



Governing Body

326th Session, Geneva, 10–24 March 2016

GB.326/PV

Minutes of the 326th Session of the Governing Body of the International Labour Office

**Minutes of the 326th Session
of the Governing Body of the
International Labour Office**

The 326th Session of the Governing Body of the International Labour Office was held in Geneva, from Thursday, 10 to Thursday 24 March 2016, presided over by Ms Misako Kaji of Japan 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 or outcome paragraph No.</i>
Institutional Section				
1	GB.326/INS/1	Approval of the minutes of the 325th Session of the Governing Body	5	5
2	GB.326/INS/2	Agenda of the International Labour Conference	5	20
3	GB.326/INS/3	Progress report on the implementation of the Enterprises Initiative	8	36
4	GB.326/INS/4	Report of the 13th African Regional Meeting (Addis Ababa, 30 November–3 December 2015)	11	44
5	GB.326/INS/5	Decent work and inclusive sustainable growth: Challenges for global policy	13	57
6	GB.326/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: Information on progress achieved	18	74
7	GB.326/INS/7(Rev.)	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 of the International Labour Conference under article 26 of the ILO Constitution	22	87
8	GB.326/INS/8(Rev.)	Complaint concerning non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), made by delegates to the 103rd Session (2014) of the International Labour Conference under article 26 of the ILO Constitution	25	144
9	GB.326/INS/9(Rev.) and GB.326/INS/9(Add.)	Complaint concerning non-observance by the Bolivarian Republic of Venezuela of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), submitted under article 26 of the Constitution by several delegates to the 104th Session (2015) of the International Labour Conference	34	161
10	GB.326/INS/10	Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013)	37	179
11	GB.326/INS/11	Results of the independent evaluation of the ILO Action Plan for Gender Equality 2010–15 and outline of the ILO Action Plan 2016–17	39	189
12		Reports of the Committee on Freedom of Association		
	GB.326/INS/12	377th Report	43	202
	GB.326/INS/12(Add.)	Financial implications	48	204
13	GB.326/INS/13	Report of the Working Party on the Functioning of the Governing Body and the International Labour Conference	48	211
14	GB.326/INS/14(Rev.) and GB.326/INS/14/Add.(Rev.)	Report of the Working Party on the Social Dimension of Globalization	49	240

<i>Item No.</i>	<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Decision or outcome paragraph No.</i>	
15	GB.326/INS/15(Rev.2)	Report of the Director-General			
		Part I. Obituaries	53	241	
			Parts II, III, IV and V of the Report	53	242
		GB.326/INS/15/1	<i>First Supplementary Report:</i> Appointment of the Director of the International Training Centre of the ILO, Turin	53	243
		GB.326/INS/15/2	<i>Second Supplementary Report:</i> Appointment of a Regional Director	54	244
		GB.326/INS/15/3	<i>Third Supplementary Report:</i> International Decade for People of African Descent (2015–24)	54	253
		GB.326/INS/15/4	<i>Fourth Supplementary Report:</i> Documents submitted for information only	56	256
		GB.326/INS/15/5	<i>Fifth Supplementary Report:</i> Report of the Committee set up to examine the representation alleging non-observance by the Government of Chile of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the First Inter-Enterprise Trade Union of Mapuche Bakers of Santiago	57	257
		GB.326/INS/15/6	<i>Sixth Supplementary Report:</i> Report of the Committee set up to examine the representation alleging non-observance by Chile of the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), made under article 24 of the ILO Constitution by the College of Teachers of Chile AG	57	258
		GB.326/INS/15/7	<i>Seventh Supplementary Report:</i> Report of the Committee set up to examine the representation alleging non-observance by the United Arab Emirates of the Forced Labour Convention, 1930 (No. 29), made under article 24 of the ILO Constitution by the International Trade Union Confederation (ITUC)	58	259
	GB.326/INS/15/8	<i>Eighth Supplementary Report:</i> Report of the Committee set up to examine the representation alleging non-observance by France of the Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106), made under article 24 of the ILO Constitution by the Federation of Salaried Employees and Managerial Staff of the General Confederation of Labour–Force Ouvrière	59	260	
16		Reports of the Officers of the Governing Body			
		GB.326/INS/16/1	<i>First report:</i> Action to be taken regarding the appointment of the Director-General	59	262
		GB.326/INS/16/2	<i>Second report:</i> Arrangements for the 10th European Regional Meeting	60	264
		GB.326/INS/16/3	<i>Third report:</i> Representation alleging non-observance by Colombia of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), 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 Confederation of Workers of Colombia (CTC)	61	265
		GB.326/INS/16/4	<i>Fourth report:</i> Representation alleging non-observance by Colombia of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the ILO Constitution by the General Confederation of Labour (CGT)	61	266

<i>Item No.</i>	<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Decision or outcome paragraph No.</i>
	GB.326/INS/16/5	<i>Fifth report:</i> Representation alleging non-observance by Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Sweden and Spain of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), made under article 24 of the ILO Constitution by Solidarity, Independence, Democracy	62	267
	GB.326/INS/16/6	<i>Sixth report:</i> Representation alleging non-observance by Thailand of the Forced Labour Convention, 1930 (No. 29), made under article 24 of the ILO Constitution by the International Trade Union Confederation (ITUC) and the International Transport Workers' Federation (ITF)	62	268
	GB.326/INS/16/7	<i>Seventh report:</i> Representation alleging non-observance by Croatia of the Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48), made under article 24 of the ILO Constitution by the Association of Trade Unions of Pensioners of Serbia (USPS)	63	269
17	GB.326/INS/17	Composition and agenda of standing bodies and meetings	63	270–275
Policy Development Section				
<i>Employment and Social Protection Segment</i>				
1	GB.326/POL/1	Outcome 1: More and better jobs for inclusive growth and improved youth employment prospects	69	330
2	GB.326/POL/2	Outcome 9: Promoting fair and effective labour migration policies	77	364
3	GB.326/POL/3	Results achieved during the Director-General's tenure as Chairperson of the UNAIDS Committee of Cosponsoring Organizations (CCO) in 2015	85	377
<i>Social Dialogue Segment</i>				
4	GB.326/POL/4	Follow-up to the recurrent discussion on social dialogue held at the 102nd Session of the International Labour Conference (2013) Implementation of the plan of action	89	394
5	GB.326/POL/5	Review and possible revision of formats and standing orders for meetings	93	404
6	GB.326/POL/6	Sectoral meetings held in 2015 and proposals for sectoral work in 2016–17	95	410
<i>Development Cooperation Segment</i>				
7	GB.326/POL/7	Public–private partnerships: Report on progress	97	419
<i>Multinational Enterprises Segment</i>				
8	GB.326/POL/8	Proposed modalities to review the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy	100	440
Legal Issues and International Labour Standards Section				
<i>Legal Issues Segment</i>				
1	GB.326/LILS/1	Follow-up to the discussion on the protection of Employers' and Workers' delegates to the International Labour Conference and members of the Governing Body in relation to the authorities of a State of which they are a national or a representative	106	458
2	GB.326/LILS/2	Amendments to the Compendium of rules applicable to the Governing Body of the International Labour Office	110	484

<i>Item No.</i>	<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Decision or outcome paragraph No.</i>
<i>International Labour Standards and Human Rights Segment</i>				
3	GB.326/LILS/3/1	The Standards Initiative: Joint report of the Chairpersons of the Committee of Experts on the Application of Conventions and Recommendations and the Committee on Freedom of Association	113	502
	GB.326/LILS/3/2	The Standards Initiative: Report of the first meeting of the Standards Review Mechanism Tripartite Working Group	118	514
4	GB.326/LILS/4	Proposed form for reports to be requested under article 19 of the Constitution in 2017 on the instruments on working time	121	518
5	GB.326/LILS/5	Proposed forms for reports to be requested under articles 19(5)(e) and 22 of the Constitution in relation to the Protocol of 2014 to the Forced Labour Convention, 1930	122	524
6	GB.326/LILS/6	Report of the second meeting of the Special Tripartite Committee established under the Maritime Labour Convention, 2006 (Geneva, 8–10 February 2016)	124	534
7	GB.326/LILS/7	Report of the meeting of the Ad hoc Tripartite Maritime Committee for the amendment of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) (Geneva, 10–12 February 2016)	127	540

Programme, Financial and Administrative Section

<i>Programme, Financial and Administrative Segment</i>				
1	GB.326/PFA/1	ILO programme implementation 2014–15	129	563
2	GB.326/PFA/2	Delegation of authority under article 18 of the Standing Orders of the International Labour Conference	136	565
3	GB.326/PFA/3	Update on the headquarters building renovation project	136	575
4	GB.326/PFA/4	Update concerning the after-service health insurance	138	595
5	GB.326/PFA/5	Information and communications technology questions: Final report on the ILO Information Technology Strategy 2010–15 and proposed transitional strategy 2016–17	142	603
6	GB.326/PFA/6	Knowledge Strategy 2010–15: Achievements, lessons learned and the way forward	143	612
7	GB.326/PFA/7/1	Other financial questions: Report of the Government members of the Governing Body for allocation of expenses	146	615–617
<i>Audit and Oversight Segment</i>				
8	GB.326/PFA/8	Report of the Independent Oversight Advisory Committee	147	625
9	GB.326/PFA/9(Rev.)	Report of the Chief Internal Auditor for the year ended 31 December 2015	148	633
<i>Personnel Segment</i>				
10		Statement by the staff representative	150	
11	GB.326/PFA/11	Update concerning the Human Resources Strategy and reform	150	652
12	GB.326/PFA/12/1	Matters relating to the Administrative Tribunal of the ILO: Proposed amendments to the Statute of the Tribunal	153	658
	GB.326/PFA/12/2	Report on discussions with the European Patent Organisation on possible future action to improve the Tribunal's caseload	155	662
	GB.326/PFA/12/3	Composition of the Tribunal	155	666

High-Level Section

Working Party on the Social Dimension of Globalization

<i>Item No.</i>	<i>Document No.</i>	<i>Title</i>	<i>Page</i>	<i>Decision or outcome paragraph No.</i>
1	GB.326/WP/SDG/1	Addressing the labour market impacts of refugees and other forcibly displaced people	157	
Appendices				
I.		Statement by the Chairperson of the Staff Union to the Programme, Financial and Administrative Section of the Governing Body (326th Session – 15 March 2016)	171	
II.		Scale of assessments of contributions to the budget for 2017	175	
III.		Final list of persons attending the session	179	

Institutional Section

1. The Institutional Section met on Monday, 14, and Thursday, 17 March and from Tuesday, 22 to Thursday, 24 March 2016. The Chairperson of the Governing Body, Ms M. Kaji (Government, Japan), chaired the Section. The Employer Vice-Chairperson of the Governing Body, Mr J. Rønneest (Denmark), was the Employer spokesperson for the Section, except in respect of: item 3, “Progress report on the implementation of the Enterprises Initiative”, where Ms R. Hornung-Draus was spokesperson; item 4, “Report of the 13th African Regional Meeting (Addis Ababa, 30 November–3 December 2015)”, where Ms J. Mugo was spokesperson; item 5, “Decent work and inclusive sustainable growth: Challenges for global policy”, where Ms G. Pineau was spokesperson; item 11, “Results of the independent evaluation of the ILO Action Plan for Gender Equality 2010–15, and outline of the Action Plan 2016–17”, where Mr P. O’Reilly was spokesperson; item 12, “Reports of the Committee on Freedom of Association”, where Mr A. Echavarría was spokesperson; and item 15/3, “Third Supplementary Report of the Director-General: International Decade for People of African Descent (2015–24)”, where Mr O. Diallo was spokesperson. Mr L. Cortebecq (Belgium), was the Worker spokesperson, except in respect of: item 4, where Mr E. Manzi was spokesperson; item 5, where Mr K. Asamoah was spokesperson; item 11, where Ms S. Cappuccio was spokesperson; and item 15/3, where Ms M.F. Francisco was spokesperson.
2. The following Governing Body members chaired the remaining Sections and Segments of the 326th Session:

Policy Development Section

Employment and Social Protection Segment (Wednesday, 16 and Monday, 21 March 2016)

Chairperson: Mr B. Delmi (Algeria)

Employer spokesperson: Mr P. O’Reilly

Item 2, outcome 9: Promoting fair and effective migration policies: Mr K. Rahman

Item 3: Results achieved during the Director-General’s tenure as Chairperson of the UNAIDS Committee of Co-sponsoring Organizations (CCO) in 2015: Ms J. Mugo

