote SPFs. While she recognized the research and knowledge gathering undertaken, greater awareness was needed of the linkages between social protection and human rights, as well as of country experiences where rights-based approaches to SPFs had met with success. Welcoming the ILO's new flagship programme on building SPFs for all, she said that emphasis should be placed on the links between SPFs, sustainable economic growth and human rights obligations. She supported the draft decision.
- 252.** *A Government representative of China* encouraged the ILO to continue its work on SPFs by allocating additional resources. The Office should provide technical assistance to countries not covered under the action plan, given the urgent need for additional social protection in the region. Regarding China, in recent years, it had enhanced social security coverage through universal health care and old-age pensions. Furthermore, a joint feasibility study was being launched with the ILO on the country's ratification of Convention No. 102.
- 253.** *A Government representative of Colombia* said that informality was a challenge in her region and thus interventions under the ACI were fundamental. A number of tripartite agreements had been reached in her country on several aspects of social protection, including one on social protection in old age. Efforts to strengthen the social protection system over the previous four years had resulted in a sharp reduction in unemployment. Health coverage had expanded considerably and was now almost universal. Her Government had a number of policies in place to support job creation and to consolidate the social protection system in order to respond to the needs of the population. She supported the draft decision.
- 254.** *A Government representative of Turkey* said that the relatively rapid recovery of the Turkish economy following the financial crisis had proved that a well-structured social protection system could improve resilience to downturns. A rights-based approach to social protection should be accompanied by policy measures ensuring that all had access to their rights in practice and without any discrimination. The Istanbul Ministerial Declaration "Building a secure future for all", adopted at the second Council of Europe Conference of Ministers responsible for Social Cohesion (11–12 October 2012), underscored the need for immediate and sustained action at all levels to restore people's confidence in a secure future for all. Addressing demographic challenges required policies aimed at ensuring the sustainability of social protection systems, actively involving also vulnerable population groups and promoting intergenerational solidarity. The three key



cross-cutting issues to bear in mind for extending and strengthening SPFs were international labour standards, social dialogue and non-discrimination. Turkey had incorporated inclusiveness into the agenda of the G20 in order to mainstream social protection issues in discussions and action during the country's presidency. He supported the draft decision.

- 255.** *A Government representative of the Dominican Republic* specified that the purpose of the current discussion was how to surmount the barriers to social protection through public policies. With increasing globalization, labour rights should be recognized irrespective of an individual's status or condition, and all workers should be covered by SPFs. In the Dominican Republic, while there had been a reduction in the unemployment rate and some 6 million workers were covered by SPFs, it was necessary to continue efforts. She appealed to the Governing Body to ensure that the role of governments was adequately reflected in the tripartite dialogue.
- 256.** *A Government representative of Indonesia*, recognizing the support that Indonesia had received from the Office, said that his country had considerably enhanced its social protection system, covering both informal and formal economy workers. He highlighted some of the achievements. Given the importance of the ILO's support for technical advisory services and capacity building, he praised the training of decision-makers at the Turin Centre and requested the continuation of such programmes. He supported the draft decision.
- 257.** *A Government representative of Bangladesh* said that the expansion of social protection in most developing countries was a matter not only of willingness but also of the capacity to mobilize resources. In many countries, considering the size of the informal economy, universal social protection was a challenge. He therefore requested the Office to continue its support for social protection schemes in developing countries through collaboration with international monetary institutions and to give priority to developing countries in activities under the Social Security Plan of Action. He encouraged the Office to continue research into, and dissemination of, good practices in developing countries. He supported the draft decision.
- 258.** *A Government representative of Mexico* remarked that public policies in Mexico related to social security and social protection were in line with Recommendation No. 202, as the Recommendation was considered an indispensable tool for transition to the formal economy and for economic and social development. The *WSPR* provided valuable country information and experiences. However, analysis was needed of the positive correlation between income and extension and maturity of social protection systems. Concerning partnerships, the Social Protection Inter-agency Cooperation Board must include mechanisms to disseminate information about international Recommendations and agreements, and promote their application at national level. In the development of policies and tools, a clear distinction should be made between those that were related to social protection as opposed to social security. More information should be shared on the context and costs of successful national policies and also on unsuccessful actions and strategies. He stressed the importance of linkages between ACIs. He asked for clarification regarding the work mentioned in paragraph 22, and in which countries the tools referred to in paragraph 25 were being tested. The training provided to decision-makers should be expanded to cover the vertical dimension of SPFs. He supported the draft decision.
- 259.** *A Government representative of the United States* remarked that capacity building of constituents by the Office was most valuable, and she called on the Office to continue to prioritize in-country work on SPFs. She asked how many DWCPs included work on SPFs. The ILO should continue to strengthen its partnerships with the World Bank and other multilateral organizations implementing social protection technical assistance programmes.

Reports by the Office on such collaboration would allow her Government to also engage with those institutions. She asked how the ACI strategy would link with plans for the implementation of outcome 3 under the Programme and Budget for 2016–17; how the knowledge gaps mentioned in paragraph 33 had been identified and what justification had been given for researching those areas; and how it fit into the ILO research agenda. She supported the draft decision.

**260.** *A Government representative of India* said that her country had already incorporated SPFs into its DWCP. Reaching out to unorganized sectors and vulnerable groups required a multidimensional, well integrated, and efficiently delivered structural response. As government resources in developing countries were often limited, a progressive extension of social security programmes could be implemented and convergence among existing schemes should be ensured. Her Government was committed to extending social security benefits to all workers, and she highlighted some initiatives that had been undertaken. The implementation and extension of SPFs must be determined by the capacities and situation of each country. Welcoming the information on gaps in coverage contained in the *WSPR*, she remarked that support to least developed countries was crucial. She welcomed the ILO's technical expertise in knowledge generation and dissemination and sharing of best practices, as well as in building the capacities of constituents. She supported the draft decision.

**261.** *A Government representative of the Republic of Korea* expressed appreciation for the Office's efforts to negotiate the inclusion of SPFs in the sustainable development goals and encouraged the ILO to continue to play an active role. The Seoul Declaration on Promotion of National Social Protection Floors for All by Economic and Social Councils and Similar Institutions was of particular significance as it enhanced international cooperation and generated momentum for similar initiatives. She noted the importance of social dialogue in efforts to strengthen SPFs. She supported the draft decision.

**262.** *A Government representative of the Islamic Republic of Iran*, while endorsing the implementation strategy, said that his Government attached particular importance to the development of tools mentioned in the Office paper and to reinforcement of the necessary foundations for the achievement of sustainable social protection outcomes. Actuarial assessments and enhancement of capacities were crucial. The development of a calculator for the rapid assessment of costs of nationally defined packages of SPF guarantees was particularly relevant. The Turin Centre could contribute to realizing the SPF implementation strategy. He acknowledged the *WSPR* as the most comprehensive global source of statistics on social protection. His Government had taken numerous measures to extend social protection coverage and establish a comprehensive social security system in line with the national development programme, resulting in almost universal health insurance coverage. He supported the draft decision.

**263.** *A Government representative of Panama* said that although economic growth in Panama had led to some progress in relation to social protection, remaining challenges included employment insecurity and a strong imbalance in income distribution. Given the commitment of the Government, one of the priorities in the Memorandum of Understanding signed by the Government and the ILO in 2014 was to increase the scope and effectiveness of social protection. He supported the draft decision.

**264.** *A Government representative of the Russian Federation* said that his country had developed a sophisticated social protection system, features of which included: universal coverage by the pension system; additional benefits for low-income workers and citizens with children; free basic health care; active labour market policies and worker mobility policies; and the provision of social and medical insurance and pensions to migrant workers. The key challenge for the Russian Federation was to ensure adequate financing of

the social protection system. Measures had been taken to increase available funds, such as reducing benefits for high-income pensioners. Furthermore, proposals had been developed to improve the collection of contributions.

- 265.** *A representative of the Director-General (DDG/P)* said that while it was gratifying to hear strong support for the ACI and ILO work in social protection, three quarters of the world population continued to face gaps in or a lack of social security coverage. Consequently, the Office proposed to expand support to the outcome on SPFs in the following biennium by increasing the budget and staff of the Social Protection Department. Furthermore, the ILO had advocated for the inclusion of SPFs in the post-2015 development agenda as one of the key elements of ending poverty and expanding inclusive development for all. A new ILO flagship technical cooperation programme on SPFs had been created which would mobilize extra-budgetary resources to address constituents' needs. Referring to calls by Governing Body members for the Office to do more, she requested their support to go forward. She expressed her appreciation for the comments on the *WSPR* and advocated its use as a reference for the expansion of national SPFs.
- 266.** *A representative of the Director-General (Director, Social Protection Department (SOCPRO))* said that the comments and suggestions received would be incorporated in the Office's future work. The ILO aimed to achieve universality of SPFs, mixing contributory and non-contributory schemes, and taking into consideration the sustainability of systems. It was careful with actuarial projections, providing different options to governments and liaising with ministries of finance. SPFs were affordable in virtually all countries, and other avenues were available to certain low-income countries and fragile States. Links to other ACIs would be made more evident in future; significant work was under way to coordinate with the ACIs on informality, the rural economy, jobs, and protection from unacceptable forms of labour. The ILO was investing considerable time in partnerships. Different interpretations of social protection presented challenges, but the ILO nevertheless was ensuring that international labour standards were promoted. Collaboration with the UN agencies had been relatively successful in the context of the development of United Nations Development Assistance Frameworks (UNDAFs) and country partnerships. Regarding South–South cooperation, the ILO was working to collect country experiences that could help others. Much remained to be done, but political commitment was clear: Recommendation No. 202 had been endorsed by the United Nations and the G20, and it figured in sustainable development goals 1 and 10, and in the 2016 programme of the African Union.
- 267.** *The Worker spokesperson*, noting the consensus around the SPFs and Recommendation No. 202, stressed the need to enhance also the vertical dimension of social protection systems. The opposite trend had emerged under austerity measures imposed in various countries, and it was imperative to defend social protection achievements. Social security system management must be addressed for private pension funds. Regarding progressivity, he called for “geometrical” or much more rapid progression. While SPFs should be adapted to national circumstances, certain elements, such as essential health care and minimum income security, must be implemented immediately. He also stressed the importance of increasing fiscal space for social protection and noted that taxation was crucial for that.
- 268.** *The Employer coordinator* said that, although his group agreed with the strategy and the importance of establishing SPFs, programmes should ensure enterprise sustainability. Progressivity of implementation and sustainability of systems were very important. The concept of diversity was fundamental, and national circumstances must be taken into consideration as there was no unique model. SPFs should stimulate the active search for employment and strengthen labour markets, rather than weaken the culture of work. There

should be no overlap between the ILO's programme on SPFs and other Office programmes.

### **Decision**

**269.** *The Governing Body requested the Director-General to take account of its guidance in implementing the strategy for the area of critical importance on “Creating and extending social protection floors”, especially in the light of: the Social Protection Floors Recommendation, 2012 (No. 202); the strategy for action as a follow-up to the resolution concerning efforts to make social protection floors a national reality worldwide, endorsed by the Governing Body at its 316th Session (November 2012); the Social Security Plan of Action 2011–19 adopted by the Governing Body at its 312th Session (November 2011); and the conclusions of the recurrent discussion on social protection (social security) adopted by the International Labour Conference at its 100th Session (2011).*

(GB.323/POL/2(Rev.), paragraph 39.)

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

#### **Conclusions of the Meeting of Experts on Non-Standard Forms of Employment**

(GB.323/POL/3)

**270.** *The Employer coordinator* said that different and flexible work arrangements were needed to respond to the evolving world of work and were preferable to informal work or long spells of unemployment. Social protection should be adapted to deal with those new or non-standard forms of employment. The conclusions of the Meeting of Experts (henceforth Meeting) provided a sound basis for guiding the ILO's future work, and the Employers agreed with the experts on the need for measures to address potential decent work deficits.

**271.** He clarified some of the recommendations for future action by the Office. In connection with the need to address outdated international labour standards or instruments and identify barriers to ratification (paragraph 8(c)), he welcomed the launch of the Standards Review Mechanism (SRM). Investigating employers' and workers' reactions to and satisfaction with different forms of collective bargaining and social dialogue (paragraph 8(e)) was important in determining what worked best in different systems and whether removing certain rigidities would make better use of non-standard forms of employment. The recommendation on extending social security to workers in non-standard forms of employment (paragraph 8(g)) was key, as it focused on effective policies based on the premise that workers would transition from one job to another, rather than remain in the same job for life, while respecting the need for social security systems to be sustainable. Regarding the need to create a repository of data (paragraph 8(k)), he reiterated the importance of having a good understanding of the specific needs of businesses and of the obstacles they faced, as well as of the challenges of labour markets. The Employers welcomed the recognition of the positive aspects of non-standard forms of employment and the Office's effort to better understand the different forms of flexible work and their impact on workers, businesses and the labour market. His group supported the draft decision.

- 272.** *The Worker spokesperson* commended the Meeting on its work, which showed the value of social dialogue and the commitment of all parties to achieving a consensual outcome on a critical topic. The conclusions contained important recommendations to governments, employers and workers, including on measures to protect workers in non-standard forms of employment and ensure that all workers, irrespective of their contractual arrangements, benefit from decent working conditions. Highly insecure forms of employment, such as zero-hours contracts, warranted particular attention. Importantly, the conclusions also recognized that non-standard forms of employment should not be used to undermine trade union and labour rights. The recommendations for future action provided the Office with an important roadmap of activities. She welcomed the call to promote the ratification and implementation of international labour standards relevant for workers in non-standard forms of employment and the related guide and fact sheets. The analysis of gaps in protection in the area of temporary contracts and discrimination based on employment status were a priority for her group, and she expected that resources would soon be identified for holding the meetings of experts referred to in the conclusions.
- 273.** She supported the work to remove barriers to freedom of association and collective bargaining in law and in practice for workers in non-standard forms of employment and welcomed the call on the Office to document trends and analyse the effects of non-standard forms of employment. That, together with research and data collection, was important for building the ILO knowledge base and informing policy responses. Follow-up work by the Office and constituents on the topic should feed into the centenary initiatives, especially the women at work and future of work initiatives. She supported the draft decision, in particular the recommendation that the outcome of the Meeting should be taken into consideration during the recurrent discussion on social protection (labour protection) to be held at the 104th Session (2015) of the International Labour Conference.
- 274.** *Speaking on behalf of the Africa group*, a Government representative of Ghana said that the importance of the report could not be underestimated, especially at a time when ILO constituents were expecting decent work to be listed as an explicit goal in the post-2015 development agenda. He commended the holistic approach taken and the measures highlighted in the report to protect and maintain decent work for workers in non-standard forms of employment through social dialogue. By organizing the Meeting called for by the Conference recurrent discussion on fundamental principles and rights at work in June 2012, the ILO had demonstrated its commitment to implementing its constitutional mandate. The report would assist constituents in efforts to better regulate non-standard forms of employment and help enterprises adjust labour input to volatile labour markets. He endorsed the recommendations for future action by the Office and approved the draft decision.
- 275.** *Speaking on behalf of GRULAC*, a Government representative of Cuba recalled that the conclusions had been unanimously adopted by the Meeting. Noting that, in some cases, non-standard forms of employment were used as a way of denying fundamental rights at work, he mentioned the need to analyse the modifications in employment relationships in order to guarantee worker protection. The Office should continue documenting trends, analyse the forms and causes of non-standard employment, including their economic impact and effect on the most vulnerable, and identify and share best practices. Despite paradigm changes, the ILO should make sure that decent work prevailed. GRULAC supported the draft decision.
- 276.** *A Government representative of Argentina* said that recent experiences in her country obliged her Government to be wary of irregular work, which created job insecurity and an absence of access to social security. In order for enterprises to be sustainable, a balance needed to be struck between promoting the interests of employers and respecting the fundamental rights of workers. She highlighted her country's achievements in improving

the situation of certain groups, such as domestic and rural workers, and in establishing a minimum wage floor. Noting that collective bargaining was the best way to increase wages, she said that improving workers' income inevitably led to economic growth, which in turn was of benefit to enterprises.

- 277.** *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said that Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina and the Republic of Moldova aligned themselves with her statement. She welcomed the outcome of the Meeting, which provided clear guidance to the Office, and supported the strengthening of the analytical work of the Office, in particular the improvement of data collection and reporting systems aimed at better capturing the various forms of non-standard employment. However, such data collection should not impose a disproportionate administrative burden on constituents. A regulatory framework was needed that met the requirements of both employers and workers and of the labour market. While recalling the importance of the framework of international labour standards and of reaching the highest ratification rates for those instruments, she said that clearer objectives should be defined for future action by the Office. The objectives could improve the legal framework and better cover all aspects of non-standard forms of employment including temporary contracts and dependent self-employment. After outlining the progress made in that regard in the EU, she approved the draft decision.
- 278.** *A Government representative of Indonesia* said that measures to protect workers in non-standard forms of employment should be tailored to the national context through social dialogue. She expressed the hope that the Office would act on the Meeting's recommendations in close cooperation with member States and social partners. She supported the draft decision.
- 279.** *A Government representative of Japan* requested the Office to continue data collection on the various forms and characteristics of non-standard forms of employment in each country. The Office should research measures taken to improve the situation of workers in such forms of employment, analyse whether measures worked well and share best practices with constituents. She noted that the issue of non-standard forms of employment was an important challenge that should be dealt with in the context of the future of work. The ILO Research Department was planning to hold a symposium on new forms of employment in Japan, with the support of the Government of Japan and the Japan Institute for Labour Policy and Training. She supported the draft decision.
- 280.** *A Government representative of Cambodia* said that, despite its limited resources, Cambodia was strongly committed to promoting and protecting labour standards and had ratified the core ILO Conventions. Noting that as a result of the Better Factories Cambodia project, 80 per cent of garment factories in the country fully complied with labour law, he also described some of the mechanisms put in place in his country to deal with labour disputes.
- 281.** *A Government representative of Norway* said that the conclusions of the Meeting were bold, operational and provided guidance for the Office, and she recommended that they feed into the recurrent discussion on labour protection at the 104th Session of the International Labour Conference. Her Government attached great importance to improving data collection and reporting systems in order to capture more effectively the various forms of non-standard employment. She supported the draft decision.
- 282.** *A representative of the Director-General* (Director of the Conditions of Work and Equality Department (WORKQUALITY)) noted the tripartite agreement that the conclusions provided a sound basis for guiding future action by the ILO and acknowledged the call to

build on the momentum generated by the Meeting for further analytical work, the promotion of the relevant standards and improvement of the protection offered by existing standards. She also noted the importance of linking the conclusions of the Meeting and the deliberations during the recurrent discussion on social protection (labour protection), to be held at the 104th Session (2015) of the International Labour Conference, to the future of work and women at work centenary initiatives and to the broader post-2015 development agenda.

## **Decision**

### **283. The Governing Body:**

- (a) took note of the final report of the Meeting of Experts on Non-Standard Forms of Employment (see the Appendix to document GB.323/POL/3) and authorized the Director-General to publish the conclusions of the meeting;*
- (b) recommended to take into consideration the final report and the conclusions of the Meeting within the context of the recurrent discussion on social protection (labour protection) to be held at the 104th Session of the International Labour Conference;*
- (c) requested the Director-General to bear in mind, when drawing up proposals for future work of the Office, the wishes expressed in the conclusions for follow-up action by the ILO.*

(GB.323/POL/3, paragraph 5.)

## **Social Dialogue Segment**

### **Fourth item on the agenda**

#### **Sectoral and technical meetings in 2014 and proposals for sectoral work in 2016–17**

(GB.323/POL/4)

**284.** *The Employer coordinator* said that while sectoral work was a priority area, it did not seem to fit well into the Office-wide programming procedures. Although the Sectoral Activities Department had been renamed as the Sectoral Policies Department, it was hoped that the actual work done would not be affected by the change, as sectoral work went beyond public policy. Sectoral work was and should continue to be driven by constituents. He supported sections I and II of the document. Regarding the length of meetings, the Employers would not support two-day meetings; longer durations were needed. The group did not oppose the GRULAC proposal to hold meetings in the regions. However, all attendance costs for both Employer and Worker secretariats should be borne by the ILO. The good results of sectoral meetings needed to be followed up, even if such work did not fit smoothly into the ILO programme and budget. Time and resources were needed to allow officials to perform such follow-up work. Furthermore, a better balance in the budget had to be found to that effect.

**285.** *The Worker spokesperson* said that sectoral meetings were important to the Workers because they addressed everyday work issues. The points of consensus and

recommendations for action coming out of the meetings should be followed up and the Guidelines on occupational safety and health in the maritime sector promoted. Regarding the proposals for sectoral work in 2016–17, the meeting of the advisory bodies in October had allowed constituents' needs at the sectoral level to be ascertained. He expressed support for the proposals in Appendix I and he hoped that the proposals for meetings in the security services and forestry sectors could be considered again at the following meeting of the advisory bodies. Recurrent and statutory sectoral work should prioritize the promotion of sectoral Conventions and Recommendations, codes of practice and guidelines, as well as the implementation of conclusions and points of consensus adopted by sectoral meetings and forums. That required better mechanisms to ensure follow up, evaluation and monitoring tools and the use of SECTOR's budget primarily for work proposed by the advisory bodies. A range of proposals made at the advisory bodies were considered "recurrent" by the Office and should be taken into account in the programme of work. Regarding Appendix II, although his group was not keen on holding global sectoral meetings outside ILO headquarters, if such meetings were held, the costs for Worker and Employer group secretariats to participate would have to be included in the costs of those meetings. The Office needed to ensure better coverage of all the topics pertaining to the Social Dialogue Segment by proposing relevant items to the screening group. There were many important issues within the mandate of the segment that were not being sufficiently covered, such as collective bargaining, labour legislation, and labour administration and inspection. One area of interest was the state of social dialogue, which had come under pressure both nationally and internationally, including as a result of the crisis.

- 286.** *Speaking on behalf of the Government group*, a Government representative of Italy supported the draft decision. Sectoral work was considered to be important and the work should be aligned with the strategic priorities of the Organization, while being cost-effective. The real needs and challenges in the world of work should be the focus of activities. Whether issues would be best served by global meetings or other tools should be decided on a case-by-case basis. Capacity building, knowledge sharing, achieving results and impact should be leading principles. The sectoral advisory bodies could identify trends and challenges to decent work in specific sectors and serve as a platform for seeking tripartite consensus. However, it was the role of the Governing Body to define the final programme. Reconfirming and redefining the role and responsibilities of the sectoral advisory bodies could help prevent the risk of dual governance. Although sectoral work had sometimes been seen as the exclusive domain of the social partners, it stood to benefit from government involvement, not least because of their role in implementing the results of sectoral work. Governments would engage constructively with the social partners to set the agenda of sectoral meetings. The functioning of the sectoral advisory bodies could be improved. As well as on meetings, sectoral activities should also focus on institutional development, knowledge dissemination and policy coherence. She suggested holding one-day advisory body meetings in which Governments, Workers and Employers could more efficiently reach consensus on proposals, while parallel sessions discussed challenges in specific sectors. The potential conflict of interest, arising from the Office both chairing the advisory bodies and acting as secretariat and adviser, could be prevented by having a Government representative chair those meetings. The advisory bodies could refer to the Organization's Strategic Policy Framework when prioritizing activities to be pursued. The reasons for adopting a particular format for meetings were not always clear; it would be useful to review the different formats and rules. The results of the sectoral meetings should receive proper follow-up by constituents and the Office.
- 287.** *Speaking on behalf of the Africa group*, a Government representative of Mali supported the draft decision and asked that follow-up activities be taken to ensure that the outcomes of the 2014 sectoral meetings were implemented and subsequently evaluated. The ILO should take into account the specific situation in Africa, particularly in terms of initiatives to promote decent work. He noted with appreciation the selection of the eight global



meetings, and said that the activities should be aligned with the policy outcomes, selected for their relevance, and be results-oriented.

- 288.** *Speaking on behalf of ASPAG*, a Government representative of the Republic of Korea welcomed the tripartite consensus reached during the three sectoral meetings held in the second half of 2014, and shared the view that slow and uneven recovery from the global jobs crisis had generated increased interest in applying policies and strategies at sectoral level to promote decent work and productive employment. He supported the proposed global sectoral meetings for 2016–17 and noted the growing number of cross-sectoral issues, such as migrant workers and non-standard forms of employment, which were accentuated by rapid technological change, globalization and demographic shifts. He wished to see more meetings on those issues. Regarding Appendix II, he asked whether there were specific sectors concentrated in certain regions, and suggested that if so, holding global sectoral meetings in those regions could be a feasible option. He supported the draft decision.
- 289.** *Speaking on behalf of GRULAC*, a Government representative of Cuba supported the draft decision. Regarding the proposed five meetings of experts, he reiterated that since in that format participation was typically limited, the principles of regional balance and group autonomy should be observed. He welcomed the transparent presentation of the challenges to a partial decentralization of sectoral meetings and global forums. Such an approach would present certain advantages, such as enabling greater representation of the regions and a fresh approach to topics under discussion, opportunities for technical visits and other activities, such as the dissemination of knowledge and capacity development. GRULAC continued to be interested in participating in discussions on the objectives and rules relevant to each type of meeting held by the Department, and would work alongside Workers, Employers and the Office to find ways to make sectoral meetings more relevant, topical and reflective of the needs of constituents in the field.
- 290.** *A Government representative of India* said that sectoral work was a key aspect of the ILO's work and needed to be given more relevance in changing times. Government involvement in the process from the early stages was critical, including the identification of relevant sectors and regions. Flexible working hours were necessary in the textiles, clothing, leather and footwear industries to ensure work–life balance. India was setting affirmative policies to enhance female workforce participation. An effective labour inspection system was vital for ensuring compliance in terms of wages and working hours, and creating a level playing field. Temporary work was mainly a result of the considerable skills mismatch in labour demand and supply, and involved workers who were vulnerable in terms of decent work opportunities and fundamental principles and rights at work. Those aspects should be discussed at forthcoming sectoral meetings. In addition to global sectoral meetings, the Office should also hold regional and subregional meetings with country offices and national experts to identify core sectors that played a major role in providing employment opportunities and were crucial to regional economies. Sectoral committees should discuss the presence of migrant workers in almost all economic sectors and the situation of developing countries. She agreed with the consensus building and capacity development in paragraph 20, and with promoting the ratification of relevant ILO Conventions as the main way to address the issues at policy level. While she welcomed the approach of leveraging support through strategic partnerships within the UN system, such partnerships should not dilute the ILO's core principles, and its leadership on labour issues. She supported the draft decision and stressed that it was important to ensure that recommendations of sectoral meetings and advisory bodies were well integrated into the programme and budget.
- 291.** *The Worker spokesperson* in response to the proposals made by the Government group, said that the Workers' group was ready to examine all possible means of improving the work on sectoral issues, and would also make suggestions.

292. *The Employer coordinator* welcomed the renewed engagement of governments and noted their concerns.
293. *A representative of the Director-General* (Director, Sectoral Policies Department (SECTOR)) noted the request of all three groups for review, change and improvement, which had been recurrent themes throughout the existence of the Department. The Department was well placed under the policy portfolio. If it were separated from the results-based management and Strategic Policy Framework under which the Office operated, it might no longer be able to successfully follow up conclusions and recommendations of meetings. Collaboration with the regions and other policy departments was essential to promote the Department and its tools and instruments for better service delivery. The name change confirmed that the Department was part of the Office's policy portfolio and reflected SECTOR's mandate of the promotion of global consensus building on sector-specific policies and practices. It was also in line with the principles of results-based management and the terminologies of other institutions such as the EU and the World Bank. That did not imply a change in the approach or direction of the Department's work. Regarding the eight sectoral meetings, the reduced number provided the Department with leeway to respond to emerging priority issues. She thanked the Government group for its proposals. It was important that the advisory bodies be used to ensure that the work by SECTOR as well as all other ILO departments fitted in with constituent needs. The Office would proceed to organize an informal tripartite discussion outside the scope of the Governing Body to discuss the various proposals made and the way forward.

## **Decision**

### **294. *The Governing Body:***

- (a) took note of the final reports of the meetings referred to in section I of document GB.323/POL/4;*
- (b) authorized the Director-General to publish the Guidelines for implementing the occupational safety and health provisions of the Maritime Labour Convention, 2006;*
- (c) 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 the Global Dialogue Forum on Wages and Working Hours in the Textiles, Clothing, Leather and Footwear Industries (23–25 September 2014); and by the Global Dialogue Forum on the Adaptability of Companies to Deal with Fluctuating Demands and the Incidence of Temporary and Other Forms of Employment in Electronics (9–11 December 2014);*
- (d) endorsed the proposed programme of global sectoral meetings, global dialogue forums and meetings of experts as well as preparatory work for possible future global meetings for 2016–17 contained in Appendix I of GB.323/POL/4, subject to approval by the 104th Session of the International Labour Conference in June 2015 of the corresponding allocations in the Programme and Budget for 2016–17.*

(GB.323/POL/4, paragraph 27.)

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## Technical Cooperation Segment

### Fifth item on the agenda

#### The ILO's Development Cooperation Strategy 2015–17 (GB.323/POL/5)

295. *The Employer coordinator* said that her group supported the revised deliverables and targets presented in the paper. While the group commended the Office for seeking to better involve constituents through informal tripartite consultations, such consultations should not undermine the Governing Body's governance role. The agenda and the number of representatives to be invited from each of the three groups should be agreed before consultations were held, and where possible background information should also be provided in advance. Clarification was requested regarding the suggestion that consultations on development cooperation could coincide with other informal consultations. It was important to know when consultations would take place, who would be involved and whether the Office would provide technical support and financing. She endorsed the draft decision.
296. *The Worker spokesperson* said that his group supported the organization of informal tripartite consultations; the mechanisms described in the paper were acceptable. However, the Workers' group secretariat had not been consulted in the recent informal exchanges on the ILO's response to special situations. The identification of flagship programmes could have been the subject of an informal consultation. While he welcomed the reference that had been added in table 1, under the operating principle of integrated resource management, to "ensuring a balanced distribution across ILO's programme and budget Outcomes", the same phrase should be included in table 4 on resource mobilization, which should also include resource mobilization for the capacity building of constituents. Unearmarked and lightly earmarked resources must be used for the strategic objectives that received a minimal share of voluntary contributions. He welcomed the fact that the first operating principle in table 1 made reference to international labour standards, as the Workers' group had requested at the 322nd Session of the Governing Body. To strengthen the Development Cooperation Strategy, extra-budgetary resources had to be aligned with the outcomes in the Programme and Budget for 2016–17, and a more balanced distribution of resources across the strategic objectives was necessary. Given the decentralization of development cooperation, it would be all the more important to involve constituents at national level from the project design stage and to maintain a sufficient level of expert staff available at ILO headquarters.
297. *Speaking on behalf of the Africa group*, a Government representative of the United Republic of Tanzania took note with interest of the proposed consultation objectives and mechanisms but said that it would be necessary to consider and discuss a sustained and institutionalized form of engagement with constituents. His group was also pleased to note the deliverables and targets encompassing the four areas of the Development Cooperation Strategy. The Office was urged to speed up the human resource development reforms, so that field offices were adequately manned with qualified personnel for effective implementation of the Strategy. He supported the draft decision.
298. *Speaking on behalf of the group of industrialized market economy countries (IMEC)*, a Government representative of Italy said that her group noted with satisfaction that the paper answered the request of the Governing Body at its 322nd Session and included comments presented during the informal consultations. Her group also supported the new

terminology of “development cooperation”, which implied a comprehensive approach on a wider range of themes. Informal tripartite consultations could be useful preparation for some Governing Body debates: all interested governments should be able to participate in them at no further cost to the Office. It was important that the ILO developed precise deliverables and targets. The Office was asked to provide details on the identification of the flagship programmes; whether the remaining programmes would continue to exist; how the flagship programmes were integrated in the ILO’s Development Cooperation Strategy; and how they related to the new Strategic Policy Framework and the ten policy outcomes. The Office was also asked whether the target figure of US\$288,500,000 in table 4 was the total expected for the period 2015–17, and how that amount related to the total of US\$445,000,000 for extra-budgetary technical cooperation (XBTC) and Regular Budget Supplementary Account (RBSA) in the Programme and Budget proposals for 2016–17. As there were no agreed criteria for determining what constituted a “balanced” distribution, it would be more realistic for the ILO to seek to ensure a balanced distribution across programmes and outcomes. There should be a more precise target with regard to the deliverable on communication material and reports on global and regional results. She supported the draft decision.

- 299.** *Speaking on behalf of GRULAC*, a Government representative of Cuba said that paragraphs 3–6 of the paper, on consultation objectives and mechanisms, responded to the request in paragraph (c) of the decision taken by the Governing Body at its 322nd Session. The group agreed with the revised operating principles and deliverables/targets, and therefore supported the draft decision. The group was interested in participating in the informal tripartite consultations on preparation of the paper that would be submitted to the Governing Body at its 325th Session. The change in terminology from “technical cooperation” to “development cooperation” should be reflected in the Introductory note to the Compendium of Rules applicable to the Governing Body.
- 300.** *Speaking on behalf of the BRICS countries* (Brazil, Russian Federation, India, China and South Africa), a Government representative of Brazil noted that the paper responded to subparagraphs (c) and (d) of the decision taken by the Governing Body in November 2014, and also presented refined deliverables and targets for the strategy. The revised proposal for table 4 sought the ILO’s renewed engagement with emerging partners as a supplement to commitments concerning official development assistance, and not a substitute for it. BRICS countries looked forward to participating in the informal tripartite consultations on preparation of the forthcoming Governing Body paper, together with representatives of top donors to and recipients of ILO’s cooperation.
- 301.** *A Government representative of India* said that aligning the ILO’s Development Cooperation Strategy with the sustainable development goals of the United Nations would substantially strengthen the Office’s Decent Work Agenda. She welcomed the proposed consultative mechanism. The ILO’s regional and country offices must involve national partners in identifying constituents’ priorities. The focus should be on long-term commitments to support development, prevent crises and build resilience. Capacity building was one of the key elements of the Development Cooperation Strategy. Adequate decentralization of ongoing ILO projects would be needed, in order to ensure value for money and improved efficiency while maintaining quality standards. Traditional development cooperation should remain at the centre of the ILO’s cooperation activities, with South–South and triangular cooperation playing a complementary role. A diversified and decentralized resource mobilization strategy at regional and subregional levels could ensure greater predictability and convergence at local level. Mainstreaming the Decent Work Agenda in the national context should be a priority.

302. A Government representative of Zimbabwe said that the informal consultations should not supplant the Governing Body. He welcomed the refined deliverables and targets and supported the draft decision.
303. A Government representative of Chad said that the initiative to organize consultations should come from the Office, in line with subparagraph (a) of the draft decision.
304. A representative of the Director-General (Director, Partnerships and Field Support Department (PARDEV)) said that informal consultations would not diminish the governance role of the Governing Body. Where possible, several subjects should be combined in informal consultations, in order to keep costs down. The equal distribution of resources between the strategic objectives and alignment with the Programme and Budget for 2016–17 would be integrated in the revised development cooperation strategy for discussion in November 2015. Following internal consultations, the Director-General had identified five areas of work as ILO flagship programmes: the Better Work programme; the International Programme on the Elimination of Child Labour; occupational safety and health; social protection floors; and jobs for peace and resilience. Flagship programmes would focus the attention of the Office and its development partners on certain areas, but the ILO would continue implementing other programmes as well. Mapping had been carried out between flagship programmes and the 2016–17 results framework, as well as with the expected sustainable development goals and targets. The amount of US\$288,500,000 for RBSA and XBTC in table 4 was a target for 2017 only. That amount was slightly different from the figure shown in the Programme and Budget proposals for 2016–17 because the base was different (approved contributions for the former, expenditures for the latter) and because the two papers had been developed at different times.
305. A representative of the Director-General (Deputy Director-General, Field Operations and Partnerships (DDG/FOP)) said that capacity building and mainstreaming at national level were part of the move from technical cooperation to development cooperation. Decentralizing the management of development cooperation activities did not obviate the need to maintain a certain degree of management at headquarters. The flagship programmes were areas where successful initiatives had been scaled up.