Worker spokesperson: Ms H. Kelly

Item 3: Results achieved during the Director-General’s tenure as Chairperson of the UNAIDS Committee of Co-sponsoring Organizations (CCO) in 2015: Mr B. Ntshalintshali

Social Dialogue Segment (Tuesday, 15 March 2016)

Chairperson: Ms F. Kodra (Albania)

Employer spokesperson: Mr P. Woolford

Item 4: Follow-up to the recurrent discussion on social dialogue held at the 102nd Session of the International Labour Conference (June 2013): Mr J. Rønneest

Worker spokesperson: Ms A. El Amri

Development Cooperation Segment
(Wednesday, 16 March 2016)

Chairperson: Ms J. Pitt (Australia)

Employer spokesperson: Ms J. Mugo

Worker spokesperson: Mr L. Cortebееck

Multinational Enterprises Segment
(Tuesday, 22 March 2016)

Chairperson: Mr P.-J. Rozet (France)

Employer spokesperson: Ms R. Hornung-Draus

Worker spokesperson: Ms A. Buntенbach

Legal Issues and International Labour Standards Section

Legal Issues Segment
(Friday, 18 March 2016)

Chairperson: Mr G. Corres (Argentina)

Employer spokesperson: Ms L. Horvatic

Item 1: Follow-up to the discussion on the protection of Employer's and Workers' delegates to the International Labour Conference and members of the Governing Body in relation to the authorities of a State of which they are a national or a representative; and item 2: Amendments to the Compendium of rules applicable to the Governing Body of the International Labour Office: Mr E. Potter

Worker spokesperson: Mr J.E. Ohrt

International Labour Standards and Human Rights Segment
(Friday, 18 March 2016)

Chairperson: Mr G. Corres (Argentina)

Employer spokesperson: Mr J. Rønnest

Item 3/2: Report of the first meeting of the Standards Review Mechanism Tripartite Working Group: Mr A. Echavarría

Item 4: Proposed form for reports to be requested under article 19 of the Constitution in 2017 on the instruments on working time; item 5: Proposed forms for reports to be requested under articles 19(5)(e) and 22 of the Constitution in relation to the Protocol of 2014 to the Forced Labour Convention, 1930; item 6: Report of the second meeting of the Special Tripartite Committee established under the Maritime Labour Convention, 2006 (Geneva, 8–10 February 2016); and item 7: Report of the meeting of the Ad Hoc Tripartite Maritime Committee for the amendment of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) (Geneva, 10–12 February 2016): Mr E. Potter

Worker spokesperson: Mr L. Cortebeeck

Item 4: Proposed form for reports to be requested under article 19 of the Constitution in 2017 on the instruments on working time; item 5: Proposed forms for reports to be requested under articles 19(5)(e) and 22 of the Constitution in relation to the Protocol of 2014 to the Forced Labour Convention, 1930; item 6: Report of the second meeting of the Special Tripartite Committee established under the Maritime Labour Convention, 2006 (Geneva, 8–10 February 2016); and item 7: Report of the meeting of the Ad Hoc Tripartite Maritime Committee for the amendment of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) (Geneva, 10–12 February 2016): Mr J.E. Ohrt

Programme, Financial and Administrative Section

(Monday, 14, Tuesday, 15 and Thursday, 24 March 2016)

Programme, Financial and Administrative Segment

Chairperson: Ms M. Kaji (Japan)

Employer spokesperson: Mr M. Mdwaba

Worker spokesperson: Mr S. Gurney

Audit and Oversight Segment

Chairperson: Ms M. Kaji (Japan)

Employer spokesperson: Mr M. Mdwaba

Worker spokesperson: Mr S. Gurney

Personnel Segment

Chairperson: Ms M. Kaji (Japan)

Employer spokesperson: Mr P. Woolford

Worker spokesperson: Mr S. Gurney

High-Level Section

Working Party on the Social Dimension of Globalization

(Monday, 21 March 2016)

Chairperson: Ms M. Kaji (Japan)

Employer spokesperson: Mr J. Rønneest

Worker spokesperson: Mr L. Cortebeeck

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

(Thursday, 17 March 2016)

Chairperson: Ms M. Kaji (Japan)

Employer spokesperson: Mr J. Rønneest

Worker spokesperson: Mr L. Cortebееck

Committee on Freedom of Association
(Thursday, 10 to Saturday, 12 March 2016)

Chairperson: Mr P. Van der Heijden (Netherlands)

Employer spokesperson: Mr A. Echavarría ¹

Worker spokesperson: Mr Y. Veyrier ²

Opening remarks by the Director-General

3. *The Director-General* expressed his solidarity with, and sincere condolences to, the Governments and to the people of Turkey and Côte d'Ivoire for the terrible attacks which they had recently suffered. Against this background of continued conflict and widespread violence in many parts of the world, the prospects for the global economy were meagre. Since the last meeting of the Governing Body, forecasts of future growth had been adjusted sharply down and, according to the prevailing opinion, economic circumstances were more fragile than at any point since the global economic crisis began, in 2008. This alarming situation was impacting the world of work and raising new obstacles to the achievement of the ILO's objectives. For this reason, the agenda items on challenges for global policy on inclusive growth and more and better jobs would be central to the Governing Body's discussions. Since the last Governing Body session, the ILO had been deeply involved in developing the indicators needed to make the Sustainable Development Goals (SDGs) measurable. The Director-General's Report to the 105th Session (June 2016) of the International Labour Conference would cover the ILO's role in the implementation of the 2030 Agenda for Sustainable Development, in which the Decent Work Agenda was firmly embedded. At the current session, the Governing Body would examine two items on migration: an item on promoting fair and effective labour migration policies, and an item on addressing the labour market impacts of refugees and other forcibly displaced people. Migration for employment was a constitutional responsibility and current policy outcome of the ILO, and the access of refugees and displaced persons to the labour markets and its impact on host communities were key issues. The ILO had to be a part of the response to the global refugee crisis, within its mandate and expertise, in full understanding and coherence of the overall multilateral effort. In this context, the panel debate to be held in the High-Level Section would be highly relevant.
4. The Governing Body also had before it two reports which constituted important milestones in the implementation of the Future of Work Initiative: the joint report of the Chairpersons of the Committee of Experts on the Application of Conventions and Recommendations and the Committee on Freedom of Association, and the report of the first meeting of the Standards Review Mechanism Tripartite Working Group. The Working Group's meetings had been held in a very constructive atmosphere and although challenges remained, encouraging progress had been achieved so far. Regarding the five country-specific items on the Governing Body's agenda, it was important to proceed through an objective and impartial assessment of the facts with the aim of promoting a full application of the ILO instruments in question. All article 26 complaints he could recall had at one point or another

¹ The Office was informed, in a letter dated 29 February 2016, that the previous incumbent of this post, Mr C. Syder, United Kingdom, had resigned. His place as Employer spokesperson was taken for the present session by Mr A. Echavarría, Colombia.

² Substituting Mr L. Cortebееck.

been decried as politically motivated, while later on being recognized as having brought major positive change, in line with the Organization's mandate. The ILO and its constituents pursued their collective commitment and efforts to change and improve the way the Organization worked. In line with this, the Working Party on the Functioning of the Governing Body and the International Labour Conference would turn its attention, in November 2016, to the functioning of the Regional Meetings. The Office had a duty of accountability to the Governing Body in its governance role, and consequently the ILO programme implementation report 2014–15, closing the biennial period, was of great importance. The Office was focusing particularly on its own business and administrative processes with a view to stripping out unnecessary complexities and costs, an approach that would be developed with determination and energy. In this context, the Governing Body would probably be pleased to learn that the building renovation work was on time and within budget. Members might however wish to consider including the refurbishment of the meeting rooms, which was currently not part of the renovation programme, within the scope of the project. It could certainly be achieved more economically if included within the renovation package. Finally, the Director-General alerted the Governing Body to the investigation into alleged fraud committed by a small group of retirees against the Staff Health Insurance Fund. The External Auditors and the Independent Oversight Advisory Committee were informed of this incident, detected through the ILO's internal control mechanisms and currently the subject of a criminal investigation.

First item on the agenda

Approval of the minutes of the 325th Session of the Governing Body (GB.326/INS/1)

Decision

- 5. The Governing Body approved the minutes of its 325th Session as amended.*

(GB.326/INS/1, paragraph 2.)

Second item on the agenda

Agenda of the International Labour Conference (GB.326/INS/2)

- 6. The Employer spokesperson, noting the usefulness of the timeline concerning the setting of the Agenda from 2015 to 2019 presented in Appendix II of the document, said that the Employers' group supported the draft decision.*
- 7. The Worker spokesperson said that the nine possible subjects under consideration for inclusion in the agenda of future sessions of the Conference should be discussed in more detail at the November 2016 session of the Governing Body. A number of the subjects could lead to standard-setting exercises and that should be reflected in the proposals that the Office would submit in November. His group supported the draft decision.*
- 8. Speaking on behalf of the Africa group, a Government representative of Kenya, expressing appreciation for Appendices I and II of the document, which presented an overview of the technical items and a timeline concerning the agenda of the Conference, said that the group*

agreed with the need for clarity in the agenda-setting process and fully supported the tripartite approach whereby constituents could continue to put forward proposals for future Conference agenda items. At the March 2015 session of the Governing Body and in subsequent discussions, her group had underscored the need for coherence and flexibility in setting the Conference agenda for 2017–19 and beyond. The Governing Body should take account of important outcomes of the 2016 session; the progress made in implementing the centenary initiatives; the implications of the new Strategic Plan 2018–21; and the Programme and Budget proposals for 2018–19 when setting the Conference agenda for 2018 and 2019. Follow-up of the nine possible subjects should continue to ensure that they received a substantive and in-depth evaluation by the Governing Body, while at the same time maintaining the flexibility needed to welcome new agenda items. Care should be taken not to dilute or exclude from consideration items that addressed strategic thematic areas at the heart of the ILO's mandate. She looked forward to receiving an update on the progress made at future sessions of the Governing Body. The group supported the draft decision.

9. *Speaking on behalf of the group of industrialized market economy countries (IMEC)*, a Government representative of Norway said that the group appreciated the update on the procedural roadmap and agreed that deferring the discussion on the items to be included in the Conference agenda for 2018 and 2019 to November 2016 would allow important outcomes of the 2016 Conference to be taken into account, such as the evaluation of the impact of the Social Justice Declaration, the general discussion on decent work in global supply chains, and the progress made in implementing the centenary initiatives. It would further facilitate the process of aligning Conference agenda-setting with the Strategic Plan 2018–21 and contribute to a more comprehensive long-term strategy when planning future sessions of the Conference. In order to keep the agenda topical, a decision was not yet required regarding the nine subjects proposed for inclusion in future sessions of the Conference. The item entitled “Effective ILO development cooperation in support of the Sustainable Development Goals” had enjoyed support at the November 2015 session of the Governing Body and would benefit from further elaboration in the light of the report on the End to Poverty Initiative to be submitted by the Director-General to the 2016 session of the Conference. She proposed deleting point (a) of the draft decision.
10. *A Government representative of India* said that it was important to maintain flexibility in choosing agenda items for the Conference. Member States could provide a list of additional subjects that were particularly relevant to their region so as to widen the range of options available.
11. *A representative of the Director-General* (Deputy Director-General, Management and Reform) indicated that some clarification would be helpful to the Office regarding the intention behind IMEC's proposed amendment, in relation to the purpose of the document to be prepared for the November session of the Governing Body and whether it could enable the Governing Body to take decisions at its November 2016 session.
12. *Speaking on behalf of IMEC*, a Government representative of Norway said that given the support expressed for the subject relating to “Effective ILO development cooperation in support of the Sustainable Development Goals”, that subject could be further elaborated. Her group did not wish for the Office to spend an excessive amount of time developing the other eight subjects under consideration. It would be prudent to wait until November 2016 to review the other subjects, in the light of the outcomes of the 2016 Conference.
13. *The Worker spokesperson* said that the original draft decision was the most appropriate, as the document that the Office would submit in November 2016 would enable the Governing Body to make all the necessary choices, based on the outcomes of the 2016 Conference.