## **Decision**

### **306. The Governing Body:**

- (a) *requested the Office to proceed with the organization of informal, tripartite consultations on strategic matters pertaining to development cooperation, as outlined in paragraphs 1–5 of document GB.323/POL/5 and taking into account the guidance given in the discussion;*
- (b) *endorsed the new and revised operating principles as well as deliverables and targets of the ILO’s Development Cooperation Strategy 2015–17.*

(GB.323/POL/5, paragraph 10.)

## Sixth item on the agenda

### Regional perspectives on development cooperation: The Arab States (GB.323/POL/6(&Corr.))

307. *The Employer coordinator* said that the ILO needed to take into account the diversity of the Arab States when responding to the challenges in the region and to help those in crisis or post-crisis situations in their response and reconstruction efforts. Given the number of middle-income countries, there were opportunities for co-financing and domestic resource mobilization. Some countries had contributed funds to build the capacity of their officials using the expertise of the Turin Centre. The Employers had always called for needs-based development cooperation, and political instability, social unrest and conflict must be taken into account and partnerships sought with other UN agencies. She asked how the ILO could effectively address the issues that posed major challenges in the region: youth unemployment, female empowerment, social dialogue, social protection and migration. The document had not gone far enough to help build the capacity of constituents to enable them to become credible development partners through social dialogue. She supported the draft decision.
308. *A representative of the Arab group of Employers* expressed support for the ten policy outcomes contained in the Programme and Budget proposals for 2016–17 and satisfaction with the achievements of the internal reform process. The programme and budget proposals required the immediate follow-up of conclusions adopted by the International Labour Conference. Furthermore, the adverse situation in the region had still not improved, and had deteriorated in some countries. The Arab group's urgent request for further financing for technical cooperation programmes was due to the changes seen in the region since 2011, the deteriorating economic and social circumstances, the desperation of Arab youth and the lack of labour resources. It could be useful for the ILO, together with the Arab Labour Organization, to conduct field assessments of the needs of Arab countries in the forthcoming period, with a view to implementing specific programmes. Further technical cooperation resources should be allocated to the region, taking into account the balance of resources in individual countries in the region and high inflation levels. Effective measures should be adopted to acquire financing from donor countries and organizations for the implementation of technical cooperation programmes in the region. The needs of the Palestinian people and their workers were a key element. The ILO should take into account the dire and exceptional circumstances of the region, and implement a technical cooperation programme to address them. The enhanced programme of technical cooperation for the occupied Arab territories should be endorsed and supported, and the obstacles preventing the implementation of activities, including finance, overcome.
309. *The Worker spokesperson*, while noting with appreciation several points in the document, expressed surprise at the statement that all countries in the region had ratified all or at least some of the ILO Conventions pertaining to social dialogue, freedom of association and collective bargaining. In many of the countries, there was a complete lack of respect for trade union rights, particularly in the Gulf States, and no progress had been made towards ratifying the 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). Greater emphasis should be placed on ratifying and implementing those Conventions. The *kafala* system should be abolished as a matter of urgency to enable the fundamental rights of migrant workers to be observed. Social dialogue could not be promoted in the region if freedom of association was not guaranteed. It was surprising that the ILO encouraged social dialogue in countries that prohibited freedom of association and collective bargaining. Regarding the development of a framework for cooperation in Qatar,

the ratification and implementation of Conventions Nos 87 and 98 must serve as a basis to end the *kafala* system. It was important for the response to the Syrian crisis to be in line with the ILO's principles and mandate, and to involve workers' organizations. Relevant consultations with the constituents were necessary to avoid tensions and instability. He had reservations about the Office's approach to promoting decent employment through the promotion of self-employment, which was not an option for workers in the region, but was rather the result of unemployment and lack of available decent work. The Office should introduce bolder and more innovative initiatives to promote decent employment, and apply the approach, based on all five components, regarding youth employment adopted at the Conference in 2012. Greater participation of workers in programmes to enhance labour market information was required, and migrant workers should be taken into account in studies on the labour market in the region. Clarifications would be welcome on the Saudization of the labour market in Saudi Arabia, which appeared to encourage the discrimination of migrants, in addition to information on how the census had been conducted in Lebanon.

**310.** The social security system in Jordan still did not provide coverage for all workers, and the unemployment insurance scheme introduced in Saudi Arabia excluded migrant workers. He raised doubts regarding the capacity-building package on social dialogue for the Saudi Arabian Ministry of Labour without any efforts to ensure freedom of association. Efforts to improve social protection in the Occupied Palestinian Territory would have a very limited impact, as the Israeli occupation made it impossible to control fiscal and monetary policy. Further efforts were required to promote social protection through the Social Protection Floors Recommendation, 2012 (No. 202). The Better Work Jordan programme needed a national approach to ensure equality for workers in all sectors. The current collective agreement did not address minimum wage discrimination between Jordanian and migrant workers. The Lebanese Ministry of Labour should recognize the newly created domestic workers' union. Regarding prospects, the technical cooperation strategy for the region should support the Decent Work Agenda and the ratification and promotion of international labour standards, prioritizing the promotion of Conventions Nos 87 and 98, be based on tripartism and social dialogue, build capacity of the constituents and strengthen labour inspection and labour administration. It was surprising that the document barely mentioned gender, given the situation of women in the region. More attention should be paid to gender in the ILO's work in the region. The Office should develop projects to respond to the Syrian refugee crisis and the situation in the Occupied Palestinian Territory. ILO partnerships with private entities should aim to strengthen tripartism and industrial relations, and public-private partnership agreements should be concluded in line with the ILO's agreed policy and guiding principles and should minimize the risks of creating a privatized UN system. The increased collaboration with foundations from Gulf States was worrying given the lack of observance and promotion of fundamental rights in these countries. It was vital to prevent abuse in the recruitment of migrant workers and ensure protection of their rights, including through the promotion and implementation of the ILO migration Conventions. The Office should respond to concerns about the significant number of refugees and human trafficking. The work with other UN partners should be based on promoting tripartism and international labour standards, involve trade union organizations, and ensure a coherent technical cooperation programme to respond to the instability in the region. The Office should continue to participate actively in regional and national consultations on the post-2015 development agenda in order to support the Decent Work Agenda in the region. A more global and innovative approach was required in ILO interventions to promote inclusive development based on decent work and social justice in the region. He supported the draft decision.

**311.** *Speaking on behalf of the Africa group*, a Government representative of the United Republic of Tanzania noted with appreciation the continued support of the Office to the Arab States, its response to the Syrian refugee crisis and its work with social partners to

improve international labour standards for migrant workers. The Office should consider extending its support to the countries of origin of migrant workers, including spearheading constructive engagement in social dialogue and bilateral agreements. He supported the draft decision.

- 312.** *Speaking on behalf of ASPAG*, a Government representative of China noted with appreciation the assistance provided by the ILO to the region, and the commitment pledged in terms of technical and financial resources. The Director-General and the Office should provide financing from the regular budget as seed money to attract and encourage contributions from donor countries for urgent ILO projects and activities in the region.
- 313.** *A representative of the Director-General* (Deputy Regional Director for the Arab States) noted the suggestions made, which would help to shape resource mobilization in the region. Positive trends regarding technical cooperation delivery had been observed in the region in the previous decade. Key achievements included: the consolidation and expansion of the ILO response to the Syrian refugee crisis in Jordan and Lebanon and full ILO engagement in regional and national refugee and response plans; promotion of social dialogue and strengthening of workers' and employers' organizations in the region; the launch of the multidimensional ILO Gaza response programme; support for the implementation of national employment policies in many countries; and strengthened engagement with Gulf Cooperation Council countries on the Decent Work Agenda. The ILO would seek to strengthen its regional capacity in the following years to respond to needs in core areas. However, demand outweighed its means to supply services and technical and policy advice, particularly in terms of response to the crises and emergency situations in the region. The ILO urgently needed to replenish its resources and increase resource mobilization.

### **Decision**

- 314.** *The Governing Body requested the Office to expand its development cooperation programme in the Arab States and to develop a regional resource mobilization strategy in accordance with the ILO's Development Cooperation Strategy 2015–17 (to be revised in November 2015).*

(GB.323/POL/6(&Corr.), paragraph 51.)



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## Legal Issues and International Labour Standards Section

### Legal Issues Segment

#### First item on the agenda

### Incomplete delegations to the International Labour Conference and Regional Meetings (GB.323/LILS/1)

**315.** *The Worker spokesperson* recalled that failure by member States to comply with their constitutional obligations to send tripartite delegations to the International Labour Conference and Regional Meetings prevented the social partners from participating in ILO debates, thus undermining tripartism. She expressed concern that, during the period under review (2010–13), every year some 12 per cent of member States were represented by incomplete delegations, or not represented at all, at the International Labour Conference. The Office should undertake targeted efforts to find a solution to the problems encountered by countries in the Caribbean and Pacific Island subregions and in the Central Asia subregion, which were particularly affected. The situation concerning Regional Meetings was even more worrisome. A comparative analysis across several regions, covering at least the last three Regional Meetings, might allow the Office to identify the countries with the highest percentage of non-accredited or incomplete delegations at such meetings and to conduct targeted remedial actions. Referring to possible future action, she said with regard to paragraph 19 of the document that it was important to maintain the regular reporting undertaken by the Director-General. That process complemented – and was not a duplication of – the process of filing of objections to the Credentials Committee. It would be necessary to assess whether shortening the length of the Conference session would have adverse consequences for the Credentials Committee by giving it less time to treat objections and invite governments to provide explanations. Regional directors could follow up the low response rate to the Director-General’s letters. She was unconvinced of the merits of promoting article 5(2) of the Standing Orders of the Conference, as incomplete delegations were not the result of a lack of awareness by governments of their constitutional obligations or by workers and employers of their right to file objections. As part of the evaluation of the two-week session of the Conference, she asked to be informed in November 2015 of the numbers of member States at the 104th Session (2015) of the Conference having accredited tripartite delegations and of those having failed to do so. While her group was not in favour of funding the participation of member States that had repeatedly failed to send tripartite delegations to sessions of the Conference, it supported the adoption of measures to facilitate such participation, such as pre-session seminars or collaboration with host country services to help delegations find low-budget accommodation or other facilities. Her group also welcomed the idea of exploring the possible correlation between the failure to participate in the Conference and non-compliance with other constitutional obligations. Calling for greater gender balance in delegations, she said that her group considered a delegation without women to be incomplete. The group supported the draft decision.

**316.** *The Employer coordinator* noted that full tripartite participation had been consistently high at the Conference, but less so at Regional Meetings. She said that the Credentials Committee should continue to monitor the situation with regard to incomplete delegations on the basis of information received by it under the objections procedure provided for in

article 5(2) of the Standing Orders of the Conference. To make that mechanism more effective, the Office might undertake awareness-raising activities. Regular reporting by the Director-General at the Governing Body's request with respect to incomplete delegations seemed to be a duplication of procedures and could be discontinued. The Office should consider suitable measures, such as helping delegations to find low-budget accommodation, to address the problem of financial constraints, which seemed to be the main reason for non-accreditation or incomplete delegations from some countries. Her group was not, however, in favour of the Office funding Conference participation by certain member States, since that could give rise to unjustified expectations. The effect of a shorter Conference session on tripartite participation should be observed. In the long term, the Office should also examine the possibility of remote participation in the Conference, through electronic means, for countries that were plainly unable to send full tripartite delegations. Her group agreed with both points of the draft decision.

**317.** *Speaking on behalf of the group of industrialized market economy countries (IMEC)*, a Government representative of Canada noted the information provided in the document and expressed surprise that the mechanism provided for in article 5(2) of the Standing Orders of the Conference remained underutilized. While it considered that the attendance of the Conference by full tripartite delegations was quite high, IMEC agreed that the Office should try to improve participation in the Conference and Regional Meetings through awareness-raising activities, especially at the regional level in order to reach governments that were not represented in Geneva, and should try to find solutions through collaboration with governments. His group was not in favour of funding delegations, as it would be nearly impossible to establish objective criteria and governments should not be given an incentive to evade their responsibility for bearing the costs of the participation of the social partners. IMEC supported the draft decision.

**318.** *Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)*, a Government representative of Cuba said that the countries in his region were aware of their obligations under article 3(1) of the Constitution and article 1(1) of the *Rules for Regional Meetings*. Financial constraints seemed to be the main reason for incomplete or non-accredited delegations. The governments certainly had no intention of depriving employers and workers of the opportunity to participate in decision-making at the ILO; it was only by abiding by the rules in that regard that the Organization would be able to function properly. Concerning possible future action, he said that the reporting undertaken by the Director-General at the Governing Body's request with respect to incomplete delegations seemed to duplicate the reporting on the same subject by the Credentials Committee. Any activity undertaken at headquarters and in field offices to raise awareness of the need for full tripartite delegations would undoubtedly be useful. The evaluation of tripartite accreditation at the 104th Session of the International Labour Conference might indicate whether shortening the length of that session had helped reduce the costs that had to be borne by governments. Lastly, provided that it would be at no cost to the ILO, he welcomed the idea of cooperation with host country services to find low-budget accommodation or other facilities. His group supported the draft decision.

**319.** *Speaking on behalf of the Africa group*, a Government representative of Angola said that his group was prepared to explore ways of promoting article 5(2) of the Standing Orders of the International Labour Conference, for instance through awareness-raising activities undertaken at headquarters and in field offices prior to sessions of the Conference. Shortening the length of the sessions of the Conference might enable more member States to send complete tripartite delegations in the future. His group supported in particular the proposals made in paragraph 22 of the document and both points of the draft decision.

**320.** *A Government representative of Trinidad and Tobago* explained that some Caribbean countries were deeply involved in regional and subregional ILO activities but could not

travel to Geneva to attend the Conference because of resource constraints. The Office should explore creative and innovative ways to engage with Members who could not travel to Geneva, such as web conferencing. She commended the ILO for its new website layout and expressed the hope that the page of the Regional Office for Latin America and the Caribbean would be made available in English.

**321.** *The Worker spokesperson* underlined the symbolic importance of letters from the Director-General reminding member States of their obligations, and reiterated the suggestion that regional directors could assist with the follow-up. She noted the consensus on looking at further ways to support member States.

**322.** *The Employer coordinator* said that she would support the Workers' proposal that the Director-General should continue to report regularly to the Governing Body. Furthermore, it was important that gender balance should be considered in the make-up of delegations to all meetings.

## **Decision**

**323. *The Governing Body:***

*(a) urged member States to comply with their constitutional obligations to accredit full tripartite delegations to sessions of the International Labour Conference and Regional Meetings;*

*(b) requested the Director-General to engage in awareness raising with regard to the need for member States to accredit full tripartite delegations in order to enable the Organization to fully discharge its mandate, and to continue to regularly monitor the situation of member States which failed to accredit any tripartite delegation to sessions of the International Labour Conference and Regional Meetings, taking into account the guidance provided by the Governing Body.*

(GB.323/LILS/1, paragraph 24.)

## **Second item on the agenda**

### **Promotion of the ratification of the 1986 and 1997 Instruments for the Amendment of the Constitution of the International Labour Organisation**

(GB.323/LILS/2)

**324.** *A representative of the Director-General (Legal Adviser)* announced that, since the publication of the document, South Africa had accepted the 1986 Instrument of Amendment, bringing the total number of ratifications and acceptances to 103.

**325.** *The Employer coordinator* said that the entry into force of the 1997 Instrument of Amendment was of particular importance to the Employers, as the abrogation mechanism would be an important tool to implement the outcomes of the Standards Review Mechanism, expected to become operational later that year. Furthermore, the ongoing maintenance of outdated Conventions – a number of which had already been identified

more than ten years previously – damaged the credibility and relevance of the ILO's body of standards. She inquired whether any Government member of the Governing Body intended to ratify the 1997 instrument. She endorsed the draft decision in paragraph 15(a) and (b), and stated that priority should be given to action to achieve the entry into force of the 1997 instrument, which required only one further ratification, in the very near future.

- 326.** *The Worker spokesperson* strongly supported the entry into force of the two instruments of amendment. She noted that, with the latest acceptance of the 1986 instrument, 21 ratifications were required before it would enter into force. She called on member States, including at least three Members of chief industrial importance, and particularly the 20 Governing Body members that had not yet done so, to consider ratifying it. Furthermore, as only one more ratification was needed for the 1997 instrument to enter into force, she appealed to members of the Governing Body to consider ratification of that instrument, if possible before the end of the current session. The Office should maintain and strengthen its promotional activities, and new member States should be included in those efforts. She supported the use of conferences, Governing Body sessions and Regional Meetings for promotional activities. She also endorsed the relaunch of ratification campaigns with a focus on targeted activities involving Members that had not ratified an instrument of amendment, including the engagement of the social partners at the national level. Targeted activities could also be used to gather information on reasons for non-ratification, instead of requests to governments to provide written information as suggested in paragraph 10 of the document. She supported the draft decision.
- 327.** *Speaking on behalf of the Africa group*, a Government representative of Angola reaffirmed the Africa group's ongoing support for both instruments, and urged member States that had not yet ratified them to do so as soon as possible. He recognized the Office's efforts to promote ratification and supported their continuation. The Office should report on its progress to the Governing Body to enable obstacles to be identified, promotional activities to be improved and other actions to be planned. He congratulated Cambodia and South Africa on their recent ratification of the 1986 instrument, welcomed the prior ratifications of Italy and India as Members of chief industrial importance, and commended Mali on its recent ratification of the 1997 instrument. He supported the draft decision.
- 328.** *A Government representative of Algeria* said that he attached particular importance to the ratification of the 1986 amendment, as it would allow a more equitable representation of the regions within the Governing Body and would make it more democratic. He supported the draft decision and expressed appreciation of the long-standing ratification of the instrument by Italy and India.
- 329.** *A Government representative of India* recalled that India was one of the ten Members of chief industrial importance to accept both instruments. She urged the Office to analyse the reasons for member States' reluctance to ratify the 1986 instrument and to make more focused efforts to encourage ratification. Direct correspondence, dedicated missions and follow-up by country offices might prove effective. As for the 1997 instrument, review of standards was essential to maintain the Organization's credibility, and member States should not have to report on outdated instruments. Furthermore, the Office should explore the possibility of consolidating existing standards. She supported the draft decision.
- 330.** *A Government representative of Turkey* supported targeted action by the Director-General to encourage ratification of the 1986 instrument by the eight Members of chief industrial importance that had not yet done so. The Office should work closely with the governments concerned to identify any obstacles. Ratification of the instrument should also be encouraged among member States that would benefit from its entry into force. He invited all member States that had not ratified the 1986 instrument to consider ratifying it, and

urged the Office to take a proactive approach to promoting ratification of both instruments. He supported the draft decision.

- 331.** *A Government representative of Mali* recalled that Mali had ratified the 1997 amendment in 2014 and encouraged other member States to do the same. He encouraged the Office to continue its promotional activities for the ratification of both instruments.
- 332.** *A Government representative of Kenya* commended the latest signatories of the instruments, and urged others to consider following their example, especially the Members of chief industrial importance. Africa was the only region without permanent representation on the Governing Body, which undermined the principles of good governance, non-discrimination, diversity and equality. The Office should therefore prepare a time-bound action plan for the ratification of the 1986 instrument and submit other options that would ensure Africa's permanent representation on the Governing Body for consideration at the November 2015 session. He supported the draft decision.
- 333.** *A Government representative of Lesotho* urged member States that had not yet ratified the 1986 and 1997 instruments to do so, especially countries of chief industrial importance. She commended the recent ratifications, and announced that Lesotho had recently initiated the process of ratifying the 1997 instrument. She supported the draft decision.
- 334.** *The Employer coordinator* agreed with the Workers that governments should not be asked to provide written information on the reasons why they had not ratified instruments.
- 335.** *The Worker spokesperson* welcomed the announcement by Lesotho. She noted that otherwise only member States that had ratified the instruments had made statements, but not those that had not ratified. That confirmed the need for targeted promotional campaigns and further consideration by the Office of other initiatives that would have a positive impact.
- 336.** *A Government representative of Zimbabwe* urged member States that had not ratified the 1986 instrument to consider doing so, in particular countries of chief industrial importance. He commended South Africa's recent ratification of the 1986 instrument and Mali's ratification of the 1997 instrument. He announced that Zimbabwe, too, was in the process of ratifying the 1997 instrument. He supported the draft decision.
- 337.** *A Government representative of Pakistan* noted that Pakistan was one of the few countries that had ratified both instruments immediately after their adoption. The 1986 Instrument of Amendment was particularly important because it would allow for a more equitable composition of the Governing Body. Criteria for permanent membership should recognize countries' global social responsibilities, level of support to underdeveloped countries and services for the promotion of decent work at the global level. He supported the relaunch of the ratification campaigns, especially for the 1986 Instrument of Amendment.

## **Decision**

### **338. *The Governing Body:***

- (a) *urged ILO Members which had not yet done so to ratify or accept the 1986 and 1997 Instruments for the Amendment of the ILO Constitution;*
- (b) *requested the Director-General to pursue promotional efforts – in the light of the guidance provided by the Governing Body – for the ratification or*

*acceptance of the two instruments of amendment, and to report at a future session on the basis of results obtained.*

(GB.323/LILS/2, paragraph 15.)

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

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

#### **Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2016**

(GB.323/LILS/3)

- 339.** *The Employer coordinator* expressed support for the proposed report form and the draft decision.
- 340.** *The Worker spokesperson* underlined the crucial importance of the instruments selected for the 2016 General Survey. She welcomed the fact that the Committee of Experts would take into account the conclusions of the General Survey of 2009 on Convention No. 155 and the related conclusions of the Committee on the Application of Standards. She strongly encouraged all governments to submit reports for the General Survey and to fully associate the social partners in that process. Copies of the reports prepared should be sent, in a timely manner, to representative organizations of workers and employers, as required by article 23 of the ILO Constitution. She welcomed several recent ratifications of occupational safety and health Conventions and encouraged other governments to consider the ratification and effective implementation of those Conventions. She agreed with the draft decision.
- 341.** *Speaking on behalf of the Africa group*, a Government representative of Angola noted the requests to the governments to submit, by 29 February 2016, a report under article 19 of the Constitution on occupational safety and health instruments. Submission of those reports within the deadline would enable the Committee of Experts on the Application of Conventions and Recommendations to prepare the General Survey for consideration by the Conference Committee on the Application of Standards in June 2017. The group approved the report form and supported the draft decision.
- 342.** *A Government representative of India* expressed support for the proposal of a General Survey on occupational safety and health. However, she raised difficulties regarding the report form, which appeared to increase the reporting burden on member States that had not ratified the Conventions under consideration. Requesting detailed reports under article 19 of the Constitution could be a futile exercise, unless the ILO intended to undertake gap analyses based on the reports received with a view to developing solutions adapted to the national context to facilitate ratification. The ILO should make a clear distinction between the obligations of member States with respect to article 22 and article 19 reports. She expressed support for point (a) of the draft decision, but requested a simpler and more concise report form that was more convenient for member States.
- 343.** *A Government representative of the Islamic Republic of Iran* welcomed consideration of occupational safety and health as the theme of the 2016 General Survey. Although the Islamic Republic of Iran had not yet ratified the Conventions covered by the report form, it

was committed to complying with the relevant ILO standards. It was ready to share its experience gained in the field of occupational safety and health and to provide the Office with information on the measures taken. He supported the draft decision.

344. *A representative of the Director-General (Director, International Labour Standards Department (NORMES))* said that the report form was consistent with the approach adopted by the Governing Body for the preparation of report forms under article 19 of the Constitution. The objective was to provide a holistic assessment of the law and practice of member States and to identify difficulties that prevented ratification of the instruments. The Conventions in question contained very detailed provisions, and the report form was a simplified document that only covered selected provisions common to all the Conventions covered.

## **Decision**

### **345. The Governing Body:**

- (a) *requested governments to submit reports for 2016, under article 19 of the Constitution, on the Safety and Health in Construction Convention (No. 167), and Recommendation (No. 175), 1988, the Safety and Health in Mines Convention (No. 176), and Recommendation (No. 183), 1995, the Safety and Health in Agriculture Convention (No. 184), and Recommendation (No. 192), 2001, and the Occupational Safety and Health Convention (No. 187), and Recommendation (No. 197), 2006; and*
- (b) *approved the report form concerning those occupational safety and health instruments contained in the appendix to document GB.323/LILS/3.*

(GB.323/LILS/3, paragraph 3.)

## **Fourth item on the agenda**

### **Outcome of the Meeting of Experts concerning the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)**

(Geneva, 4–6 February 2015)

(GB.323/LILS/4)

346. *The Worker spokesperson* welcomed the important work and recommendations of the Tripartite Meeting of Experts. The recommendations called for the amendment of Annex I to the Convention, and if necessary the other annexes, to align the requirements regarding seafarers' identity documents (SIDs) with International Civil Aviation Organization (ICAO) technical standards that were currently universally followed for travel and other documents. They also proposed a suitable transitional period for countries that were already implementing Convention No. 185. She supported the draft decision, including the convening of an Ad Hoc Tripartite Maritime Committee in 2016, composed of 32 Government representatives, 16 Shipowner representatives and 16 Seafarer representatives, and the placing of an item on the agenda of the Conference in 2016 for the examination of the proposed amendments. She also fully supported the call for the ratification of Convention No. 185. The adoption of ePassport technology for SIDs was the only way forward and the outcome of the Tripartite Meeting of Experts was a good

example of how social dialogue could be effective in revising Conventions to ensure that workers' rights were promoted effectively.

- 347.** *The Employer coordinator* noted the general conclusion and recommendations of the Tripartite Meeting of Experts, which essentially recommended the amendment of Annexes I and II of Convention No. 185 to replace the current fingerprint biometric in a two-dimensional bar code with a facial image in a contactless chip, in line with ICAO Document 9303. That amendment was needed to improve the relevance and ratification prospects of the Convention. The situation with regard to Convention No. 185 was a clear example of how technology affected the world of work and the related instruments, which should be borne in mind when addressing the Standards Review Mechanism. She therefore agreed that an Ad Hoc Tripartite Maritime Committee should be convened early in 2016 to propose appropriate amendments and that an item should be placed on the agenda of the Conference in 2016 for their examination. She agreed with the draft point for decision, with two qualifications. The composition of the Ad Hoc Tripartite Maritime Committee, in order to ensure that its outcomes rested upon a solid representative basis, should be 32 Government representatives, and 16 each for the Shipowners' and Seafarers' groups. The meeting should be held in 2016 immediately before or after the Special Tripartite Committee established under the Maritime Labour Convention, 2006 (MLC, 2006), but not at the same time as the International Maritime Organization (IMO) Sub-Committee on Human Element, Training and Watchkeeping.
- 348.** *Speaking on behalf of the Africa group*, a Government representative of Angola stated that his group had considered the general conclusion and the recommendations of the Tripartite Meeting of Experts tasked with finding cost-effective technical and administrative solutions to overcome problems that had arisen in the implementation of Convention No. 185 and thereby encourage ratification. The Tripartite Meeting of Experts had recommended submitting to the Conference proposed amendments to the annexes to the Convention with a view to harmonizing biometric data with the ICAO standards that were universally followed for travel and similar documents. The Tripartite Meeting of Experts had also reiterated the need to foster partnerships to provide assistance to less technologically advanced countries seeking to comply with the Convention. He supported the draft decision and encouraged the Governing Body to take the appropriate measures to allow mutually beneficial partnerships in order to enable less technologically advanced countries to comply with the relevant universal standards.
- 349.** *Speaking on behalf of IMEC*, a Government representative of France shared the concern for seafarers' rights and security-related issues that Convention No. 185 was intended to address. The conclusions of the Tripartite Meeting of Experts were in line with the evolution of technology and compatible with other international norms. He therefore supported the draft decision and the convening of an Ad Hoc Tripartite Maritime Committee comprising 64 representatives, 32 of whom would be designated by governments. Following the adoption of the amendments, an evaluation should be carried out concerning their effect in triggering new momentum in the ratification of the Convention. He also requested information on the number of countries that required a visa for seafarers.
- 350.** *Speaking on behalf of the European Union and its Member States*, a Government representative of the Netherlands said that Turkey, Montenegro, Serbia, Albania, Bosnia and Herzegovina, Republic of Moldova, Armenia and Georgia aligned themselves with the statement. He supported the statement by IMEC. Convention No. 185 was intended to contribute to the improvement of security in the shipping sector and to promote decent living and working conditions of seafarers, as well as their rights as mobile workers. It aimed to ensure that seafarers had access to shore-based facilities and services to secure their health and well-being. However, the ratification of Convention No. 185 by only



30 member States raised questions about its implementation. The current SIDs, based on a two-dimensional barcode, were not globally interoperable with other biometric documents, and the ICAO Document 9303 for the use of a contactless chip for the storage of the biometric identifiers should be followed. The outcome of the Tripartite Meeting of Experts was to be welcomed and, in implementing the decision taken by the Governing Body on that basis, emphasis should be placed on the provisions of the MLC, 2006, respecting access to shore-based facilities and services.

- 351.** *A Government representative of China* recalled that China was an important shipping, seafarer supplying and port State. As such, China supported the revision of Convention No. 185, which covered the identity documents of seafarers with a view to facilitating the transfer and transit of seafarers and the enhancement of border security. She agreed with the general conclusion and recommendations of the Tripartite Meeting of Experts. In accordance with Chinese laws and regulations, the seafarers' documents issued by the Maritime Safety Authority had the properties of a passport. In the light of the current situation with regard to the Convention, China proposed to increase flexibility by continuing to recognize SIDs issued in compliance with the technical standards currently laid down in Convention No. 185.
- 352.** *A Government representative of Norway* said that, while sharing the concern for seafarers' rights and security-related issues, she was not convinced that the change in technology would improve the ratification rate of Convention No. 185. With reference to Article 6 of the Convention, she considered that most non-ratifying countries, such as Norway, would be unwilling to ratify the Convention as long as certain countries upheld the requirement for visas. It might not therefore be realistic for countries to invest in costly new technology for SIDs when shore access was possible based on the identity card provided under the Seafarers' Identity Documents Convention, 1958 (No. 108), and an ePassport, which was compliant with ICAO technology. A visa would also have to be obtained if so required by the port State. She requested information on the number of countries that required a visa for seafarers, the prospects for change in that respect in the near future and the extent to which constituents were complying with Article 6 of the Convention by providing arrangements equivalent to a visa. That information could be part of the evaluation requested by IMEC. In the ten years since its adoption, Convention No. 185 had already been bypassed technologically. Although not convinced that the proposed way forward was correct, she supported the majority view and therefore the draft decision.
- 353.** *A Government representative of the Russian Federation* said that the Tripartite Meeting of Experts underscored the importance of promptly drawing up a list of countries that fully met the requirements of the Convention, pursuant to Article 5(6) of the Convention. That list was prepared by the Governing Body after the review of the independent evaluation reports submitted by the States that had ratified the Convention. The Russian Federation had submitted a report to the Office in 2011, but a decision on the list had yet to be made; the matter should be among those considered at one of the first meetings of the Ad Hoc Tripartite Maritime Committee. Furthermore, it was important to increase international cooperation on the implementation of the Convention. The Russian Federation was prepared to share its technical knowledge and experience with any other interested States parties, free of charge. He had no objections to the draft decision. The Ad Hoc Tripartite Maritime Committee should be composed of 64 members, 32 of which should be Government representatives. He expressed his country's interest in participating in the work of that Committee.
- 354.** *A Government representative of Indonesia* emphasized that seafarers who worked around the world needed to be protected and ensured decent work and working conditions, including the facilitation of shore leave, transit and transfer. Indonesia had ratified Convention No. 185 in 2008 and had taken measures to issue SIDs and to develop a

database of seafarers. However, challenges remained in the implementation of SIDs, including ensuring their compatibility with current technology with a view to facilitating identification and ensuring security. It was important to promote cooperation between countries for capacity building and the Office should make further efforts to promote the ratification of the Convention.

- 355.** *A Government representative of Panama* noted the conclusions of the Tripartite Meeting of Experts tasked with studying the feasibility and assessing the costs and benefits of the various options proposed to overcome difficulties in the application of Convention No. 185. Regarding the recommendations of the Tripartite Meeting of Experts on the process for amending the annexes to Convention No. 185, the Office should provide details on the strategic budget that such a process would require. As to recommendation 10 of the Tripartite Meeting of Experts, he stated that, under a national regulation, a visa was required for entry onto the territory of Panama; he urged the Office to take account of national security and public health when considering consultations with the IMO. On that basis, he expressed a reservation concerning subparagraph (e) of the draft decision.
- 356.** *A Government representative of Brazil* noted with satisfaction the outcome of the Tripartite Meeting of Experts and supported the adopted recommendations aimed at revising the annexes to the Convention. Furthermore, he welcomed the offer from the Government of the Russian Federation to cooperate with countries to ensure that they had the necessary technological development to apply the Convention. He endorsed the draft decision.
- 357.** *The representative of the Director-General (Director, NORMES)* recalled that Convention No. 185 had been adopted in 2003 to revise Convention No. 108, to which it had added a security dimension in response to the events of 2001, while retaining the main substantive provisions of the earlier Convention. The Conventions had an important impact on the lives of seafarers, who were the world's global workforce, and for whom the ship was their home, their place of work and their place of rest and recreation. It was very important for seafarers to be able to go ashore when their ship arrived in port and do some of the normal things that other workers took for granted. They were the only category of workers for which an identity document was provided for by international labour standards. Convention No. 185 had incorporated the best technology available at the time of its adoption. Indeed, at that time there had been no international standards on the security requirements to be met and the ILO, in creating a specific security standard for identity documents, had acted as a precursor of what had become known as biometric technology, and therefore of ePassports. However, in recognition that technology would change, the technical provisions of Convention No. 185 had been placed in annexes, for which a rapid revision process was envisaged. In practice, technological change since 2003 had been so rapid that very few of the countries that had ratified Convention No. 185 were currently able to implement it in full, as it was difficult to obtain the necessary equipment. It was also important to recognize that the seafarers who needed identity documents were mostly from developing countries, which must implement the technology required to issue secure SIDs. The solution proposed by the Tripartite Meeting of Experts was therefore to ensure the interoperability of SIDs and other identity documents, while allowing those countries already implementing the Convention sufficient time to adapt. It had been the view of the Tripartite Meeting of Experts that the adoption of ePassport technology for SIDs would enhance the prospects for the ratification and effective implementation of Convention No. 185. It would also facilitate the issuance of visas by countries that still required them. In that respect, it should also be recalled that Article 6 of Convention No. 185 called on countries requiring visas to provide arrangements that were substantially equivalent to facilitate the transit, transfer and shore leave of seafarers in their countries. In response to the comments from the representative of the Russian Federation, she indicated that the review group was currently meeting to assess the situation of countries that were in compliance with the Convention, and could be in a position to submit its recommendations

to the Governing Body Session in June 2015, if feasible. Research would be undertaken concerning countries requiring visas for seafarers for shore leave. That information could be provided to the Ad Hoc Tripartite Maritime Committee. She recalled that visa-free shore leave was also required by the IMO Convention on Facilitation of International Maritime Traffic, 1965, as amended. Finally, she confirmed that the dates of the Ad Hoc Tripartite Maritime Committee would be set in consultation with constituents.