14. *The Employer spokesperson* said that he had initially intended to support IMEC's amendment to the draft decision on account of the strong support already expressed for the subject relating to "Effective ILO development cooperation in support of the Sustainable Development Goals". However, he would welcome more comments from the Office in the light of the current discussion.
15. *A representative of the Director-General* (Deputy Director-General, Management and Reform) said that the Governing Body would need to take decisions at its November 2016 session in relation to the 2018 Conference agenda so that preparations could begin and that of course, in taking those decisions, the outcomes of the 2016 Conference should be taken into account. It would not be sufficient simply to provide guidance. The Office could prepare a document showing how the nine subjects under consideration, together with the outcomes of the 2016 Conference, were linked to the strategic and coherent approach to setting the Conference agenda for the following years to help the Governing Body take its decision.
16. *Speaking on behalf of IMEC*, a Government representative of Norway inquired as to the origin of the nine subjects under consideration. Given that only one more item was needed to complete the Conference agenda for 2018, the Office should not spend an excessive amount of time developing the other eight subjects prior to the 2016 Conference taking place.
17. *The Worker spokesperson*, recalling that those subjects were not new and that a number had been suggested by the constituents, said that constituents did not want to be restricted to one item and would welcome the opportunity to discuss some of the other proposals in November 2016.
18. *A representative of the Director-General* (Deputy Director-General, Management and Reform) said that the Office would consult constituents when starting to prepare the document in question after the 2016 Conference to ensure that it enabled the Governing Body to take decisions for the agenda of future sessions.
19. *The Chairperson* said that she took it that the Governing Body now wished to adopt the draft decision without amendment.

Decision

20. *The Governing Body:*
 - (a) *requested the Director-General to report to its 328th Session (November 2016) on the nine subjects that were under consideration for inclusion in future sessions of the Conference, and on any other new proposals;*
 - (b) *provided guidance on the implementation of the strategic and coherent approach to the setting of the Conference agenda for the 107th (2018) and 108th (2019) Sessions of the Conference.*

(GB.326/INS/2, paragraph 13.)

Third item on the agenda

Progress report on the implementation of the Enterprises Initiative (GB.326/INS/3)

21. *The Employer spokesperson* said that the ILO's extensive private sector engagement demonstrated a number of important benefits such as leveraging the activities of companies, promoting mutual learning and contributing to resource mobilization. However, more progress was to be expected two years after the adoption of the strategy for wider ILO engagement with the private sector. Outreach to companies must be better coordinated with the International Organisation of Employers (IOE) and the International Trade Union Confederation (ITUC), or through national employer federations. The online register of companies engaged with the ILO should be made available as soon as was feasible. The Employers' group supported training for Office staff to identify opportunities for engagement or partnerships and proposed private sector–ILO staff exchanges. Such exchanges would increase the number of ILO staff with private sector experience and offer company representatives a unique opportunity. The Employers' group supported the draft decision.
22. *The Worker spokesperson* recalled the principal expectations that the Workers' group had stated in June 2014 when the strategy had been adopted: engagement with the private sector must be based on respect for ILO values and principles, in particular ILO standards, trade union rights and tripartism; the Enterprises Initiative should encourage the building and consolidation of mature industrial relations within participating companies; there should not be engagement with companies that clearly violated trade union rights; and ACTRAV and the Workers' group secretariat were to be informed of all engagements with the private sector. Regrettably, those expectations had not been sufficiently met. Consultations with ACTRAV and the Workers' Group secretariat as envisaged in the implementation methodology (paragraph 3) had not been structured but done on an ad hoc basis.
23. With regard to section A of the paper, Enterprise and supply chain policies and practices, most engagements had been between enterprises and the ILO, without ACTRAV or trade union involvement. Procedures had not been followed, and opportunities to improve industrial relations had thus been missed. A strategy for national-level engagement with trade unions under the Sustaining Competitive and Responsible Enterprises (SCORE) programme was urgently needed, and participating enterprises must respect ILO core Conventions. No companies that apply anti-union practices should be included. The ILO should continue its good work on cooperatives. The same private sector engagement procedures that were applied at headquarters should be applied in the regions and at the national level.
24. With respect to section B, International initiatives on enterprise behaviour, the Workers' group supported the Office's activities to promote the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration). With regard to section C, capacity building should focus more on promotion of the MNE Declaration, industrial relations and enabling rights. It was vital to support the work of the International Training Centre of the ILO in Turin (Turin Centre) in providing (bipartite) capacity development for the social partners, including on industrial relations. ACTRAV and trade unions should be involved in future "enterprise encounters" as mentioned in paragraph 22.
25. The recommendations contained in paragraphs 23–25 were valuable but insufficient, and the Workers' group accordingly proposed four additional ones. Firstly, any future initiatives under the Enterprises Initiative should include trade unions and specific strategies should be

developed to ensure this. Secondly, the ILO's internal procedure for private sector engagement must be better implemented – specifically, ACTRAV (and the Workers' group secretariat) needed to be consulted on every initiative being undertaken. Thirdly, the Office should reposition the ILO in relations with the UN and other international initiatives by increasing its work with enterprises and Global Union federations to strengthen cross-border and national labour relations frameworks. Lastly, the upcoming revision of the MNE Declaration should respond to the challenges inherent in globalized production systems and investments in order to strengthen labour relations for a global governance of supply chains, and also meet host countries' demands for sustainable development based on economic and social progress. Provided his comments were taken into account and procedures for implementation were respected in the future, the Workers' group supported the draft decision.

26. *Speaking on behalf of the Africa group*, a Government representative of Kenya recalled that engagement with the private sector needed to span the full range of ILO activities and support compliance with international labour standards. The Enterprises Initiative called for an inclusive tripartite approach, and all the social partners needed to be included in private sector engagement, but it was currently unclear how governments would be involved. The proposed business network on forced labour and human trafficking would be important in expanding the range of ILO-private sector activity, but such a project must be sensitive to countries' realities. The ILO Social Finance Programme was of particular interest; the Office should strengthen support for small and medium-sized enterprises (SMEs). Capacity-building programmes should be put in place to enable the Office to better serve its constituents in the realm of private sector engagement. The Africa group supported the draft decision in paragraph 26.
27. *Speaking on behalf of IMEC*, a Government representative of Spain expressed concern that it remained difficult for companies to engage with the ILO. A more detailed analysis of the challenges to full implementation of the strategy and proposals for addressing them would have been appreciated. The recommendations at the end of the document were too general: specific proposals could include improving external communication with enterprises, focusing ILO communication tools on the private sector and giving an overview of the ILO's work with the private sector, so that companies could see how collaboration with the ILO could be beneficial. Indicators were also needed, so that the strategy could be more accurately evaluated. Procedures for private sector engagement had to be efficient, agile and pragmatic. Fundraising should remain a marginal consideration in relation to private sector engagement. It was important to ensure consistency between the Enterprises Initiative and the conclusions that had been drawn with regard to public-private partnerships (PPPs). Given the importance of private sector engagement, the next progress report should be discussed in 2017. He therefore proposed amending point (b) of the draft decision to read: "submit a progress report on the implementation of the recommendations at its 329th Session (March 2017)."
28. *A Government representative of the United Kingdom* said that the ILO could go further in understanding individual enterprises' needs. Engagement must be tripartite and have the confidence of all the constituents. The breadth and diversity of the ILO's engagement showed ambition. The next step would be to establish a clearer, institutionally coherent approach: the Office should prioritize engagement in areas that delivered the greatest benefit to all constituents. Experience from its global business networks, the Better Work programme, PPPs and field offices could help in identifying future partnerships. The Office should undertake knowledge building in areas of concern to enterprises, consider how partnerships could best advance its strategic objectives, and build on the multi-partner design of the five flagship programmes and their PPP base. Having recently ratified the Protocol of 2014 to the Forced Labour Convention, 1930, his country fully supported the proposed business network on forced labour and human trafficking. Before engaging in outreach

activities, the ILO should first determine what its concrete offer to individual businesses was. In view of the above, a March 2017 progress report was warranted; he thus supported IMEC's proposed amendment to the draft decision.

29. *A Government representative of Brazil* requested the Office to include more detail on South–South cooperation in relation to the Enterprises Initiative in the next progress report.
30. *A Government representative of Italy* said that the proposed business network on forced labour and human trafficking would be an effective tool for education and prevention, and looked forward to receiving updates on its implementation and results. The specific programmes on SMEs and cooperatives were appreciated. A new national action plan was being adopted, with the aim of providing enterprises with a set of indicators for measuring the extent of their social and environmental responsibility. The strategy appeared to be consistent with the proposals put forward in the ILO's policy on PPPs. Close cooperation between ACTRAV and ACT/EMP was essential, as was increased capacity for managing the internal flow of information. The ILO should step up its efforts to raise awareness among enterprises of the added value of sharing experience and applying principles of social responsibility, not only in economic terms but also in the development of their working environments.
31. *An Employer member from the United Kingdom* said that British employers supported the establishment of an ILO business network on forced labour and human trafficking, considering that it should broaden its scope to encompass all forms of slavery, in line with the Modern Slavery Act 2015 adopted by the United Kingdom. The provisions of the new Act were proving challenging for businesses seeking to strike a balance between respect for human rights and the expectations of stakeholders. In that light, the business network should focus on practical non-binding guidance, in particular helping enterprises to develop due diligence questionnaires that were fit for their business and sector, and to implement key performance indicators that could measure the effectiveness of their policies and procedures.
32. The ILO should also give priority to the development of practical non-binding guidance on gender equality in the workplace. New regulations were anticipated in the United Kingdom requiring employers with 250 or more employees to publish their gender pay gap by April 2018, and he requested the ILO to engage and share best practices with employers in that regard. The ILO should go further in seeking to understand the social and economic needs of individual businesses, and SMEs in particular, not only the priorities of multinationals.
33. *The Worker spokesperson* said that his group supported the amendment proposed by IMEC but requested the Office to include in future reports an appendix listing companies participating in the Enterprises Initiative or a link to the database that was being developed.
34. *The Employer spokesperson* said that her group supported the draft decision as amended by IMEC.
35. *A representative of the Director-General* (Director, Enterprises Department) said that the process of making the Enterprises Department the lead technical department, working closely with ACTRAV and ACT/EMP, had already yielded results. However, further improvements were needed, in particular regarding levels of communication and delivery of substance. The report had focused on interventions beginning before the reporting period, in order to draw on successful formulas. That approach would be continued while seeking new forms of enterprise engagement, underpinned by social dialogue, tripartism and clear communication channels, both internally and externally. Several ILO departments were working closely together with one common goal, and governments would not be excluded from their activities. The suggestions made by the Governing Body would be explored, and he had noted in particular the requests for more detailed indicators, more information on

South–South cooperation and the inclusion of a list of enterprises in an appendix to future reports. It was important to promote the values of the ILO, focusing on its priority areas. The Enterprises Department would be working with support departments, including the Information and Technology Management Department and the Department of Communication and Public Information, to resolve technical problems. Timing was of the essence, and expediting work would enable the Office to report on further progress at a future session of the Governing Body.

Decision

36. *The Governing Body requested the Director-General to:*

- (a) *implement the recommendations for improving ILO engagement with the private sector, taking into account the guidance provided by the Governing Body;***
- (b) *submit a progress report on the implementation of the recommendations at its 329th Session (March 2017).***

(GB.326/INS/3, paragraph 26, as amended.)

Fourth item on the agenda

Report of the 13th African Regional Meeting

(Addis Ababa, 30 November–3 December 2015)

(GB.326/INS/4)

- 37. *The Employer spokesperson*** welcomed the outcome of the 13th African Regional Meeting, especially the conclusions regarding joint action which could be taken by the ILO and its constituents to achieve the Sustainable Development Goals (SDGs) and the Agenda 2063. In that connection, he drew attention to 11 continent-wide policy priorities listed in the Addis Ababa Declaration where the private sector's role would be crucial. His group congratulated the Office on the excellent organization of the Meeting. It had been particularly pleased to attend the interactive sessions, the High-Level Dialogue, the two special plenary debates and the special session on the promotion and application of the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) in Africa. World AIDS Day had provided an occasion to draw attention to the fact that AIDS was still unfinished business in Africa and that more needed to be done to reduce the number of new infections and deaths.
- 38. *The Worker spokesperson*** urged delegations and trade unions to ensure that, at the next African Regional Meeting, women made up at least 30 per cent of the delegates and technical advisers in keeping with the targets set by the United Nations for decision and policy-making bodies. The African continent urgently needed sustained, inclusive and equitable growth. Informal economies were a salient feature of many countries and inequality was often exacerbated by armed conflicts. The low level of industrialization and lack of diversification meant that millions of workers were obliged to take low-paid, insecure jobs. For that reason, governments must work with the social partners to devise economic and social policies that guaranteed fair and just development and to ensure compliance with fundamental Conventions on trade union rights. International labour standards must be incorporated into national policies.

39. His group welcomed the adoption of the Addis Ababa Declaration and the world of work policy priorities. In that context, the Workers attached particular importance to promoting decent work, strengthening labour market institutions, promoting effective social dialogue, accelerating the transition from the informal to the formal economy and extending social protection. His group was also in favour of measures to reduce inequality, link productivity with improvements in working conditions and earnings, improve labour migration governance, and enhance policy coherence and inter-ministerial coordination. It asked the Office to promote synergies with regional institutions and organizations and policy coherence between the World Bank, the International Monetary Fund (IMF) and the African Development Bank, and to work with regional employer and worker organizations. The Workers invited the tripartite constituents to step up their efforts to implement the ILO MNE Declaration in Africa, as well as the framework strategy for fragile States, and called on the ILO Regional Office for Africa to work closely with trade unions in realizing the objectives of the Addis Ababa Declaration. His group supported the draft decision.
40. *Speaking on behalf of the Africa group*, a Government representative of Ghana commended the ILO for advocating measures to achieve the goal of inclusive growth through decent work. His group called on the Organization to strengthen its partnership with the African Union, the African Development Bank and the United Nations Economic Commission for Africa (UNECA) in the areas of migration and youth unemployment. It urged the Office to mobilize resources and work closely with national tripartite constituents to realize the aims of the Addis Ababa Declaration. It appreciated the readiness of the Office, the other regions, Employers and Workers to discuss in the Tripartite Screening Group the idea of reviewing the *Rules for Regional Meetings* at the 328th Session of the Governing Body. It endorsed the draft decision.
41. *A Government representative of Zimbabwe* called on the Office to work closely with the constituents to implement the Addis Ababa Declaration and to redouble its efforts to mobilize the requisite resources to that end. The review of the *Rules for Regional Meetings* should be placed on the agenda of the 328th Session of the Governing Body and should be conducted by the Working Party on the Functioning of the Governing Body and the International Labour Conference.
42. *A Government representative of Cuba* said that, in Africa, urgent attention must be paid to the promotion of decent work, the scaling back of the informal economy, the promotion of youth employment, poverty eradication and development cooperation. His Government supported the Addis Ababa Declaration and hoped that the report under consideration would be disseminated as widely as possible in order that it might act as a catalyst for renewed solidarity with the peoples of Africa.
43. *A representative of the Director-General* (Director of the ILO Regional Office for Africa) said that the Office had earmarked resources to support African Union action in various areas, including social protection and labour migration. It had strengthened its working relationship with the African Development Bank with a view to taking joint action on youth employment in agriculture, manufacturing, and information and communication technology, and was working with the African Union Commission on the publication of the first labour migration statistics report for the continent. Moreover, the Office had collaborated on reports on facilitating effective skills mobility in Africa, and on the potential of remittances to enhance the social protection of migrant workers and their families. A research strategy for the Africa region was being devised along with a strategy for middle-income countries in Africa. The Office remained committed to reinforcing capacity-building programmes in collaboration with the International Training Centre of the ILO (Turin Centre) and had developed a comprehensive training plan for the biennium. Lastly, it was stepping up its engagement in fragile States in the region. He had taken note of speakers' recommendations with regard to policy priorities and working with other regional entities.

Decision

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

- (a) *to draw the attention of ILO constituents, in particular those of the Africa region, to the Addis Ababa Declaration by making the text of the Declaration, contained in Appendix IV to document GB.326/INS/4, available;*
 - (i) *to the governments of all member States, requesting them to communicate the text to national employers' and workers' organizations; and*
 - (ii) *to the official international organizations and non-governmental international organizations concerned;*
- (b) *to take the Addis Ababa Declaration into consideration when implementing current programmes and in developing future programme and budget proposals.*

(GB.326/INS/4, paragraph 216.)

Fifth item on the agenda

Decent work and inclusive sustainable growth:

Challenges for global policy

(GB.326/INS/5)

45. *The Employer spokesperson* said that the global outlook described in the report was overly pessimistic in light of the forecasts made by the World Bank and the International Monetary Fund (IMF). The fact that, seven years after the economic crisis, the global economy was still struggling with recovery showed that the problem was no longer purely cyclical. Structural rigidities could include regulatory frameworks, skills mismatch and macroeconomic stability. Many of the proposals made by the Business 20 (B20) Employment Task Force would require G20 governments to make major changes in their labour market policies. Business had a key role to play in implementation and review of the 2030 Agenda for Sustainable Development. The ILO tripartite *Guidelines for a just transition towards environmentally sustainable economies and societies for all* could help governments to provide the necessary policy framework for implementation of the Paris Agreement on Climate Change, but it was essential to avoid trade restrictions, barriers and other impediments to competitiveness and productivity, and to create an enabling environment for innovation and investment in production and jobs. Her group regretted that the Office had been unable to provide further information on its plan to support member States and constituents in implementing the national sustainable development strategies called for by the 2030 Agenda. With regard to the suggestion made in paragraph 32 of the report, the Organization had already adopted, through a tripartite process, policies relating to the relevant SDGs which, along with the Director-General's Report to the Conference, should inform its contribution to the United Nations (UN) High-Level Political Forum on Sustainable Development (HLPF). Her group was concerned about the statement, in the same paragraph, that "[t]he concurrent review of the impact of the ILO Declaration on Social Justice for a Fair Globalization ... creates an opportunity to consider ways in which the work of the ILO's governance structures might be adapted ..."; the goal should be not to change those governance structures but to use them. In November 2015, the Office had been asked

to “prepare proposals on the possible role of the Governing Body in examining progress on decent work for sustainable development as part of the UN system’s examination of thematic reviews of progress on the SDGs, including cross-cutting issues”; it would have been useful to receive at least an outline of such a proposal. While the information provided in the report was interesting, the Organization’s priorities must be clearly defined in order to avoid overlapping of policies and programmes under the 2030 Agenda and its full potential must be properly mobilized within the limits of its resources; information on the Office’s consultations with potential funding partners would be welcome. The Office should provide constituents with capacity building and technical support tailored to their needs and priorities. The Office should identify resources and adopt plans to enhance employers’ organizations’ capacity to participate in national sustainable development strategies, and ACT/EMP should be involved in that process. ILO commitments must be consistent with the reform of the Office’s strategy in the field; the effectiveness of the Decent Work Country Programmes (DWCPs) and the specific situation of countries that had none must be assessed before preparing new DWCPs aligned with countries’ sustainable development priorities. Points (a) and (b) of the draft decision added nothing to the decision adopted at the previous session of the Governing Body. With regard to point (c), it would be useful to know how the Office planned to help countries track progress towards the SDGs through related indicators. Concerning point (d), it was not clear whether the Office planned to report to the Governing Body at its next session on the roll-out of its 2030 Agenda implementation plan, including the further elaboration of the ILO Development Cooperation Strategy, or on progress in implementing the End to Poverty Initiative. Her group nevertheless supported the draft decision.

46. *The Worker spokesperson* said that the grim outlook for the global economy in the short term was reinforced by long-term structural trends. The current employment downturn, coupled with stagnating wage growth and structural poverty, were leading to increasing inequality and a social crisis. While the multilateral meetings mentioned in the report were welcome, their declarations of intent must be translated into action on the ground. His group welcomed the recognition, in the Leaders’ Communiqué adopted at the Antalya G20 Summit, that rising inequalities could pose risks to social cohesion and hinder growth. While welcoming also the recognition by the G20 that social dialogue was essential and the joint statement on jobs, growth and decent work made by the trade unions of G20 countries (L20) and B20, it noted that key G20 commitments had not produced national policy changes that would result in stable, job-rich growth by addressing long-term structural challenges and rising inequality, supporting real wage growth and collective bargaining, re-regulating financial markets and increasing investment in health, education and the care of children and older persons so that women could enter the labour market. It would have been useful to have more information on what the Office was doing to address those problems. His group welcomed the commitment to limit the increase in the global average temperature but noted that the ambition of the Conference on Climate Change (COP 21) had been compromised by countries’ efforts to protect their interests; each national target must be reviewed before the Agreement came into force in 2020. Climate justice and a just transition to a low-carbon development model required delivering on climate finance to support the efforts of poor countries. Unfortunately, although that necessity was recognized in the preamble to the Agreement, many member States had refused to include it in the operational paragraphs. The ILO must recognize the link between implementation of the Agreement and promotion of the tripartite *Guidelines*. It was critical to move to an implementation phase with the Office and the three constituents working together, and to secure trade union involvement in national discussions on climate change. He requested the Office to submit its plan to support member States and constituents in implementing the 2030 Agenda to the Governing Body at its 327th Session and to explain how it was preparing to monitor and report on progress towards the SDG targets. The plan should provide constituents with integrated, rights-based policy guidance on inclusive growth and decent work, and be based on the ambitious mandate conferred on the ILO by SDG 8 and the other relevant goals and targets. The

Organization should participate in the reviews and follow-up processes suggested in the UN Secretary-General's report on follow-up and review of the 2030 Agenda, building on the reporting mechanisms of its supervisory system, and should ensure that ACTRAV and ACT/EMP had adequate resources in order to strengthen the social partners' capacities and ensure their effective involvement in national implementation of the 2030 Agenda. He reiterated his group's disappointment that follow-up to, and review of, progress towards the Goals was not compulsory; their largely voluntary nature allowed governments to pursue only the targets that interested them, undermining accountability. He welcomed the decision of several countries to present voluntary national reviews and encouraged the ILO to use this process as an opportunity for constructive dialogue. He also welcomed the inclusion of trade union and labour rights in the package of indicators adopted by the UN Statistical Commission; the challenge was to ensure that national statistical offices and social partners were trained in those indicators and that they were incorporated into national SDG implementation strategies. His group supported the draft decision.

47. *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of Australia said that the ILO's work under the 2030 Agenda must be considered within its broader workplan and strategic priorities. She noted the importance of the regional dimensions of the SDGs and that this would be a focus of discussion at the 2016 Asia-Pacific Regional Meeting. It was critical for the Governing Body to remain active in international discussions on the SDGs and to receive regular updates on the Organization's role in the implementation of the 2030 Agenda, including through collaboration with other international organizations, and on the provision of assistance to constituents. ASPAG supported the draft decision.
48. *Speaking on behalf of IMEC*, a Government representative of the Netherlands said that his statement was also supported by Albania, Georgia, Republic of Moldova, Montenegro, Serbia and the former Yugoslav Republic of Macedonia. The 2030 Agenda, if implemented effectively, could be a game-changer. IMEC was committed to its effective implementation in its own countries and elsewhere and, in that connection, encouraged the Organization to support national and regional strategies addressing poverty eradication, youth employment, social protection floors and rights at work. Increased collaboration with other international organizations on matters relating to the SDGs could enhance the ILO's impact on the ground and promote decent work worldwide. It should position itself as the knowledge centre for the development of a global set of SDG indicators, particularly those that concerned decent work and measured progress on qualitative issues such as social dialogue, in order to enhance national reporting. The ILO Department of Statistics should continue to help national statistics offices to identify gaps and collect data, possibly underpinned by national, regional and thematic indicators, and to strengthen capacities relevant to their countries' contexts. IMEC welcomed the Organization's involvement in the work of the G20, including follow-up to the Antalya Communiqué and the G20 commitments on youth employment, improved health and safety at work and enhanced labour market participation for women, and agreed that the ILO tripartite *Guidelines* were relevant to the implementation of the Paris Agreement. It welcomed the Director-General's decision to focus his Report to the International Labour Conference in 2016 on the End to Poverty Initiative, which would enable the Organization to contribute to the preparations for follow-up to, and review of, the 2030 Agenda. IMEC supported the draft decision.
49. *Speaking on behalf of the BRICS countries (Brazil, Russian Federation, India, China and South Africa)*, a Government representative of India thanked the Director-General for participating in the first meeting of the BRICS Ministers of Labour and Employment, held in January 2016. Goal 8 of the SDGs would require coordination at the global level in developing a policy strategy for sustainable and inclusive growth. The ILO must take the leadership role in that process to ensure that decent work was integral to policies for sustainable, inclusive growth and faster recovery. The 2030 Agenda allowed countries to

develop indicators in accordance with their national contexts and the ILO, as the main repository of international labour and employment databases, could help member States to do so and to formulate growth strategies, including policies on labour and employment. In light of the downward prospects of the global economy, policy-makers must reassess the situation in their respective countries and suggest ways to improve prospects for decent work. The changing nature and scope of the world of work made it crucial for the ILO to extend and intensify its efforts in the area of decent work and to share its expertise at other international forums.