**358.** *The Employer coordinator* thanked the Office for the clarifications provided.

**359.** *The Worker spokesperson* emphasized the importance of drawing attention to the rights of seafarers and of maintaining momentum in achieving broader ratification of Convention No. 185.

## **Decision**

**360.** *The Governing Body:*

(a) *took note of the general conclusion and the recommendations of the Tripartite Meeting of Experts concerning Convention No. 185 contained in the appendix to document GB.323/LILS/4;*

(b) *decided, subject to the necessary financial arrangements being made:*

(i) *to constitute an Ad Hoc Tripartite Maritime Committee and convene a meeting of this Committee in 2016 for the amendment of Convention No. 185, with the task of making proposals, based on the recommendations of the Meeting of Experts, for appropriate amendments to the annexes to Convention No. 185 with a view to their submission for adoption by the International Labour Conference in accordance with Article 8, paragraph 1, of Convention No. 185;*

(ii) *to fix the composition of the Ad Hoc Tripartite Maritime Committee as follows: 64 representatives, appointed by the Governing Body, 32 of whom would be designated by the Governments; 16 by the Shipowners' group and 16 by the Seafarers' group; and*

(iii) *that the Ad Hoc Tripartite Maritime Committee would meet in 2016 immediately before or after the Special Tripartite Committee established under the Maritime Labour Convention, 2006;*

(c) *decided to place on the agenda of the International Labour Conference at its 105th Session in 2016 an item entitled "Amendment of the annexes to the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)";*

(d) *recommended, in the light of the proposed amendments, which referenced current technology making it easier to implement Convention No. 185, that Members which had not ratified Convention No. 185 should now do so, especially those that had ratified the Seafarers' Identity Documents Convention, 1958 (No. 108); and*

- (e) *requested the Director-General to seek the assistance of the International Maritime Organization (IMO) in drawing the attention of all States parties to the IMO Convention on Facilitation of International Maritime Traffic, 1965, as amended (the FAL Convention), to facilitate shore leave for seafarers without the need for a visa, as provided for in the FAL Convention.*

(GB.323/LILS/4, paragraph 3.)

## Programme, Financial and Administrative Section

- 361.** The Programme, Financial and Administrative Section of the Governing Body met on 16, 17, 18 and 25 March 2015. It was chaired by the Chairperson of the Governing Body, Mr Correia. Mr Mdwaba and Mr Woolford were the Employer coordinators and Mr Gurney was the Worker spokesperson.
- 362.** *The Chairperson* announced that, since the preparation of document GB.323/PFA/INF/1/2 at the end of February 2015, contributions amounting to 3,123,752 Swiss francs (CHF) had been received from 11 member States as shown in Appendix IV.

## Programme, Financial and Administrative Segment

### First item on the agenda

#### The Director-General's Programme and Budget proposals for 2016–17 (GB.323/PFA/1, GB.323/PFA/1/D1 and GB.323/PFA/1/1)

- 363.** *The Director-General* presented his Programme and Budget proposals for 2016–17 (his statement is reproduced in Appendix I).
- 364.** *The Chairperson*, upon agreement of the structure of the discussion proposed in document GB.323/PFA/1/D1, opened the general discussion covering in particular the Executive overview (paragraphs 1–37).
- 365.** *The Worker spokesperson* recalled that unemployment remained high, income inequality had increased, precarious and informal work were rising and workers' rights were under attack. He welcomed the continued commitment in the proposals to the goal of Decent Work for all, based on the ILO Declaration on Social Justice for a Fair Globalization. He supported the objective of strengthening the ILO's technical capacity, which should be aimed at improving services to constituents and enhancing ILO advocacy on an inclusive and sustainable growth, and the proposed creation of new positions at headquarters and in the field, which should be allocated to priority areas that were currently under-resourced with regular budget funding (for instance, wage specialists, particularly in Africa; industrial relations specialists, particularly in Latin America; and labour standards specialists, particularly in Asia, where there were currently only three). Headquarters needed more staff dedicated to collective bargaining, labour law and labour inspection, and strengthened capacity for work on international labour standards and the fundamental principles and rights at work. Enhanced field-based capacity in macroeconomics was also needed.
- 366.** He warmly welcomed the clear format of the proposals and supported the framework of ten policy outcomes with three enabling outcomes and three cross-cutting policy drivers. The four dimensions of the Decent Work Agenda must be addressed by each outcome. Care must be taken to avoid creating new silos in the allocation of work. His group

accepted, under the current circumstances, the zero real growth of the budget, and noted that a nominal reduction of the budget had been possible.

- 367.** Noting that the increased contribution to the United Nations (UN) Resident Coordinator system should lead to better country-level engagement with unions and respect for ILO values, including tripartism, he underscored the need to ensure that all external partnerships understood and respected the benefits that came from tripartism.
- 368.** Technical cooperation resources should indeed be aligned with the Organization's strategic outcomes, and it was vital that constituents should exercise governance concerning their use and distribution. In that regard, while fully supporting the rationale behind the creation of the five flagship programmes that had been announced in February 2015, the Workers' group regretted that constituents had not been given the opportunity to express their views on the programmes' themes. He recalled that a decision had been taken by the Governing Body to hold informal tripartite consultations on matters of strategic importance in the area of development cooperation.
- 369.** The Office should clarify whether the low level of extra-budgetary resourcing for outcome 3 was due to the fact that social protection floors would form part of one of the flagship programmes, and why outcome 10's extra-budgetary resources represented only 4 per cent of the total. More resources should be allocated to outcome 10 in future to reflect the importance of strengthening constituents' – and particularly workers' organizations' – capacity to implement ILO priorities at the national level.
- 370.** The technical cooperation strategy required all major technical cooperation projects to include capacity-building components for all constituents; the Workers would, therefore, like to know how resources would be allocated, and proposed that part of the extra-budgetary resources and allocations under the Regular Budget Supplementary Account (RBSA) under each of the nine outcomes should be earmarked for assistance and activities for the social partners, including through the Bureau for Workers' Activities (ACTRAV) and the Bureau for Employers' Activities (ACT/EMP). That would strengthen synergies between the work of the bureaux and that of the technical departments, in line with the cross-cutting policy driver on social dialogue.
- 371.** The Office should explain the rationale underlying regular budget resource allocation across outcomes: outcome 1 had double the resources of outcome 2, for example, and the budget for outcome 7 was significantly reduced compared with the previous biennium.
- 372.** The new Decent Work Country Programmes would have to draw on the ten policy outcomes and better cover all four strategic areas of the Decent Work Agenda; work in the regions often took a piecemeal approach and neglected standards. Although the proposals had been improved since November 2014, the fact that regional priorities did not always reflect the four strategic areas or the guidance provided by Conference discussions remained a concern.
- 373.** *The Employer coordinator* expressed frustration that the document did not reflect the priorities and concerns that his group had raised in November 2014. He felt that they had been systematically ignored on issues which were real priorities or serious concerns for employers. The group had agreed that it would try again to have its views heard, by highlighting four specific concerns (red lines) and making four associated proposals.
- 374.** First, the description of outcome 8 was unclear because there was no consensus on the definition of "unacceptable forms of work". The fundamental principles and rights at work provided a consensual starting point, but the upcoming Governing Body discussion on area

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of critical importance (ACI) 8 would be critical in defining the concept, and its result must be taken into consideration before the approval of the programme and budget.

- 375.** Second, outcome 4 did not adequately reflect businesses' key role in job creation. More attention and resources should be given to the enabling environment (indicator 4.1), the most important area under that outcome. Based on the positive results of relevant ILO activities, the target for indicator 4.1 should be increased to 24 countries, not eight, and the other targets reduced accordingly. The ILO's Enabling Environment for Sustainable Enterprises tool had been successful, and should be mentioned. References to supply chains were confusing, did not add value and should be removed so as not to pre-empt the discussion to be held at the International Labour Conference in 2016.
- 376.** Third, ACT/EMP remained insufficiently resourced to fully participate in the Organization's activities; it urgently required more financial and human resources.
- 377.** Fourth, on outcome 1, the ILO should focus on skills development and apprenticeships, using a labour market needs' approach. The rationale behind the cuts to outcome 1, and to outcome 4, was unclear. Given that enterprises were the job creators, more resources should be allocated to outcome 1.
- 378.** The Employers' group could not support the programme and budget proposals unless the aforementioned issues were addressed positively.
- 379.** *Speaking on behalf of the Government group*, a Government representative of Italy thanked the Office for having issued the document well in advance of the session. She noted with satisfaction that the proposed programme and budget reflected a coherent framework that was firmly rooted in the ILO Declaration on Social Justice for a Fair Globalization. The progress made in terms of internal ILO reform was welcome; it had increased value for money and ensured that resources went to more critical and technical areas. The focus on lessons learned was also welcome. While integrated approaches to the outcomes were valuable, new silos should not be created. The strategies accompanying each policy outcome provided important focus; however, the performance indicators could be transformed into outcomes that would be more readily comprehensible to constituents. Further consultations on developing baselines to measure progress were needed.
- 380.** *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of India welcomed the proposed ten policy outcomes and the focused indicators, which took regional and national contexts into consideration. She noted that most of the outcomes would remain relevant beyond 2018 and highlighted the importance of partnerships among multilateral institutions with regard to the post-2015 development agenda. With regard to outcome 1, her group welcomed the focus on wage growth and rising inequality and, given that underemployment posed a major challenge, on youth employment and small and medium-sized enterprise (SME) interventions in the region. The focus on expanding local supply chains, under outcome 4, was appreciated, although it was necessary to ensure that interventions at the global level would not lead to non-tariff trade barriers. The partnership for transitioning to a green economy should be based on the principle of common but differentiated responsibilities. The ILO should work with national constituents to develop country-owned tools to improve the productivity and working conditions of SMEs.
- 381.** Baseline data, including on numbers of workers and their access to social security, was needed in order to create decent work for vulnerable rural populations. The ILO should intervene at the country level to alleviate rural poverty. The ILO's advice and technical assistance on the ratification and application of international labour standards to the member States which had requested it would be welcome. The increase in the level of resources allocated to the region was appreciated, although the level of resources allocated

to outcome 6 seemed low relative to the needs in the region and should be reviewed. The Office should recruit experts from under-represented countries for the 39 new technical positions and provide a roadmap for the recruitment process. The ILO should fully harness the potential of information technology, including by developing its public website in the remaining three UN working languages, to make it more widely accessible.

- 382.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe appreciated that the budget proposals were not only anchored on the reform agenda and the lessons learned so far, but also set the stage for innovation. He welcomed the proposal to redeploy US\$25 million to strengthen the technical capacity of the Organization and to maintain a zero growth budget. He also welcomed the clear structure of the proposals and agreed that baselines for the indicators were needed. The mainstreaming of the three cross-cutting policy drivers was welcome, particularly given the centrality of social dialogue to tripartism. However, his group had concerns about the prioritization of the regular budget proposals and extra-budgetary proposals, and the few country targets under outcome 5. The rural economy was a priority for the Africa region, and during the budget preview discussions, the group had called on the Office to focus on sectors such as agriculture, which had the potential to create more jobs. Clear workplans and coordination mechanisms should be developed to implement the budget proposals to avoid overlaps or duplication.
- 383.** *Speaking on behalf of the group of Latin American and Caribbean Countries (GRULAC)*, a Government representative of Cuba supported the proposal to cap the 2016–17 budget at just over \$797 million, and welcomed efforts to present a zero real growth budget, establishing a balance between the resources needed by the Organization to carry out its mandate and building on the achievements of the reform to date, while taking into account the ongoing financial difficulties faced by some countries. GRULAC urged the Office to continue making progress on the reform and adopting innovative working methods to achieve greater savings and efficiencies, to be used for substantive activities, in areas such as travel and subsistence allowances. It welcomed the strong emphasis placed on knowledge management and capacity building in collaboration with the Inter-American Centre for Knowledge Development in Vocational Training (CINTERFOR), and trusted that the ILO would continue to streamline and work with existing tools for technical assistance to ensure that the region benefited from more and better jobs for inclusive growth, improved youth employment prospects, the promotion of sustainable enterprises, and the formalization of the informal economy. It welcomed the \$25 million redeployment from administration and support functions to technical work, and supported the results framework for 2016–17. Noting with satisfaction the references in the document to South–South cooperation, GRULAC saw such cooperation as a specific demonstration of solidarity between the people and countries of the South and as a complement to North–South cooperation.
- 384.** *Speaking on behalf of the group of industrialized market economy countries (IMEC)*, a Government representative of the United Kingdom welcomed the document as a positive step forward, firmly framed in the context of the ILO Declaration on Social Justice for a Fair Globalization. To ensure coherence, there should be greater clarification of the relationship between the proposed programme and budget and the centenary initiatives. Applauding the ILO for the progress made in terms of internal reform, he urged the Office to maintain the pace and focus of that reform. He noted with satisfaction that the reforms had resulted in a budget that was identical in constant US dollars to the 2014–15 budget and respected the principle of zero growth. He sought clarification on how the efficiencies had led to savings. The ILO’s deepening engagement with the One UN initiative was an important step in ensuring that the UN system worked as efficiently and effectively as possible. In that regard, IMEC appreciated the increase in the contribution towards the financing of the UN Resident Coordinator system. The focus on lessons learned and integrated approaches was welcome, but they needed to be common practices rather than



approaches to be highlighted in the programme. Care should be taken to ensure that breaking down pre-existing silos did not lead to the creation of new ones. The results framework, the outcome strategies accompanying each policy outcome, and the strong emphasis on impact and effectiveness and the strengthening of the evaluation function were also welcome. The Office could go further in translating the performance indicators into outcomes that constituents could understand and identify with more easily. Furthermore, it was unclear why typically only one of the results criteria needed to be met. It would be useful if partial baselines could be provided in the interim and if the results criteria could better reflect the role of the ILO in achieving the desired outcomes.

- 385.** *Speaking on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden) and the Netherlands*, a Government representative of Norway expressed support for the programme and budget proposals, which maintained the principle of a zero real growth budget, while striving to advance the ILO's ability to deliver. He welcomed the greater emphasis on technical work and presence in the regions, the increase in Regular Budget for Technical Cooperation (RBTC) funding, and the continued focus on results and effectiveness and on working with the rest of the United Nations, other international organizations and the private sector. The increased contribution towards the financing of the UN Resident Coordinator system was welcome and should be reflected in the budget breakdown. Gender equality could be better reflected and more systematically integrated, especially in the results framework. Similarly, combating all forms of discrimination could be reflected more explicitly under the different outcomes and integrated into the results framework. More should be done to address discrimination against marginalized and vulnerable groups. He supported the smaller and more focused set of policy outcomes, with the emphasis on collaborative and interdisciplinary delivery to ensure impact, and the strong emphasis on job creation and on promoting and protecting fundamental rights. More details should be provided on: how the total of estimated resources in the strategic budget related to the operational budget; estimated income, including how the Office had arrived at a 52 per cent expected increase in RBSA contributions; and the methodology planned for setting the baselines, including examples. Cost recovery should be reflected in the budget.
- 386.** *A Government representative of France* said that the budget proposals should enable the ILO to maintain its level of commitment in carrying out its mandate, while giving priority to field activities by optimizing available resources. He noted with satisfaction that the reform was bearing fruit in budgetary terms and encouraged further efforts in that direction. The overall satisfaction with the zero nominal growth budget should not detract from the need to address the issues raised by IMEC. Moreover, with regard to expected budget savings, he was surprised that the travel policy reform had only had a slight impact on the draft budget, and that staff costs had failed to produce the level of savings usually generated from a reform process. He would therefore encourage continued efforts, along the lines of the changes made in the UN system. He expressed concern over after-service health insurance, and asked what steps would be taken to absorb that large liability and provide a solution that would not affect member State contributions.
- 387.** *A Government representative of Mexico* noting that the programme and budget proposals were in keeping with the ILO reform process, expressed support for the transitional strategic plan and new results framework. The issues covered in the ten policy outcomes were of particular interest to Mexico. He commended the ILO on being one of the first specialized agencies in the UN system to ensure that its results framework was in line with the sustainable development goals. Its focus in that respect would assist member States in making, with ILO support, the changes needed in the areas of decent work, social protection and poverty eradication. Mexico endorsed the budget of just over \$797 million and welcomed the redeployment of \$25 million from administration and support services

to technical work, and hence from headquarters to the regions. He called on the Director-General to continue his efforts to achieve efficiencies and savings.

- 388.** *A Government representative of Canada* supported the proposed Programme and Budget for 2016–17. Underscoring the importance of the cross-cutting policy driver on gender equality and non-discrimination, he requested additional information on its linkages with the women at work and the future of work centenary initiatives. Canada had noted its national position in favour of zero nominal growth budgets and thus welcomed the proposal to maintain the identical US dollar level as for 2014–15, while absorbing new costs.
- 389.** *A Government representative of Indonesia* said that his country continued to support the reform efforts. He noted that the policy outcomes reflected important aspects of the world of work, and that some resources would be allocated to strengthen ILO technical capacity. He hoped that the increased RBTC funding for the regions would be translated into strengthening the ILO's presence in the regions. Indonesia appreciated the proposed continued efforts to provide high-level policy advice and technical cooperation support to Asia and the Pacific countries and interventions for countries affected by natural disasters, and to maintain close collaboration with regional and subregional bodies, including the Association of Southeast Asian Nations (ASEAN).
- 390.** *A Government representative of the Republic of Korea* welcomed the efforts to enhance the Organization's efficiency and effectiveness and its programmes. It supported the proposed policy outcomes and enabling outcomes, which would lead to greater promotion of decent work. Outcome 1 would require governments, employers and workers to cooperate closely with one another to improve economic growth through job creation. However, the indicators for assessing the results of policy outcomes and baselines for each target should be clearer, and there should be a more thorough approach in setting targets and assessing progress.
- 391.** *A Government representative of Turkey* noted the coherence with the Declaration on Social Justice for a Fair Globalization, endorsed the transfer of resources from administration and support functions to technical work and the increase in RBTC funding for the regions. He also welcomed the inclusion of promoting fair and effective labour migration policies as a policy outcome, and urged the ILO to cooperate further with its constituents and other international organizations to that end.
- 392.** *A Government representative of Trinidad and Tobago* appreciated that the ten policy outcomes responded to many of the issues faced by Caribbean countries. Ministers of labour in the region had met recently and reiterated their commitment to the decent work goals of the ILO. She underscored the need to address youth employment in particular and welcomed the effort to streamline and focus ILO activities.
- 393.** *A Government representative of Japan* supported the Programme and Budget proposals for 2016–17, acknowledging that the zero growth budget had been built on the achievements of the internal reforms. While recognizing that the proposals responded to new ILO challenges, Japan noted that the proposed budget was transitional, pending its alignment with the United Nations medium-term strategic planning framework in 2018, and should therefore ensure consistency and continuity with the previous biennium. The budget for 2018–19, on the other hand, should be subject to a more drastic review, as it would not be transitional.
- 394.** *A Government representative of the Islamic Republic of Iran* conveyed his country's endorsement of the ILO's holistic approach and commitment to reform. The ten policy outcomes captured the major challenges in the world of work and the focus of the

document on strengthening the technical capacity of the Organization to provide high-value services to the constituents was praiseworthy, as was the initiative to improve the quality and relevance of the research, analytical and statistical capacities of the Office and to strengthen the strategic partnership between the ILO and the International Training Centre of the ILO (Turin Centre). The proposed programme and budget should ensure that the ILO had a proactive role in helping rebalance the global economy to promote strong and sustained growth alongside social justice, and lead to a deliverable, specific, measurable and time-bound plan of action for the next biennium.

- 395.** *A Government representative of China* said that the economic and social challenges faced by member States should be taken into consideration in the programme and budget, by ensuring it was more prioritized, effective and targeted. ILO support services to its member States should be further improved to enhance its response capacity in the world of work and its authority. China welcomed the results achieved through reform measures to date, and encouraged continued efforts. It called for more budget allocations to employment and social protection, for more technical cooperation in the regions, and for the establishment of an emergency response fund. It urged the ILO to strengthen its efforts to raise extra-budgetary funding and to draw on lessons learned when implementing the programme and budget. More attention should be paid to partnerships with stakeholders and to the economic, social and cultural diversity of member States.
- 396.** *A Government representative of the Russian Federation* supported the draft strategic plan with ten policy outcomes and three enabling outcomes, the format and structure of the results-oriented budget, and the redeployment of resources from administrative and support functions to technical activities. In difficult budget planning circumstances, it was important to target resources at a few key areas where their effect could be more easily monitored. She endorsed the allocation of increased funding to outcomes 3, 5, 6, 8 and 9.
- 397.** *A Government representative of Spain* drew attention to the situation of after-service health insurance. The proposed exercise exemplified the need to move gradually towards greater transparency and stronger governance of activities. While he could support the budget proposals, clarification was required, since the budget should faithfully reflect expenditure commitments and revenue forecasts. It was not sufficient for each period to reflect after-service health insurance payments arising from past commitments; the accrual principle required a commitment to be reflected in the biennium in which it was generated, and it was to be hoped that subsequent budgets would reflect commitments for future payments. The situation was not currently problematic, but might become so in the future.
- 398.** *A Government representative of the United States* endorsed the objective of strengthening the ILO's technical capacity and expanding its authority, which were essential in advancing the goal of decent work. She welcomed the emphasis in the proposed results framework on addressing key world-of-work challenges, for which the ongoing commitments to strengthening the knowledge base and impact assessments and applying the lessons learned would be critical. She applauded the internal reforms achieved to date and the continued commitment to reform and was pleased to see that the proposed zero growth budget would result in a decrease of 0.5 per cent over the current biennium without sacrificing programmatic capacity. She supported the ILO's deepened engagement within the One UN system and sought clarification on the relationship between the centenary initiatives and the programme and budget.
- 399.** *The Employer coordinator* stated that the programme and budget failed to make a sufficiently clear link between the main challenges in the world of work and the ten outcomes. As the areas of critical importance (ACIs) were the basis for the outcomes, the lessons learned from them should have been mentioned in the executive overview and preface, as well as under the outcomes. He sought information on a number of points. First,

he asked what new technical positions had been created within the Policy Portfolio and in the regions; which positions had been converted from managerial to technical positions; which positions had been re-profiled; which outcomes and regions were affected; how the Office had decided where to redeploy the funds; and how that related to achieving strategic priorities. Second, he asked why there were substantially fewer country targets for 2016–17, despite plans for a more ambitious strategy and 39 new technical positions. Third, he inquired which policy areas would be discontinued as a result of the focus on the ten outcomes and how their budget would be reallocated. Fourth, he requested the Office to provide more information on what reforms would be achieved in 2016–17, as well as on how successful the existing reforms had been and the relevant benchmarks. Fifth, three of the centenary initiatives (the enterprise, women at work, and future of work initiatives) warranted greater coverage in the proposed programme and budget, and he asked how the enterprise initiative in particular could be placed at the heart of ILO strategy. Sixth, the document did not mention flagship programmes or fragile and conflict-affected States, although they might account for substantial extra-budgetary technical cooperation expenditure in 2016–17. He called for an in-depth discussion on the flagship programmes and how they were determined.

- 400.** On the matter of costs, it was unclear how the Office was considering certain costs, as management and reform costs had been included under policy outcomes, not management services. The Employers could not support the significant shifts in budget between different outcomes, as the rationale was incomprehensible. The coordinator asked on what grounds the units had made the decisions, and how that was cleared. The Office should explain the substantial cuts in the budget for outcomes 1, 4 and 7, and why the budget for outcome 5 was almost \$50 million for only 12 target countries. He wished to know how the RBSA, set to increase by \$12 million, would be allocated. He also inquired why outcome 10 on employers' and workers' organizations received the lowest allocation per target. He called on the Office to explain how the strategic resources were calculated. It should be made clear that the resource allocations per outcome in table 2 did not give a real picture of the level of resources directly available to constituents. Regarding outcome 10, the Employers' group requested separate figures for the amounts allocated to employers' and workers' organizations, with a detailed breakdown for the budget for employers' organizations.
- 401.** *The Chairperson* opened the discussion on Policy outcomes (paragraphs 38–179), Regional contexts (paragraphs 180–203), and Research, knowledge, labour statistics and capacity development (paragraphs 204–223).
- 402.** *The Employer coordinator* noted that relationships between the various policy outcomes had not been made clear. His group did not support the emphasis on supply chains that appeared under many outcomes, despite its repeated requests not to pre-empt the relevant Conference discussion in 2016. The group welcomed the reduction in the number of cross-cutting policy drivers, but considered that they could have been clearer. To serve any real purpose, the section on regional contexts would have to contain substantive information and be better integrated into the ten outcome strategies. With regard to external partnerships, collaboration with other organizations in promoting the principles of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) was still missing. On indicators, many of the means of verification related to reports or official documents, which seemed to be weak. It was not clear how targets had been arrived at. He wondered whether a workplan would be developed for each outcome at the start of the biennium. The Employers' group proposed an increase in the budget of outcomes 1, 4, 7 and 10, and a corresponding reduction in outcomes 5 and 8, with the total budget remaining at the same level. The number of targets should be increased or decreased accordingly.

- 403.** On outcome 1, the Employers' group was pleased with the inclusion of the link to an enabling environment for sustainable enterprises given its importance for employment creation. However, the Office should have recognized it as a cross-cutting feature of any ILO work in that area and the starting point for job creation, alongside better reflection of business needs in order to encourage investment in productive activity. The text was overly focused on macroeconomic policy. It lacked an understanding of what job creation consisted of, and the indicators did not appear to measure it. Regarding youth unemployment, the focus needed to be on skills development and apprenticeships, not the rights-based approach proposed, as well as on youth entrepreneurship. More clarity was needed on the role of green policies in supporting youth employment, and why green policies were only mentioned in relation to that issue. The Office should include the Global Apprenticeships Network among its partner organizations. Indicator 1.1 did not help to assess ILO action and it was also a matter of concern that no indicators measured the expansion of employment. Concerning indicator 1.2, many countries had no apprenticeships and advocacy was needed. Outcome 1 had the largest budget reduction of all outcomes, despite the importance of tackling unemployment. The Employers' group therefore proposed that an additional \$13 million of regular budget be allocated for that outcome.
- 404.** On outcome 2, baseline figures should be provided, pending confirmation at the end of 2014–15. Text on regulatory impact assessments should be added to the legal gap analyses in paragraphs 60 and 63, with a view to looking more systematically at the possible impact of new regulations. Also in paragraph 60, the linkages with outcomes 7 and 8 should be clarified. In paragraph 61, cooperation with ACTRAV and ACT/EMP should be included alongside collaboration with the Turin Centre. Regarding indicator 2.1, it was unclear if the current target of 60 per cent related only to government responses – in which case, that should be clearly stated – or if it also included responses by employers' and workers' organizations – in which case, separate targets for governments, employers and workers should be specified. For indicator 2.2, the first results criterion should read "International labour standards are ratified and the necessary steps for effective application are taken". Regarding indicator 2.3, the third results criterion should be made more specific in order to reflect increased capacity.
- 405.** On outcome 3, the Employers' group welcomed the broadened scope to include countries facing challenges in expanding social protection systems and making them more sustainable. However, it should be made clear that that extension included qualitative and quantitative extensions of coverage and of benefits. Sound costing and fiscal space analysis had been correctly identified as a success factor, but the ILO had to be careful both in terms of implementation and conclusions, as they should be undertaken with ministries of finance, and the ILO did not decide national budgetary priorities. In the fifth bullet of paragraph 71, an analysis of current schemes in terms of fund collection and management should be included.
- 406.** On outcome 4, the Employer coordinator stressed that without private enterprises there could be no economic growth. He asked why the Employers had not been consulted in order that they could provide content relevant to the objectives of the outcome. The latter was a mix of different lines of action which did not mutually reinforce each other, whereas it could have formed the pillar of technical work on an enabling environment. There should be a direct reference in the outcome statement to the 17 pillars of the 2007 resolution concerning the promotion of sustainable enterprises. The outcome contained a wide array of work areas and provided no indications as to how the ILO intended to achieve its objectives in key areas. Paragraph 79 should recognize the work already done as part of the Enabling Environment for Sustainable Enterprise (ESEE) process. It was surprising that no mention had been made of the growing demand for support for monitoring and evaluation, or of the activities of ACT/EMP in that respect.

- 407.** The ILO should devote greater attention to the link between job creation and environments conducive to sustainable enterprises, which should serve as a central focus of the work under the outcome. However, the proposed approach lacked focus. On improving working conditions and productivity in small and medium-sized enterprises, no details were given about how that would be achieved or whether the social actors would have a role in it. Although a concerted effort had been made to have green jobs featured in the outcome, the relationship to the other areas of work was not always clear. It was unclear how the framework of policies and regulations for promoting sustainable enterprises could be aligned with sustainable development objectives while the post-2015 sustainable development agenda was still under discussion. He reiterated that the target of eight countries for indicator 4.1 was low and should be increased to 24 countries; the targets for indicators 4.2 and 4.3 could be reduced to eight and 16 countries, respectively, so that the overall number of target countries would stay the same. The regular budget for the outcome should be increased by \$10 million.
- 408.** Outcome 5 was more an issue for the Sectoral Policies programme and should focus more on skills development. To unleash the potential of rural areas, the approaches recommended by the 2008 International Labour Conference conclusions on rural employment (strengthening entrepreneurship; building leadership capacity; and promoting rural sustainable enterprises) should be adopted. Outcome 5 was the most “inefficient” outcome with the lowest productivity (attaining the 12 targets would cost more than \$4 million each); the budget for the outcome should therefore be reduced by \$10 million.
- 409.** The link between outcomes 5 and 6 should be clearly stated. In the formulation of the problem to be addressed under outcome 6, reference to the “workforce worldwide” failed to cover the vast number of children and elderly people living in informality. It was doubtful that the informal economy had a negative impact on fair competition, since informal firms operated in distinct markets. A central goal should be to formalize not only employment but also enterprises, and hence employees. Efforts to extend social protection to informal workers must be designed in such a way as to avoid creating incentives to remain in the informal economy. Informality created barriers to the effective national implementation of international labour standards. It was important that member States had reliable data on the size and scope of informality in their countries.
- 410.** The proposal in outcome 7 did not seem to contain a clear strategy. The key expected changes concerning strengthened capacity of labour inspectorates, employers’ and workers’ organizations, and of improved national institutional, legal and policy frameworks for workplace compliance, were not reflected in the indicators or results criteria. It was unclear why or how partnerships with the World Bank would be strengthened in order to improve workplace compliance. With regard to the second results criterion under indicator 7.2, strengthened collaboration could also take place with social partners individually and did not necessarily require bipartite or tripartite social dialogue mechanisms. It was not clear how cooperation with private or non-profit compliance initiatives could be taken into account at the institutional level within the ILO. Because the lack of workplace compliance was a major problem, an increase of \$2 million in the budget for the outcome would be expected.
- 411.** There was an ongoing lack of clarity regarding the meaning and added value of the concept of unacceptable forms of work. When considering outcome 8, it would be useful to take account of the debate at the current Governing Body session on the paper concerning the corresponding ACI.<sup>2</sup> The scope of unacceptable forms of work should be limited to fundamental principles and rights at work, until the unacceptable dimensions of other

<sup>2</sup> GB.323/POL/1.

working conditions, in particular wages, had been satisfactorily defined. The regular budget for the outcome should be reduced accordingly.

- 412.** Concerning outcome 9, labour migration policies should not focus only on a rights-based approach, but also address skills shortages and take account of the needs of enterprises. A balanced approach would be required to promote social dialogue, help build the capacity of social partners and ministries of labour, and address the lack of data on migration among other things.
- 413.** While outcome 10 stressed the importance of tripartism and social dialogue, that was not reflected in the proposed regular budget allocation, which would experience the second largest reduction. On the basis that there should be an equal budget for work of equal value, the resources available to ACT/EMP should be increased by at least \$4 million to allow it to participate fully in the activities of the Organization.
- 414.** While he welcomed the reduction from five to three cross-cutting policy drivers, it was not clear how they fitted into the results-based framework or how they would be monitored. Moreover, there was the potential for overlap between the cross-cutting policy drivers and the outcomes. With regard to social dialogue, employers' and workers' organizations needed to be consulted on a regular basis at the beginning of processes.
- 415.** The purpose of the overview of regional priorities was not clear. The section of the document should contain substantive information about how many resources each region would contribute to each outcome. In the priorities defined for Africa, mention should be made of the need for sustainable enterprises and the region's engagement to their promotion, especially SMEs. Youth and women entrepreneurship should also be included, in particular given the important role of women in conflict and post-conflict situations. For the Asia and the Pacific region, the distinction between middle-income and least developed countries should be graduated so that they were not provided only with high-level policy advice or technical cooperation. There were still high levels of informality in Latin America and, despite significant reductions in poverty and inequality, the region again faced a scenario of uncertainty. The Employers' group had not been consulted about the areas on which attention would be focused in that region (rural areas, labour migration and unacceptable forms of work). For the Europe–Central Asia region, the Employers expected that ILO cooperation with European social partners would be channelled through ACTRAV and ACT/EMP. The text for the Arab States was generic, making it difficult to comment.
- 416.** *An Employer representative* said that the group recognized that research did not play a strategic role for the ILO and did not need the guidance or input of the Governing Body.
- 417.** *The Employer coordinator* noted that one of the “red threads” running through each of the outcomes in the programme and budget proposals was the need to develop the capacity of constituents. However, it seemed that the Office's overall strategy was linked only to collaboration with the Turin Centre. The current approach seemed to be fragmented and lacked clear accountability and measurement mechanisms. The reference to the Turin Centre as a “global knowledge hub” was unclear: the Centre was a training facility and did not generate research and knowledge.
- 418.** *The Worker spokesperson* said that the cross-cutting issues should be better reflected in the indicators for some policy outcomes. The reference to “governments, in consultation with social partners” should be standard language and practice in all relevant indicators. The phrase “in line with international labour standards” could also be taken as a model and used consistently throughout the document. The varying levels of ambition in some of the

results criteria and disparities in the number of target countries (under outcomes 3 and 5, for instance) were causes for concern.

- 419.** He supported the strategy for outcome 1 but called for indicator 1.4 to include a reference to structural transformation as an objective of various policy measures. The proposed work on youth was overly biased towards supply-side measures: more emphasis should be placed on the rights of young workers and the promotion of related tools. Indicator 1.2 and the corresponding results criteria should refer to “decent” employment, jobs and skills.
- 420.** Under outcome 2, it was regrettable that the regions with the lowest ratification rates were also those with the lowest targets; his group expected to see higher targets for ratification across all regions including in respect of the standards identified in Conference discussions as in need of promotion. In view of the number of Decent Work Country Programmes being developed, a specific result criterion should be added under indicator 2.2: “percentage or number of Decent Work Country Programmes to be developed in the biennium that include targets for ratification of international labour standards”. Result criterion 2 under indicator 2.2. had a low level of ambition. Creation of a standards-review mechanism would make it possible to identify areas where there was a need for new standards. The ways in which the ILO would help promote the ratification and implementation of standards together with other organizations should be made clearer.
- 421.** The Group supported the strategy of outcome 3 and asked the Office to increase the level of ambition by setting higher targets. A third results criterion could be added under indicator 3.3 in respect of ratification of the Social Security (Minimum Standards) Convention, 1952 (No. 102). With regard to outcome 4, a reference to the Promotion of Cooperatives Recommendation, 2002 (No. 193), should be added in the paragraph on international labour standards. Work on projects should better address the role of collective bargaining to improve working conditions. The focus of the outcome should be on small and medium-sized and multinational enterprises. Cooperatives and the social economy should be key priorities. A balance should be struck, in indicator 4.2, between work on enterprises and cooperatives; targets under indicator 4.1 could be increased but the other targets should not be reduced. The ILO’s approach to the rural economy in outcome 5 should be focused and not duplicate the work of organizations such as the Food and Agriculture Organization of the United Nations (FAO); it should therefore concentrate on the rural wage economy, especially plantations with a focus on rights, social protection and the promotion of mature systems of industrial relations. Greater ILO engagement with the Committee on World Food Security was necessary. The very low targets should be clarified.
- 422.** Under outcome 6, clear reference would need to be made to the proposed instrument concerning transition from the informal to the formal economy to be adopted in June 2015. National employment policy frameworks should give priority to job-centred macroeconomic policies and industrial policies that encouraged expansion of formal and higher added value jobs. Mention should be made of the benefits of formalization, and the targets for Africa should be strengthened. Conventions Nos 81 and 129 were particularly important with regard to outcome 7. Private compliance initiatives often operated in countries with weak public labour inspection, so the Office needed to ensure that unions and employers were involved in such initiatives. Reinforcing public inspections based on the relevant ILO standards should be a priority of ILO work.
- 423.** Under outcome 8, work on wages was welcomed as being consistent with the ILO constitutional mandate and the Social Justice Declaration. Particular attention should be paid to child and forced labour in agriculture, and to the reduction of anti-union discrimination. Limiting the definition of the outcome to fundamental principles and rights at work would not be acceptable to his group. The ratification of Conventions Nos 87 and



98 was an important issue. Several implementation gaps also remained to be addressed. The Office should collect statistics on freedom of association and collective bargaining, and the third results criterion under indicator 8.2 should refer to gender-disaggregated statistical data. Recommendation No. 198 should be added to paragraph 132.

- 424.** In the context of outcome 9, the Office should make better use of Decent Work Country Programmes to promote the relevant standards. An additional output should be included on the tripartite development of guidelines on recruitment. External partnerships needed to focus on joint efforts to enhance protection of the rights of migrant workers, and specifically migrant domestic workers. The surprisingly low number of countries listed as targets on a regional basis needed to be increased.
- 425.** Under outcome 10, it was essential to develop the capacity and organizational base of unions at national level. Concerning the difference in funding for workers and employers, there were considerably more workers than employers in the world, and the central mandate of the ILO focused on the protection of workers; the concept of an equal budget for work of equal value did not therefore quite stand up.
- 426.** The Office should give serious consideration to how the cross-cutting issues would be drawn out in all the outcomes in ways that delivered visible results, particularly when it came to gender equality and discrimination. In the section on regional contexts, there was a lack of focus on international labour standards, particularly freedom of association and collective bargaining: none of the regions had highlighted outcomes 2, 5 or 10. In Africa, the focus on youth entrepreneurship was too narrow. A broader strategy for industrial development was needed in order to obtain sustainable results, and the focus in fragile States should be on decent work, not just on productive employment. In the Americas, work on sustainable enterprises should include improving working conditions and promoting freedom of association and collective bargaining. The commitment to address the low rates of ratification of standards in the Asia and the Pacific region was welcome although a long-standing demand of the Group had not been met to date. In the section on Arab States, problems related to the low ratification of core conventions and absence of trade union rights should be better reflected. The promotion of freedom of association, collective bargaining, social dialogue mechanisms and respect for the fundamental principles and rights at work of migrant workers should be reflected as main priorities. In Europe, the Office needed to implement the Oslo Declaration and offer stronger guidance on implementing ratified ILO standards and maintaining meaningful social dialogue in order to counter the attacks on collective bargaining.
- 427.** ILO research should place more emphasis on the quality of employment and the key role of international labour standards in contributing to sustainable development, and on addressing income inequalities globally. The research opportunities set out in the centenary initiative were welcome. The socio-economic impact of the increase in non-standard forms of work should be included in the Office's major research programmes. Research into macroeconomic, green and trade policies should include a focus on industrial policies.
- 428.** The launch of the *World Employment and Social Outlook* report was welcome, as was a single database of all the main indicators of decent work. The Group also supported the continued publication of the Global Wage Report and the World Social Security Report. The Group supported the alignment of the Centre's courses with the ten outcomes. Greater emphasis should be placed on international labour standards and tripartism in the Turin Centre's courses.
- 429.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe noted with appreciation the indicators and the considerable number of targeted member States, particularly from his region, under outcome 1. On outcome 2, there was certainly a need to

review international labour standards. Support for building the capacity of stakeholders other than ministries of labour was welcome. On outcome 3, the proposal to provide support on social protection floors through Decent Work Country Programmes would enable constituents to benefit directly at country level. Synergies needed to be developed between the means of action to be taken under outcomes 4 and 6. In view of the fact that eight out of ten of the world's poor lived in rural areas, a fair number of country targets and more resources should be allocated to outcome 5. Strengthening labour inspectorates was another means of protecting workers from unacceptable forms of work, so the Office should ensure synergy between outcomes 7 and 8. Regarding outcome 9, there was a need for strong advocacy for a rights-based approach to achieve increased recognition and implementation of ILO instruments. The issue of social protection for migrant workers should also be addressed under outcome 3 on social protection floors. The objective of building the capacity of employers' and workers' representatives to participate in developing informed policies, as set out in outcome 10, was welcome. The Africa group was ready to support the budget proposal, on the condition that its views on specific items were given due consideration.

- 430.** *Speaking on behalf of GRULAC*, a Government representative of Cuba welcomed the fact that the conclusions of the Lima Declaration had been considered in the preparation of the programme and budget proposals, and agreed that the ILO should take into account elements including different models, focuses, stages of development and priorities in order to achieve the objective of decent work for all workers. To ensure that developing countries could attain that objective, the Office needed to support and cooperate with middle-income countries in a way that was adapted to their needs and role in the development cooperation system. He asked whether it would not be more appropriate to distribute indicator 10.6 equally among all the regions.
- 431.** *Speaking on behalf of IMEC*, a Government representative of the United Kingdom noted that the policy outcomes should be more clearly defined, and requested more information on how implementation was to be carried out through workplans. Although she supported the focus of outcome 8, it appeared redundant in some respects, as various other outcomes would contribute to the same objective. In many outcomes, greater coherence was needed between expected changes and indicators. The programme and budget should recognize work involving the post-2015 development agenda and its implementation, particularly, but not limited to, sustainable development goal 8. It should include cooperation with the UN system to make the United Nations fit for purpose. The Standards Initiative should be reflected in outcome 2, and further information was required on how it would impact the overall budget. The strategies of many policy outcomes should be developed further to include meaningful baselines. Some outcomes were formulated as targets and others as processes, and some referred to actions to be taken by States, which might make it more complicated to assess the impact of ILO activities. The three cross-cutting policy drivers should be more visible in the outcome indicators, and gender equality should be given greater prominence. On the plans to develop policy tools and materials, she asked whether the Office had an inventory of its existing tools and how much it would spend on developing new ones. It should avoid developing numerous materials that would not be widely used.
- 432.** *A Government representative of the United States* indicated that a clearer distinction should be made among the individual policy outcomes, and that the accomplishments expected under each one and the links existing among them should be clarified. She asked how and where the five global flagship programmes under the ILO Development Cooperation Strategy 2015–17 would fit in with the ten outcomes, and how their implementation would be reflected in the outcomes, targets and indicators for 2016–17. Information should be provided on how the proposed targets had been set, given that in the majority of cases baselines would not be available until the end of 2015. Recent

developments relating to the effective functioning of the ILO supervisory system and the Standards Initiative should be reflected in the indicators and targets. She asked for information as to how that would be reflected in the budget. The proposed indicators and targets did not mention the standards relating to occupational safety and health, labour inspection and equality of opportunity and treatment. Additional indicators related to the Office's production of working documents to support the work of the supervisory bodies, and the proposed training academy on international labour standards would be useful. The language of outcome 3 could be amended to "Establishing and maintaining social protection floors", in order to be consistent with the ILO Social Protection Floors Recommendation, 2012 (No. 202). Environmental sustainability and industrial relations were not reflected in the results criteria for indicator 4.2 despite being included in the indicator itself. The results criteria for indicator 6.1 appeared too broad in some respects and too narrow in others. It was unclear whether unilateral actions by the government to develop or revise policies and laws would qualify as reportable. The means of action in outcome 7 should include working with constituents on their allocation of sufficient resources for effective labour inspection systems. On outcome 8, further thought was needed regarding the focus on particular populations, such as migrant workers, and its impact on other outcomes. The indicators and targets for outcome 9 required some refinement. Examples of the "enhanced international cooperation" in the results criteria for indicator 9.3 should be provided. She asked how members of the Research Review Group would be chosen and how its work would relate to research done in field offices. Information would be welcome on the decrease in funding for outcomes 2 and 7, and on where to find in the programme and budget proposals the funding allocated to gender equality and non-discrimination.

- 433.** *A Government representative of Brazil* commended the budget allocation for South–South and triangular cooperation and the balance between voluntary contributions and regular budget allocations. It was important for voluntary contributions not to outstrip the regular budget allocations. She observed that the ILO should not lose sight of the fact that most working poverty was in middle-income countries, and similarly, that the targets in outcome 5 seemed less ambitious than for other outcomes. Noting that in 2014 a number of documents had been published to coincide with the opening of the International Labour Conference, she indicated that a more opportune moment for the publication of the *World Employment and Social Outlook* report should be identified in 2015 so as to maximize its impact.
- 434.** *A Government representative of the United Kingdom* welcomed the emphasis in the report on evidence and evaluation, as well as on collaboration with other international agencies and partners. The programme did, however, imply an over-reliance on subsidization for job creation, in spite of evidence showing that subsidies helped short-term job creation but had mixed success in the longer term. The programme also generally focused too much on job creation rather than raising incomes: in low-income countries, it was primarily the raising of incomes through inclusive growth that was needed.
- 435.** *A Government representative of Japan* noted that, although the budget proposals had a simpler structure and clearer objectives than in 2014–15, the rationale behind the ten outcomes and the relationship with the four strategic objectives was unclear. While it was difficult to review the proposed budget at such a late stage, the policy outcomes should be reconsidered in the Strategic Policy Framework for 2018–21 and in the cycle of the United Nations Quadrennial Comprehensive Policy Review. In that context the linkages between the policy outcomes and the strategic objectives should be strengthened and made clearer, in line with the ILO Declaration on Social Justice for a Fair Globalization. Concerning resources for the regions, additional resources should be allocated to Asia and the Pacific, since 60 per cent of the global labour force lived there, many of whom worked in the

informal sector and suffered from poverty and inequality. Also, the region was particularly susceptible to natural disasters.

- 436.** *A Government representative of China* said that outcome 1 was crucial, yet the regular budget in that area had been reduced by several million US dollars in comparison with the previous budget period. To boost employment, he encouraged the ILO to step up external partnerships; carry out further research analysis on industry investment; and prioritize the role of technical matching of skills. He outlined the importance of policies taken by his Government in respect of outcomes 3 and 4, and advocated more sharing of experiences on labour policies regarding outcome 7 on labour inspection. When collecting and processing data on best practices as part of its research agenda, the ILO should place greater emphasis on the role of local experts.
- 437.** *The Chairperson* opened the discussion on Enabling outcomes (paragraphs 224–254).
- 438.** *The Worker spokesperson* supported the general scope of the three enabling outcomes. Nevertheless, outcome A could be made more ambitious in view of the global importance of the Decent Work Agenda. As an example, indicator A.1 should state that United Nations Development Assistance Frameworks should incorporate all four pillars of the Decent Work Agenda rather than only two. In outcome B, follow-up to the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization should not be considered merely as a governance issue, since its results would also have to be integrated into the Organization’s policy work. The Workers appreciated the emphasis on risk management, including the establishment of a risk register, and the detailed information provided by the Office in that regard.
- 439.** *The Employer coordinator* noted that in the previous programme and budget period, targets and indicators for outcomes B and C had been contained in the overarching management strategies on technical cooperation, evaluation, human resources, information technology and knowledge. He asked whether new strategies focusing on those areas would be developed for 2016–17. Referring specifically to outcome A, he called for stronger involvement of constituents. For the ILO to influence the G20, it should involve the B20 and the L20; and to influence governments, it should fully inform and involve the respective social partners. The means of verification needed to be further elaborated, since it was insufficient to rely on the reports of ministries of labour and *Official Gazettes*. Referring to outcome B, he asked the Office to: include more information on constituents’ involvement in the outcome; establish governance structures and control mechanisms to ensure that all communications and publications from the Office reflected the ten outcomes; clarify the distinction between the ILO as an Organization and the ILO as an Office; assess the success of reform efforts to improve governance since the beginning of the new Director-General’s mandate; and explain why the risk “exchange rate fluctuations” from the previous period no longer applied. Referring to outcome C, he suggested incorporating measures of the delivery rate of aspects of the budget such as the RBSA and the RBTC at different stages during the biennium so as to help resource management. In reference to the proposed operational budget in the annex, he welcomed the reduction of the budgets for the Director-General and the Deputy Directors-General offices but requested further details on “grants”. He asked why programmes for major regional meetings had received an extraordinary increase in the budget of 26.6 per cent.
- 440.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe urged the Office to ensure that decent work was a key component in all its external partnerships. His group also encouraged the Organization to continue its reforms and to strengthen governance in order to improve its capacity to deliver on the ten outcomes.

441. *Speaking on behalf of IMEC*, a Government representative of the United Kingdom praised the attention paid to the ILO's risk management capability and to external partnerships. He requested the Office to provide updates of the latest strategies and efforts at engagement with external partners so that constituents could support those efforts, and to revise the targets and indicators to reflect the importance of multilateral engagement. IMEC was pleased with the approach taken to ensure that voluntary contributions, such as those to the RBSA, aligned with strategic and country priorities, but requested more information on how that unarmarked fund would be used to support the outcomes. Outcomes B and C were high priorities for IMEC. In outcome B, the targets should be described in a more strategic way, while two targets should be added to outcome C: one relating to efficient support services and the second to monitoring the process of resource redeployment to technical and field roles, which was currently overly dependent on increases in voluntary contributions.
442. *A Government representative of the United States* observed that some targets, such as the follow-up to project evaluation recommendations and the percentage of Decent Work Country Programmes that met quality criteria, could be higher. She welcomed the increase in resource allocation to oversight and evaluation and the emphasis on impact assessment and looked forward to the independent external evaluation of the evaluation function. She proposed adding a further target to indicator B.4 to ensure that issues identified during the independent evaluation would subsequently be addressed.
443. *A Government representative of the United Arab Emirates* speaking in his capacity as the Government Vice-Chairperson of the Board of the International Training Centre of the ILO, Turin, welcomed the importance attached to capacity development through cooperation with the Turin Centre in a majority of policy outcomes. The consideration given to the Centre in the programme and budget proposals indicated the Director-General's commitment to its role and to further strengthening collaboration and coordination of resource mobilization; such a commitment was essential to ensure the smooth running of the Centre and would be important for the development of its new strategic plan.
444. *The Director-General* thanked the members of the Governing Body for their input and informed them that the Office would respond to points of technical information at the conclusion of the discussion of the PFA Section the following day; he would provide a more political response, as foreseen, on Wednesday of the following week.
445. *A representative of the Director-General* (Director, Strategic Programming and Management Department) recalled that, since 2000–01, budget proposals had been based on a strategic approach that derived from a results-based methodology. The strategic budget for each policy outcome as presented in table 2 included all costs, excluding the costs related to policy-making organs and management services. The strategic budget for each policy outcome was thus higher than the individual operational budgets for the corresponding administrative units. Preparation of the strategic budget was based on the priorities set by constituents and the capacities available to the Office. Using preliminary information on targets and available resources, technical units at headquarters and in the regions, provided a plan indicating resources linked to the different outcomes. The programme proposals and "resource linking" were then submitted to internal peer review, and adjustments were made accordingly. Care should be taken when comparing the strategic budgets for 2014–15 and for 2016–17 because they referred to two different frameworks. The changes resulting from the shift to ten outcomes, down from 19 outcomes, should therefore be analysed in relative rather than absolute terms.
446. With regard to the relationship between the strategic budget and targets, the latter were grounded in specific capacity and plans, as well as in experience regarding the results that

could be achieved with currently available resources. Accordingly, the levels of targets under different outcomes were not comparable. Some criteria were relatively easy to meet, while others were not, and so required relatively more investment and resources. In consequence, some results were more resource-intensive than others.

- 447.** With regard to the budget for gender equality, that was included in the operational budget of the Conditions of Work and Equality Department and of the regions where gender specialists were located. A number of technical cooperation projects specifically addressed the issue, and dedicated products and services were factored into several outcomes. It was important to remember that the ten strategic outcomes were interdependent and mutually reinforcing, and they should always be considered as integrated responses to the needs expressed by member States and in relation to the ILO's role in the multilateral system. Resource allocation continued to be a key concern. A more balanced distribution of resources from the regular budget and the RBSA had helped to offset the imbalance in the distribution of extra-budgetary resources.
- 448.** The proposed formulation of indicator B.1 under the enabling outcome on governance reflected efforts to set more precise targets that would take account of the results achievable under the governance reform up to 2017. Regarding the absence of a target on improving the efficiency of support services under indicator C.3, the upcoming review of administrative, business and processing functions would provide further opportunities to determine the most efficient and effective service delivery models and identification of appropriate targets. Some existing management strategies (such as that on evaluation) had been extended to the end of 2017; a new technical cooperation strategy was being proposed, and human resources and information technology strategies had been developed as part of the reform process.
- 449.** With regard to the process and methodology for establishing targets and baselines, he recalled that some outcomes were clearly linked to the current Strategic Policy Framework, while others were derived from ACIs for which a clearly defined results framework did not exist in 2014–15. Targets had been formulated on the basis of country and constituent needs and of Office capacities. Baselines would be determined through a collaborative process involving headquarters and field offices on the basis of the ILO's performance at the end of 2015 and taking into account the Governing Body's guidance on the ACIs. With regard to the overview of regional contexts, the document emphasized outcomes for priority action in each region, but that did not mean that work would not be undertaken in relation to other outcomes.
- 450.** Regarding the increase in the RBSA, estimates were based on known approvals and estimated delivery as per data available in November 2014. RBSA contributions approved by eight donors had amounted to \$31.5 million in 2014. The Office expected total RBSA approvals to reach \$42 million for the biennium 2014–15. While it was difficult to anticipate the level of RBSA that would be allocated to employers' activities in 2016–17, an amount of \$1.9 million had been allocated since the beginning of 2014.
- 451.** *A representative of the Director-General* (Treasurer and Financial Comptroller) responding to the financial questions raised, said that the operational budget for 2016–17 reported the number of work-years, divided into "Professional" and "general service" categories, for each organizational unit. A direct comparison with the corresponding table for 2014–15 would clearly identify the areas of increase. He identified, by way of example, the increase in professional work-years for the Policy Portfolio, from 495 to 540 work-years. With the exception of the Deputy Director-General's Office and the Sectoral Policies Department, all departments in the Portfolio had budgeted for an increase in Professional staff. A comparison of the Field Operations and Partnerships Portfolio with the previous biennium showed an overall increase of 35 professional work-years with the

individual regional office budgets showing an increase of 38 work-years. The net increase of 17 positions in the Portfolio translated into 19 positions directly in the regions, owing to reductions elsewhere in the Portfolio. Of the 60 re-profiled positions, 18 were conversions of general service positions to Professional positions; 11 were managerial positions converted to technical specialists; and 31 positions were re-profiled or redeployed within existing units, namely shifts from administrative to technical positions and from senior to junior technical specialists, which had increased the overall number and mix of specialists. Four of the 19 re-profiled positions were distributed in Africa, two in Asia, seven in the Americas and two in Europe. The Policy and Support Services Portfolios had a total of 32 re-profiled positions. ACTRAV and ACT/EMP had four re-profiled positions, and in the management area there were five.

- 452.** The redeployment of \$25 million for strengthening the technical and professional capacity of the Office came from re-profiling of positions, which accounted for \$16.4 million, and redeployment of non-staff resources towards priority areas, accounting for a further \$8.2 million. The \$25 million would be redeployed to fund ten new positions in the Policy Portfolio (\$4.6 million); 17 new positions in the regions (\$6.7 million); and increases in RBTC and in the Resident Coordinator system (\$2.5 million and \$2.7 million, respectively). There was also provision for an additional regional meeting at a cost of \$561,000, while the budget for Oversight and Evaluation had been increased by \$330,000. The balance of \$7 million would be redeployed to reinforce technical and professional capacity within existing departments.
- 453.** The presentation of the risk register had changed, based on the advice of the newly appointed Senior Risk Officer. It contained more standardized definitions of risks, their root causes and remedial actions. In substance, however, it was consistent with the previous risk register. The risk related to foreign exchange was retained; it was described as one of the root causes of the economic risk in table 4, risk 6. The remedial actions remained valid and provided a good level of protection to the regular budget.
- 454.** A \$1.5 million budget reduction due to the change in policy on travel on official business of ILO staff had been reflected in the Programme and Budget for 2012–13. Further savings resulting from the alignment of the travel rules for Governing Body members and meeting delegates with those for ILO staff, amounting to some \$500,000, had been taken into account in the proposals for 2016–17. When considering staff costs, it was necessary to look not only at the dollar amount but also at the volume of staff inputs. The availability of expertise would be increased by 100 professional work-years in 2016–17 compared with 2014–15. After-service health insurance (ASHI) was an increasing expense, but one that was due to demographic factors and the Organization's current policy on meeting that cost. No decision had been taken by the Governing Body at its 322nd Session on a change of policy on ASHI, pending the United Nations General Assembly's consideration of the system-wide review and as such the pay-as-you-go methodology had been retained. Following the removal of one regional meeting from the budgetary provisions for 2014–15, the proposals for 2016–17 included resources for two regional meetings, since there was no indication of a change to the practice of holding two regional meetings each biennium. He advised that grants included direct contributions to the Turin Centre (\$8.2 million), the Inter-American Centre for Knowledge Development in Vocational Training (\$2.3 million), the long-term building renovation fund (\$3.8 million), staff development and training (\$12.1 million) and the core structure of the Administrative Tribunal (\$600,000).
- 455.** *The Worker spokesperson* recognized that a fuller draft of the programme and budget proposals had been provided than in the past. However, it would be useful to have had some of the additional information available beforehand, and to have the figures that had just been presented made available in a document. The Governing Body was not the appropriate place to demand substantial budget reallocations. Nonetheless, he wished to

emphasize the importance of allocating adequate resources to deliver on all four pillars of the Decent Work Agenda.

- 456.** *The Employer coordinator* agreed that having the figures presented in a document would facilitate consultation within the Employers' group.
- 457.** *The Chairperson* suspended the discussion on the programme and budget proposals and recalled that the Director-General would provide his detailed response on Wednesday of the following week.
- 458.** The Governing Body reconvened on 25 March. The Director-General introduced his proposals for adjustments to the Programme and Budget proposals for 2016–17.<sup>3</sup> The Director-General's statement is reproduced in Appendix II.
- 459.** *The Employer coordinator* said that, for the sake of making progress, his group had proposed to the Strategic Programming and Management Department that discussions regarding remaining concerns should be continued with the Employers' Secretariat. Regarding outcome 4, the proposed adjustments were encouraging, although the group had requested that the number of target member States under indicator 4.1 be increased to 24, and still expected that adequate modifications could be made to that effect. Regarding outcome 1, he noted and accepted the points raised by the Director-General with regard to youth and skills. However, the group regretted that the focus had been on the size of the allocation, which remained the highest, not on the fact that it had been reduced the most. Regarding outcome 8, the Employers noted the Director-General's intention to direct resources to the most deserving and worst situations and to continue with a consensual approach to addressing unacceptable forms of work. It was regrettable that resources for ACT/EMP had not been increased, as the group remained convinced that the Bureau was not adequately resourced. However, the Director-General's intention to keep the situation under review was noted. Because the Governing Body would no longer be playing a strategic role as previously envisaged, the Research Department should fall under the auspices of the Deputy Director-General for Policy. The group supported the Programme and Budget proposals for 2016–17.
- 460.** *The Worker spokesperson* welcomed the Director-General's commitment to consult further on the indicators and targets under some of the outcomes and to look at how best the cross-cutting drivers could be reflected in all ten policy outcomes. He underscored it was crucial to have a focus on decent work in the work on sustainable enterprises. Cooperatives and social enterprises had to be included as well and adequately reflected in the indicators. He also welcomed the increase in the strategic budget for labour inspection. Work on the transition from the informal to the formal economy should remain fully covered by other relevant outcomes, and work on skills and quality employment for young people needed to include a rights dimension and be reflected in the indicators for outcome 1. There should be an open and transparent focus on where the RBSA, and especially extra-budgetary support, was being received and allocated. He reiterated the need to allocate extra-budgetary resources for the capacity-building of the social partners and other activities. Concerning the redeployment of resources, his group expected that the number of technical specialists working on areas such as standards and industrial relations would be increased. The group supported the draft decision.
- 461.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe welcomed the reallocation of resources to both outcome 4 and outcome 7. A fair share of resources from outcome 6 could also have been redeployed to outcome 3. Nonetheless,

<sup>3</sup> GB.323/PFA/1/1.



taking note of the Director-General's submission that all the outcomes were mutually supportive, the group supported the draft decision.

- 462.** *Speaking on behalf of GRULAC*, a Government representative of Cuba noted the Director-General's proposal to strengthen extra-budgetary resource mobilization, particularly through South–South cooperation and public–private partnerships, but emphasized that South–South cooperation was complementary and did not replace official development assistance resources. His group would participate constructively in the consultations on strengthening the strategic framework announced by the Director-General. Taking into account the latest modifications, the group supported the draft decision.
- 463.** *Speaking on behalf of ASPAG*, a Government representative of China expressed appreciation for the increase in the allocation for youth employment. The 39 new posts should be allocated to the underrepresented and non-represented countries. He reiterated that the ILO website should be developed in the remaining UN languages, namely Arabic, Chinese and Russian. The group supported the draft decision.
- 464.** *Speaking on behalf of IMEC*, a Government representative of the United Kingdom appreciated the Director-General's reassurance about avoiding complacency and the creation of new silos, and the offer of further consultations on baselines, targets and outcomes. The group supported the draft decision.
- 465.** *A Government representative of Panama* said that the Programme and Budget proposals for 2016–17 reflected the ILO's promise to continue its work based on the revised strategic framework in order to achieve all ten outcomes. She supported the draft decision.
- 466.** *A Government representative of the Bolivarian Republic of Venezuela* welcomed the fact that a zero real growth budget had been maintained in the proposals. While his country was facing financial constraints owing to the fall in oil prices, it was committed to paying its assessed contributions to the Organization. The cost of the budget proposals would continue to fluctuate through June 2015 when the budget would be adopted; any further savings would lessen the impact of that fluctuation. He supported the draft decision.
- 467.** *A representative of the Director-General* (Treasurer and Financial Comptroller) announced that in the English version of the draft decision, the word “passes” would be amended to the correct term, “adopts”.

## **Decision**

### **468. The Governing Body:**

- (a)** *recommended to the International Labour Conference at its 104th Session (June 2015) a provisional programme level of US\$797,388,828 estimated at the 2014–15 budget exchange rate of 0.95 Swiss francs to the US dollar, the final exchange rate and the corresponding US dollar level of the budget and Swiss franc assessment to be determined by the Conference;*

- (b) *proposed to the Conference at the same session a resolution for the adoption of the programme and budget for the 75th financial period (2016–17) and for the allocation of expenses among member States in that period in the following terms:*

The General Conference of the International Labour Organization, in virtue of the Financial Regulations, adopts for the 75th financial period, ending 31 December 2017, the budget of expenditure for the International Labour Organization amounting to \$..... and the budget of income amounting to \$....., which, at the budget rate of exchange of Swiss francs ..... to the US dollar amounts to Swiss francs ....., and resolves that the budget of income, denominated in Swiss francs, shall be allocated among member States in accordance with the scale of contributions recommended by the Finance Committee of Government Representatives.

(GB.323/PFA/1/1, paragraph 5.)

## **Second item on the agenda**

### **Delegation of authority under article 18 of the Standing Orders of the International Labour Conference**

(GB.323/PFA/2)

469. *The Worker spokesperson and the Employer coordinator* endorsed the draft decision.

#### **Decision**

470. *The Governing Body delegated to its Officers, for the period of the 104th Session (June 2015) of the Conference, the authority to carry out its responsibilities under article 18 of the Conference Standing Orders in relation to proposals involving expenditure in the 74th financial period ending 31 December 2015.*

(GB.323/PFA/2, paragraph 3.)

## **Third item on the agenda**

### **Update on the headquarters building renovation project**

(GB.323/PFA/3 and GB.323/PFA/3(Add.))

471. *A representative of the Director-General (Deputy Director-General for Management and Reform (DDG/MR))* informing the Governing Body of developments since the preparation of document GB.323/PFA/3, said that discussions with the Swiss authorities on the financing of the project were ongoing and continued to be constructive. He recalled that the scope of the renovation project had been significantly reduced to stay within the budget of some CHF205 million that had been approved by the Governing Body in 2010, which was to be financed from reserves in the Building and Accommodation Fund, approved transfers from the long-term reserve for future building renovations, income generated from the sale and disposal of two plots of land, and CHF50 million from a loan.

- 472.** The freehold plot of land for sale on avenue Appia was expected to achieve a result within the range of valuations previously made. The second plot, on route de Ferney, was held under a leasehold from the Canton of Geneva, with some 60 years remaining. The 2010 financial plan anticipated the ILO returning the leasehold to the Canton in return for some form of consideration. Although there had been no formal agreement at the time, expectations in 2009 and 2010 had been that approximately 75 per cent of the value of the land would be attributed to the ILO, estimated at some CHF50 million. Current negotiations with the authorities indicated that a future proposal might include 50 per cent of the value of the land being attributed to the ILO, leaving a shortfall of around CHF20 million. There was very strong interest in the land, and different proposals were under consideration.
- 473.** While the original plan included an ongoing loan of CHF50 million, to be financed by renting office space, the current proposal was to seek a loan facility of up to CHF130 million (including CHF80 million for bridging finance purposes pending the sale and disposal of the land). However, in view of current negotiations, it was likely that there would be a need for an ongoing loan of approximately CHF70 million, instead of the CHF50 million foreseen in the original financial plan. Such an outcome had been envisaged as part of the risks registered in the 2010 financial plan, with potential action identified as either reducing the scope of the project, or considering further financing. A significant reduction in the scope of the building works had already been undertaken, to deflect a cost increase from CHF205 million to CHF299 million.
- 474.** The loan proposal currently under consideration was through the Swiss Government, which offered loans for renovation works, for a term of 30 years at an attractive interest rate, currently 0.8 per cent per annum, fixed for the term of the loan, with interest and repayments suspended until completion of the renovation project. Partial reimbursements would be possible from the proceeds of the sale and disposal of the land.
- 475.** In the event of having to maintain an ongoing loan facility of up to CHF70 million, repayments could be serviced from the rental of excess space in the building. It was anticipated that a minimum of two floors would be available to rent, which would generate annual rental income of some CHF3 million. That figure would cover the annual cost of a CHF70 million loan (CHF2.6 million per annum at 0.8 per cent interest, or CHF2.9 million if the interest rate increased to 1.4 per cent), or a CHF50 million loan (CHF1.9 million per annum at 0.8 per cent interest, or CHF2.1 million at 1.4 per cent interest).
- 476.** *The Employer coordinator* sought further clarification on the precise loan amounts.
- 477.** *The representative of the Director-General (DDG/MR)* said that the total amount of the loan facility sought would be CHF130 million, approximately CHF60 million of which should be reimbursed on the sale of the land, leaving an ongoing facility of up to CHF70 million.
- 478.** *The Employer coordinator* asked what the expected completion date was for the renovations, which renovations would be covered by the CHF205 million and which would be included in the additional scope, requiring a further CHF94 million, and when the sale of the two plots of land was expected to be completed.
- 479.** *The Worker spokesperson* expressed concern about the possible shortfall in income anticipated from the second plot of land, and would welcome further discussions on the suggested route forward. Referring to the options in paragraph 20 of the document for finding the extra CHF94 million required to finance the additional scope, with regard to option A, the Workers' group looked forward to receiving information on the level of potential voluntary contributions and on who the contributors might be. He asked how

option B, which would allow the Office to take advantage of lower interest rates, might be affected by changes brought about as a result of having to extend the loan periods for the main building work. As for option C, the Workers' group reiterated its position that surpluses should mainly be used to fund constituent activities, rather than internal development work. With respect to option D, in the same way that member States had agreed to a special allocation for the renovation of the main UN building in New York, a similar approach might be possible for the renovation of the ILO headquarters building in Geneva.

- 480.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe supported the draft decision and encouraged the Office to obtain the best possible price for the sale and disposal of the two plots of land. The terms of the proposed loan were favourable, and it would be prudent to take advantage of the opportunity to avoid the financial costs associated with a break in the project. He regretted the reduced project scope for the initial phase of the works and strongly urged the Office to find innovative ways to contain costs on the remaining works. However, any solution for financing the additional scope should not have financial implications for member States.
- 481.** *Speaking on behalf of GRULAC*, a Government representative of Cuba welcomed the progress made and encouraged continued efforts to ensure that the Organization received the full amounts expected from the sale of the non-strategic plots of land, in line with the estimates in the original financial plan. Given that a formal application for a loan had been submitted to the Swiss Government, meaning that the proposed financing of the project had changed significantly from the plan presented in 2010, which had envisaged entering into a commercial loan, a detailed financial plan should be presented of the generous loan offer from the host country. The plan should include details of the loan terms for the two amounts referred to in paragraph 14 of document GB.323/PFA/3 and of the interest rate to be applied, indicating whether the rate would be fixed or variable. More importantly, there should be clear information with regard to the financing method, specifying the amount of income expected from renting out headquarters office space and from the sale of the plots of land, and whether that would be sufficient to cover the loan repayments under the terms to be agreed with the host country. The constituents needed clarity on those points before making a decision. GRULAC therefore proposed that the draft decision should be amended to read:

The Governing Body:

- (a) requests the Office, according to the guidance provided, to present to the Finance Committee of the International Labour Conference, at its 104th Session (June 2015), a new financial plan for the renovation project; and
- (b) recommends that, taking into account the new financial plan, the International Labour Conference authorizes the Director-General to contract a loan with the Foundation for Buildings for International Organizations (FIPOI), amounting to no more than 130 million Swiss francs for the partial financing of the renovation work on the headquarters building.