- 50.** *A Government representative of Mexico* said that, looking at the document, he noted the pressing need to focus on employment generation and inequality-reduction policies. ILO participation in the work of key forums such as the G20 on the 2030 Agenda was essential. The issues of employment and social protection were central to the SDGs and the 2030 Agenda. The ILO must continue to promote cooperation between the various international forums on decent work, sustainable growth and inclusive labour markets. A global framework must be set up to promote and effectively implement the 2030 Agenda. Mexico endorsed the 2016 Chinese G20 Presidency's proposed employment-related priorities of innovation, decent jobs, enhanced employability and adequate job opportunities. The G20 must promote the adoption of macroeconomic policies, the strengthening of entrepreneurship, innovative occupational training and work to improve occupational health and employment prospects. Decent work should be promoted through wages, collective bargaining mechanisms and fairer, sustainable social protection systems. At the national level, Mexico was currently focusing on the structural transformation of economic systems based on low-carbon emission development, the provision of training on new technologies and worker mobility between traditional sectors and new renewable energy sectors. Mexico welcomed the Director-General's decision to focus on poverty eradication at the 2016 session of the Conference and supported the draft decision.
- 51.** *A Government representative of China* said that the G20 Chinese Presidency had scheduled a second Employment Working Group meeting for April 2016. He noted the valuable contribution already made by the employers and workers through the B20 and L20 and looked forward to their continued collaboration. His Government looked forward to the Director-General's upcoming Conference Report on the end of poverty. The Government of China had slashed national poverty rates and intended to eradicate the problem completely over the next few years. The Office could play a valuable role in tackling poverty by collecting together and disseminating relevant experiences.
- 52.** *Speaking on behalf of the Africa group*, a Government representative of Ghana said that if not properly addressed, current employment trends would lead to greater inequality, further inhibiting recovery. However, the high-level commitment encapsulated in the African Union Agenda 2063 and the implementation of the African Union Declaration and Plan of Action on Employment, Poverty Eradication and Inclusive Development gave cause for hope. His group reiterated its support for the outcome of COP 21, welcomed calls for the ILO and the OECD to help monitor progress on youth employment and supported the draft decision.
- 53.** *A Government representative of Turkey* said that the participants at the Ankara G20 Labour and Employment Ministers Meeting had identified a number of policy actions that must be undertaken in order to tackle rising income inequality and falling labour share, including the strengthening of labour market institutions, the reduction of wage inequality and the improvement of job quality. The Leaders of the G20 countries had undertaken to make labour markets more inclusive, review growth strategies and employment plans and strengthen action against inequality and in support of inclusive growth. The ILO should raise awareness of the labour-related topics covered by the G20 Presidencies among the constituents. The Turkish Presidency of the G20 had also focused on occupational safety and health. The Office's capacity in that regard should be further strengthened and the issue

should be treated as a priority. The Eighth International Conference on Occupational Health and Safety would be held in Istanbul in May 2016.

54. *A Government representative of Brazil* said that falling private investment had led to a rise in unemployment, in particular in developing countries. Growth must be inclusive and job rich. Social dialogue was essential to efforts to tackle inequality. The new DWCPs must take into consideration countries' sustainable development priorities and ILO support in that regard should be financed by both extra-budgetary contributions and the regular budget. Poverty eradication was vital to the achievement of sustainable development and priority must be given to SDG 8. The Governing Body should look into the adjustments needed to comply with possible future requirements in terms of reporting to the HLPF. Brazil reiterated its willingness to continue to work with the ILO on the issues before the United Nations Statistical Commission and supported the draft decision.
55. *A Government representative of Indonesia* thanked the Office for the support extended at the recent conference on Indonesia's Agenda for the SDGs. She said that Indonesia had mainstreamed the goals of decent work and inclusive growth into national development strategies and acknowledged the role of the social partners in that regard. Work had also been carried out to improve national labour policy and create a better environment for investment. It was hoped that, as a part of the upcoming phase of the DWCP, the Office would continue to align its capacity-building and policy-advice programmes with national development aims.
56. *A representative of the Director-General* (Director, Multilateral Cooperation Department) said that the document had been drafted with a view to bringing a number of worrying economic trends to the attention of the Governing Body members. The IMF had predicted that there would be a slight economic upturn in 2017. At the time of writing of the document, certain aspects relating to the 2030 Agenda had not yet been clarified, therefore it had not been possible to include specific information in that regard. The reference in the document to the Inter-agency and Expert Group (IAEG) report to the United Nations Statistical Commission containing information on proposed indicators remained valid. A final decision on the indicators would be taken by the UN General Assembly in 2016, with those relating to decent work currently enjoying wide support. One of the major issues discussed in the report was how the ILO would fit into the UN follow-up to implementation of the 2030 Agenda. At the global level, the main theme of the upcoming UN HLPF would be "leave no +one behind", which would fit well with decent work for sustainable development programmes, and with the Director-General's Report to the International Labour Conference, enabling the ILO to make an important contribution to the Forum. At the country level, the ILO must ensure that it could respond to constituents' requests – and that those requests were linked to the 2030 Agenda. That would not be difficult as the Decent Work Agenda was reflected in the 2030 Agenda, which had been taken into consideration in the planning of the Programme and Budget for 2016–17.

Decision

57. *The Governing Body welcomed the Director-General's decision to focus his Report to the 105th Session of the International Labour Conference in 2016 on the end to poverty and requested him to:*
- (a) *follow closely the UN's preparations for global follow-up and review of the 2030 Agenda with a view to a potential ILO contribution on implementation of the decent work dimensions into integrated action on the 2030 Agenda and to support the proposed global thematic review process, in particular Sustainable Development Goal 8 on decent work and inclusive growth;*

- (b) develop further the Office's support to member States and constituents as called for by the Governing Body at its 325th Session and assure the alignment of such work with the outcomes of the Programme and Budget for 2016–17;*
- (c) prepare a plan for the ILO's role in assisting member States, where needed, to develop data production, collection and methodologies for the sustainable development indicators connected to the ILO's mandate;*
- (d) report to the Governing Body at its 328th Session (November 2016) on the roll out of the Office's 2030 Implementation Plan, including the further elaboration of the ILO's Development Cooperation Strategy.*

(GB.326/INS/5, paragraph 33.)

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

Information on progress achieved

(GB.326/INS/6(Rev.))

58. *The Worker spokesperson* noted with interest the Guatemalan Government's abolition of the differentiated minimum wage decree and the steps taken by the Ministry of Labour and Social Welfare to process trade union registration requests. However, it was extremely worrying that no progress had been made to protect labour leaders and punish perpetrators of violence against trade unionists. Over 73 trade unionists had been killed and the Government had failed to make any arrests. The Workers were concerned by the continuous position of the Public Prosecutor's Office, which questioned the anti-union motivation of many of the murders while at the same time admitted that the appropriate investigation procedures had not taken place. Trade unions had not been informed of any agreement with the International Commission against Impunity in Guatemala to inquire into the murders, and the Government had not involved trade unions in the development of the protocol to implement security measures.
59. The Government had rushed through roadmap actions before each Governing Body session; however, no progress had been made in the implementation of numerous points. The trade unions' proposed legislative amendments to ensure compliance with Convention No. 87 had been ignored; there had been no reforms to enable labour inspectors to enforce the law, to reduce non-compliance with worker reinstatement orders or to discipline judges who delayed labour prosecutions; the Committee for the Settlement of Disputes had not received the necessary resources; and trade unions were under attack in the media. The Government needed to address point 9 to strengthen the campaign on promoting freedom of association and collective bargaining. It was unacceptable for the Government to blame public sector

workers for decades of financial mismanagement, particularly given the corruption scandals that had marked the previous Administration. The Government should use the awareness-raising campaign to convey the importance of collective bargaining to the public. In addition, the difficult situation faced by workers on banana and sugar cane plantations was unacceptable in a country that wanted to respect the rule of law. The Workers acknowledged the positive role played by the Special Representative of the Director-General in Guatemala and his efforts to promote social dialogue. The Workers expected to see tangible progress on all the issues raised by November 2016, and could agree to defer the decision on the appointment of a Commission of Inquiry until then.

- 60.** *The Employer spokesperson* said that positive steps taken since the adoption of the roadmap included the creation of the tripartite Committee for the Settlement of Disputes, the increase in trade union registration and the tripartite agreement to request technical assistance from the ILO to amend labour laws. However, the lack of strong institutions and a regulatory framework to guarantee freedom of association remained a cause for concern. Substantial progress was needed on the protection of threatened individuals and on the investigation of crimes against trade unionists. The legislative reform recommended by the high-level mission should be adopted as a matter of urgency. Further action was needed to raise awareness of freedom of association and collective bargaining, and the Committee for the Settlement of Disputes should be adequately resourced to function properly. He encouraged the international community to facilitate the resources required to further the work of the Special Representative of the Director-General for Guatemala. The Employers supported the draft decision.
- 61.** *A Government representative of Guatemala* (Minister of Labour and Social Welfare) said that the attendance of high-ranking members of the Government was evidence of its dedication to respecting the principles and values promoted by the ILO. The Government was committed to introducing public policies that would create decent work and economic development, and to complying with the Memorandum of Understanding and implementing the roadmap to resolve the grievances contained in the complaint. The challenges of institutional weakness, budgetary constraints and the lack of institutional coordination and social dialogue required structural and cultural change, extending beyond the new Government's current term of office. The Ministry of Labour and Social Welfare had five key strategies: combat corruption within the Ministry; strengthen the labour inspectorate, particularly on occupational safety and health; eradicate child labour; develop a national policy for decent work; improve national security, on the basis of decent work to prevent crime and migration, and protect human rights.
- 62.** In its first two months in office, the Government had already taken steps to comply with the roadmap and timeline. It had held meetings with representatives of employers and workers, the Comptroller's Office and the Human Rights Ombudsman, and the President had received trade union leaders on two occasions. The registration procedure for trade unions was being simplified, and 62 unions had been registered that year alone – 26 of which since the publication of the ILO report. Meetings had been held with key figures in the judiciary, the Public Prosecutor's Office and the International Commission against Impunity in Guatemala with a view to improving the effectiveness of investigations and prosecutions concerning deaths of trade unionists. She condemned the loss of life resulting from violence in her country, and human rights violations, and underscored the Government's commitment to combating impunity.
- 63.** All requests for protection mechanisms for trade union officials had been granted. There had been a significant increase in 2015 in the number of decisions relating to the reinstatement of workers subjected to anti-union dismissals. A proposal for the establishment of special criminal tribunals for offences relating to freedom of association and the freedom to work had been drafted, but financial support was needed for its implementation. She repeated her

request for technical assistance for the tripartite constituents to help them formalize the initiative to review national labour law, particularly with regard to Convention No. 87. The awareness-raising campaign on freedom of association and collective bargaining would be continued on national radio, and information would be translated into various Mayan languages.

- 64.** In addition to activities related to the roadmap, the Ministry had addressed more than 100 complaints relating to mass dismissals of municipal workers following the change in government. A process had been initiated to coordinate with municipal mayors on compliance with labour law, particularly on freedom of association and collective bargaining, and an official communiqué on respecting human rights and reducing conflicts had been issued. A round-table discussion had been held with municipal mayors and workers, with support from the Human Rights Ombudsman and other public bodies. Legal proceedings had brought to light a lack of regulations on collective bargaining in public administration and had called into question the viability of certain agreements, therefore a constructive bipartite dialogue would be initiated to address the situation. A differentiated wage scheme had been abolished in four municipalities, since it introduced wages below the national minimum. The progress achieved was a result of the political will of the new Government and the support of the ILO and the international community, and Guatemala would continue to fulfil its national and international commitments.
- 65.** *Speaking on behalf of the group of Latin American and Caribbean Countries (GRULAC)*, a Government representative of Mexico acknowledged the positive steps taken by Guatemala to meet its international obligations. Given that respect for fundamental rights, such as freedom of association and the right to bargain collectively, was essential to creating decent work, he invited the Office to continue providing the necessary technical assistance for the full implementation of the roadmap in Guatemala. He urged the country's tripartite constituents to continue to engage in social dialogue to reach concrete agreements to ensure lasting solutions and the full application of Convention No. 87. He noted the political will of the new Government to create decent work and ensure respect for labour rights, in full coordination with the ILO, to continue implementation of the roadmap. GRULAC supported the draft decision and invited the international community to provide the necessary resources for the Office of the Special Representative of the Director-General in Guatemala to step up its support for the tripartite constituents.
- 66.** *Speaking on behalf of the European Union (EU) and its Member States*, a Government representative of the Netherlands said that Norway and the Republic of Moldova aligned themselves with the statement. Recent political change and the Government's commitment to increasing engagement with the ILO and implementing the roadmap were welcome. However, impunity remained a major challenge, and there were fears that anti-union discourse in the press could delegitimize unions' work. The Government should make renewed and sustained efforts to produce concrete results, before November 2016, on issues including: approving reforms to the Labour Code; strengthening collective bargaining; combating the climate of anti-union violence; the removal of impediments to trade union registration; and improving relations between all parties. The EU supported the work of the Special Representative of the Director-General in Guatemala and stood ready to accompany Guatemala in its efforts to comply with ILO Conventions. It was hoped that the corresponding EU-funded project with the ILO would bring about improvements. He supported the draft decision.
- 67.** *A Government representative of Panama* said that in September 2015, the Central American Council of Labour Ministers had agreed to the Guatemalan Ministry of Labour's request for support in overcoming the country's labour-related difficulties. She urged the Government to continue its efforts in that regard and to maintain social dialogue among the tripartite

constituents, in order to reach specific agreements that would ensure respect for fundamental labour rights, particularly freedom of association. She supported the draft decision.