- 482.** *Speaking on behalf of IMEC*, a Government representative of the United Kingdom noted with satisfaction the progress made since the previous session. She requested more information on the timing of the land sale, on possible solutions should the sale not bridge the full gap of CHF80 million, on how the Office intended to fund the interest payments on the proposed loan, and on how the loan fitted in with the other proposed funding mechanisms. IMEC welcomed the Office's commitment to stay within the original project cost, noted the options currently being considered for financing the additional scope and welcomed, in particular, the suggestion concerning sponsorship and voluntary contributions from tripartite constituents. The use of future surpluses should only be considered under exceptional circumstances, as using possible net premiums for the project

might erode the basis of what was a successful incentive scheme for the timely payment of member States' contributions to the regular budget. IMEC urged the Office to continue exploring innovative financing options, and approved the draft decision as proposed in the document.

- 483.** *A Government representative of Mexico* agreed on the need for a detailed report containing the terms on which the loan would be granted, including whether current or moratorium interest rates would apply, whether there would be penalties for early payment, and financing and repayment methods. It would have been useful to have received the information provided by the representative of the Director-General in writing.
- 484.** *The representative of the Director-General (DDG/MR)* confirmed that the project's expected completion date was 2019. The first stage of the work had already been undertaken and, although it had taken longer than expected, valuable lessons had been learned. So far, the project was under budget and every effort was being made to contain costs. Work to be undertaken on the lower floors would include addressing the urgent safety issues with regard to the conference rooms, but most of the CHF205 million budget would be spent on refurbishing the office space on floors 1–11. The Office had noted the comments made in relation to the possibilities for financing the additional scope. It was open to any offers of additional contributions, and noted IMEC's approval of that approach. While he agreed with the intent of the amendment proposed by GRULAC, the Finance Committee of the Conference was perhaps not a suitable body to make a decision in that regard, as it was not tripartite. He proposed that the Office could provide a financing plan in writing, containing as much information as possible on the loan arrangements, for consideration by the Governing Body the following week, noting that the interest rate would depend on when the loan was taken out.
- 485.** *The Employer coordinator and the Worker spokesperson* accepted the Office's proposal.
- 486.** At the resumed session of the Governing Body on 25 March, the Chairperson reopened the discussion on the third agenda item in the light of the Addendum issued by the Office, document GB.323/PFA/3(Add.), which provided supplementary information on the revised financial plan. He asked the representative of GRULAC whether the proposed amendment to the point for decision would remain or could be withdrawn.
- 487.** *Speaking on behalf of GRULAC*, a Government representative of Cuba thanked the Director-General for the Addendum to the paper. His group took note of the fact that the key variables in the financial plan greatly depended on the results of the sale or disposal of the two plots of land, the date of the sale or disposal and the timing of receipt of the sale proceeds. The Director-General was urged to continue consultations with the Swiss authorities and with potential purchasers in order to ensure, to the extent possible, that the estimated proceeds from the sale would be obtained. The alternative financial plan in the Addendum reflected a scenario with estimated sale proceeds CHF20 million lower than the 2010 plan. If that was the case, the Office would have to adopt the alternative financial plan and secure a long-term loan of CHF70 million. He requested further details of the "other clauses" mentioned in paragraph 10 of the Addendum, and welcomed the fact that the rental of two floors, once renovated, would yield sufficient income to meet the annual repayments on a long-term loan of CHF70 million at a higher interest rate. Since the Addendum provided the information that the group had previously called for, it withdrew the amendment that it had proposed to the draft decision. It supported the draft decision on the understanding that the long-term loan would not exceed CHF70 million. His group was concerned with the significant financial implications of the renovation project. A loan that required member State contributions in order to be repaid would not be acceptable. The Governing Body would need to be informed of any change in the land sale conditions or increase in the long-term loan.

488. *The Worker spokesperson* requested confirmation that market valuation was still taking place and requested clarification as to why, if a public process for the sale of the plots was launched, it would take three to four years. Information was also requested on the investigations taking place into the likelihood of renting the additional tenantable office space.
489. *The representative of the Director-General (DDG/MR)* said that the ILO already had the long-term building reserve mentioned in paragraph 10, in compliance with the loan requirements. The Office was closely monitoring the market value of the plots of land. The three- to four-year settlement period was the worst-case scenario. He added that a more typical sale through a public tendering process would entail conditions related to zoning restrictions and building permits. Such conditions would entail lengthy processes and would delay the receipt of sale proceeds. Regarding rental accommodation, other organizations periodically expressed interest. Despite the fact that the market was so volatile, the Office had flexibility assuming that interest rates on the loan were obtained at the current rate of around 0.8 per cent. Furthermore, loan repayments would not begin until the renovation was completed.

### **Decision**

490. *The Governing Body took note of the revisions to the financial plan and recommended that the International Labour Conference adopt the following resolution at its 104th Session (June 2015):*

The General Conference of the International Labour Organization decides that the Director-General be authorized to contract a loan with the Foundation for Buildings for International Organisations (FIPOI) amounting to not more than 130 million Swiss francs for the partial financing of the renovation of the ILO headquarters building.

(GB.323/PFA/3, paragraph 22.)

### **Fourth item on the agenda**

#### **Information and communications technology questions: Progress report on the ILO Information Technology Strategy 2010–15 (GB.323/PFA/4)**

491. *The Worker spokesperson* noted with satisfaction that the Integrated Resource Information System (IRIS) had been fully rolled out to regional offices and that training had been provided to staff. He welcomed the development of the Central Information Services Gateway and highlighted the importance of clearly signposting the pilot project on the ILO website. He supported the idea of creating a single repository of reference materials for technical cooperation proposals. He stated that information should be provided on the cost of implementing the various outcomes, and on whether they had been delivered in accordance with the budget. He urged caution in using an external service provider to host the ILO's information technology (IT) infrastructure and data and in selecting a "cloud" service provider.
492. *The Employer coordinator* wished to know when the electronic document management system would be developed and implemented and whether a new IT strategy covering the 2016–17 transitional period would be produced. It would be important to receive such a

strategy in tandem with the final report for 2010–15. The final report should cover the reorganization of IT, the extent to which the IT function had been fully centralized, and challenges encountered and lessons learned in implementing the 2010–15 strategy.

- 493.** *Speaking on behalf of the Africa group*, a representative of the Government of Zimbabwe welcomed the roll-out of IRIS to the field, including to the Regional Office for Africa. Further roll-out in 2015 should include training of local staff in how to use IRIS. He also welcomed the implementation of joint IT initiatives with other UN agencies, especially those aimed at mitigating the risks associated with external cyber threats, and the implementation of the Central Information Services Gateway. The Office should follow guidance from the Information Technology Governance Committee and implement the remaining five IT infrastructure transformation projects under outcome 3. He welcomed the pilot project with the ILO Administrative Tribunal using digital signatures and data encryption, and looked forward to further discussion on the wider use of those technologies. The Office should consider developing a new IT strategy for beyond 2015.
- 494.** *Speaking on behalf of IMEC*, a Government representative of Canada expressed the hope that the ILO would make sure that security risks related to IT systems were properly managed. He asked whether the goals of handling official correspondence only electronically, of reducing the environmental footprint by 40 per cent, and of cutting energy consumption by 20 per cent would be achieved. IMEC would welcome a more structured overview of the completed and ongoing parts of the project as well as estimates of savings.
- 495.** *A representative of the Director-General (DDG/MR)* said that, with regard to a future IT strategic plan, the Office was looking at the best way to align expiring strategies with the overall Strategic Policy Framework. One option would be to update existing strategies and then develop comprehensive new strategies from 2018.
- 496.** *A representative of the Director-General (Director, Information and Technology Management Department (INFOTEC))* stated that the delivery of outcomes within the IT strategy had been in line with budget allocations and in some cases ahead of schedule. INFOTEC was currently evaluating lessons learned from the five UN agencies that had moved their services to the cloud. Given the strategic importance of improving communications and processes between headquarters and the field, the migration of Microsoft Outlook, Exchange, File and Print Services and Windows 7 to the field had been accelerated, and had been completed at 38 field offices and their associated project locations. Migration of the 18 remaining offices and project locations would be completed in 2015. All data located in the field would subsequently be backed up centrally at headquarters and replicated to an external disaster recovery site. The Electronic Document Management System (EDMS) had not been fully delivered as the Office was analysing the implications of migrating applications to Microsoft SharePoint, with a final decision to be taken in 2015. The first phase of the IRIS roll-out, composed mainly of human resources and payroll functions, was on target to be delivered to each field office by the end of the biennium. The IT Governance Committee was fully engaged and had met six times. The five remaining IT transformation subprojects were on schedule. Audits had been very effective in identifying security risks, and the recommendations were implemented diligently to mitigate any risks. The energy consumption of the data centre had been reduced by 40 per cent, compared to the target of 20 per cent, through the modernization, consolidation and virtualization of hardware, and by using water from Lake Geneva to reduce the load on the data centre's air conditioning system.

## **Outcome**

**497.** *The Office took note of the comments and guidance provided by the Governing Body.*

(GB.323/PFA/4.)

## **Fifth item on the agenda**

### **Other financial questions: Report of the Government members of the Governing Body for allocation of expenses (GB.323/PFA/5)**

**498.** *The Employer coordinator, the Worker spokesperson and, speaking on behalf of the Africa group, a Government representative of Zimbabwe, supported the draft decision.*

## **Decision**

**499.** *The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, to base the ILO scale of assessment for 2016 on the UN scale for 2013–15, and accordingly proposed to the Conference the adoption of the draft scale of assessment for 2016 as set out in the appendix to GB.323/PFA/5, subject to such adjustments as might be necessary following any further change in the membership of the Organization before the Conference is called upon to adopt the recommended scale.*

(GB.323/PFA/5, paragraph 3.)

## **Audit and Oversight Segment**

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

#### **Appointment of the External Auditor (2016–19) (GB.323/PFA/6)**

**500.** *The Chairperson of the Selection Panel presented the report of the Selection Panel on the appointment of the External Auditor. The Panel had been impressed by the quality of all three candidates. However, with a view to improving geographic and gender diversity it had decided to recommend the appointment of the Commissioner of the Commission on Audit of the Philippines.*

**501.** *The Employer coordinator, the Worker spokesperson and, speaking on behalf of IMEC, a Government representative of Canada said that their groups supported the recommendation.*



502. *A Government representative of the Philippines* thanked the Governing Body on behalf of the Commissioner for the honour of the appointment. The Philippines Commission on Audit reaffirmed its commitment to upholding the standards of quality and competence befitting the ILO and promoting the further development of a strong and mutually beneficial partnership with the Organization.

### **Decision**

503. *Taking into account the selection process followed and the unanimous recommendation of the Selection Panel, the Governing Body appointed the Commissioner of the Commission on Audit, Republic of the Philippines, as the External Auditor of the ILO for the 75th and 76th financial periods, with the appointment to commence on 1 April 2016 for a period of four years.*

(GB.323/PFA/6, paragraph 5.)

## **Seventh item on the agenda**

### **Independent Oversight Advisory Committee (IOAC): Selection process** (GB.323/PFA/7/1)

504. *The Employer coordinator* endorsed the draft decision.
505. *The Worker spokesperson* endorsed the draft decision. He emphasized the importance of ensuring that the membership of the IOAC reflected the ILO's tripartite and international nature, and of considering the United Nations experience of potential new members.
506. *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe supported the draft decision.
507. *Speaking on behalf of IMEC*, a Government representative of the United Kingdom noted that the proposed temporary change in the 2015 selection process was to reduce expenditure and introduce administrative efficiency, and that a full process of selection would be conducted in 2018 to identify three further members for the period 2019–21. Her group therefore supported the draft decision.

### **Decision**

508. *The Governing Body decided to suspend paragraphs 19 and 20 of the terms of reference of the Independent Oversight Advisory Committee (IOAC) and instructed the selection panel, provided for in paragraph 21 of the terms of reference, to review the shortlisted candidates from the 2012 selection process in order to propose two new members of the IOAC and a reserve list at the November 2015 session of the Governing Body, to serve for a three-year mandate starting on 1 January 2016.*

(GB.323/PFA/7/1, paragraph 7.)

## Independent Oversight Advisory Committee (IOAC): Annual report (GB.323/PFA/7/2)

- 509.** *The Chairperson of the IOAC* introduced the comprehensive report which covered the Committee's work in 2014, including all the elements in its terms of reference. She was pleased to note the headway made by the Office in implementing IOAC recommendations. She was also greatly encouraged by the very significant progress in establishing a sound risk-management framework, and by the considerable improvement in the general area of IT. In particular, the Information Technology Governance Committee was fulfilling a useful function. An opportunity for the future would be to use the Oracle software to ensure that the internal control framework should remain strong throughout the implementation of results of the Field Operations Review.
- 510.** *The Worker spokesperson* thanked the IOAC for developing criteria for the technical review and scoring of proposals for the selection of the External Auditor. With reference to recommendation 1, he reiterated the Workers' previous proposal that when options for financing the ASHI liability were explored, the Office should consider the possibility of adding a contribution funded by a payroll charge. The Workers agreed with recommendation 2 and were pleased with the way in which the risk-management framework was being developed. They noted with satisfaction that the Office had already taken action on recommendation 3 within the proposed Programme and Budget for 2016–17. Likewise, they were pleased with the governance of IT matters. With regard to the Administrative Services Review process, staff members and the Staff Union must be fully engaged from the start.
- 511.** *The Employer coordinator* thanked the IOAC for its valuable work and noted its report on progress of risk management and IT. Improvements in the use of the Oracle software for internal control were of particular interest to his group. The Employers supported the recommendations contained in the report, despite the fact that they were couched in rather vague wording. In future reports, the language should be more directive and outline specific actions that the Office should undertake. He wished to know if the 3.5 per cent increase in funding for the Office of Internal Audit and Oversight (IAO) in the proposed budget for 2016–17 was in response to the IOAC recommendation and would be sufficient to address the concerns about under-resourcing raised in the report. He also sought clarification on whether the number of allegations of fraud had increased or decreased in comparison to the findings in the Chief Internal Auditor's report for 2014, and on what was meant by the statement in paragraph 21 that the recommendations stemming from the External Quality Assurance Review were "not sufficiently nuanced to reflect the governance relationships in the ILO".
- 512.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe welcomed the recommendation that the presentation of audited financial statements should be improved in order to make them more accessible to people without financial expertise. On the ASHI liability, his group supported the recommendation, but asked the Office to prepare proposals for a more permanent solution. Furthermore, the group supported the recommendations concerning measures to ensure that risk management was to be embedded in the Organization's management practices, the need to provide adequate resources for the IAO, the review of the capacities of Oracle software and the strengthening of the effectiveness of administrative services, and urged the Office to implement the outstanding recommendations.
- 513.** *Speaking on behalf of IMEC*, a Government representative of Canada expressed support for all the recommendations made in the report, and welcomed the fact that the group's

previous comments on implementation time frames had been heeded. In respect of recommendation 1, which was of particular importance to her group, she urged the Office to undertake all possible means to fully fund the ASHI liability, and welcomed the useful steps already taken for extra-budgetary funded staff, while underscoring her group's expectations that the resolution of the ASHI liability question would include cost containment measures. She looked forward to hearing what improvements could be made in the presentation of financial statements in accordance with International Public Sector Accounting Standards (IPSAS). Her group welcomed the Committee's assessment that IPSAS standards were being appropriately implemented and that the scope of and plan for internal audit were based on thorough risk management. The group looked forward to further reports on progress in developing and implementing the risk-management framework, on the multiple IT initiatives and on the administrative services review.

- 514.** *The Chairperson of the IOAC* replying to Members' comments, explained that, as the Committee was advisory in nature, it could not make directive recommendations. Concerning the recommendations made under the External Quality Assurance Review of the IAO, she explained that the spirit of those recommendations was to strengthen the working relationship between the IAO and the IOAC, an advisory body, but they were not appropriately nuanced for the IOAC to have a supervisory role over the IAO. As for the question of resources for that unit, the purpose of the Committee's recommendation was to ensure that the IAO had sufficient resources to implement an approved plan based on risk analysis, that any decision to reduce the scope of the plan had been reached with the management and that management understood the consequences and took responsibility for them. The aim was to put in place a process where the consequences of the financial capacity to deliver a plan were fully understood.
- 515.** *A representative of the Director-General* (Chief Internal Auditor, IAO) clarified that, looking at the trend over past years, the number of allegations of fraud or misconduct had steadily increased, but with a dip in 2014. It was difficult to predict the number of allegations which were "demand-led".
- 516.** *A representative of the Director-General* (Treasurer and Financial Comptroller) said that the proposal to increase funding for internal audit had not been made in response to the IOAC recommendation, but had been decided much earlier. Supplementary allocations had been issued to the IAO over successive biennia through redeployment of funds within the budget to meet ad hoc needs and the Director-General's proposal in the programme and budget was to provide stability to that important function. Regarding the ASHI, a report on the United Nations General Assembly's consideration and its impact on the ILO's health insurance would be presented to the Governing Body in March 2016.

## **Outcome**

- 517.** *The Office took note of the observations and guidance provided by the Governing Body on the report of the IOAC and its recommendations.*

(GB.323/PFA/7/2.)

## **Eighth item on the agenda**

### **Report of the Chief Internal Auditor for the year ended 31 December 2014**

#### **Report of the Chief Internal Auditor on significant findings resulting from internal audit and investigation assignments undertaken in 2014 (GB.323/PFA/8)**

- 518.** *The Worker spokesperson* noted with satisfaction that no major weaknesses were identified in the ILO's system of internal control except for one instance, which the Office had immediately corrected. The Office had acted upon many other recommendations. With regard to field audits, the concerned regional offices should enhance their oversight efforts to detect irregularities and to adopt early corrective action. He asked the Office to continue work on improving business continuity planning. The Workers concurred with the IAO's conclusion regarding a need to improve the procurement process in order to guarantee transparency in the selection of vendors and they supported the recommendation to expand targeted training for officers working on projects with a high volume of procurement activities.
- 519.** *The Employer coordinator* encouraged the Office to follow up on all internal audit recommendations, particularly those regarding publications, field audits and local value added tax (VAT) and asked what action the Office had taken on the 2014 recommendation on VAT. The Employers looked forward to receiving further information on progress on the issues of performance appraisal and information technology and they wished to know what steps were being taken to strengthen business continuity planning. The coordinator asked when the remaining nine out of 25 recommendations stemming from the 2012 audit of the ILO Country Office for Nepal, as noted during the 2014 follow-up audit, would be fully implemented and what the reasons were for the delay.
- 520.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe attached great importance to the report, which enabled the Governing Body to assess the ILO's strengths and weaknesses. His group noted that the IAO had issued nine assurance audits and completed the field work of seven further audit assignments in 2014, and hoped that the assurance audits would be extended to other regions. He commended the IAO on its investigations into allegations and urged it to expedite the conclusion of investigations into the allegations which remained open. He applauded the collaboration between the IAO and the Office, the revision of the Office procedure on the follow-up to the internal audit recommendations, the recruitment of a full-time senior risk officer and the corrective action taken to address the risks identified in the IRIS application. He encouraged the Office to consider the recommendations arising from the six audits of field offices and those regarding the publications process. The remaining recommendations from the 2012 audit of the ILO Country Office for Nepal should all be implemented, and effect should be given to the lessons learned from investigation reports submitted in 2014, namely that improvements should be made in control over local procurement and that staff should be reminded of the importance of preventing conflicts of interest.
- 521.** *Speaking on behalf of IMEC*, a Government representative of the Netherlands expressed appreciation of the constructive approach taken by the Office towards the recommendations of the IAO, making reference to the information paper on the follow-up to internal audit recommendations made in 2013. The recommendations should be

implemented fully as soon as practically feasible. It was positive that only one major weakness in the internal control system had been identified, for which immediate and appropriate corrective action was taken. He welcomed the establishment of a full-time position of risk officer, and the enhancement of anti-fraud awareness. Internal controls appeared to be less well developed in field offices than at headquarters, and he welcomed the emphasis on strengthening those at field offices and on building awareness of common internal controls. Lessons learned from testing preparedness measures during 2015 should be used to improve business continuity planning in the ILO. He drew particular attention to the recommendations on procurement, and inquired as to any additional measures by the Office to prevent conflicts of interest.

- 522.** *A representative of the Director-General (Chief Internal Auditor) welcomed the positive comments on the report of the IAO. On the question of field audit coverage raised by the Africa group, he stated that internal audits issued by the IAO in 2014 had been focused on Latin America, Africa and Asia, but audit work had also been conducted in the Arab States and Europe. Based on its risk assessment, the IAO ensured coverage of all regions. In spite of the zero growth budget, the resources needed for the risk-based audit plan had to date been received when requested by the IAO. Concerning the allegations that were currently open, four were being actively investigated; reports would be issued shortly in some cases; and the remaining open allegations did not require full investigation because they related to management or audit issues rather than to fraud or misconduct.*
- 523.** *A representative of the Director-General (Treasurer and Financial Comptroller) responding to the query raised by the Employers' group on the issue of VAT, said that the Office regularly communicated with regional and country offices to remind them that requesting VAT refunds should be a routine task. The same point was made at meetings of regional directors, to which the Chief Internal Auditor was invited. The question of the internal audit for the Country Office for Nepal would be followed up with the Regional Director.*
- 524.** *The Chairperson said that the Governing Body would receive an information paper at its March 2016 session on the steps taken by the Office to follow up on the recommendations in the report of the Chief Internal Auditor for 2014. The follow-up to the report of the Chief Internal Auditor for 2013 was recorded in document GB.323/PFA/INF/3.*

## **Outcome**

- 525.** *The Office took note of the observations and guidance provided by the Governing Body on the report of the Chief Internal Auditor and its recommendations.*

(GB.323/PFA/8.)

## **Personnel Segment**

### **Ninth item on the agenda**

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

- 526.** The statement by the Staff Union representative is reproduced in Appendix III.

## Tenth item on the agenda

### Amendments to the Staff Regulations (GB.323/PFA/10)

527. *The Worker spokesperson* welcomed the new collective agreement on maternity protection and supported the draft decision. He noted with appreciation that the proposal took into account relevant standards such as the Maternity Protection Convention, 2000 (No. 183), the Maternity Protection Recommendation, 2000 (No. 191), as well as the Workers with Family Responsibilities Convention, 1981 (No. 156).
528. *The Employer coordinator* supported the draft decision.
529. *Speaking on behalf of the Africa group*, a Government representative of Ghana said that the new collective agreement would provide better support for officials with family responsibilities, in particular in the area of maternity protection, and thus further promote their rights at work. She acknowledged the role of the ILO in establishing the relevance of maternity protection at work to the attainment of Millennium Development Goals (MDGs) 3, 4 and 5. The Africa group supported the work of the ILO in the promotion and protection of rights of workers at work, including maternal health as a fundamental human right. The group supported the draft decision.
530. *Speaking on behalf of ASPAG*, a Government representative of Japan regarded the amendments to the Staff Regulations regarding maternity leave as reasonable and, in addition, such amendments would help the Office to retain its excellent staff. ASPAG supported the draft decision. In relation to the composition and structure of the staff (GB.323/PFA/INF/4(Rev.)), ASPAG was disappointed that in 2014 progress had not been made to improve the regional imbalance within the Office. ASPAG noted that the numbers of staff from Asia and the Americas remained the same and that Africa's representation had decreased while Europe's representation had increased. It hoped that the Office would become truly international by diversifying staff composition from all over the world. ASPAG expected the Director-General to take the results detailed in the document seriously and to exercise leadership to solve that issue.
531. *Speaking on behalf of IMEC*, a Government representative of the United States noted that the proposed amendments not only aligned the ILO with the practices of other UN organizations system-wide, but also took into account the various relevant ILO Conventions. IMEC supported the proposed amendments, as well as other measures to enable women to balance work and family. However, IMEC suggested that the phrase "probable date of confinement" be made more specific and modernized to "estimated date of delivery" or "due date". It requested clarity on the circumstances under which an official would need to be reimbursed by the organization for the cost of a doctor or midwife, point 1(b), since it thought that all costs were covered by health insurance. It also requested information on whether the Staff Regulations made any provision to enable mothers to work part time at the end of their maternity leave at full salary and allowances and encouraged a review of paternity leave to ensure that it was equally up to date and equitable.
532. *A representative of the Director-General* (Director, Human Resources Development Department) had no objection to changing the term "confinement". One possibility would be to use the phrase contained in Convention No. 183, "presumed/actual date of childbirth". Regarding the question on reimbursement, he believed that it was a throwback to a time when the staff health insurance did not cover all maternity costs; he could not identify circumstances in which all costs would not be covered under the existing health

insurance. One of the key changes resulting from the collective agreement was the transformation of leave without pay, part-time work and flexible working arrangements for a defined period after maternity leave from a discretionary matter decided by the Office to a right, for which the relevant administrative instructions needed to be issued. Paternity leave provisions were in line with the UN common system in that they provided for up to four weeks in normal circumstances or eight weeks in non-family duty stations and other exceptional circumstances. Under the collective agreement the Office would be required to give favourable consideration to men who wished to go on leave without pay, work part time or under flexible working arrangements after paternity leave.

**533.** *The Worker spokesperson* supported the draft decision with the amendment suggested by IMEC to the term “confinement”, favouring the formulation contained in Convention No. 183.

**534.** *The Employer coordinator* supported the draft decision with the proposed amendment.

### **Decision**

**535.** *The Governing Body approved the proposed amendments to the Staff Regulations contained in paragraph 3 of document GB.323/PFA/10, taking into consideration the suggestion made by IMEC to replace the term “confinement”, as used in the English version of the Regulations.*

(GB.323/PFA/10, paragraph 5.)

## **Eleventh item on the agenda**

### **Matters relating to the Administrative Tribunal of the ILO**

#### **Composition of the Tribunal (GB.323/PFA/11/1)**

**536.** *The Employer coordinator* supported the draft decision.

**537.** *The Worker spokesperson* supported the draft decision.

**538.** *Speaking on behalf of the Africa group*, a Government representative of Ghana supported the renewal of the terms of office of four judges for another three years. He appreciated the services of the retiring judge, Mr Seydou Ba, and welcomed the appointment of Ms Fatoumata Diakit . Noting the consideration given to an overall equilibrium at the linguistic level, and in terms of different systems of law, geographical representation and gender balance, he supported the proposed draft Conference resolution.

**539.** *Speaking on behalf of IMEC*, a Government representative of the United States appreciated the services of Mr Ba and welcomed the appointment of Ms Diakit . IMEC supported the draft decision.

**Decision****540. The Governing Body:**

- (a) *recommended to the Conference that it convey its deep appreciation to Mr Seydou Ba for the valuable services he has rendered to the work of the Administrative Tribunal of the International Labour Organization over the past 18 years as judge, Vice-President and President of the Tribunal;*
- (b) *proposed to the Conference:*
  - (i) *the renewal of the terms of office of Mr Giuseppe Barbagallo (Italy), Ms Dolores Hansen (Canada), Mr Michael Moore (Australia) and Sir Hugh Rawlins (Saint Kitts and Nevis) for three years each;*
  - (ii) *the appointment of Ms Fatoumata Diakité (Côte d'Ivoire) for a term of office of three years;*
- (c) *thus decided to propose the following draft resolution for possible adoption by the Conference:*

The General Conference of the International Labour Organization,

*Decides*, in accordance with article III of the Statute of the Administrative Tribunal of the International Labour Organization,

- (a) to convey its deep appreciation to Mr Seydou Ba (Senegal) for the valuable services he has rendered to the work of the Administrative Tribunal of the International Labour Organization over the past 18 years as judge, Vice-President and President of the Tribunal;
- (b) to renew the appointments of Mr Giuseppe Barbagallo (Italy), Ms Dolores Hansen (Canada), Mr Michael Moore (Australia) and Sir Hugh Rawlins (Saint Kitts and Nevis) for a term of three years; and
- (c) to appoint Ms Fatoumata Diakité (Côte d'Ivoire) for a term of three years.

(GB.323/PFA/11/1, paragraph 6.)

## **Recognition of the Tribunal's jurisdiction by two international organizations**

(GB.323/PFA/11/2)

**541.** *The Employer coordinator* said that his group supported the draft decision.

**542.** *The Worker spokesperson* supported the draft decision. The Tribunal's increased membership along with indications about a potential growing backlog could have an impact on its proper functioning that should be examined at a future Governing Body session to ensure that it continued to be able to perform its work in a timely and efficient manner.

**543.** *Speaking on behalf of the Africa group*, a Government representative of Ghana noted that the acceptance of two additional organizations entailed no additional cost to the Organization and agreed on the need for the Office to submit a document to the Governing Body with information on the impact of the increased membership of the Tribunal on its functioning. He supported the draft decision.



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544. *Speaking on behalf of IMEC*, a Government representative of the United States welcomed the recognition of the ILO Administrative Tribunal by two international organizations, which was cost neutral. He also took note of the concerns referred to in the paper regarding the effect that the Tribunal's growing workload might have on its effective and efficient operation. He suggested that the Office present to the Governing Body at its 325th Session (November 2015) an information paper detailing the specific concerns in order for it to decide whether to place an item on the matter on the agenda of a future Governing Body session. IMEC supported the draft decision.
545. *The Director-General* said that the Office would submit an information paper to the 325th Session of the Governing Body on the basis of which the Governing Body could decide whether any further steps would be required.

### **Decision**

546. *The Governing Body approved the recognition of the Tribunal's jurisdiction by the Global Crop Diversity Trust (Crop Trust) and the Consortium of International Agricultural Research Centers (CGIAR Consortium), with effect from 18 March 2015.*

(GB.323/PFA/11/2, paragraph 24.)

## High-Level Section

### Strategic Policy Segment

#### First item on the agenda

#### **Global employment and social challenges: Emerging trends and the role of the ILO** (GB.323/HL/1)

- 547.** *The Director-General* welcomed Ms Amina Mohammed, Special Adviser to the Secretary-General of the United Nations (UN) on Post-2015 Development Planning, and noted with satisfaction that the preparations for the UN post-2015 development agenda had brought wide recognition of the instrumental role that decent work would play in a truly transformative development process. The ILO was closely following the final rounds of negotiations and understood very well the significance of the exact formulations used in the final text to be adopted in September 2015. It would be interesting to have Ms Mohammed's appreciation of what the prospects were for a strong consensual text. The ILO was keen to support the Special Adviser and the Secretary-General in that regard, as far as it was able. Mentioning the reform process that was under way, he said that the ILO was already following up on the calls to the UN system to become "fit for purpose" and would like to know what more it could do to be a strong player on a strong team.
- 548.** Welcoming also Mr Faruk Çelik, Minister of Labour and Social Security of Turkey, he noted that the Turkish presidency of the G20 had confirmed that jobs and growth remained the core challenges for the global economy. It was encouraging that Turkey had placed inclusiveness alongside investment and implementation as one of its three priorities. The ILO supported Turkey in its efforts to build consensus within the G20 on how to strengthen the still fragile and uneven economic recovery and accelerate the pace of job creation, and its efforts to engage the Business 20 (B20) and Labour 20 (L20) in the deliberations.
- 549.** He welcomed the presidency's interest in connecting the work of the G20 economies to development especially of the low-income countries. Such a connection was not only a political and social priority; it was also essential in order to avoid a global slow-growth trap, which would threaten the sustainable development goals from the outset. It was vital to ensure a steady increase in the purchasing power of workers, so as to create a virtuous circle of increasing consumption and investment, in as many of the G20 countries as possible.
- 550.** *The Special Adviser to the UN Secretary-General on Post-2015 Development Planning* stated her appreciation of the ILO's efforts to inform the post-2015 development agenda from the outset. After expressing condolences for the loss of Lee Kuan Yew, former Prime Minister and founding father of Singapore, she said that the current world situation posed universal challenges, calling for integrated responses. Great political courage and leadership were required to take decisions in that regard. Inequalities in both developing and developed countries extended beyond income inequalities and limited the extent of social inclusion. They were also causing lower confidence in government and social unrest, especially among young people. The global employment outlook for the next five years was gloomy, especially for women, young people and vulnerable groups, against a backdrop of environmental degradation, pressure on natural resources, demand for food, water and energy and climate change. Recently, the conflicts in Syria, Gaza, Ukraine and

elsewhere, the Ebola outbreak and a series of tragic terrorist attacks had underscored the need for global responses and for development to go hand in hand with peace and human rights.

- 551.** She noted that the post-2015 development agenda had to take over the unfinished business of the Millennium Development Goals; that six essential elements – dignity, people, prosperity, planet, justice and partnership – needed to be delivered at the country level; and that the 17 proposed sustainable development goals and their targets should be interconnected and reflect an integrated agenda to eradicate poverty and achieve dignity and sustainable development for all. For the goals to be achieved, inclusive and sustainable economies had to be created that ensured shared prosperity. Inclusive growth had to be built on decent jobs and sustainable livelihoods, and progress had to be measured beyond gross domestic product. The hallmark of economic success would be ensuring that all people had social protection, decent employment and access to financial services. The ILO should remain active in highlighting the significance of full employment and decent work in achieving sustainable development, and should pursue its research and advocacy work.
- 552.** Referring to the need to develop a “fit for purpose” agenda, she said that expectations had to be addressed by placing emphasis on the transition from what was unfinished to a needed paradigm shift in the way in which sustainable development was seen. She welcomed the fact that the ILO had started discussions on how it was fit for purpose to address the challenges of the new agenda. Rather than revising mandates, being fit for purpose entailed remaining ahead of the game in order to provide coherent support to national stakeholders. In that connection, enhanced integration and coordination of initiatives within a UN system guided by human rights must be supported by activities at the national level. National ownership with policy alignment among ministries and coordination with regional institutions would be essential. At the global level, it was important to work with all actors, including the G20, trade unions, the private sector and civil society to galvanize support and ensure success. It was essential therefore for the ILO to make every effort to accelerate progress on the Millennium Development Goals and to remain actively engaged in the negotiations on the post-2015 development agenda.
- 553.** Business models should be transformed from within by a responsible private sector; a monitoring framework would have to be designed; and improved data collection was needed. Analysis of labour statistics would be essential to ensure that the needs of the most vulnerable groups were met. Noting that 2015 was a year for global action, she expressed the hope that the climate change agenda, to be adopted at the UN Climate Change Conference in Paris in September 2015, would be made legally binding.
- 554.** Outlining the challenges that lay ahead at the forthcoming series of high-level meetings to discuss the agenda, she said that it would be crucial to ensure the engagement of ministers of finance, parliaments, business and non-governmental organizations. Her own country, Nigeria, was facing unprecedented challenges caused by Boko Haram, social exclusion, desertification and environmental degradation, and was desperate for a new agenda and for international support.
- 555.** *The Minister of Labour and Social Security of Turkey*, speaking as a representative of the Turkish presidency of the G20, highlighted the fundamental importance of generating quality jobs. Noting that unemployment led to social exclusion and social unrest, he recalled that the top three priorities listed by the 7.2 million respondents to the “My World” survey launched by the UN in 2012 were a good education, better health-care services and better job opportunities. The world’s population was now in excess of 7 billion, yet the wealth of the 85 richest individuals was equal to the total income of half that number, or 3.5 billion people. Worldwide, a billion people went to bed hungry. There were more than 232 million migrants and up to 201 million unemployed, including around

75 million young people. To restore the labour market situation that prevailed before the crisis, it would be necessary to create 280 million new jobs in the next five years. Moreover, economies were badly affected by natural disaster and climate change. Since the economic crisis, growth rates were being revised downwards. The social rights of workers were deteriorating as a result of “social dumping”. Concerted international action, such as through the Millennium Development Goals, was needed to address those conditions, now to be expanded into the post-2015 development agenda. The ILO had an important role to play in that regard.

- 556.** In many countries, collective measures by G20 countries had alleviated the negative impact of the crisis. As the current holder of the G20 presidency in 2015, his country had defined its three priorities as inclusiveness, implementation and investment for growth. Those priorities had been identified with L20 and the B20 representatives. Throughout the year, the G20 members would discuss ways of creating inclusive growth at the G20 level and would focus on disseminating that growth to the entire world in an equitable way. He outlined some of the specific actions to be taken by the G20 labour ministers, including with regard to creating quality jobs, promoting youth employment, ensuring occupational safety and health and guaranteeing social protection. A specific target had been set for the participation of women in the labour force, and if achieved, by 2025 the existing gap would be reduced by 25 per cent. After describing some of the topics that would be discussed by a meeting of G20 labour and finance ministers, he said that a working subgroup within the framework of the G20 Employment Working Group would make recommendations to combat the decreasing share of wages in national income.
- 557.** Through structural reforms and political stability, Turkey had maintained continuous growth over the past five years, increasing national income per capita from US\$8,667 in 2002 to \$10,807 in 2015 and reducing the percentage of the population with a daily income below \$4.30 from 30 to 2.6 per cent. The minimum wage had been increased by 415 per cent over that period, and since 2009 employment had been increased by more than 5.3 million. Turkey led the countries of the Organisation for Economic Co-operation and Development (OECD) in improving income distribution. Its legislation on trade unions had been revised, and legislation had been prepared on occupational safety and health.
- 558.** Turkey had opened its borders to more than 1.7 million Syrians fleeing the conflict in their country. Its temporary protection legislation gave those refugees and displaced people the right to benefit from all public services. It was regrettable to see the hesitation of the international community in offering further international solidarity.
- 559.** Finally, he expressed his view that by taking advantage of its unique tripartite structure, the ILO could move beyond raising global labour standards to making its own contribution to the post-2015 agenda.
- 560.** *The Employer coordinator* said that her group welcomed the opportunity to discuss global employment and social challenges and the role that the ILO could play in addressing them. However, the arguments in document GB.323/HL/1 were inconsistent and insufficient. While the analysis of the global economic outlook and unemployment situation – specifically as discussed in paragraphs 6, 12 and 13 – was pertinent and correct, the document failed to analyse the reasons underlying the differences in employment and social performance between countries. It relied on globally aggregated figures, which precluded a differentiated analysis. It did not ask, inter alia, why employment and economic growth had improved in Central and Northern, but not Southern Europe, or why the informal economy remained stubbornly high in many, but not all, developing countries. It was possible that, in some countries, inefficient and corrupt public administrations and judicial systems hampered enterprises’ opportunities for employment creation and investment. It was a pity that the document did not address national regulatory

frameworks, particularly because the ILO had done a lot of work in that area. For example, the length of time it took to set up a business, which had a significant impact on formal employment creation, varied enormously between countries. Nor were geopolitical factors, such as ongoing conflicts, considered, yet they made it impossible to start businesses in certain countries. Over-regulation and under-governance of labour markets and employment relations could account for some of the differences seen – Northern European countries' regulations were more conducive to employment creation than other countries', for example. In other words, it could be that the enabling environment for enterprises was better and more efficient in the countries that had improved their employment and social prospects. The document should have highlighted the ILO's work on the enabling environment for sustainable enterprises and employment creation. Those contributions from the ILO added value to the post-2015 and other similar international debates.

- 561.** The ILO should engage in international debates such as within the G20 and other economic forums, and the post-2015 development agenda discussions, by taking positions that reflected tripartite consensus from the Conference and the Governing Body sessions; and the Office should report to the Governing Body about its engagements at the international level.
- 562.** *The Worker spokesperson* recalled that inequality and unemployment continued to rise, with devastating effects on economic growth, poverty reduction and social stability. Rates of precarious and informal work were high, especially among young people and women. Noting that the idea that debt could be serviced without growth was illusory, he said that the ILO should accede to the request made by the Greek President for support in the implementation of labour market reforms based on relevant ILO standards and macroeconomic policies that stimulated growth. Wage deflation and austerity were not only affecting Greece, however, but much of Europe, leading to unacceptable levels of unemployment and increased inequalities. His group welcomed, therefore, the increasing recognition that income policies usefully complemented macroeconomic policies. In particular, it agreed that minimum wages and strengthened collective bargaining were key to job recovery. Social protection and workers' rights also had a key role to play in promoting sustainable and inclusive growth.
- 563.** The ILO had an important advocacy role, at both the national and the global levels, in stressing the role of labour standards in recovery. Social dialogue should be strengthened and social partners consulted on policies for a job-rich recovery. At the European level, the short-term test would be three-tiered and hinge on setting Greece on a growth path, ensuring that Mr Juncker's plans for investment were delivered and guaranteeing wage-led growth across the eurozone. Referring to the G20, he said that, in view of the differences in policy in Europe and in North America, policy coordination should be improved across countries and coordinated action should be undertaken to ensure recovery from the financial and employment crises. Furthermore, there was a need to see comprehensive measures to boost aggregate demand and reduce inequality through raising wages and expanding public investment. The ILO should provide support for the country-level implementation of strategies to reduce precarious employment, and action to reverse the decline of the share of wages in national incomes, by strengthening collective bargaining systems and raising minimum living wages across G20 countries. More progress on the agreed G20 financial reform and a more comprehensive approach to tax and finance were needed, as were long-term responsible investment, and transparency and structural reform in the banking sector to ensure that the financial system delivered for the real economy. Investment to combat climate change and increase green jobs was also required – the latter implied meeting pledges to the Green Climate Fund. A just transition for workers had to be ensured.

- 564.** The existing global development model was unsustainable, and the post-2015 development agenda offered an opportunity to change course. The 17 proposed sustainable development goals were welcome – especially goal 8, on decent work, and the references to social protection in several indicators. It was important that data for monitoring progress against indicators should come from internationally recognized sources within the UN system and not from private groups. Targets should not be arbitrarily limited to having two indicators each. The indicators for decent work should be developed by the International Conference of Labour Statisticians. None of the proposed list of indicators referenced social dialogue, one of the four decent work pillars, which was essential to measuring progress on decent work. Challenges to implementation and a follow-up mechanism were both financial and non-financial. Official development assistance must continue to play a major role, complemented by new sources of funding. National and global accountability frameworks for reporting on the non-financial commitments, which should be binding and based on internationally recognized standards, were needed. Social dialogue had to be a key element of the accountability framework at the national level. Globally, accountability had to ensure policy coherence between the UN agencies and the effective participation of relevant actors.
- 565.** *Speaking on behalf of the Africa group*, a Government representative of Algeria said that, as access to decent work was the most effective means of poverty reduction, the entire international community must take action to promote productive employment and decent work. He noted with satisfaction that the ILO's work had led to a recognition of the importance of both for the three pillars of sustainable development. The Organization should take advantage of the post-2015 development agenda to strengthen and consolidate its founding principles within the UN system. The multiple crises of recent years meant that North–South development cooperation was needed urgently. The countries which suffered the most negative effects of globalization, including the African countries, needed the development support of the ILO and the international community. The ILO Declaration on Social Justice for a Fair Globalization and the Resolution on strengthening the ILO's capacity to assist its Members' efforts to reach its objectives in the context of globalization were important contributions in that connection. Crucially, international cooperation should seek to make the economy benefit people, to ensure social justice and to guarantee that vulnerable countries received greater financial support for their employment and social protection policies. The ILO's involvement in creating greater balance in North–South cooperation, and increasing its impact on the development of countries in the South, was welcome.
- 566.** He proposed the following addition to paragraph 49(i), after “post-2015 sustainable development agenda”: “the third International Conference on Financing for Development and the 21st Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change”.
- 567.** *Speaking on behalf of the Community of Latin American and Caribbean States (CELAC)*, a Government representative of Cuba said that Heads of State and Government had agreed, at the third CELAC summit, to coordinate action in the various forums considering the post-2015 development agenda, on the basis of regional priorities, including decent work for all. Furthermore, a CELAC labour and social forum, with a focus on promoting the creation of decent and productive employment and social inclusion, had been proposed and approved at the ILO's 18th American Regional Meeting, in October 2014. CELAC was working to promote equality, and specifically gender equality, particularly in relation to access to decent work, as central and cross-cutting elements of its members' policies. South–South cooperation was important and should complement North–South cooperation, contribute to national well-being and facilitate the achievement of nationally and internationally set development goals. At the CELAC summit, Heads of State had adopted a declaration with a view to ensuring that the post-2015 development agenda took into

consideration the specific challenges faced by all developing countries and gave developed countries a leading role, and took account of principle 7 of the Rio Declaration on Environment and Development of common but differentiated responsibilities. CELAC members would work together to ensure that developing countries had the means of implementation to enable them to achieve the development goals that were agreed. CELAC supported the commitment to continuing to engage actively and constructively in the subsequent phases of the post-2015 development agenda.

- 568.** *A representative of the EU and its Member States* said that Turkey, Montenegro, Iceland, Serbia, Albania, Republic of Moldova and Armenia aligned themselves with the statement. He highlighted four elements of the EU's response to the challenges of restoring smart, sustainable and inclusive growth. First, it was investing in the real economy through a plan to unlock long-term financing and facilitate access to finance for businesses, in particular small and medium-sized enterprises (SMEs). Second, it had taken initiatives to strengthen social dialogue as an essential component of governance. Third, it was stepping up efforts to restore socio-economic convergence through close coordination of economic and social policies. Lastly, it was committed to coordinated responses and action at the global level.
- 569.** The ILO had a key role to play in the G20 and other international forums and in the setting of the post-2015 development agenda. That agenda was an opportunity to address some of the most pressing global issues in a transformative manner. The report of the Intergovernmental Committee of Experts on Sustainable Development Financing and the proposals of the Open Working Group on Sustainable Development Goals should provide the basis for integrating sustainable development goals into the post-2015 development agenda. The Group of Friends of Decent Work for Sustainable Development provided a useful platform for informal policy discussions, but the Office should engage all actors, public and private, in the mobilization and effective use of resources. The ILO had an important role to play in the establishment of well-defined indicators that would measure progress according to a comprehensive idea of sustainable livelihoods and well-being. Effective implementation and ownership, which mainly occurred at the country level, were the most vital elements of the post-2015 development agenda. The Office should look at the development framework through the lens of the ministries that would be implementing it, particularly those of the least-developed countries, and should keep the Governing Body informed on progress. He supported the draft decision.
- 570.** *Speaking on behalf of the BRICS countries (Brazil, Russia, India, China and South Africa)*, a Government representative of Brazil said that, as a group, the BRICS countries had overcome the initial aftermath of the crisis while preserving and expanding jobs. Their experience had shown that social inclusion policies contributed to fostering jobs and reducing poverty and inequality. Furthermore, long-term sustainable and inclusive development was not possible without decent work. She called for strengthened macroeconomic coordination between all major economies, and reaffirmed the BRICS countries' commitment to working with the G20 and the global community to that end. The need to promote inclusive macroeconomic and social policies in order to achieve growth and development had been agreed at the sixth BRICS summit. The group reaffirmed its commitment to engage with other countries and international organizations, including the ILO, with a view to fostering solidarity and inclusiveness. As a group and individually, the BRICS countries were fully engaged in the discussions on the post-2015 development agenda. The outcome document had to contain a consensus-based and ambitious proposal that was fully consistent with the Rio Declaration on Environment and Development, including the principle of common but differentiated responsibilities. There was a need for an effective sustainable development financing strategy to facilitate the mobilization of resources in supporting developing countries, with official development assistance as a major source of financing. The ILO should play a leading role in setting goals, targets and indicators related to decent work.

- 571.** *Speaking on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden) and the Netherlands*, a Government representative of Norway said that there was a need to create positive pathways with specific policy interventions to overcome the negative economic, social and political consequences of the global employment and social challenges. Their experiences had shown that it was possible to combine economic growth with a comprehensive fiscal policy and welfare system, low unemployment and high labour market participation, particularly of women, and equitable income distribution. Social protection and active labour market policies increased labour market flexibility and economic robustness, facilitating structural change and risk-taking. The social partners' role was crucial in promoting wage restraint and active measures to combat unemployment. Further recognition was needed of the central role played by decent work in economic, social and environmental development, and the ILO should maintain its efforts in the different UN organizations and within the G20. It was important that the ILO should be able to deliver the necessary statistics for evaluating the effects of goals relating to decent work in the post-2015 framework. A greater focus on research and development and the development of knowledge-based research would be required in the years to come. The ILO should be the primary source of advice on the world of work, and should strengthen its work, in close collaboration with other relevant organizations, on the links between trade, investment and labour.
- 572.** *The Special Adviser of the UN Secretary-General on Post-2015 Development Planning* appreciated the Employers' focus on the need to identify the reasons behind differences in countries' employment and social performance that would require different responses, skill sets and types of investments. She emphasized the need to avoid leaving anyone behind, to see results in people's lives, and to make investments embracing the development agenda. She welcomed the contribution by the Workers on social dialogue and the indicators needed to measure progress towards sustainable development goals at the country, regional and global levels. More thought should be given to the indicators to be produced as part of the post-2015 agenda, as global indicators could not reflect variations between countries; countries should be allowed to produce appropriate indicators and other targets. On financing for development, targeting overseas development assistance to the countries most in need and unlocking resources through political commitment would be crucial. She agreed that positive pathways with specific policy solutions must be identified before the UN Conference on Financing for Development, as otherwise the expectations outlined in the report by the post-2015 working group would not be met. She welcomed the common Africa position on the post-2015 development agenda. The UN was attempting to move away from development as understood traditionally towards sustainable development in accordance with the Rio Declaration. Enormous efforts would be required of member States in securing the necessary funding for, and subsequently implementing, such a large and complex agenda.
- 573.** *A Government representative of Romania* said that her Government's national employment strategy focused on employment creation, alongside a competitive, knowledge-based economy to promote social cohesion and sustainable development. Tackling youth unemployment, increasing women's labour market participation and reducing the loss of skilled labour through migration were of particular concern. Her Government was in favour of a more efficient mechanism for implementing and assessing the impact of labour market policies, and social dialogue was essential to that process. She supported the draft decision.
- 574.** *A Government representative of Zimbabwe* said that the ILO should continue to support member States in the creation of decent jobs, especially for marginalized groups, young people and women. She supported continued engagement with multilateral organizations, including the other UN agencies, particularly as the draft sustainable development goals were being finalized. Beyond ensuring the adoption of draft goal 8 on productive



employment and decent work, the ILO needed to work on measures to implement it. It should work towards a second global jobs pact complementing the post-2015 development agenda or specifically giving effect to draft goal 8. Without clear global measures promoting productive employment for poverty reduction, the post-2015 development agenda and its social development goals could not provide a basis for tackling unemployment and poverty. Furthermore, enterprise development should be mainstreamed within macroeconomic policy frameworks in order to generate additional employment opportunities, preserve existing jobs and reduce decent work deficits. The Office should cooperate with governments and social partners to promote enterprise development for poverty reduction.

- 575.** *A Government representative of Ghana* proposed that the creation of decent jobs and amelioration of working poverty should be an integral part of any future development goals and not subsumed under economic goals.
- 576.** *A Government representative of the Dominican Republic* said that the post-2015 development agenda and the sustainable development goals were an opportunity to create conditions to ensure the well-being of everyone and eradicate poverty. It had to address global challenges while taking account of regional, national and local circumstances. The ILO would play a crucial role in proposing a strategy for full and productive employment and decent work as an explicit goal of the post-2015 development agenda.
- 577.** *A Government representative of Bangladesh* underscored the need for job-inclusive recovery and recommended that the ILO should build a stronger network with international organizations to ensure coherent socio-economic policies conducive to employment generation that took account of differences between countries and regions. The ILO should conduct studies on the interactions between employment and climate in climate-vulnerable countries. It should research and disseminate policies and best practices to ensure job-rich recovery and sustainable growth, particularly in emerging and fast-growing areas of employment. An effective approach to assisting vulnerable groups, particularly migrants, would require greater integration, cooperation, and incorporation of specific components in the ILO's programme and budget and strategic policies to suit developing countries.
- 578.** *A Government representative of Ethiopia* pointed out that young people, especially women, continued to be disproportionately affected by unemployment, particularly in Africa. In sub-Saharan Africa, poverty was the highest in the world. The inclusion of productive employment and decent work should therefore be one of the goals of the post-2015 development agenda, as it would offer a means of responding proactively to youth unemployment. The ILO was doing valuable work in promoting the Decent Work Agenda. The Director-General's participation in the G20 Summit had enabled him to highlight the challenges and opportunities in the context of reducing global unemployment. The ILO had a key role to play in supporting developing countries' efforts to reduce poverty and promote the empowerment of the poor. The ILO should likewise advocate support for the developing countries in the intergovernmental negotiations of the post-2015 development agenda. It could also play a crucial role in further promoting the enhancement of international cooperation at the Third International Conference on Financing for Development. His Government encouraged the ILO to take part in the 21st Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change. He therefore supported the Africa group's amendments to subparagraph (i) of the draft decision.
- 579.** *A Government representative of the United Republic of Tanzania* said that employment and social protection should be included among the 17 potential sustainable development goals. A critical examination of the rise in youth unemployment was required in view of growing social instability and conflict around the world. Unemployment was not a problem

faced by a single country, subregion or region. Countries must strive to create more productive, decent employment opportunities for youth through cooperation, partnership and tripartism. The Office should continue with its good work in that respect and should demonstrate leadership on employment issues in the multilateral system. His Government thanked the ILO for its help in tackling youth unemployment by promoting entrepreneurship and enhancing the employability skills of young people. He urged the ILO to support member States in ensuring the sustained participation of young people in their labour markets. He endorsed the draft decision, as amended by the Africa group.

- 580.** *A Government representative of the Russian Federation* said that the ILO played a crucial role in fostering faster economic growth and boosting employment, and it should support efforts to that end in the G20 and other international forums. She recalled the commitments undertaken by the leaders of the G20 to reduce poverty and inequality by overcoming the gender gap in the labour-force participation rate and to lower youth unemployment by ensuring that young people had access to high-quality education. The programme of action of the leaders of the G20 should form the basis of the ILO's endeavours to promote employment and economic growth. The ILO should address the issues where it was a leader. It could play a key role in ensuring interaction between the social partners and with the G20 in matters of labour and employment. Inequality on the global labour market was not diminishing. Urbanization, technological change and demographic transition reflected in the ageing of the population and the quality of jobs presented a social challenge. Recommendations should be formulated on stimulating economic growth through improved employment policies. Such measures, if undertaken by various countries with different economic conditions, might have a variety of results. The ILO could help with monitoring them and could recommend ways of harmonizing that monitoring. The ILO should continue its work on vocational training with a view to ensuring comparable qualifications within the G20 countries. The ILO could work together with other international organizations to take stock of labour resources worldwide and to forecast the qualifications required in the medium and long term. As from 1 April 2015, the Russian Federation would chair the BRICS group. Her Government invited the ILO to take part in preparations for the meeting of ministers of labour and employment of that group and in other events concerned with labour and employment in 2015 and 2016. Since the Millennium Development Goals had not encompassed employment goals, the ILO should endeavour to ensure that employment was included in the new development agenda of the UN. A comprehensive analysis was needed in order to achieve decent work in the existing value-added chain.
- 581.** *A Government representative of Argentina* said that her country had been playing an active role in the post-2015 development agenda discussions and the G20 in promoting decent work and employment growth and a fair distribution of income. It was, however, essential to ensure fundamental rights for all without exception, throughout the world. That required a commitment by all governments and social partners.
- 582.** *A Government representative of Panama* said that the ideal of sustainable development advocated by the ILO called for a new era of social justice, underpinned by policies based on people's needs, the environment and fairness. The benefits of globalization must be shared equitably; young people must be given hope; creativity must be encouraged in every society; public and private institutions and policies must be credible; and decent work must be promoted, to allow everyone to prosper, express themselves and experience true democracy. A link must be maintained between social progress and the safeguarding of the fundamental principles and rights at work. Panama was in favour of the post-2015 development agenda, including goal 8 of the Open Working Group on Sustainable Development Goals, and it supported the draft decision.

- 583.** *A Government representative of Colombia* thanked the ILO for its technical assistance, which had enabled all parties to make progress towards decent work, towards a social dialogue where the rights of freedom of association and collective bargaining were respected, and towards peace. The ILO should support the recovery of employment on the basis of its tripartism, which made it possible for both sides of industry to participate in decision-making and gave the Organization special ethical and political legitimacy. All member States should incorporate the idea of employment as a public service in their legislation. The formulation of policies on decent work would be facilitated by research into changes in world markets that had had an adverse impact on labour conditions and by the identification of mechanisms to extend the right of occupational safety and health to persons in the informal sector and those with no employment link. Research was also needed into rural employment and the best way to provide rural workers with social protection and to include persons working in family farms in the formal economy.
- 584.** *A Government representative of France* said that he had six main messages. First, the economic recovery after the crisis was fragile and everyone should work together to consolidate it. Second, in all countries sustainable economic growth was inconceivable without respect for the environment, combating climate change and a reasonable use of natural resources. The ILO should make its voice heard at the crucial 21st Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change. Third, decent work was more than ever the main means of improving economic growth in a sustainable manner and promoting social cohesion. Fourth, the challenge of unemployment, particularly youth unemployment, concerned all regions of the world and therefore required a coordinated global solution. Fifth, efforts must focus on vulnerable sectors, that is women and young people. National or regional experiences might provide useful input when looking for solutions. Sixth, the ILO must continue to play an active role in the various international forums in order to inform them and to participate in the devising of common solutions. He welcomed the ILO's formulation of indicators with tripartite recognition. It must turn its analysis capacity to good account. He welcomed the establishment of the unified ILO research centre capable of strategic analysis, which would support active ILO participation in work on the post-2015 development agenda. He was pleased that the UN agencies were genuinely coordinating their work in the Open Working Group on Sustainable Development Goals and could thus pool their experiences. The social dimension was indeed a vital component of an integrated approach to inclusive, sustainable growth. The current debate was fully in line with the thinking of the Economic and Social Council on the means of achieving sustainable growth through employment and decent work for all. The ILO's specific approach was essential in the international debate on employment and the organization of society. He fully supported the draft decision.
- 585.** *A Government representative of Bulgaria* agreed that that there was a need for coordinated and comprehensive action in response to the common challenges of poverty, education and sustainable development. The post-2015 development agenda should be global and universal, and should preserve the political balance to be found in the proposal of the Open Working Group on Sustainable Development Goals. The ILO could play an active role in the post-2015 development agenda and had succeeded in developing stable partnerships and in becoming a leader in endeavours to reach the common goal of a world where fair globalization, social progress and decent work reigned. He encouraged the ILO to pursue its efforts to obtain decent and productive working conditions. The Decent Work Country Programmes (DWCPs) reflected the strategic planning of ILO activities in cooperation with the individual member States and would contribute to the achievement of sustainable results.
- 586.** *A Government representative of the United States* said that it was important to recall that, despite significant recovery in trade, finance and in some corporate profits, global employment remained deeply scarred by the crisis of 2008. He supported the excellent

programme for the G20 process outlined by the Turkish presidency, which balanced a continuing focus on ongoing issues such as youth unemployment, the relationship between labour and finance, female participation in the labour force, and occupational safety and health, while introducing an important new emphasis on inequality and stimulating global growth. Turkey's programme wisely recognized that some remedies must be developed at national level while others required concerted international collaboration. Since the inception of the G20 labour track, the ILO, through its participation in the Sherpa group and the Employment Working Group had played an important role in shaping the G20's agenda. He strongly urged the Director-General to maintain and strengthen the ILO's participation in the G20 process, since the ILO's research expertise was exceptionally well suited to the needs of the G20. The Director-General should continue his efforts to engage with the UN, especially in the context of the post-2015 development agenda, the international financial institutions and other international institutions to ensure better integration of the Decent Work Agenda into global policy processes. He supported the draft decision.

**587.** *A Government representative of Trinidad and Tobago* said that the aftermath of the economic crisis had been compounded by other global challenges and countries found themselves planning for a sustainable future while seeking to remedy an unpredictable and frequently turbulent present. With those challenges in mind, she agreed that coordinated policy initiatives were essential to tackle the emerging trends. Trinidad and Tobago reaffirmed its commitment to working with the ILO and its development partners to meet the challenges that lay ahead. She expressed full support for the call for stronger action to tackle climate change, which must of necessity include the effects of climate change on labour markets. That issue was particularly important for small island developing States such as those in the Caribbean. As discussions continued on the post-2015 development agenda, her Government was optimistic that the importance of sustainable employment and decent work would become more entrenched in the psyche of many colleagues in other organizations who spoke of poverty eradication, reducing inequalities, social and economic policies, jobs and employment. She urged the ILO to continue its outreach efforts in the multilateral system and to build on the platform it had already established for the promotion of decent work and labour issues. She supported the draft decision.

**588.** *A Government representative of China* said that the global economic outlook was not bright. The recovery process in most advanced economies was not robust, while in the emerging economies development was slowing down. That situation was causing social problems in many countries. Consequently the ILO should strengthen the coordination of the relevant UN organizations in order to further promote pro-employment economic development and implement the Decent Work Agenda. At the same time, the ILO should draw up a more practical and feasible plan to help member States to address employment problems and promote equality. He welcomed the fact that the ILO had played an important role in the G20 working groups. It was to be hoped that the ILO and China, the next chair of the G20, could cooperate further and that the ILO could analyse the general trends in global employment and summarize policies and practices that had successfully dealt with unemployment and social challenges, and present its findings to the G20 and other international forums.

**589.** *A Government representative of the Republic of Korea* said that all ILO constituents needed to do their part to enhance the visibility of the Decent Work Agenda at international forums. She encouraged the ILO to continue to engage actively in the G20 and highlighted that the joint Korea–ILO research on income inequality would provide an analytical input for the G20 Employment Working Group. Referring to the post-2015 agenda, she emphasized that it was more important to attain goals than to set them. To that end, the Office should use the experience and expertise it had gained from implementing

DWCPs to support constituents in achieving the goals in the post-2015 agenda. She supported the draft decision.

- 590.** *A Government representative of Thailand* said that the best way of supporting global action was through the early implementation of DWCPs. In that regard, his country was working towards ratification of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Maritime Labour Convention, 2006 (MLC, 2006). Sustainable development could be achieved through employment creation and decent work for all. ILO research in strengthening the labour market was therefore urgently needed. He supported the draft decision.
- 591.** *A Government representative of Mexico* highlighted the importance of setting and implementing a post-2015 development agenda to enable the sustainable recovery of employment. The ILO had a major role to play in ensuring that economic growth was achieved in conjunction with decent work. Carrying through its reform agenda was one of the main ways in which the ILO could support global action on employment and usher in regional change to meet constituents' needs. Within the G20, the Office should continue to contribute to the Employment Working Group. It should also continue to promote social dialogue in international forums and to support its constituents in adopting comprehensive and inclusive reforms. It could support the post-2015 development agenda by preparing the ground for its implementation through an analysis of the capacities and resources of both the ILO and its constituents. The ILO had an important role to play in research that would help constituents strengthen public policies on employment and social protection, focusing on the inclusion of young people in the job market.
- 592.** *A Government representative of India* said that the ILO must take the leadership role in interactions between UN organizations and other international forums to ensure that decent work was integrated in policies for economic recovery and growth across various sustainable development goals. The goals of employment and employability had to be in tune with those of industrial development and growth. Self-employment, SMEs and migration were the new faces of the labour market, while informality remained a problem. Within the G20 discussions, attention should be focused on developing a labour-intensive industrial sector, providing support for SMEs and tackling income inequalities. Meanwhile, vulnerability of the labour force should be countered through demand-responsive skills development and enhanced social protection. In that regard, the ILO should promote labour mobility with skills portability. Integrated policy interventions were required to translate rural economic growth into employment. The ILO should play a leadership role in defining a global economic agenda which focused on enhanced job opportunities and decent work.
- 593.** *A Worker member from Senegal* said that the four pillars of the Decent Work Agenda had to be reflected in the indicators. He was concerned about the lack of targets or indicators on social dialogue, which was essential for promoting decent work, social progress and equitable development. Social dialogue should be central to negotiation of the post-2015 sustainable development goals. Goal 8 should include gender-disaggregated indicators on the working poor and rates of informal employment; with a view to reducing inequality, goal 10 should include indicators on decent work in relation to wages; and goal 16 should include freedom of association under the definition of rights, which would make it possible to monitor violations of trade union rights. Lastly, the Office should continue to promote the decent work indicators established by the International Conference of Labour Statisticians.
- 594.** *A Worker member from Bulgaria* said that austerity measures in Greece and other parts of Europe had led to growing social discontent, uncertainty and fear. Promising solutions lay in putting an end to unnecessarily severe austerity measures, negotiating debt restructuring,

opening more fiscal space and attracting investment to address urgent social needs. Such solutions were in line with the ILO's policy mix recommendation to Greece in 2014. He urged the Director-General to give an affirmative answer to the Greek Government's request for ILO expertise in helping to elaborate the policy mix and promote social dialogue at all levels.

- 595.** *The Minister of Labour and Social Security of Turkey* said that participants in the discussion had highlighted the same problems and challenges: unfavourable investment conditions, slow rates of growth, unemployment, informality and abuse of labour. International institutions could provide new and dynamic solutions to those problems. For their part, participants should share the information and lessons learned when they returned home. The tripartite structure of the ILO was of great importance in providing a forum for compromise, but the current situation called for new structures and new mindsets in the relations between employers and workers. Under Turkey's presidency of the G20, the Employment Working Group would seek to establish links between labour and finance ministers to work towards a coherent growth strategy. The new challenges in industrial relations called for the development of new solutions, and the ILO had an important role to play in the G20. His country's presidency would focus on action, to give hope to the poor, the unemployed and disadvantaged groups in the world.
- 596.** *The Employer coordinator* said that her group looked forward to being consulted on the positions to be taken in the G20 and discussions on the post-2015 development agenda.
- 597.** *The Worker Vice-Chairperson* said that the overall global framework of indicators was of crucial importance and should reflect the four dimensions of decent work, including social dialogue. Although circumstances varied from country to country, slow economic growth was rooted in low global demand. Emphasis should therefore be placed on the global need for income policies, in particular minimum wage measures, and the promotion of collective bargaining. Achieving policy coherence and coordination was crucial for boosting national and global economies. Regarding individual country approaches, the group had repeatedly voiced its criticisms of the World Bank's *Doing Business* reports. Rapid business registration, while useful, was not a panacea. Instead, there was a need for inclusive macroeconomic policies, complemented by income policies to boost demand at national level. His group welcomed ILO involvement in the G20 but would have liked to receive more information on the ILO's contributions.
- 598.** *The Director-General* noted that the discussion had highlighted the importance that the tripartite constituents attached to the ILO's engagement in the G20 and in discussion of the post-2015 development agenda; the Governing Body had rightly recognized their complementarity and common purpose. One message underlying the comments made was a real concern at the state of the world economy and the consequences on jobs, growth, inequality, and societies at large. Another message was that a number of upcoming international meetings would provide the opportunity for global action, in which the constituents had asked the ILO take a lead role. So far, the ILO had achieved positive results in the G20 and in the post-2015 development agenda process, but the story was unfinished. The focus should remain on implementation rather than design: the purpose was to change the trajectory of the global economy and to make an impact on unacceptable levels of global unemployment, sluggish growth and widening inequalities. The ILO would bring its research and statistical capacity as well as its tripartite strength to bear in international forums, demonstrating its authority, legitimacy and stability. The Office would take heed of the call for a coherent policy response, combining both the labour and financial streams. The challenge facing the ILO was to make permanent its capacity to contribute to international policy-making processes and to graduate to a new level of qualitative inputs, which would entail continued strengthening of its analytical and research capacity and its outreach to other international organizations. While the

Employers considered that analysis on different experiences in terms of growth and jobs was lacking in the report, the ILO was carrying out relevant work in that regard, which had not been detailed due to length constraints. National and regional experiences did vary, and the Office understood the need to research and analyse the reasons for such differences. For its part, the new Greek Government was aware of the ILO's readiness to respond to any request for technical cooperation. In terms of reporting back, the B20 and L20 gave good opportunities to consult on inputs to the G20. Furthermore, the Governing Body would be consulted on the ILO's involvement in the G20 and the post-2015 development agenda discussions, possibly at its November 2015 session.

## **Decision**

### **599. The Governing Body requested:**

- (i) the Director-General to maintain and strengthen the ILO's engagement in the G20 process, other international economic policy forums, the post-2015 sustainable development agenda, the Third International Conference on Financing for Development and the 21st Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP21), taking into account the views expressed during the discussion;*
- (ii) the constituents to engage in national policy-making discussions on reinforced international action to promote decent work, urgent recovery policies and the longer term UN sustainable development framework as set out in the ILO Declaration on Social Justice for a Fair Globalization.*

(GB.323/HL/1, paragraph 49, as amended.)





## Appendix I

### **Statement by the Director-General to the Programme, Financial and Administrative Section of the Governing Body** (323rd Session – 16 March 2015)

I am pleased to have this opportunity to present to you my programme and budget proposals for the coming biennium, 2016–17, as a basis for the Governing Body to determine the recommendations that it will forward to the International Labour Conference for final adoption in June.

This is the second set of such proposals that I have presented, the first occasion having come very soon after my election. It is with this perspective in mind that I have felt it particularly important to ensure that the document and proposals now before you embody the key propositions and orientations of the vision statement upon which I was elected by you, and particularly that they provide a basis for the continuation and the deepening of the reform process that has been the driver of change and improvement in the ILO over the past two-and-a-half years.

I believe that these proposals do that; I believe also that they benefit significantly from the guidance that you have provided over that period and most particularly in the debate on the preview document that took place here last November. We have carefully considered in the secretariat everything that we heard then, and it has undoubtedly served to enrich the proposals that I now present. And, of course, we continue to listen.

It is a logical consequence of what I have just said that there must be a combination of continuity and of innovation in these proposals. Continuity, because moving the ILO forward towards the ambitions that together we have set for it, is not the business of a single biennium and so, in many respects, we must hold the course that has been set rather than be distracted from it. But innovation too, because both our circumstances and our efforts present new opportunities to do better than before, and we must take those opportunities.

At the outset let me recall that, within the established framework of the Decent Work Agenda and the ILO Declaration on Social Justice for a Fair Globalization, the overarching goal of the programme and budget proposals is to advance the task of making the ILO more influential and hence more capable of advancing its mandate for social justice. To do so, the proposals seek to enhance the ILO's technical and analytical capacities, to organize its substantive work around a limited number of key policy outcomes, to provide high-quality and relevant services to our constituents, to make the ILO a committed and valued part of the United Nations (UN) delivering as one, to increase the effectiveness and efficiency of our work and to be held accountable to the highest standards of performance through a reinforced results-based system of management.