68. *A Government representative of the United States* welcomed the Special Representative's expanded mandate in Guatemala, and also looked forward to a strong and productive relationship between the new Government and the ILO. It faced serious, longstanding challenges in the labour arena: few perpetrators of violence against trade unionists had been prosecuted; trade unionists remained at risk and those who received protection had to pay the board and lodging expenses of security officers; the number of registered trade unions had increased, but not the number of collective agreements; and there had been a failure to implement reinstatement orders for dismissed workers. He urged the Government to restore the labour inspectorate's ability to impose sanctions. The United States had regularly advocated the establishment of a Commission of Inquiry in view of the lack of action; however, the new Government's willingness to meet all its commitments under the roadmap and respect fundamental labour standards was very encouraging. He strongly urged the Government to foster effective intergovernmental cooperation, and encouraged it to work closely with the ILO to expedite the drafting of labour legislation and to collect data. To allow sufficient time for reforms, he supported the draft decision.
69. *A Government representative of the Dominican Republic* acknowledged the efforts made by the Guatemalan Government to fulfil its obligations before the ILO through action to promote fundamental labour rights and strengthen social dialogue. She welcomed the technical assistance provided to Guatemala, and supported the draft decision.
70. *A Government representative of Costa Rica* welcomed the commitment made by the Government of Guatemala to continue implementing the roadmap and supported the request for technical assistance to that end.
71. *The Special Representative of the Director-General for Guatemala* said that he had been working with the new Government to continue actions under the roadmap, which required the support of all constituents to achieve the desired results. The Government had demonstrated its willingness to work with the social partners to strengthen social dialogue and tripartism in Guatemala, with ILO support. He had urged the Government to engage in a legislative reform process, as called for by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) for over 25 years, to bring the labour legislation into line with Convention No. 87. The process should be initiated and a draft submitted to Congress without delay, with the participation of employers and workers and with ILO technical assistance. In the interim, work was being carried out with the Labour Committee of Congress to raise awareness of the ILO and the required reforms.
72. Despite the increase in the number of trade unions registered, registration procedures still needed to be simplified and processing times reduced. It was also vital to strengthen collective bargaining, particularly in the public sector, to prevent third-party interference. Clear rules were also needed which would promote good faith and the legal certainty of collective agreements concluded. Progress had also been made with regard to the Committee for the Settlement of Disputes, which had gained the support of employers and workers; however, it required administrative support in order to achieve prompt results. The awareness-raising campaign on freedom of association should be resumed in the media with broadest coverage, in order to inform a larger proportion of the population of their fundamental labour rights.
73. The climate of anti-union violence in the country was a matter of concern. It was necessary to improve protection of union officials who had received threats, and to support the legal system to increase prosecutions in cases of murders of trade unionists. To that end, the ILO in Guatemala, with the assistance of the Office of the United Nations High Commissioner

for Human Rights, was supporting activities of the Public Prosecutor's Office to revise the relevant normative instructions. It was also necessary to establish a mechanism to monitor the enforcement of reinstatement orders following anti-union dismissals.

Decision

74. Recalling that at its 325th Session, the Governing Body had requested the Office to provide the Officers of the Governing Body, at its March (326th Session) and November 2016 (328th Session), with updated information on the progress made, including information provided by the Government and the employers' and workers' organizations of Guatemala, in particular on the follow-up given to the key indicators and the points of the roadmap, and, taking into account the information communicated by the tripartite constituents of Guatemala in this regard, the Governing Body decided to:

- (a) urge the Government to take, without delay, all the measures necessary to fully implement the key indicators and the roadmap, including the priority areas that continued to require additional and urgent action;**
- (b) defer to its 328th Session (November 2016) the decision to consider the appointment of a Commission of Inquiry;**
- (c) include this item on the agenda of its 328th Session (November 2016); and**
- (d) invite the international community to facilitate the necessary resources to enable the office of the Special Representative of the Director-General in Guatemala to support the tripartite constituents in implementing the Memorandum of Understanding and the roadmap.**

(GB.326/INS/6(Rev.), paragraph 46.)

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 of the International Labour Conference under article 26 of the ILO Constitution (GB.326/INS/7(Rev.))

75. The Worker spokesperson noted that, at the conclusion of the ILO tripartite mission, the Government of Fiji had tacitly acknowledged that the reform of Employment Relations Promulgation (ERP) did not comply with Convention No. 87 and had subsequently agreed to a further Tripartite Agreement on legislative reform. Most of the reforms under that Agreement had been implemented, but some issues remained. The ILO should provide training and capacity building to ensure the effective functioning of the Arbitration Court, which was to become operational in the near future, and should provide the Employment Relations Advisory Board (ERAB) with the recently requested technical assistance on determining essential services. The period within which workers dismissed under the

Essential National Industries Decree (ENI Decree) could apply for compensation had been extended due to Tropical Cyclone Winston, while the time limit on registration for trade unions that had been deregistered had been waived. Progress was also being made on the ERAB's work to ensure that the ERP complied with ILO core Conventions. However, the expansion of the ERAB to include organizations without the status to review labour laws was hindering the process and was inconsistent with the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144); therefore, the Fiji Trades Union Congress (FTUC) had requested that the original board should be reinstated. The Government should ensure that social partners could engage effectively to ensure that all ILO core Conventions were respected and that labour law processes were completed without delay. The Political Parties Decree prohibiting trade unionists from becoming members of political parties and engaging in political activities was a further concern.

76. The ILO must continue to monitor the implementation of the Tripartite Agreement. Provision of development cooperation, technical assistance and capacity to the tripartite constituents would be key to progress. The work needed for Fiji to comply fully with Convention No. 87 could be addressed through the regular supervisory process, and a Commission of Inquiry was not needed. He therefore supported the draft decision.
77. *The Employer spokesperson* supported the draft decision.
78. *A Government representative of Fiji* noted that at the end of the tripartite mission, a Joint Implementation Report had been signed between the Government, the Fiji Commerce and Employers' Federation and the FTUC, which contained important achievements and concessions of the social partners. The parties had agreed that there was no need to pursue the complaint under article 26 of the ILO Constitution, since all relevant issues had been resolved. One month after signing the Joint Implementation Report, the resultant Employment Relations (Amendment) Act 2016 had been approved by Parliament and entered into force. The Act allowed government employees to access and utilize the ERP and its institutions, deleted references to bargaining units, made provisions for enterprise unions, reinstated grievances that had been terminated under the ENI Decree and enabled affected workers to apply for compensation, and provided for the registration of trade unions that had been deregistered as a result of the Decree. A more representative, expanded ERAB had committed to monthly meetings to continue to review legislative compliance with ratified ILO Conventions. The expanded ERAB would be a means to implement real change and labour reform, and had sought technical assistance and advice from the ILO on promoting better labour relations. The Government of Fiji intended to refocus its efforts to increase its involvement with the ILO on topics such as decent work for all, disabilities in the workplace, gender parity and youth employment.
79. Labour reforms introduced in the previous six years included increased pay for government workers, reduced income taxes and corporate taxes, and the establishment of a national minimum wage. The reforms had helped ensure that the economy of Fiji was resilient to external economic and environmental impacts. However, the devastation of Tropical Cyclone Winston four weeks previously rendered it crucial that Fiji should maintain an environment of economic stability, sustainability and growth, coupled with the rebuilding of labour relations and achievement of sustainable labour practices. Her Government fully supported the draft decision.
80. *Speaking on behalf of the Governing Body, the Chairperson* expressed sympathy and solidarity with the people of Fiji in the aftermath of Tropical Cyclone Winston.
81. *Speaking on behalf of ASPAG*, a Government representative of India welcomed the successful execution of the Joint Implementation Report. He noted that the achievements and concessions had been formalized through an amendment of the ERP and that the

Government was actively engaging with the social partners through the ERAB to ensure compliance with international labour standards. He endorsed the draft decision.

- 82.** *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said that Norway, Georgia and Serbia aligned themselves with the statement. He welcomed the Joint Implementation Report and the adoption of the Employment Relations (Amendment) Bill, and encouraged the Government to take advantage of technical assistance from the ILO in the future. He would welcome a follow-up from the ILO supervisory system on the implementation of recently adopted legislation, the functioning of the ERAB and all outstanding issues of the article 26 complaint. He supported the draft decision.
- 83.** *A Government representative of China* noted the progress made by the Government of Fiji. The issues raised at the previous session of the Governing Body had been addressed and he therefore supported the draft decision.
- 84.** *A Government representative of the United States* commended the Government, workers and employers of Fiji on their efforts to jointly resolve issues of non-compliance with Convention No. 87. He urged the Government to continue working through tripartite dialogue and to address the remaining issues, with technical assistance from the ILO. He supported the draft decision.
- 85.** *A Government representative of India* welcomed the signing of the Joint Implementation Report and commended the measures taken by the Government of Fiji to address all aspects of the complaint, particularly the prompt adoption of the Employment Relations (Amendment) Act 2016. She noted the Government's willingness to engage constructively with the social partners and to seek technical assistance from the ILO to further strengthen the protection of labour rights. She welcomed the tripartite consensus that had emerged to close the complaint.
- 86.** *A Government representative of Australia* said that New Zealand aligned itself with the statement. She took note of the signing of the Tripartite Agreement and the legislative changes. The Australian Government remained committed to working with the Government of Fiji on labour legislation and practice. The recent ILO training on international labour standards in Fiji had received positive feedback and similar sessions should be held in the future. She supported the draft decision.

Decision

- 87. *The Governing Body, on the recommendation of its Officers, decided:***
- (a) that the complaint presented originally in 2013 would not be referred to a Commission of Inquiry;*
- (b) that, as a result of this decision, the procedure filed under article 26 of the ILO Constitution, in June 2013, be closed.*

(GB.326/INS/7(Rev.), paragraph 5.)

Eighth item on the agenda

Complaint concerning non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), made by delegates to the 103rd Session (2014) of the International Labour Conference under article 26 of the ILO Constitution (GB.326/INS/8(Rev.))