At the heart of the proposals, you will find the ten policy outcomes. They are, I think, a good example of the mix of continuity and innovation of which I have spoken. Substantively, many of them build upon work in the current biennium, specifically under the eight areas of critical importance (ACIs), but now with modifications, some of which stem from your comments last November. Moreover, fair and effective migration policies have been added in the light of last year's Conference debate. Policy outcomes on strong and representative employers' and workers' organizations and on international labour standards are also proposed as a proper and required response to the imperatives of truly operational tripartism and the crucial nature of the ILO's normative function on which I

sincerely trust we will be able to make significant advances during this Governing Body session.

Getting the choice of these ten policy outcomes right is obviously of essential importance to the job that we have before us. These outcomes must be relevant to member States in all regions and must address priority challenges where the ILO can and must make a very substantial difference. Our consultations to date allow me to say to you today that I think that what is proposed meets those requirements. But it is equally important that the results-based management methodology underpinning these outcomes is robust and credible.

We are helped in this by the fact that it is now possible to align fully our policy priorities with our programme outcomes, something which circumstances prevented in the course of the current biennium. As you will see, we have a concise, strategic outcome statement for each outcome, an identification of the issues to be addressed and of lessons already learned and a presentation of means of action. That is followed by a series of indicators with results criteria and a total of 560 expected country targets.

In all of this, we have worked to ensure that the targets reflect properly the regional priorities outlined in the proposals, which have been substantially reworked because they were an identified point of weakness in the preview discussion that took place last November.

We believe that, taken together, this represents a significant strengthening in the “science” of results-based management; but we have no illusions – we need to keep working at this. But these proposals do, I think, take us forward.

Let me highlight three further points in respect of these ten proposed policy outcomes.

First, the fact that they are relatively few in number and do not generally correspond to individual technical or administrative units in the Office means that they become potentially much more effective vehicles for the ILO to bring a critical mass of resources and needed multidisciplinary approaches to the task of addressing the challenges that they embody. That provides real opportunity to improve the quality of ILO work, but we can realize it only if we succeed in overcoming the compartmentalized practices of the past. We have worked hard to bring down our own silos and I think that we are managing to do so.

Second, each policy outcome will be implemented with full regard to what are now three cross-cutting policy drivers, relating to international labour standards, relating to social dialogue and relating to gender equality and non-discrimination, which are relevant to them all. In addition, they will be supported by three enabling outcomes addressing effective advocacy, governance and support services.

In preparing these proposals, the need to subject these three “enabling” factors to the same disciplines of results-based management as the policy outcomes seemed increasingly persuasive. But our previous conversations did reveal some concern among you that the accumulation of policy outcomes, enabling outcomes and cross-cutting drivers (10 + 3 + 3) meant that the claimed focus of efforts in the proposals might be more apparent than real. However, I hope that the full presentation of the proposals now before you will allay any worries in that regard and show that what are dealt with here are quite distinct and complementary dimensions of the programming process.

Third, the proposals for each policy outcome explain how partnership with other institutions active in the area concerned can contribute to the achievement of ILO objectives – and I do want to underline the importance of this proposition. This is very much in line with the Organization’s determination to work more closely with others in the UN system – and to invest in that – and with actors beyond the system too.

The Governing Body will recall that the seven centenary initiatives which I first suggested to the International Labour Conference in 2013, and which have since received its approval, will need to be operational in the period covered by these programme and budget proposals and in the biennium after it as well. They cover a variety of types of activity, all of which – albeit in quite different ways – are woven into these programme and budget proposals. Three contrasting examples can be taken to illustrate the point: the future of work initiative figures prominently under the research proposals; the governance initiative is taken up most specifically in enabling outcome B; and the women at work initiative is central to the gender equality and non-discrimination cross-cutting driver. These examples illustrate a basic point that the initiatives are integral to the activities proposed, rather than being additional to them.

There are, however, two other areas in which it is proposed to invest specifically, with a view to adding real value to the programme and budget as a whole.

The decision taken by the Governing Body a year ago to adopt simultaneously a programme and budget and a transitional strategic plan for 2016–17 so as to allow a full alignment of the medium-term planning cycles of the ILO and the UN as of 2018 was, I believe, a clear statement of interest – a clear choice – for the enhancement of the ILO’s role in the wider UN system. We are doing this and we are doing two further things in these proposals to advance us in this direction.

The first thing that we are doing is to increase to \$4 million the ILO’s financial contribution to the UN Resident Coordinator system, an investment which is matched, and I think to some extent justified, by the fact that the ILO now participates in 133 UN country teams around the world and that funding from the UN made up 12.6 per cent of the ILO’s extra-budgetary allocations in 2013, the last year for which we have such figures.

The second is the manner in which the proposals anticipate a strong ILO contribution to the UN’s post-2015 development agenda to be adopted next September. We will be hearing more about this later in this Governing Body session, but the point I want to make for now is that, in the event that decent work and social protection, inter alia, do find their place in the UN post-2015 development agenda, and with the vehicle of the end to poverty centenary initiative to hand, the ILO will be well placed to take up its important responsibilities in this context.

The inclusion in my proposals of a specific section on “Research, knowledge, labour statistics and capacity development” is both a response to a specific instruction of the Governing Body and the reflection of the major effort undertaken by the ILO to upgrade its research, analytical and statistical work, to which I referred at the outset. We need significantly improved capacity in these areas in order to be effective evidence-based policy advocates and the providers of the quality services that you, our constituents, demand. It is from this, and this alone, that increased influence will come.

Efforts in this regard have centred on the new Research Department, but they are not limited to it. Other parts of the Office – in Geneva and in the regions – are also involved. In any case, when the decision was taken by the Governing Body in October 2013 to discontinue the International Institute for Labour Studies, it was agreed that governance functions previously performed by the Board of the Institute would, in future, be exercised by the Governing Body in the context of the programme and budget discussion. In pursuit of that Governing Body instruction, proposals in this area provide for two major strands of work – one on major trends in the world of work in the context of the future of work initiative and the other focused on “what works” – evidence-based policy analysis – in connection in particular with the ten proposed policy outcomes. This is to be backed up by a proposed reinforcement of our statistical work – more and more widely recognized as a precondition of our effectiveness – and the launching of a new major flagship publication, as well as the work of the Research Review Group whose eminent members will help provide important guarantees concerning the quality, rigour and objectivity of the work undertaken. I am pleased as well to inform you that we have advanced significantly in our

efforts to establish a joint research agenda with the World Bank, and have attracted significant funding for that.

I will conclude my presentation with some comments on the level of the budget, centred on the basic point that these proposals represent a continuation of the zero real growth trajectory of the ILO, which we have been on since the 2000–01 biennium. That means, by the way, that in real terms the budget as proposed stands 14 per cent below its real level of 1978–79, the peak years.

Before I get to that, I want to insist on the significance of the internal redeployment of resources within this constant real resource base, which is contained in the proposals before the Governing Body.

If the reform commitment with which I was elected is to be taken seriously, I believe that it is incumbent on the ILO to demonstrate that it is shifting resources to front line technical analytical work and direct service provision through concerted and persistent efforts to economize on administrative and support functions and through overall improvements in efficiency.

Our response during the current biennium is the ongoing redeployment – of which you are aware – of \$18 million to strengthen ILO technical work. It is now proposed to redeploy a further \$25 million to the same effect – that is 3.3 per cent of the proposed regular budget. Concretely, this would mean not only that 22 new technical positions are provided for in the Policy Portfolio, but also that an additional 17 such positions are provided for in the regions, together with an extra \$2.5 million in regular budget technical cooperation resources for the regions. This means a net increase of \$6 million for the regions. This has been made possible by the systematic re-profiling of staff positions involving shifts from General Service to Professional posts and from managerial to technical ones, together with reductions in non-staff expenditure. It has been a lot of hard work but, in short, we are trying to put our money where your needs are.

Given that a current focus of the continuing reform process is the in-depth review of internal administrative and business procedures, I am hopeful that more can be done in the future.

What has been achieved so far – and what we hope to continue to do, I want to underline – has been done through constructive cooperation with our own staff and their representatives, and I want to express my appreciation for that. You will be hearing from the staff representative later in the session.

These are important developments. We think that they represent significant enhancements of ILO technical capacities and we think that we are honouring the commitments that we made two-and-a-half years ago. But my colleagues and I are constantly aware as well that they would count for little if they came at the price of undermining the Office's responsibilities to you for sound administration and financial management of the resources you choose to place at our disposal. I want to reassure you that we will not allow that to happen, and indeed we propose as well to increase expenditure on oversight, audit and evaluation to help make sure that it does not.

Finally, the bottom line of these proposals is a regular budget of \$801.26 million in constant US dollars – that is to say identical to the real level of the current budget and, as I have indicated already, a continuation of the zero real growth trajectory. The peculiarity, if I may say so, of our current position is that because of the negative evolution of costs explained in detail in Information Annex 2 to my proposals, the nominal level of the budget is now \$797.39 million, that is to say some \$3.8 million or 0.5 per cent below the nominal dollar level for the current exercise, at the current budget rate of exchange.

I am conscious that exchange rate fluctuations can cause these figures to vary and that many governments are equally conscious of that reality, not least in the light of some recent variations. In that regard, there are a couple of simple points which might usefully

be borne in mind: that exchange rates, obviously, lie beyond the capacity of the ILO to influence and generally act to the advantage of some and the disadvantage of others, with today's winners often being tomorrow's losers. These issues were the object of prolonged discussions prior to the establishment in 1989 of the current dispensation of a budget set in US dollars and assessed in Swiss francs and there seems to me to be no reasonable way in which they can, or should be, accommodated further in my proposals or your discussions.

Governments, in particular, can be reassured by what I have said, and more importantly by what the Office has done over the last two-and-a-half years: that we understand the financial constraints acting on many of them, and that we assume for ourselves the financial and managerial disciplines faced by public administrations across our global ILO membership.

I trust that members of the Governing Body will find in the proposals before them a vision for the ILO worth investing in and engaging with and, with these remarks, I commend these Programme and Budget proposals for 2016–17 for your consideration and for your adoption.

## Appendix II

### **The Director-General's response to the issues raised by Governing Body members during the discussion of the Programme and Budget proposals for 2016–17 (323rd Session – 25 March 2015)**

I would like to begin my reply to last week's debate on my Programme and Budget proposals for 2016–17 with two general comments, before moving on to more specific issues and some ideas for modifications.

The first general comment has to do with process. The need for full and continuing consultations in the process of formulating, finalizing and then implementing the programme and budget has been emphasized by all and I have said, and I reiterate now, that my colleagues and I understand that need and are absolutely committed to meeting it.

Indeed, many in the Governing Body have welcomed the consultations that have taken place to date, but some have expressed concerns about their inadequacy. This is despite the fact that the Office is a vigorous "equal opportunities consultant" – we must, and we do, engage with all equally.

This situation may be the result of different expectations in our tripartite constituency. But it leads me to a somewhat different thought, which is that the responsibility of the Office to listen carefully and to respond to the views of the Governing Body is matched by the need for the different groups of the Governing Body also to listen to each other and to judge the proper outcome of our work, in the light of the totality of all of the ideas expressed. That is the road to consensus building, which is the way our Organization works, and can only work, and the basis upon which this reply is formulated.

That leads me to the second of these general considerations. It is that there was clearly wide and strong support for the fundamental rationale, structure, and intent of my programme and budget proposals.

All of those who addressed the issues – the great majority of you – welcomed the concentration of resources on ten policy outcomes backed by three enabling outcomes, and the use of multidisciplinary approaches for their realization. You equally welcomed the significant redeployment of resources from support and administrative functions to frontline technical work of direct benefit to constituents, and from Geneva to the Regions. And, for the most part, the continuing involvement in research and analytical work – the continuing improvement in research and analytical work – was recognized as strategically crucial to the overarching objective of establishing ILO leadership and influence.

In all of these areas, the proposals were recognized – and positively received – as being consistent with ongoing reform in the Organization and benefiting from the demonstrable results that the reform process was yielding within the unchanging guiding framework of the Decent Work Agenda and the 2008 Declaration on Social Justice for a Fair Globalization. All of this, nevertheless, came with a warning to the Office not to relax in its reform commitment or to become complacent – and we will not do that. An accompanying warning was for us to be alert to the danger that the changes we have introduced in the Office – designed, *inter alia*, to break down silos in our structures and working methods – might inadvertently give rise to new silos. I understand that point – and once again I say that we will not let that happen.

These two general reflections provide what I think is a very positive platform from which to address the more specific matters of concern. Because not only is there general support for the choice of the ten policy outcomes which are at the heart of the programme proposals, and its reform-driven rationale, but also for the proposed level of the budget. Partly, no doubt, because of the positive (perhaps I should say negative) evolution of our

costs, but also, I believe, in recognition of the real efforts made by my colleagues to render better value for money to our member States, nobody has asked for the proposed budget to be cut below its proposed zero real growth trajectory. That is exceptional and means that our current debate does not have to address how much money you entrust to us, but can focus instead on how we use it.

And that leads me to the more specific matters.

The first of those concerns the complex nexus of issues surrounding our attempts to reinforce the results-based management framework of the proposed programme and budget, and the setting of baselines, indicators, targets and outcome statements.

There were many inputs on this from all groups. And while you were generally supportive of the real intent of strengthening our results-based management systems, shortcomings and difficulties were also highlighted, and need to be acknowledged. Some of these relate to problems with specific indicators or targets, and others are of a more general nature – for example, on the extent to which we have been able to translate the real substance of our outcomes into appropriate, measurable instruments.

It is not possible for me to address all of the points raised this afternoon – but I do want to acknowledge the particular stress placed on the need to more fully reflect the key roles of international labour standards and of tripartite involvement in the work that we do, and to better align proposed targets with stated regional priorities.

But let me make a proposal of a procedural character which might help us to address the entirety of these issues. My feeling is that we need to work further to fine-tune our indicators and targets, and a number of you made explicit and generous offers to help us to do that. We want to take advantage of that possibility. So, I would propose that we undertake a process of consultations with all of the groups to rework some indicators and targets in the light of the comments that have been made here. To help the process, and to respond to requests that have come from many members of the Governing Body, we will share with you information – indicative and provisional as it has to be – on baselines (which can only be fixed definitively at the end of the year).

Following previous practice – because we have been in this situation in past biennia, refinements to targets and indicators resulting from consultations with you would be presented in an addendum to the proposals approved by this Governing Body for presentation to the Finance Committee of the Conference in June.

This process cannot, and should not, be a wholesale reopening of our results-based framework, but is a valuable opportunity for improvement – and we will also have to incorporate the consequences of a number of proposals for modification of programme outcomes, which I will come to in a moment. Please join us to extract the full potential of this process.

One purpose this exercise can serve is to provide greater assurance that the three cross-cutting drivers that are proposed to inform the implementation of all policy outcomes are more fully integrated into their implementation.

I say this because concerns were expressed that these drivers – standards, social dialogue, and gender equality and discrimination – needed to be real and not cosmetic. Let me be clear. They must be real drivers of everything we do. I must acknowledge that, in the current stage of evolution of development of our resource management processes, I am not in a position today to give a comprehensive quantification of how much we will devote to each one of them. But I can give you the undertaking that they will be integrated into our outcome strategies and that outcome coordinators will be accountable for performance in this regard, which will in turn be reported to the Governing Body.

The way in which the seven centenary initiatives fit into the proposed programme and budget was referred to in several interventions, and, indeed, in my introductory remarks of last week. I made the basic point then that these initiatives were woven into the structure of the proposals, rather than added on top of them. The way this happens varies according to the initiative – which, as you know, are each of quite a different nature.

Some of them are already very firmly embedded in ongoing processes which have been advanced significantly at this Governing Body session. This has been the case for the governance initiative and the standards initiative, very encouragingly, and in each case I think that we understand where we want to go, and that we understand the challenges ahead. Equally, we have had detailed discussions in the past on precisely how we will implement and review progress on the enterprise initiative – and that falls into the same category. The end to poverty initiative is, I believe, extensively provided for in many of the policy outcomes – notably those on unacceptable forms of work, informality and the rural economy. But it will gain real impetus with the adoption of the United Nations post-2015 development agenda, and we are all conscious of the work the ILO has already done, and will continue to do, to take up its responsibilities in that regard.

The women at work initiative is reflected most notably in the gender equality and non-discrimination cross-cutting driver – but also extensively in our research agenda, where we have the important task of taking stock of the achievements recorded to date (they are significant and considerable), the realities of continuing inequality and the obstacles to progress. All of this is critical to the elaboration of new and innovative initiatives, on which I believe that future progress depends.

The future of work initiative will be the subject of my Report to the International Labour Conference this year, and I look forward to the opportunity to present more fully proposals for its implementation at that juncture.

That leaves the green jobs agenda. It is part of policy outcome 4, and finds expression elsewhere, too, in my proposals. But, having listened to you, having reviewed again my proposals, having in mind the guidance provided in past Conference discussions – as well as the crucial *rendez-vous* at COP-21 in Paris in December – I must acknowledge that we will need to do more in the future to shape proposed activities into a broader and more coherent initiative worthy of that name. I think we will need to return to this in the light of the decisions made in Paris, so that this initiative can gather momentum all the way up to our centenary in 2019.

Much of the initial discussion last week focused on the allocation of resources between the ten proposed policy outcomes. Questions were asked about the reasons for the significant differences between the levels of these allocations and suggestions were made for their modification.

Let me first address the underlying logic of the originally proposed allocations.

This begins with the proposition that if this Governing Body considers that the ten issues addressed by these outcomes are truly of key importance in the world of work, and that ILO activity should have a serious impact on them, then we cannot do otherwise than invest a given minimum critical mass in each of them. That minimum we have set in our proposals around the US\$34 million mark (what we have proposed to spend on policy outcomes 5 and 9 – these are the smallest of all the budgets, and refer to the rural economy and to fair migration, respectively). These allocations are relatively small not because these outcomes are any less important intrinsically, but because they are relatively new, or perhaps renewed, areas of priority, where, whether we like it or not, the ILO has to grow its capacities – and this is an organic and gradual process. But I do not believe we can invest less in these than what has been proposed and then still claim for them the status of a full policy outcome.



We have been challenged – justifiably, I think – to explain where we will be doing less as we seek to assemble critical resource mass around priorities in a zero real growth scenario. The answer is to be found in the reduced allocations to some other policy outcomes as compared to 2014–15: this is the case for five of the policy outcomes – generally the largest. Such reductions, taking the whole situation into account, are more or less inevitable. But questions have been raised about whether each of them is appropriate in magnitude, or rather a departure from proper strategic priorities, and balance across the four pillars of the Decent Work Agenda.

I am mindful of the concerns expressed that the programme and budget should address each of these four strategic objectives in a properly proportionate way. With the modifications which I am about to propose I am confident that our proposals will go further in meeting your concerns. But let us not make the mistake of regarding each individual policy outcome as constituting a silo, each hermetically sealed off from the others. Rather, they are interrelated in multiple ways and most of them address more than one strategic objective; some, arguably, address all of them. We are asked by you simultaneously to exploit synergies between them and to avoid overlap. We will do our best to distinguish between the two and to ensure maximum coherence and complementarity.

Responding to specific remarks made in debate last week, I have the following modifications to present to my original proposals.

As regards outcome 4 (Promoting sustainable enterprises), I propose to add US\$7 million to the originally proposed allocation in order to maintain the Organization’s commitment in this area: \$4 million of this would go to Indicator 4.1 on the enabling environment, with the remaining \$3 million equally shared between Indicators 4.2 and 4.3.

In addition, I propose to mitigate the reduction in the allocation to outcome 7 (Promoting workplace compliance through labour inspection) – and that reduction is considerable. This was commented on by many of you, and I proposed to restore US\$2 million in extra funding.

There were calls, as well, to redress the reduction in the allocation to outcome 1 (on more and better jobs), on the grounds that it is central to the task of tackling the global unemployment crisis. Nevertheless, I cannot find justification for doing so, particularly because, as now proposed, it remains far and away the biggest outcome allocation, and also because it is not the only one designed to help get the world back to work – I think I ought to say “back to decent work”.

This said, I believe that there is need and scope for an internal reallocation of resources within this outcome in order to bolster the focus on skills and youth. This was the objective comment from you, and can be achieved by a significant increase in the targets under Indicator 1.2 on jobs and skills for young people and a corresponding redeployment from each of the other indicators under the same outcome.

The question, obviously, then arises of where this US\$9 million of redeployment is to be found. My intention is that it be identified by a corresponding reduction in the allocation to outcome 6 (Formalization of the informal economy), which, nevertheless, would leave us with a very substantial increase by comparison with the current biennium, as is appropriate in the years that will follow immediately on the important discussion on this subject at this year’s International Labour Conference.

I want to assure you that this does not detract from the importance that we attribute to this issue and we will make every effort to tap additional resources, whenever possible, for related work that cannot be accommodated under other outcomes.

I will now make some remarks on the relationship between what is proposed in respect of the regular budget funds and what is to be done with extra-budgetary resources.

As has been explained to you already, our estimates for extra-budgetary resources, and for RBSA, are based on past experience and the information currently available to us. But this is not an exact science. Moreover, as we do our best to ensure maximum complementarity of activities, regardless of the source of funding, we must recognize that what we can do, in reality, is based on a combination of the needs that we identify and the possibilities that we have – this is to say, what our donor partners make available to us, and for what purposes. Of course, RBSA does allow us a degree of latitude to direct resources to otherwise under-funded activities and outcomes, and to also ensure more tripartite involvement in them, and we will take full advantage of that possibility.

I will also recall – but will not repeat – the terms of yesterday’s debate on flagship programmes. You made a strong call for continuing consultations on them, and, given their strategic significance to our overall future programme, I have high expectations of that process of future consultation.

The Office will also work hard at its resource mobilization efforts, including through innovative modalities, notably South–South cooperation and public–private partnerships. Given the existing ratio between our static real regular budget resources and our extra-budgetary resources, I believe we can and should seek to increase the latter, and can do so without incurring any risk of over-reliance on external funding which might eventually rebound to our disadvantage.

There was detailed and, I think, very helpful discussion last week on the proposed outcome on unacceptable forms of work. The fact that it mostly took place in the POL Section rather than in the PFA Section of our Governing Body reflects the fact that it focused more on substantive considerations – particularly issues of definition – than on budgetary ones.

I am persuaded that those debates have helped us to reach a common understanding on a way forward in the implementation of this objective, and to dispel certain understandable concerns. They made clear that while the term “unacceptable forms of work” may be of recent origin, what it actually refers to are situations which are at the heart of the ILO’s mandate of social justice as set out in our key constitutional texts of 1919 and 1944 and the Declarations of 1998 and 2008. The intention is to be faithful to those texts, to tackle those situations which everybody here – regardless, I am sure, of group affiliation – agrees have no place in the world of work and which we must join forces to eliminate.

That means that we must carefully adhere to the definition proposed which relates to denials of fundamental rights; threats to health, life, human dignity and security of workers; and the subjection of workers and their families to conditions of poverty. As we said last week, “we know unacceptable when we see it” – and this is what it looks like. This policy objective is a distillation, then, of our historic vocation – one which presents a very basic, unchanging moral challenge, which I am confident that we all want to come together to address, as I have proposed.

A last specific point – I want to address the question relating to the proposed allocation to the Bureau for Employers’ Activities (ACT/EMP), which the Employers’ group has asked to be increased. Let me recall, in this regard, that a similar call was made two years ago, and I responded positively to it. But I cannot find the means to do so on this occasion. I would recall that the increase agreed two years ago was predicated, particularly, on expected increased workload resulting from progressive implementation of the enterprise initiative. We must keep this and other relevant developments under review and no doubt return to this matter in the future. Let me underline that the work of ACT/EMP – like the work of ACTRAV – is critical to the operations of this house and must be accommodated fully in our internal management processes and in our funding decisions.

The concrete modifications I have presented to you now are set out in document GB.323/PFA/1/1, which will be in the room and on the website, along with the text of this statement, at the end of my presentation. They imply no modification to the operational budget set out in the Information Annex to my proposals.

I hope, that on the basis of what I have said, and these modifications, that the Governing Body will be in a position to recommend the adoption of my Programme and Budget proposals for 2016–17, as amended, to the International Labour Conference this June.

I thank you for your attention.

## Appendix III

### **Statement by the Chairperson of the Staff Union Committee to the Programme, Financial and Administrative Section of the Governing Body (323rd Session – 18 March 2015)**

Mr Chairperson,

Mr Director-General,

Ladies and gentlemen members of the Governing Body,

Dear colleagues and everyone else present today,

I again have the honour and pleasure to address you as Chairperson of the Staff Union, which represents almost two-thirds of the staff and, therefore, as spokesperson of all the employees at headquarters and in the field.

As International Women's Day, celebrated on 8 March, was not so long ago, allow me at the outset to welcome the appointment of our colleague, Annette Ching, to the post of Director of the Director-General's Office. This appointment is certainly an encouraging development for our Organization, in light of the official statistics in document GB.323/PFA/INF/4(Rev.), but caution is still advised, given that women at the same grade as their male counterparts continue to receive precarious contracts a little too often and therefore obviously do not appear in the official statistics. That said, the Staff Union will always welcome the appointment of women to senior management positions and only hopes that this trend may continue into the future.

Since my last speech to you in November 2014, the Staff Union has continued its discussions and negotiations with the management.

We have signed agreements on a number of topics, which shows that there is by and large no lack of social dialogue in the Organization. However, as I often tend to say, we have come a long way and we need time to rebuild relations of mutual trust between social partners one by one and gradually the results are starting to show.

Following the two collective agreements signed in 2014, one on new recruitment and selection procedures and the other on the prevention of all forms of harassment in the Organization, we have actively contributed to revising the mobility policy, which I will come back to a little later in my speech. At the end of November 2014, we also finalized a collective agreement on travel conditions, for which we are still waiting for the internal guidelines to be published.

Furthermore, last December, we signed a new collective agreement on maternity protection, for which the resulting amendments to the Staff Regulations are presented to you here for approval in document GB.323/PFA/10. This agreement drew substantially on the publications and international standards produced by the ILO and the best practices that already exist within the United Nations system. It aims to improve the situation, protect staff with family responsibilities during the birth of children and encourage a progressive outlook for a better balance between work and private life. The Staff Union hopes that these amendments can be approved so that ILO staff may reap the benefits as soon as possible.

I would like to dwell for a moment on the revised staff mobility policy, a crucial element that complements the previous collective agreement on recruitment, mobility and the management of staff. The Union was actively involved in the discussions as it is one of the topics in relation to which the levels of staff trust towards management are at a low ebb and which has been one of the factors for the loss of motivation for a number of years now. This new policy has the merit of trying to resolve long-standing problems and stumbling

blocks which undermine internal career development and impede the movement of staff between the different duty stations. It will now be a case of ensuring that the implementation of the mobility policy is consistent with the letter and spirit of the negotiated guidelines in order for it to be fully effective. It is therefore crucial that they are implemented very transparently, are extensive and include everyone. As the staff representatives may have noted when they came a little apprehensively to recent public meetings on the topic, it will not come down to the management selecting which aspects of this policy they wish to implement as priorities. The key to success and efficiency in this field is workforce planning, follow-up of internal career development and ensuring that the Human Resources Development Department has sufficient and adequate financial and human resources. If it is to avoid risk factor No. 9 cited in document GB.323/PFA/1, it is absolutely essential for the Department to have the means available for this policy and not merely to acquire expensive information technology tools that are impersonal and unsuitable. Internal career development is not just a matter of clicking a button online, but involves predictions, plans, training and assistance provided by human beings.

In addition, in this sensitive document on mobility, if we still wish to strive for “One ILO”, it is time to get down to removing the obstacles that have emerged between the mobility of ILO staff and staff at the Turin Training Centre. In this respect, the staff representatives of the two bodies explicitly require the respective Staff Regulations to be modified to reflect the new policy and proposals mentioned in document GB.323/PFA/1 on the strengthening of cooperation between the Turin Centre and the ILO.

Nevertheless, the signing of collective agreements in the limited sphere of human resources does not mean that our job is done. Delays in the reform of the general institutional framework of social dialogue at the ILO and the almost universal lack of communication and information by senior management via the joint official structures are starting to cause real problems for staff representatives and could pointlessly blight the future relations and negotiations on the agenda, such as those on contracts.

Indeed, over the past few months, it is only unofficially and fortuitously that the Union has become aware of several decisions on staff employment and working conditions that are hardly trivial in nature.

First and foremost, there is the field operations and structure review document, the aim of which is far from clear to all my colleagues as it is quite at variance from the initial recommendations and decisions. The same assurances are constantly being repeated to staff representatives that the planned changes will be structural and will not have a major impact on staff.

Except for the fact that, when a decision is taken to reintroduce a regional office structure in Africa, there will inevitably be some repercussions on staff in terms of reinstatement, redeployment and classification of existing posts.

Or when the decision is taken for such and such a team of specialists to leave one duty station for another, there will obviously be consequences for international, national and local staff.

And so I am saying that, as soon as there are consequences for the staff, whether good or bad, minor or major, the Union must be the first to be informed at an early stage and through the appropriate joint structures and that any change must be carried out in the manner prescribed by the Guidelines on Managing Change and Restructuring Processes, negotiated within the Joint Negotiation Committee (JNC).

The other subject, about which the staff representatives have concerns, or even a great distrust, is the recent decision, which is close to being confirmed, to call in external consultants to review the administrative processes of the entire Organization.

We know that resources need to be better distributed across the three portfolios and that procedures need to be simplified. Last Monday, the Director-General, in his Programme and Budget proposals for 2016–17, already offered a practical response, I believe, to that need. The staff, for their part, are well aware of the need for streamlining – faced as they are, on a daily basis, with the agonies induced by administrative bureaucracy. That said, any initiative adopted by the administration should – again – be considered in consultation with the main stakeholders.

With regard to the murky territory of external audits in particular, the scepticism of the staff has a legitimate historical basis. How many of these audits, which are outrageously expensive, eat up valuable time, and are conducted by large corporations – which are undoubtedly renowned, but know little about the specific workings of international institutions – have been conducted at the ILO? How many recommendations have remained on paper or, when enacted, have needlessly complicated our internal procedures? These are the same procedures, you will recall, that we now want to simplify.

Allow me to mention just one painful case in point: the IRIS project. The implementation of this project remains incomplete after ten years, its cost has wildly exceeded initial estimates and it has succeeded in making the ILO abandon its own principles and describe the hiring of a person as a “purchase order” – with disregard for the Philadelphia Declaration, which clearly states that labour is not a commodity.

You should understand that when I refer, today, to the scepticism of the staff concerning this project, that I mean, rather, the disapproval of the staff; if I could make a single request of you today, it would be this: Ladies and gentlemen members of the Governing Body, give the staff sufficient and appropriate means to enable them properly to achieve the many objectives that have already been assigned to them, and, in the same vein, to conduct their own evaluation of internal procedures, because they are the best placed to understand them, but please spare us the creation of yet another labyrinthine system – which we can already see taking shape!

I won't enumerate the other issues on which, over the last few months, the proper consultations with the staff representatives have not taken place, and which are equally symptomatic of the situation. The scope of professional relations extends beyond the restricted and narrow remit of the Human Resources Development Department as soon as there are possible consequences for the employment and working conditions of all staff, and the senior management must give clear instructions to its teams of directors. There are important negotiations still to come this year and the Office needs a clearly defined framework which ensures that all parties present are entitled to the same quality and quantity of information.

Our employment and working conditions are also governed at a higher level by the United Nations system International Civil Service Commission (ICSC). The staff have various worries in this connection as well, because the decisions that are in preparation are bound to be downgraded, and run counter to the mission and objectives of the organizations of the United Nations system.

The recent proposals on the compensation package review for staff in the Professional category result in fewer incentivizing measures – which allow the international civil service to continue to be governed by the Noblemaire Principle, and could have an enormous impact on – for example – staff who choose to work in the field, thus making this work less attractive. These decisions also have the significant disadvantage of scuppering all individual efforts made by the United Nations organizations and specialized agencies to promote greater mobility.

Other proposals directly linked to the salary and benefits scale clearly target young staff who have family responsibilities.

Only yesterday, we learned that in New York an outrageous proposal from the ICSC had just been accepted, which will increase the salaries of directors (Ds) by ten per cent and reduce the salaries of those in lower professional categories by six per cent. In the current context, characterized as it is by a need to reduce costs, and hardship faced by staff working in the field – who risk their lives and are away from their families, this decision is a provocation which will undoubtedly incite the staff to mobilize.

The same applies to the recurrent attacks on the salaries of support staff. Periodic reviews of support staff salaries for different duty stations have often resulted in salary reductions which have not been based on realistic appraisals of national conditions and also help to make working for international organizations less attractive.

On the other hand, paradoxically – and although this is becoming increasingly rare – when the ICSC or the Office of the United Nations Secretary-General adopts good or innovative decisions, such as changes to the staff regulations, or the decision to standardize the mandatory retirement age, at best their implementation is postponed indefinitely by the administrations of the specialized agencies (including that of the ILO), and, at worst, they are subject to regressive *a posteriori* revisions.

So, I cannot say it often enough: the women and men who work for organizations like the ILO love deeply what they do and sincerely adhere to the values and principles that they promote globally. In order to continue to attract new talent, to respond to the sacrifices that these people, and their families, are prepared to make in any corner of the globe to which they might be called to fulfil their tasks, it is absolutely crucial that remuneration continues to be based on historical principles, and that it be complemented by an appropriate system of benefits that takes into account the diverse cultural, linguistic and family composition of the staff.

Thank you for your attention.

Catherine Comte-Tiberghien  
Chairperson  
Staff Union Committee

## Appendix IV

### Update on member States' contributions received between 1 and 18 March 2015

Since 1 March 2015, contributions for 2015 and prior years amounting to 3,123,752 Swiss francs have been received from 11 member States as follows:

Member States	Contribution received for 2015	Contribution received for arrears	Total contributions received (in Swiss francs)
Luxembourg	307 967	54	308 021
Morocco	210 366	2 593	212 959
Honduras	25 201	1 152	26 353
Russian Federation	78 000	–	78 000
Central African Republic	588	8 044	11 632
Bulgaria	10	–	10
United Rep. of Tanzania	–	11 214	11 214
Lesotho	3 800	474	4 274
Ireland	1 589 002	–	1 589 002
Romania	859 193	–	859 193
Nepal	22 901	193	23 094
<b>Total</b>	<b>3 100 028</b>	<b>23 724</b>	<b>3 123 752</b>

Including contributions received between 1 and 18 March 2015, the total contributions received in 2015 amounted to 86,320,219 Swiss francs, comprising 81,940,010 Swiss francs for 2015 and 4,380,209 Swiss francs in arrears. The total balance due was therefore 376,373,519 Swiss francs.



## Appendix V

### Scale of assessments of contributions to the budget for 2016

State	Draft scale of ILO assessments 2016 (%)	
1	Afghanistan	0.005
2	Albania	0.010
3	Algeria	0.137
4	Angola	0.010
5	Antigua and Barbuda	0.002
6	Argentina	0.432
7	Armenia	0.007
8	Australia	2.075
9	Austria	0.798
10	Azerbaijan	0.040
11	Bahamas	0.017
12	Bahrain	0.039
13	Bangladesh	0.010
14	Barbados	0.008
15	Belarus	0.056
16	Belgium	0.999
17	Belize	0.001
18	Benin	0.003
19	Bolivia, Plurinational State of	0.009
20	Bosnia and Herzegovina	0.017
21	Botswana	0.017
22	Brazil	2.936
23	Brunei Darussalam	0.026
24	Bulgaria	0.047
25	Burkina Faso	0.003
26	Burundi	0.001
27	Cabo Verde	0.001
28	Cambodia	0.004
29	Cameroon	0.012
30	Canada	2.986
31	Central African Republic	0.001
32	Chad	0.002
33	Chile	0.334
34	China	5.151
35	Colombia	0.259
36	Comoros	0.001
37	Congo	0.005
38	Costa Rica	0.038

State		Draft scale of ILO assessments 2016 (%)
39	Côte d'Ivoire	0.011
40	Croatia	0.126
41	Cuba	0.069
42	Cyprus	0.047
43	Czech Republic	0.386
44	Democratic Republic of the Congo	0.003
45	Denmark	0.675
46	Djibouti	0.001
47	Dominica	0.001
48	Dominican Republic	0.045
49	Ecuador	0.044
50	Egypt	0.134
51	El Salvador	0.016
52	Equatorial Guinea	0.010
53	Eritrea	0.001
54	Estonia	0.040
55	Ethiopia	0.010
56	Fiji	0.003
57	Finland	0.519
58	France	5.596
59	Gabon	0.020
60	Gambia	0.001
61	Georgia	0.007
62	Germany	7.145
63	Ghana	0.014
64	Greece	0.638
65	Grenada	0.001
66	Guatemala	0.027
67	Guinea	0.001
68	Guinea-Bissau	0.001
69	Guyana	0.001
70	Haiti	0.003
71	Honduras	0.008
72	Hungary	0.266
73	Iceland	0.027
74	India	0.666
75	Indonesia	0.346
76	Iran, Islamic Republic of	0.356
77	Iraq	0.068
78	Ireland	0.418
79	Israel	0.396
80	Italy	4.450

State	Draft scale of ILO assessments 2016 (%)	
81	Jamaica	0.011
82	Japan	10.839
83	Jordan	0.022
84	Kazakhstan	0.121
85	Kenya	0.013
86	Kiribati	0.001
87	Korea, Republic of	1.995
88	Kuwait	0.273
89	Kyrgyzstan	0.002
90	Lao People's Democratic Republic	0.002
91	Latvia	0.047
92	Lebanon	0.042
93	Lesotho	0.001
94	Liberia	0.001
95	Libya	0.142
96	Lithuania	0.073
97	Luxembourg	0.081
98	Madagascar	0.003
99	Malawi	0.002
100	Malaysia	0.281
101	Maldives, Republic of	0.001
102	Mali	0.004
103	Malta	0.016
104	Marshall Islands	0.001
105	Mauritania	0.002
106	Mauritius	0.013
107	Mexico	1.843
108	Moldova, Republic of	0.003
109	Mongolia	0.003
110	Montenegro	0.005
111	Morocco	0.062
112	Mozambique	0.003
113	Myanmar	0.010
114	Namibia	0.010
115	Nepal	0.006
116	Netherlands	1.655
117	New Zealand	0.253
118	Nicaragua	0.003
119	Niger	0.002
120	Nigeria	0.090
121	Norway	0.852
122	Oman	0.102

State	Draft scale of ILO assessments 2016 (%)	
123	Pakistan	0.085
124	Palau	0.001
125	Panama	0.026
126	Papua New Guinea	0.004
127	Paraguay	0.010
128	Peru	0.117
129	Philippines	0.154
130	Poland	0.922
131	Portugal	0.474
132	Qatar	0.209
133	Romania	0.226
134	Russian Federation	2.439
135	Rwanda	0.002
136	Saint Kitts and Nevis	0.001
137	Saint Lucia	0.001
138	Saint Vincent and the Grenadines	0.001
139	Samoa	0.001
140	San Marino	0.003
141	Sao Tome and Principe	0.001
142	Saudi Arabia	0.865
143	Senegal	0.006
144	Serbia	0.040
145	Seychelles	0.001
146	Sierra Leone	0.001
147	Singapore	0.384
148	Slovakia	0.171
149	Slovenia	0.100
150	Solomon Islands	0.001
151	Somalia	0.001
152	South Africa	0.372
153	South Sudan	0.004
154	Spain	2.975
155	Sri Lanka	0.025
156	Sudan	0.010
157	Suriname	0.004
158	Swaziland	0.003
159	Sweden	0.961
160	Switzerland	1.048
161	Syrian Arab Republic	0.036
162	Tajikistan	0.003
163	Tanzania, United Republic of	0.009
164	Thailand	0.239

<b>State</b>	<b>Draft scale of ILO assessments 2016 (%)</b>
165 The former Yugoslav Republic of Macedonia	0.008
166 Timor-Leste	0.002
167 Togo	0.001
168 Trinidad and Tobago	0.044
169 Tunisia	0.036
170 Turkey	1.329
171 Turkmenistan	0.019
172 Tuvalu	0.001
173 Uganda	0.006
174 Ukraine	0.099
175 United Arab Emirates	0.595
176 United Kingdom	5.182
177 United States	22.000
178 Uruguay	0.052
179 Uzbekistan	0.015
180 Vanuatu	0.001
181 Venezuela, Bolivarian Republic of	0.627
182 Viet Nam	0.042
183 Yemen	0.010
184 Zambia	0.006
185 Zimbabwe	0.002
<b>Total</b>	<b>100.000</b>

## Appendix VI

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

*323<sup>e</sup> session – Genève – mars 2015  
323rd Session – Geneva – March 2015  
323.ª reunión – Ginebra – marzo de 2015*

**Liste finale des personnes assistant à la session  
Final list of persons attending the session  
Lista final de las personas presentes en la reunión**

Membres gouvernementaux titulaires Titular Government members Miembros gubernamentales titulares	p. 167
Membres gouvernementaux adjoints Deputy Government members Miembros gubernamentales adjuntos	p. 176
Membres employeurs titulaires Titular Employer members Miembros empleadores titulares	p. 183
Membres employeurs adjoints Deputy Employer members Miembros empleadores adjuntos	p. 184
Membres travailleurs titulaires Titular Worker members Miembros trabajadores titulares	p. 185
Membres travailleurs adjoints Deputy Worker members Miembros trabajadores adjuntos	p. 186
Représentants d’autres Etats Membres Representatives of other member States Representantes de otros Estados Miembros	p. 188
Représentants d’autres Etats non Membres Representatives of non-member States Representantes de otros Estados no miembros	p. 195
Représentants d’organisations internationales gouvernementales Representatives of international governmental organizations Representantes de organizaciones internacionales gubernamentales	p. 196
Représentants d’organisations internationales non gouvernementales Representatives of international non-governmental organizations Representantes de organizaciones internacionales no gubernamentales	p. 198
Mouvement de libération Liberation movement Movimiento de liberación	p. 199

<b>Membres gouvernementaux titulaires</b>	<b>Titular Government members</b>
<b>Miembros gubernamentales titulares</b>	

<b>Président du Conseil d'administration:</b> <b>Chairperson of the Governing Body:</b> <b>Presidente del Consejo de Administración:</b>	<b>M. A.J. CORREIA (Angola)</b>
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## Algérie    Algeria    Argelia

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M. M. EL GHAZI, ministre du Travail, de l'Emploi et de la Sécurité sociale.

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## Angola

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M. D. N'GOVE LUSSOKE, directeur du Cabinet d'interchange, ministère du Travail.

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M. A. MBEMBA N'ZITA, premier secrétaire, mission permanente, Genève.  
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**Argentine Argentina**


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 Mr D. DUAN, Counsellor, Permanent Mission, Geneva.  
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 Mr Y. WANG, Maritime Safety Administration of Liaoning Province.

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**United Arab Emirates**  
**Emiratos Árabes Unidos**

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## France Francia

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M. C. JEANNEROT, délégué du gouvernement de la France au Conseil d'administration du BIT.

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M. P. ROZET, conseiller pour les affaires sociales, mission permanente, Genève.

M. C. HERVE, chargé de mission, organisations économiques, numérique/gouvernance de l'Internet, diplomatie économique et attractivité du territoire français pour les organisations internationales, ministère des Affaires étrangères et du Développement international.

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## Ghana

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*substitute(s):*

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Mr S. LONGMAN ATTAKUMA, Chief Director, Ministry of Employment and Labour Relations.

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Mr G. SMITH-GRAHAM, Fair Wages Commission.

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Ms V. ASEMPAPA, Minister Counsellor, Permanent Mission, Geneva.

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**Inde India**


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*substitute(s):*

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Mr S. GUPTA, Director, Ministry of Labour and Employment.

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**République islamique d'Iran  
Islamic Republic of Iran  
República Islámica del Irán**


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Mr M. HOSSEINI, Acting Minister for International Affairs.

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**Italie Italy Italia**


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M. M. SERRA, ambassadeur, représentant permanent, mission permanente, Genève.

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M<sup>m</sup> M. ARMELLIN, premier conseiller, mission permanente, Genève.

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M<sup>m</sup> L. MARRAMA, mission permanente, Genève.

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**Japon Japan Japón**


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Mr T. OKI, Section Chief, International Affairs  
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## Kenya

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*substitute(s):*

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Dr S. NYAMBARI, Labour Commissioner,  
Ministry of Labour, Social Security and  
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Mr T. WACHEPA, Assistant Director,  
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Ms E. ONUKO, Minister Counsellor,  
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## Mexique    Mexico    México

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Permanente, Misión Permanente, Ginebra.

*suplente(s):*

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Sr. M. PADILLA ACOSTA, Ministro, Misión  
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Sr. J. HERNÁNDEZ VEGA, Asesor, Misión  
Permanente, Ginebra.

Sra. V. PHILIPPE, Misión Permanente,  
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## Panama    Panamá

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Sra. Z. SANTAMARÍA GUERRERO,  
Viceministra de Trabajo y Desarrollo  
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*suplente(s):*

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de Cooperación Técnica Internacional,  
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## Roumanie    Romania Rumania

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Mr F. TUDORIE, Minister Counsellor,  
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*accompanied by:*

Ms M. CIOBANU, Ambassador, Permanent  
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**Royaume-Uni  
United Kingdom  
Reino Unido**

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**Fédération de Russie  
Russian Federation  
Federación de Rusia**

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Mr V. IVANOV, Third Secretary, Permanent Mission, Geneva.  
Mr A. RUDAKOV, Deputy Chief Executive Officer, GazIn Teh Ltd.

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**Soudan    Sudan    Sudán**

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Mr S. ABDALLAH, Director of International and Regional Organizations, Ministry of Labour and Administrative Reform.  
Ms A. MOHAMED OSMAN, Director of Labour Relations, Ministry of Labour and Administrative Reform.  
Mr A. DAOUD, First Secretary, Permanent Mission, Geneva.  
Mr M. ELBEITI, Counsellor, Permanent Mission, Geneva.  
Ms A. HASSAN, Third Secretary, Permanent Mission, Geneva.

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**Trinité-et-Tobago  
Trinidad and Tobago  
Trinidad y Tabago**

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Mr J. SOBION, First Secretary, Permanent  
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Permanent Mission, Geneva.

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**Turquie    Turkey    Turquía**

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Mr F. ÇELİK, Minister of Labour and Social  
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*substitute(s):*

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Mr N. KODAL, Expert, Ministry of Labour and  
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**Venezuela (Rép. bolivarienne du)  
Venezuela (Bolivarian Rep. of)  
Venezuela (Rep. Bolivariana de)**

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Sr. E. COLMENARES, Viceministro para  
Derechos y Relaciones Laborales.

*suplente(s):*

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Representante Permanente, Misión  
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Poder Popular para el Proceso Social del  
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Sra. M. PRIETO, Directora de Inspecciones,  
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**Zimbabwe**

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Mr S.T. KADZIMA, Principal Labour Officer,  
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Counsellor, Permanent Mission, Geneva.  
Mr C. CHIUTSI, Counsellor, Permanent  
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Mr C. MUNGOZA, Personal Assistant to the  
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**Membres gouvernementaux adjoints    Deputy Government members**  
**Miembros gubernamentales adjuntos**

**Albanie    Albania**

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**Australie    Australia**

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**Bahreïn    Bahrain    Bahrein**

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*substitute(s):*

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

Mr F. ALBAKER, First Secretary, Permanent Mission, Geneva.

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**Bangladesh**

Mr M. HAQUE, Honorable State Minister, Ministry of Labour and Employment.

*substitute(s):*

Mr M. SHIPAR, Secretary, Ministry of Labour and Employment.

Mr M. AHSAN, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr K. HOSSAIN, Joint Secretary, Ministry of Labour and Employment.

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Mr S. SALEHIN, Counsellor, Permanent Mission, Geneva.

Mr M. KABIR, Senior Assistant Chief (Labour), Ministry of Labour and Employment.

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

Ms S. AKTER, Assistant Chief (IO), Ministry of Labour and Employment.

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**Belgique    Belgium    Belgique**

M. B. DE CROMBRUGGHE DE PICQUENDAELE, ambassadeur, représentant permanent, mission permanente, Genève.



*suppléant(s):*

M<sup>me</sup> T. BOUTSEN, conseillère générale, division des affaires internationales, service public fédéral emploi, travail et concertation sociale.

*accompagné(s) de:*

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M<sup>me</sup> S. KEPPENS, attachée, direction générale de la coopération au développement, service public fédéral affaires étrangères, commerce extérieur et coopération au développement.

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## Botswana

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Mr C. MOJAFI, Deputy Permanent Secretary, Ministry of Labour and Home Affairs.

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## Brunéi Darussalam Brunei Darussalam

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## Burkina Faso

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M. P. VOKOUMA, ambassadeur, représentant permanent, mission permanente, Genève.

*suppléant(s):*

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## Canada Canada

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## Colombie Colombia

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## Cuba

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Sra. A. RODRÍGUEZ CAMEJO, Embajadora, Representante Permanente, Misión Permanente, Ginebra.

*suplente(s):*

Sr. A. CASTILLO SANTANA, Consejero, Misión Permanente, Ginebra.

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## République dominicaine Dominican Republic República Dominicana

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Sra. M. HERNÁNDEZ, Ministra de Trabajo.

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Sra. P. BAUTISTA, Consejera, Misión Permanente, Ginebra.

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## Espagne Spain España

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## Ethiopie Ethiopia Etiopía

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Mr A. HASSAN, Minister of Labour and Social Affairs.

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Ms Y. HABTEMARIAM, Second Secretary, Permanent Mission, Geneva.

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## Indonésie Indonesia

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Mr T. WIBOWO, Ambassador, Permanent Representative, Permanent Mission, Geneva.

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 Mr G. INDRADI, Third Secretary, Permanent Mission, Geneva.  
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 Ms J. NUGRAHAENY PARDEDE, Head of Section, Ministry of Foreign Affairs.

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### **Jordanie Jordan Jordania**

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Ms S. MAJALI, Ambassador, Permanent Representative.

*substitute(s):*

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*accompanied by:*

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### **Lesotho**

---

Mr T. MABETHA, Principal Secretary, Ministry of Labour and Employment.

*substitute(s):*

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 Mr M. LESIA, Ministry of Labour and Employment.

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### **Lituanie Lithuania Lituania**

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Ms N. DULKINAITĖ, Specialist, International Law Division, Department of International Affairs, Ministry of Social Security and Labour.

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### **Mali Malí**

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 M. M. TRAORE, directeur national de la protection sociale et de l'économie solidaire.  
 M. D. TRAORE, conseiller, mission permanente, Genève.

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### **Mauritanie Mauritania**

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 M. H. TRAORE, premier conseiller, mission permanente, Genève.  
 M. M. OULD CHOUAÏB, premier secrétaire, mission permanente, Genève.

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**Norvège Norway Noruega**


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

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Ms C. GEDE VIDNES, Counsellor, Labour Affairs, Ministry of Labour and Social Affairs.

Ms S. SANDSTAD, Senior Adviser, The Norwegian Agency for Development Cooperation (NORAD).

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**Pakistan Pakistán**


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Mr I. BOKHARI, Second Secretary, Permanent Mission, Geneva.

Mr S. RAZA, Third Secretary, Permanent Mission, Geneva.

Mr M. ABBAS, Counsellor, Permanent Mission, Rome.

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**Pays-Bas Netherlands Países Bajos**


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*substitute(s):*

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*accompanied by:*

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Ms J. VERRIJZER, Policy Adviser, Ministry of Social Affairs and Employment.

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**Pologne Poland Polonia**


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**République-Unie de Tanzanie**  
**United Republic of Tanzania**  
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**Thaïlande Thailand**  
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**Tchad Chad**

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**Uruguay**

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*acompañado(s) de:*

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Sra. L. BERGARA, Segunda Secretaria,  
Misión Permanente, Ginebra.

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<b>Membres employeurs titulaires    Titular Employer members Miembros empleadores titulares</b>	
<b>Vice-président du Conseil d'administration: Vice-Chairperson of the Governing Body: Vicepresidente del Consejo de Administración:</b>	<b>Mr J. RØNNEST (Denmark)</b>
<b>Secrétaire du groupe des employeurs: Secretary of the Employers' group: Secretario del Grupo de los Empleadores:</b>	<b>Mr B. WILTON (IOE)</b>
<b>Secrétaire adjoint du groupe des employeurs: Deputy Secretary of the Employers' group: Secretario adjunto del Grupo de los Empleadores:</b>	<b>Sr. R. SUÁREZ SANTOS (IOE)</b>

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Ms R. GOLDBERG (United States), United States Council for International Business (USCIB).

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M. M. MEGATELI (Algérie), secrétaire général, Confédération générale des entreprises algériennes.

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Mr J. RØNNEST (Denmark), Vice-Chair of the ILO Governing Body, Confederation of Danish Employers (DA).

Mr C. SYDER (United Kingdom), Partner, Penningtons Manches LLP.

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Mr M. CONZEMIUS, accompanying Ms Hornung-Draus.

Mr B. PANT, accompanying Mr Modi.

**Membres employeurs adjoints    Deputy Employer members  
Miembros empleadores adjuntos**

- Mr O. ALRAYES (Bahrain), Board Member, Bahrain Chamber of Commerce and Industry.
- Sr. M. CERETTI (Argentina), Director Ejecutivo, Cámara de Industriales de Productos Alimenticios.
- M. K. DE MEESTER (Belgique), premier conseiller, Fédération des entreprises de Belgique (FEB).
- M. O. DIALLO (Côte d’Ivoire), Confédération générale des entreprises de Côte d’Ivoire (CGECI).
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- Sr. J. LACASA ASO (España), Secretario General, Confederación Española de Organizaciones Empresariales (CEOE).
- Sr. A. LINERO (Panamá), Asesor y Miembro de la Comisión Laboral, Consejo Nacional de la Empresa Privada (CONEP).
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- Mr M. MDWABA (South Africa), Chairman, Tzoro.
- Ms M. MOSKVINA (Russian Federation), Russian Union of Industrialists and Entrepreneurs (RSPP).
- Sr. J. ROIG (República Bolivariana de Venezuela), Presidente, Federación de Cámaras y Asociaciones de Comercio y Producción de Venezuela (FEDECAMARAS).
- Ms S. ROMCHATTHONG (Thailand), Secretary General, Employers’ Federation of Thailand.
- M. A. SAVANÉ (Guinée), secrétaire général, Conseil national du patronat guinéen (CNP).
- Sr. M. TERÁN (Ecuador), Coordinador IOE/OIT, Federación Nacional de Cámaras de Industrias del Ecuador.
- Sr. A. URTECHO LÓPEZ (Honduras), Asesor Legal, Consejo Hondureño de la Empresa Privada.
- Mr A. WALCOTT (Barbados), Executive Director, Barbados Employers’ Confederation (BEC).
- Mr P. WOOLFORD (Canada), President, Clairmark Consulting Ltd.

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**Membres suppléants assistant à la session:  
Substitute members attending the session:  
Miembros suplentes presentes en la reunión:**

- M. B. MATTHEY (Suisse), directeur général, Fédération des entreprises romandes Genève (FER-GE).  
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Other persons attending the session:  
Otras personas presentes en la reunión:**

- Mr A. FURLAN (Brazil).



<b>Membres travailleurs titulaires    Titular Worker members Miembros trabajadores titulares</b>	
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<b>Secrétaire du groupe des travailleurs: Secretary of the Workers' group: Secretaria del Grupo de los Trabajadores:</b>	<b>Sra. R. GONZÁLEZ (ITUC)</b>
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Mr M. SHMAKOV (Russian Federation), President, Federation of Independent Trade Unions of Russia.

M. B. THIBAUT (France), Confédération générale du travail (CGT).

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M. P. COUTAZ, accompagnant M. Thibault.

Ms M. HAYASHIBALA, accompagnant Ms Sakurada.

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

Mr F. ZACH, accompagnant Mr Buntentbach.

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**Miembros trabajadores adjuntos**

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Mr A. AMANCIO VALE (Brazil), Executive Director, Secretaria de Relações Internacionais, Central Única dos Trabalhadores (CUT).

Mr Z. AWAN (Pakistan), General Secretary, Pakistan Workers' Federation (PWF).

Ms S. CAPPUCCIO (Italy), Confederazione Generale Italiana del Lavoro.

Sra. I. CÁRCAMO (Honduras), Secretaria de Educación, Confederación Unitaria de Trabajadores de Honduras (CUTH).

Ms M. CLARKE WALKER (Canada), Executive Vice-President, Canadian Labour Congress.

Mr P. DIMITROV (Bulgaria), President, Confederation of Independent Trade Unions in Bulgaria.

M. F. DJONDANG (Tchad), secrétaire général, Union des syndicats du Tchad (UST).

M<sup>m</sup>c A. EL AMRI (Maroc), Union marocaine du travail (UMT).

Sra. E. FAMILIA (República Dominicana), Vicepresidenta encargada de Política de Equidad de Género, Confederación Nacional de Unidad Sindical (CNUS).

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Ms M. LIEW (Singapore), Executive Secretary, National Trade Union Congress (NTUC).

Mr M. MAUNG (Myanmar), General Secretary, Federation of Trade Unions (FTUM).

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Ms A. VAN WEZEL, accompanying Ms Passchier.

**Membres suppléants assistant à la session:**  
**Substitute members attending the session:**  
**Miembros suplentes presentes en la reunión:**

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**Représentants d'autres Etats Membres de l'Organisation assistant à la session**  
**Representatives of other member States of the Organization present at the session**  
**Representantes de otros Estados Miembros de la Organización presentes en la reunión**

**Afrique du Sud South Africa**  
**Sudáfrica**

Mr N. HOLOMISA, MP and Deputy Minister of Labour.  
 Mr T. LAMATI, Director General, Department of Labour.  
 Mr A. MINTY, Ambassador, Permanent Representative, Permanent Mission, Geneva.  
 Ms N. NOTUTELA, Deputy Permanent Representative, Permanent Mission, Geneva.  
 Ms N. HOLOMISA.  
 Mr G. SCHNEEMAN, Chief of Staff in the Office of the Minister of Labour, Department of Labour.  
 Mr S. NOTSHIKILA, Parliamentary Officer, Office of the Deputy Minister, Department of Labour.  
 Mr V. SEAFIELD, Acting Deputy Director General, Department of Labour.  
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**Autriche Austria**

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**Bélarus Belarus Belarús**

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**Burundi**

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## Congo

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## Costa Rica

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## Côte d'Ivoire

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## Croatie Croatia Croacia

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## Egypte Egypt Egipto

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## El Salvador

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**Equateur    Ecuador**


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**Fidji    Fiji**


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**Finlande    Finland    Finlandia**


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**Gabon    Gabón**


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**Grèce    Greece    Grecia**


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**Guatemala**


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Sr. O. ENRÍQUEZ, Director de Derechos  
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Sr. D. MULET LIND, Misión Permanente,  
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**Guinée    Guinea**


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M. A. CISSÉ, conseiller, mission permanente,  
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**Guinée équatoriale  
Equatorial Guinea  
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M. G. EKUA SIMA, premier secrétaire et  
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M. H. BEDAYA, attaché, mission permanente, Genève.

M<sup>me</sup> C. PIERRE-TOUSSAINT, assistante du chargé d'affaires, mission permanente, Genève.

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## Honduras

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## Hongrie Hungary Hungría

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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.

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Mr D. SHERIDAN, Principal Officer, Department of Jobs, Enterprise and Innovation.

Ms S. O'CARROLL, Assistant Principal Officer, Department of Jobs, Enterprise and Innovation.

Ms C. MURPHY, Administrator, Permanent Mission, Geneva.

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## Lettonie Latvia Letonia

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

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## Liban Lebanon Líbano

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M. H. CHAAR, conseiller, mission permanente, Genève.

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## Libye Libya Libia

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## Luxembourg Luxemburgo

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**Malaisie Malaysia Malasia**


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Mr U. BIN ABDULLAH, Labour Attaché,  
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**Mozambique**


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M. P. COMISSARIO, ambassadeur,  
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**Myanmar**


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Mission, Geneva.  
Mr T. WIN, Third Secretary, Permanent  
Mission, Geneva.  
Ms M. SWE, Attaché, Permanent Mission,  
Geneva.

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**Népal Nepal**


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Mr D. DHITAL, Ambassador, Permanent  
Representative, Permanent Mission,  
Geneva.  
Ms R. DAHAL, 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.  
Sra. L. CORSETTI, Misión Permanente,  
Ginebra.

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**Niger Níger**


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M. A. ELHADJI ABOU, ambassadeur,  
représentant permanent, mission  
permanente, Genève.  
M<sup>me</sup> M. KOUNTCHE GAZIBO, premier  
secrétaire, mission permanente, Genève.

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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&LS), Federal  
Ministry of Labour and Productivity.  
Ms J. OKPUNO, Director (E &W), Federal  
Ministry of Labour and Productivity.  
Ms M. NWORDU, Project Director (SURE-P),  
Federal Ministry of Labour and  
Productivity.  
Mr J. TSOKWA, Director (TVET), Federal  
Ministry of Labour and Productivity.  
Mr E. ETIM, Labour Attaché, Permanent  
Mission, Geneva.  
Dr P. BDLIYA, Director General (NPC),  
Federal Ministry of Labour and  
Productivity.  
Mr C. OBI, NIMASA ED (ML&CS), Federal  
Ministry of Labour and Productivity.  
Mr A. ABUBAKAR, Managing Director  
(NSITF), Federal Ministry of Labour and  
Productivity.  
Mr H. USMAN, Chief Registrar (IAP), Federal  
Ministry of Labour and Productivity.  
Mr U. UCHENDU, PA to ED (ML&CS),  
NIMASA, Federal Ministry of Labour and  
Productivity.



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**Nouvelle-Zélande  
New Zealand  
Nueva Zelandia**

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Mr M. HOBBY, Principal Adviser,  
International Strategy and Partnerships,  
Ministry of Business, Innovation and  
Employment.

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**Pérou Peru Perú**

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Sr. L. CHÁVEZ BASAGOITIA, Embajador,  
Representante Permanente, Misión  
Permanente, Ginebra.  
Sra. M. MASANA GARCÍA, Ministra,  
Representante Permanente Alterna, Misión  
Permanente, Ginebra.  
Sra. S. ALVARADO SALAMANCA, Segunda  
Secretaria, Misión Permanente, Ginebra.  
Sr. M. MUNDACA PEÑARANDA, Segundo  
Secretario, Misión Permanente, Ginebra.

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**Philippines Filipinas**

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

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**Portugal**

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M. A. VALADAS DA SILVA, conseiller pour  
les affaires sociales, mission permanente,  
Genève.

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**Qatar**

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Mr F. AL-HENZAB, Ambassador  
Extraordinary and Plenipotentiary,  
Permanent Representative, Permanent  
Mission, Geneva.  
Mr A. AL-HAMMADI, Deputy Permanent  
Representative, Permanent Mission,  
Geneva.  
Mr M. AL-SIDDIQI, Representative of the  
Ministry of Labour and Social Affairs,  
Permanent Mission, Geneva.  
Ms L. KHALED, Researcher, Permanent  
Mission, Geneva.

Mr S. AL-MARRI, Director of the Legal  
Affairs Department, Ministry of Labour and  
Social Affairs.

Mr K. AL-SULAITI, Director of the  
Information System Management, Ministry  
of Labour and Social Affairs.

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**Rép. démocratique du Congo  
Democratic Rep. of the Congo  
Rep. Democrática del Congo**

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M<sup>me</sup> B. MUKUNDJI EKAKA EALE, chargée  
des questions de santé, mission permanente,  
Genève.

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**Rwanda**

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Mr F. NGARAMBE, Ambassador, Permanent  
Representative, Permanent Mission,  
Geneva.

Mr M. RUGEMA, Deputy Permanent  
Representative, Permanent Mission,  
Geneva.

Ms L. NTAYOMBYA, Communication and  
Multilateral Officer, Permanent Mission,  
Geneva.

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**Sénégal Senegal**

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M. B. SENE, ambassadeur, représentant  
permanent, mission permanente, Genève.

M. A. BARRY, ministre conseiller, mission  
permanente, Genève.

M<sup>me</sup> N. LO, premier conseiller, mission  
permanente, Genève.

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**Serbie Serbia**

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Mr V. MLADENOVIC, Ambassador,  
Permanent Representative, Permanent  
Mission, Geneva.

Ms D. MLADENOVIC-NESTOROVIC,  
Second Secretary, Permanent Mission,  
Geneva.

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**Singapour   Singapore  
Singapur**

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Mr K. FOO, Ambassador Extraordinary and Plenipotentiary, Permanent Representative, Permanent Mission, Geneva.  
 Mr J. HAN, Deputy Permanent Representative, Permanent Mission, Geneva.  
 Ms J. BOO, First Secretary, Permanent Mission, Geneva.  
 Mr J. KHOO, Senior Assistant Director, Legal Services Division, Ministry of Manpower.  
 Mr X. LEOW, Manager, Ministry of Manpower.

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**Sri Lanka**

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Mr C. PERERA, Second Secretary, Permanent Mission, Geneva.

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**Suède   Sweden   Suecia**

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Mr J. KNUTSSON, Ambassador and Permanent Representative, Permanent Mission, Geneva.  
 Mr T. JANSON, Deputy Director, Ministry of Employment.  
 Mr O. EKÉUS, Counsellor, Permanent Mission, Geneva.  
 Ms T. SAHIBLI, Permanent Mission, Geneva.  
 Mr A. ARÉVALO VÁSQUEZ, Programme Manager, Swedish International Development Cooperation Agency.

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**Suisse   Switzerland   Suiza**

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M. J.-J. ELMIGER, ambassadeur, Secrétariat d'Etat à l'économie (SECO), affaires internationales du travail.  
 M<sup>me</sup> V. BERSSET BIRCHER, Secrétariat d'Etat à l'économie (SECO), affaires internationales du travail.  
 M<sup>me</sup> A. JOUBLI, Secrétariat d'Etat à l'économie (SECO).  
 M. L. KARRER, mission permanente, Genève.  
 M<sup>me</sup> N. KAYAL, mission permanente, Genève.

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**République tchèque  
Czech Republic  
República Checa**

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Ms M. HOMOLKOVÁ, First Secretary, Permanent Mission, Geneva.  
 Mr P. MRÁZ, Permanent Mission, Geneva.

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**Tunisie   Tunisia   Túnez**

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M. W. DOUDECH, ambassadeur, représentant permanent, mission permanente, Genève.  
 M<sup>me</sup> C. KOCHLEF, premier secrétaire, mission permanente, Genève.

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**Viet Nam**

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Mr H. KHONG, Third Secretary, Permanent Mission, Geneva.

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**Yémen   Yemen**

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Mr A. MAJAWAR, Ambassador, Permanent Representative, Permanent Mission, Geneva.  
 Mr W. AL-SHAIERI, Third Secretary, Permanent Mission, Geneva.

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**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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M. S.E. Archevêque Silvano M. TOMASI,  
Nonce Apostolique, observateur permanent  
du Saint-Siège, mission permanente,  
Genève.

M<sup>gr</sup> M. DE GREGORI, attaché, mission  
permanente, Genève.

M. P. GUTIÉRREZ, mission permanente,  
Genève.

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

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**African Regional Labour Administration Centre (ARLAC)**

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Mr D. NEBURAGHO, Director.

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**Organisation des Nations Unies pour l'éducation, la science et la culture  
United Nations Educational, Scientific and Cultural Organization  
Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura**

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Mr A. ALMUZAINI, Director, UNESCO Liaison Office in Geneva.

Ms N. FLORE, UNESCO Liaison Office in Geneva.

Mr B. TUKHTABAYEV, Senior Liaison Officer, UNESCO Liaison Office in Geneva.

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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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**European Law Organization**

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Mr S. FLOGAITIS, Director.

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**Union européenne  
European Union  
Unión Europea**

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Mr P. SØRENSEN, Ambassador, Head of the Permanent Delegation of the European Union to the United Nations in Geneva.

Mr D. PORTER, Minister Counsellor, Deputy Head of the Permanent Delegation of the European Union to the United Nations in Geneva.

Mr M. FERRI, Minister Counsellor, Permanent Delegation of the European Union to the United Nations in Geneva.

Ms M. MATTHEWS, First Secretary, Permanent Delegation of the European Union to the United Nations in Geneva.

Ms E. PICHOT, Team Leader, Unit External Relations, Neighbourhood Policy, Enlargement, IPA, Directorate General for Employment, Social Affairs and Inclusion, European Commission.

Mr L. DIALLO, Policy Officer, Unit External Relations, Neighbourhood Policy, Enlargement, IPA, Directorate General for Employment, Social Affairs and Inclusion, European Commission.

Ms B. LOPEZ, Permanent Delegation of the European Union to the United Nations 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 X. YAO, Director, FAO Office in Geneva.

Ms R. SANTOS GARCIA, Consultant, Humanitarian Affairs, FAO Office in Geneva.

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**Conseil des ministres du Travail des Etats du Conseil de coopération du Golfe**  
**Labour Ministers' Council of the Gulf Cooperation Council States**  
**Consejo de Ministros de Trabajo de los Estados del Consejo de Cooperación del Golfo**

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Mr K. BOHAZZA, Labour Affairs Director.  
 Mr H. MATAR, Labour Researcher.

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

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

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Ms S. JACKSON, Special Representative to the WTO and UN in Geneva.  
 Ms A. TRUHINA, Communication Associate.

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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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Mr Z. AYOUBI, Livelihood Officer, Operations Solutions and Transitions Section, Division for Programme Support.

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**Organisation mondiale de la santé**  
**World Health Organization**  
**Organización Mundial de la Salud**

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Ms C. ROSE-ODUYEMI, Director, Department of Governing Bodies and External Relations.  
 Mr D. WEBB, Director, Office of Internal Oversight Services.  
 Ms I. MILOVANOVIC, Coordinator, Country Cooperation and Collaboration with the United Nations System.  
 Ms M. CRESPO, External Relations Officer, Country Cooperation and Collaboration with the United Nations System.  
 Ms G. VEA, External Relations Officer, Department of Governing Bodies and External Relations.  
 Ms E. GRANZIERA, Legal Officer, Governing Bodies and Public International Law.

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

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Mr H. LIM, Director, Trade and Environment Division.  
 Mr S. MATHUR, Counsellor, 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 los Empleadores**

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Mr B. WILTON, Secretary-General.

Mr R. SUÁREZ 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 Unit.

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

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Ms R. GONZÁLEZ, 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 A. MEZHOUD, Secretary General.

Mr A. DIALLO, Permanent Representative to the ILO and UN Office in Geneva.

Mr E. BENMOUHOU.

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

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Mr N. GHIOKAS.

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**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.

Mr R. AWAJA, Attaché, Permanent Observer Mission, Geneva.