88. *The Chairperson* said that in response to the Governing Body's decision of 11 November 2015 and at the invitation of the Government of Qatar, she had participated in a high-level tripartite visit to Qatar with the Employer and Worker Vice-Chairpersons from 1–5 March 2016. The delegation had met with a wide range of actors and conducted numerous site visits, enabling them to assess all measures taken to address all issues raised in the complaint. Their report was contained in Appendix II to document GB.326/INS/8(Rev.).
89. *The Worker spokesperson* said that the organization of the visit and cooperation with the delegation had been good. Before discussing the report, he drew attention to the case of a Nepalese migrant worker, Mr Ujjwol Bk, known as Basanta, with whom the delegation had spoken during the visit. Following the expiration of Mr Basanta's two-year contract in Qatar, his company had failed to provide him with a return air ticket and a no objection certificate, and his identification documents had not been renewed. He had been allowed by the company to continue working without legal status as a worker, had received his salary in cash only, and had not been paid for the past three months. After speaking to the ILO delegation, he had been dismissed by the company and given 48 hours to leave Qatar. The ILO had prevented his deportation to Nepal and he had filed a complaint in the labour court allowing him to remain in the country for three months without a work permit. The retaliation against Mr Basanta was a clear and serious violation of the right to freedom of association and expression, and a blatant breach of the Qatari Government's assurance to the delegation that workers who spoke to them would be protected from retaliation. The Workers demanded that Mr Basanta be reinstated immediately and that his outstanding wages be paid.
90. Turning to the report, while the accommodation strategy developed by the Government and the progress made with regard to accommodation at various sites were encouraging, the projects concerned housed only a small fraction of the total migrant worker population and conditions in the labour camp that the delegation had chosen to visit had been terrible. The Workers endorsed the new wage protection system and looked forward to obtaining data on its operation, in addition to further information on the establishment of bank accounts for workers. The hiring of additional inspectors was welcome, but more were needed. The low number of interpreters recruited for inspections remained an issue. He requested follow-up on the measures taken to prevent contract substitution, and clarification of the situation with regard to the reform of the exit permit system. He noted that recruitment fees continued to be charged to workers, and asked for information on follow-up on measures to prevent schemes to evade contract regulations. With regard to passport confiscation, he expressed the hope that Law No. 21 of 2015 would be meaningfully enforced where previous legislation had not.
91. The continued delay in adopting a law on migrant domestic workers was regrettable and should be urgently addressed. Any new law should fully comply with the Domestic Workers Convention, 2011 (No. 189). There was no freedom of association in Qatar and workers who

acted collectively against unfair treatment or unsafe environments were often detained or deported. In response to claims of progress in Qatar, he drew attention to the section in the report on meetings with migrant workers, which detailed the poor conditions in which they lived and worked. Although positive initiatives had been taken by the Government and major enterprises, they were insufficient to improve the situation for the 1.7 million migrant workers in the country. The Workers reluctantly supported the draft decision.

- 92.** *The Employer spokesperson* said that he had found the high-level tripartite visit to Qatar both useful and effective. The request for follow-up to the delegation's assessment, set out in subparagraph (a) of the draft decision, was quite general. It reflected the substantive progress made in a number of areas and allowed the Government of Qatar to determine how it would approach the remaining challenges. The focus of that subparagraph on vulnerable migrant workers was intended to ensure that all groups of workers benefited from reforms, rather than call for different rules for different groups. Subparagraph (b) did not repeat the previous request that Qatar should seek technical assistance from the ILO to annul the sponsorship system. The Government of Qatar had indicated during the visit, however, that it wished to engage with the ILO in that regard, which would be crucial to progress. The decision to defer consideration of the appointment of a commission of inquiry for another year was unusual, yet reflected the wish to allow the Government of Qatar time to live up to the tripartite delegation's expectations.
- 93.** He acknowledged the commitment of the Government of Qatar to respect the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), and expressed support for the draft decision.
- 94.** *A Government representative of Qatar* said that his country respected international conventions and was open to the world. Under the Constitution, all people residing in Qatar were equal before the law, without distinction or discrimination based on gender, nationality, skin colour or religion. Migrant workers were part of the fabric of society and, as partners in sustainable development, their efforts were appreciated. Their basic rights were protected by national legislation and international agreements and implemented in practice. Wrongful individual practices were not indicative of the State's policies, which welcomed migrant workers. The information presented by the Worker spokesperson would be treated seriously and all necessary steps taken, in accordance with the law. During their visit, the tripartite delegation had noted the genuine and serious efforts by all state bodies to uphold ILO standards.
- 95.** He proposed a number of amendments to the draft resolution. References to the remaining challenges and to the most vulnerable migrant workers should be deleted, since the tripartite delegation had recognized the tangible measures taken by Qatar and its commitment to the ILO, and since incoming migrant workers enjoyed the same legal protection, rights and responsibilities as other people. Furthermore, the report by Qatar on follow-up to the tripartite delegation's assessment and the implementation of Law No. 21 of 2015 should be deferred until the 331st Session of the Governing Body in November 2017, to allow additional time. Moreover, there was no need to refer to consideration of the establishment of a commission of inquiry until the 329th Session of the Governing Body, in March 2017, since that mechanism was referred to in the Constitution of the ILO and could be used whenever there was justification to do so. The deployment of that mechanism at the present juncture would represent a prior judgment of the complaint by the Governing Body. Qatar would continue to cooperate with the ILO and its Governing Body and looked forward to making progress so that the complaint could be closed.
- 96.** *Speaking on behalf of ASPAG*, a Government representative of India welcomed the decision by the Government of Qatar to receive a high-level tripartite visit and the transparency and cooperation that it had shown to its members. The report highlighted a number of concrete

measures taken by the Government of Qatar to improve employment conditions, make the complaints system more accessible for migrant workers and increase the capacity of the labour inspectorate. ASPAG welcomed the efforts made by the Government and called on the Governing Body to duly acknowledge the progress made to address the problems raised in the complaint.

97. *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: Serbia, Albania, Norway and Switzerland. He welcomed the Government of Qatar's acceptance of the high-level tripartite visit and noted the concrete measures that it had taken in law and practice to address the issues raised in the complaint. While acknowledging the improvements on exit visa regulations, further information on the effects of Law No. 21 and its implementation was needed in order to assess the measures put in place, particularly concerning the functioning of the Exit Visa Appeals Committee. Concern also remained that a change of employer was only allowed after the completion of a contract or after five years. The Government should use the time prior to the entry into force of Law No. 21 to take the necessary steps to prepare for its full implementation. Regarding the steps taken to strengthen labour inspection, more information would be welcome regarding the number of labour inspection visits carried out and the results of such visits. Although initiatives had been developed to make complaints mechanisms more accessible, they were not being accessed by all migrant workers in need. Such initiatives should be accompanied by a range of actions to increase awareness of, and accessibility to, the system, especially among vulnerable workers. He asked the Government to provide information on the number of complaints filed and their outcome. The Asia Regional Forum on Business and Human Rights to be held in Doha in April 2016 would provide an opportunity to expedite the implementation, and raise awareness, of the UN Guiding Principles on Business and Human Rights. The Government of Qatar should continue enhancing cooperation with labour-sending countries to address the abusive practices of certain recruitment agencies. Domestic workers, most of whom are women, were still not covered by labour law and the Government should take prompt action to protect them in law and practice. It should continue to work with the ILO to follow up the assessment of the high-level tripartite delegation, in particular with regard to the most vulnerable migrant workers. He supported the draft decision.
98. *Speaking on behalf of the Arab group*, a Government representative of the Sudan said that the cooperation of the Government of Qatar with the high-level tripartite visit reflected its openness and determination to fulfil its obligations towards the ILO. The report indicated that the Government had taken a number of measures to protect migrant workers and increase transparency and monitoring. It had fully cooperated with the ILO and other bodies, and consequently there was no justification for maintaining the item on the agenda of the Governing Body. Note should be taken of the report and the Government of Qatar should be encouraged to continue making progress.
99. *Speaking on behalf of the Gulf Cooperation Council*, a Government representative of Bahrain said that the openness of the Government of Qatar in dealing with the high-level tripartite visit was a testament to its honesty and wish to cooperate with the Governing Body. The report indicated that the Government had taken a number of positive measures to bring about changes in national law and practice that were delivering results. He praised the Government's efforts and called on it to continue cooperating with the Governing Body and various other institutions. In that light, he wished to support the position taken by the head of the delegation of Qatar in relation to the recommendations proposed to the Governing Body and proposed their inclusion in the draft decision.
100. *A Government representative of the United States* said that, while the Government of Qatar had taken a number of positive steps to address the long-standing concerns highlighted in the complaint, many challenges remained regarding the enforcement of labour laws, passport

confiscation, exploitative recruitment practices, legal provisions that prevented workers from leaving abusive employment situations, and workers' lack of access to an effective system of justice. In particular, the new Law No. 21 fell short of providing full protection for migrant workers, vulnerable workers such as domestic workers being excluded. In that light, the Government should take further action to address the challenges remaining by following up on the recommendations made by both the ILO Committee of Experts on the Application of Conventions and Recommendations and the Conference Committee on the Application of Standards, and by the ILO high-level tripartite delegation. To that end he encouraged the Government to avail itself of ILO technical assistance and supported the draft decision.

- 101.** *A Government representative of China* said that the Government of Qatar had responded actively to the Governing Body and had taken measures to improve labour legislation and working conditions for migrant workers. In that light, he supported the amendment proposed by the representative of Bahrain to the draft decision.
- 102.** *A Government representative of the Bolivarian Republic of Venezuela* said that it had noted the concrete measures taken by the Government of Qatar to ensure compliance with Conventions Nos 29 and 81 and did not consider that, in the circumstances, it would be appropriate to appoint a commission of inquiry. Accordingly, he supported the amendment of the draft decision.
- 103.** *A Government representative of the Russian Federation* said that the measures taken by the Government of Qatar demonstrated its readiness to cooperate with the ILO and he urged the Office to adopt a constructive attitude through a compromise position. He supported the deletion of the wording "most vulnerable migrant workers" from point (a) given that it did not add much to the draft decision. He also supported amending point (b) to provide more time for the consideration of the effectiveness of Law No. 21 once it came into force.
- 104.** *A Government representative of the Sudan* said that while a number of measures had been taken by the Government of Qatar, a number of problems remained and some of the measures adopted were yet to be implemented. However, the Government had cooperated fully and shown an attitude of good faith that was not reflected in the draft decision. The *raison d'être* of the complaint had ceased to exist and the Governing Body should remove the item from its agenda. If that was not possible, he wished to introduce amendments to the draft decision, which had been circulated to the Governing Body. There was no need to make mention of "the most vulnerable migrant workers" under point (a) as the new legal provisions treated all migrant workers equally. Regarding the follow-up to Law No. 21 requested under point (b), the Governing Body should wait until the law came into force in order to assess its effects. Likewise, regarding point (c), a commission of inquiry would not be appropriate at that stage as it could undermine the positive work that Qatar had done and intended to do in the future.
- 105.** *A Government representative of the United Arab Emirates* said that the Government of Qatar had shown its willingness to make progress and cooperate with the ILO and the social partners. He welcomed the positive measures taken by the Government; the protection of workers' rights had improved. It would be premature to carry out an assessment of the impact of the measures that had recently been undertaken. He urged the Governing Body to take into account the Government's efforts. He supported the Government in its efforts.
- 106.** *A Government representative of Zimbabwe* said the report acknowledged that the Government of Qatar had taken positive steps and urged the Government to continue to work towards addressing the remaining issues.

- 107.** *A Government representative of Algeria* he said that based on the report, the Government of Qatar had made significant progress. There had been improvements regarding wage protection, and the living and housing conditions of migrant workers. Given the positive changes in the law and the measures already in place, he supported the amendments proposed by the Government of Sudan.
- 108.** *A Government representative of Pakistan* said that the Government of Qatar had shown sincere cooperation with the high-level tripartite delegation. Substantive progress had been made and the Government had shown its commitment to addressing the remaining concerns of workers. She welcomed the adoption of Law No. 21 of 2015 and the new wage protection system. She supported the amendments to the draft decision proposed by the Government of Qatar.
- 109.** *A Government representative of India* said that the high-level tripartite delegation had had a successful visit and met with the relevant stakeholders. It had acknowledged the Government of Qatar's full support and cooperation. The tripartite delegation's assessment had noted a number of measures implemented to protect the rights of migrant workers. The Government was encouraged to continue with its reform process and further strengthen labour protection and labour rights in the country. He called on the Governing Body to take account of the significant measures already undertaken by Qatar. He supported closing the complaint under consideration, as well as the amendments to the draft decision proposed by the Government of Qatar.
- 110.** *A Government representative of Mexico* said that he had taken note of the report of the high-level tripartite delegation and the information presented by the Government of Qatar. It had taken steps to improve the labour conditions of migrant workers, including through the adoption of Law No. 21. Respect for fundamental labour rights were essential for decent work. He welcomed the Government's willingness to collaborate with the ILO and urged it to continue to do so.
- 111.** *A Government representative of Turkey* welcomed the high level of cooperation that the Government of Qatar had shown during the high-level tripartite visit. The report of the high-level tripartite visit included an assessment of a number of measures taken by the Government in law and in practice to address the issues raised in the complaint. Significant improvements included the expected entry into force in December 2016 of Law No. 21 of 2015, and the new wage protection system. The Government was commended for strengthening the capacity of the labour inspectorate, improving migrant workers' access to complaint mechanisms, and taking steps to prevent the practice of contract substitution. Those measures indicated the Government's willingness and commitment to continue its efforts to protect the rights of migrant workers. The Government was encouraged to continue working closely with the ILO. He hoped a consensus would be found regarding the amendments proposed by the Government of Sudan.
- 112.** *A Government representative of Mauritania* said that the Government of Qatar had shown its commitment to the implementation of Conventions Nos 29 and 81 by taking measures to address the problems set out in the complaint. He supported the amendments to the draft decision proposed by the Government of Sudan and the closure of the complaint.
- 113.** *A Government representative of Thailand* said that he welcomed the continued efforts by the Government of Qatar to promote and protect the rights of migrant workers in the country, as well as its cooperation with international and regional organizations. The high-level tripartite delegation to Qatar had recognized that the Government was addressing the long-standing challenges regarding the sponsorship system by enacting Law No. 21. Labour inspection systems had also been strengthened. He supported the position of the Government of Qatar regarding the draft decision.

- 114.** *A Government representative of Bangladesh* said that the Government of Qatar had made significant progress in addressing the issues raised in the complaint and called on the Governing Body to take that into account. He welcomed the adoption of Law No. 21 and he encouraged the Office to extend development cooperation to Qatar. He supported the amendments to the draft decision.
- 115.** *A Government representative of Cuba* said that all parties had made progress in a spirit of cooperation. He urged them to continue on that path.
- 116.** *A Government representative of Bahrain* said that the measures taken by the Government of Qatar to address the problems in the complaint showed its respect for international labour standards. It had worked effectively and transparently to deal with the problems, including through the adoption of Law No. 21, the new wage protection system and the complaint mechanisms. He supported the amendments proposed by the Government of Qatar, the Government of Sudan and by other States supporting the same view.
- 117.** *A Government representative of Canada* recognized the efforts of the Government of Qatar to improve the labour rights of migrant workers in Qatar. He welcomed the high-level tripartite visit and the cooperation the Government had demonstrated. He welcomed the Government's efforts to strengthen the labour inspectorate and had noted Law No. 21 of 2015 and the law on the wage protection system. The Government was urged to implement the laws as soon as possible. He looked forward to the report in March 2017 outlining the implementation of Law No. 21 and to further information relating to the follow-up to the report of the high-level tripartite visit. The Government of Qatar had taken action but challenges remained. Canada was prepared to support the Government in its efforts to observe international labour standards. He supported the draft decision as presented by the Office.
- 118.** *A Government representative of Jordan* welcomed the positive atmosphere in which discussions had taken place and hoped that it would be possible to reach a consensus.
- 119.** *A Government representative of Qatar* thanked the participants for recognizing the positive efforts made by his Government. He welcomed the amendment proposed by the Government of Sudan. In a spirit of compromise, he supported the views expressed, including the proposal to postpone consideration of the case until November 2017.
- 120.** *The Worker Vice-Chairperson* said that he would not accept the proposed amendments to the draft decision. While the report of the high-level visit acknowledged progress in certain areas, challenges remained. Removing the reference to those challenges in point (a) would be failing to put an end to a system of discrimination and was therefore not acceptable. The original draft decision points in points (b) and (c) were normal practice. The Governing Body should be allowed to assess the follow-up. The seriousness of the situation faced by migrant workers required nothing less. As Qatar had already been given extra time to report on the implementation of Law No. 21, further postponement would not be acceptable. He said he was shocked at the proposal to delete the deferral of the appointment of a commission of inquiry in point (c). The point reflected usual practice. He did not understand why an exception would be made for Qatar. He reiterated support for the original draft decision as it was objective.
- 121.** *The Employer Vice-Chairperson* said that the Government had responded favourably to the visit. Progress had been made and was recognized in the report. However, workers were still being denied their rights under Conventions Nos 29 and 81. Regarding point (a), the Government was being asked to report on the follow-up. If, following that report, it was clear that the problems had been solved there would be no need for a commission of inquiry. That was standard procedure. He supported the original draft decision.

122. *The Government representative of Qatar* said that his proposed amendments to the draft decision did not entail substantive changes to its content; rather they were intended to reflect more accurately the efforts made by the Qatari authorities to give effect to the Governing Body's recommendations and the positive results that had been achieved in that regard. While some issues were still pending, the current wording of the draft decision had a somewhat negative connotation, which was at variance with the good faith shown by the Qatari authorities in reacting positively to the Governing Body's recommendations.
123. The reference to the most vulnerable migrant workers in point (a) of the decision was superfluous because all migrant workers in Qatar were afforded equal treatment and did not suffer discrimination. The efforts made by the Qatari authorities benefited all migrant workers. The Government of Qatar was in the process of drafting another report outlining the results of the measures taken in the light of the assessment of the high-level tripartite delegation. As Law No. 21, which was referred to in point (b) of the draft decision, would only enter into force in December 2016, the Government of Qatar would not have sufficient time to produce a comprehensive report on its implementation for the March 2017 session of the Governing Body and so wished to defer submission of such a report until November 2017. The representative of the Sudan's proposed amendment to point (c) did not exclude the possibility of considering the appointment of a commission of inquiry; rather it deferred such consideration until November 2017.
124. *The Chairperson* said that she took it that the Government of Qatar now wished to adjust the proposed amendment to point (c) of the draft decision so as to defer further consideration of the appointment of a commission of inquiry, and not the complaint itself, until November 2017.
125. *The Government representative of Qatar* said that the Government of Qatar would prefer point (c) to be deleted in its entirety. However, given that it was the Governing Body's prerogative to request the appointment of a commission of inquiry if the relevant conditions were met, the Government of Qatar was prepared to consider the possibility of appointing such a commission in November 2017, in keeping with the proposal made by the representative of the Sudan. However, the Government of Qatar was still of the opinion that point (c) had a negative connotation because it anticipated the efforts that the Government would continue to make to meet its obligations. If the reports on the follow-up to the assessment of the high-level tripartite delegation and the implementation of Law No. 21 demonstrated that progress had been and was continuing to be made, there was no reason why the complaint could not be dropped. The Government of Qatar therefore wished to retain the amendment deferring further consideration of the complaint itself to November 2017.
126. *An Employer member from the United Arab Emirates* said that migrant workers in Asia were also benefiting from the improvements made to the Qatari labour system. The Government of Qatar had responded and was continuing to respond favourably to the recommendations made to it by the high-level tripartite mission. Therefore, due consideration should be given to the amendments to the draft decision proposed by the representative of Qatar, which he supported.
127. *A Government representative of Japan* proposed postponing the decision until the following day, so as to allow the Government of Qatar more time to examine alternative solutions.
128. *A Government representative of India* said that he supported the proposal made by the representative of Japan.

- 129.** *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said that he continued to support the original draft decision and wished for it to be adopted forthwith.
- 130.** *A Government representative of the United States* said that he too continued to support the original draft decision and wished for it to be adopted straight away.
- 131.** *The Chairperson* said that there appeared to be majority support for the original draft decision prepared by the Office.
- 132.** *A Government representative of the Sudan* said that the Qatari authorities were to be commended on having done away with the *kafala* system and on having established contractual relationships between employers and workers. While there was room for further improvements in Qatar, it would be remiss of the Governing Body not to take due note of the efforts and progress already made in improving the situation of migrant workers in the country. The Government of Sudan could therefore not support the adoption of the draft decision without the amendments proposed by the representative of Qatar.
- 133.** *A Government representative of Bahrain* said that the amendments to the draft decision proposed by the representative of the Sudan and supported by a number of other countries did not entail substantive changes to its content; rather they were intended to reflect more accurately the progress made by the Government of Qatar in a number of areas. The Governing Body should recognize the efforts of the Qatari authorities and not send a negative message that could hamper further reforms in the country. He supported the draft decision as amended. If there was a need for further discussions on the amendments, he would support the proposal made by the representative of Japan to postpone the decision until the following day.
- 134.** *The Worker Vice-Chairperson* said that there was majority support for the original draft decision prepared by the Office and that it should be adopted without further delay.
- 135.** *A Government representative of France* said that further discussions on the amendments would serve no purpose, as the majority were already in favour of adopting the original draft decision.
- 136.** *Government representatives of China, the Republic of Korea and the United Arab Emirates* said that they supported the proposal made by the representative of Japan to postpone the decision until the following day.
- 137.** *The Worker Vice-Chairperson* said that there was still clear majority support for the original draft decision prepared by the Office and that it should have been adopted as requested. The Workers' group could not accept the new proposed amendments, as doing so could undermine the Governing Body's procedure for dealing with future complaints submitted under article 26 of the ILO Constitution. He called for a vote on the draft decision.
- 138.** *A Government representative of the Sudan* said that the amendment to the draft decision with deferral to November 2017 should be retained, so that there was sufficient time to evaluate the efforts made by the Government of Qatar.
- 139.** *The Worker Vice-Chairperson*, speaking on a point of order, said that since his group had called for a vote on the original text of the draft decision, the discussion could not be reopened.

140. *The Chairperson*, after consulting with the Legal Adviser, said that in such cases the presiding officer had the prerogative to give the floor to additional delegates and, after consulting with the two Vice-Chairpersons, to decide whether a vote should be held.
141. *A Government representative of Bahrain* said that he supported the proposal made in the spirit of consensus by the representative of Sudan. The representative of Qatar had not called for a change in the content of the draft decision but had simply requested time for the Government to carry out its efforts.
142. *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said that he supported the Worker Vice-Chairperson's call for a vote and endorsed the original text of the draft decision.
143. *The Chairperson*, after consulting with the two Vice-Chairpersons, said that it had been decided to follow the Governing Body's tradition of taking decisions by consensus. The document contained in the appendix to the report was an accurate account of the high-level tripartite visit conducted by the Chairperson and Vice-Chairpersons from 1 to 15 March 2016. The fact that the delegation of Qatar at the current Session of the Governing Body was headed by the country's Minister of Administrative Development, Labour and Social Affairs was a clear sign of the Government's desire to cooperate with the ILO, and the visit report acknowledged the open and engaging approach taken by the national authorities. However, there were still challenges to be overcome. While she understood the Government's desire for more time to examine the impact of Law No. 21 of 27 October 2015 after its entry into force, the international community and the social partners would like to be updated on developments in the situation as soon as possible. Despite their differences of opinion, members of the Governing Body had a single goal: the betterment of workers in Qatar.

Decision

144. ***Recalling the decision adopted in its 325th Session (November 2015) and taking into account the assessment contained in the report of the high-level tripartite delegation (Appendix II of document GB.326/INS/8(Rev.)) which acknowledged that the Government of Qatar had taken a number of concrete measures and that at the same time many challenges remained, the Governing Body decided to:***
- (a) request the Government of Qatar to follow up on the assessment of the high-level tripartite delegation, particularly with respect to the most vulnerable migrant workers;***
 - (b) request the Government of Qatar to report on the follow-up to the assessment of the high-level tripartite delegation to be discussed at the 328th Session (November 2016) and on the implementation of Law No. 21 of 2015, upon its entry into force, at the 329th Session (March 2017); and***
 - (c) defer further consideration on the appointment of a commission of inquiry until its 329th Session (March 2017), in light of the information referred to in paragraphs (a) and (b) above.***

(GB.326/INS/8(Rev.), paragraph 11.)

Ninth item on the agenda

Complaint concerning non-observance by the Bolivarian Republic of Venezuela of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), submitted under article 26 of the Constitution by several delegates to the 104th Session (2015) of the International Labour Conference (GB.326/INS/9(Rev.) and (Add.))

145. *The Employer spokesperson* recalled the conclusions of the Report of the Committee on Freedom of Association in regard to the Bolivarian Republic of Venezuela (GB.323/INS/9) and of the report of the high-level tripartite mission to that country (GB.320/INS/8). Regrettably, no satisfactory tangible measures had been taken to initiate the bipartite or tripartite social dialogue requested by the mission, nor had the Government provided the plan of action which the mission had deemed necessary. Serious shortcomings in the application of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), remained.
146. The Bolivarian Republic of Venezuela had the highest rate of inflation in the world. It was suffering from a deep recession, massive unemployment and food shortages that gravely affected its citizens' quality of life and impinged on business activity. Non-respect for freedom of association and the lack of social dialogue had contributed to that situation, which had escalated at two levels. In February 2016, the Government had announced a series of economic measures without consulting employers, including as to the increase of the minimum wage, in violation of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26). In addition, it had harassed leaders of the Venezuelan Federation of Chambers and Associations of Commerce and Production (FEDECAMARAS) and of the Polar company in a manner which constituted a breach of Convention No. 87. On 10 March 2016, the National Assembly had adopted a resolution requesting technical assistance from the ILO. Employers were calling for an end to threats, harassment, intimidation and arbitrary expropriation and were requesting fair compensation for such expropriations. They were asking to reactivate genuine social dialogue, and for a plan of action with a timeframe for its implementation. The Government was allegedly planning a timetable for social dialogue including representatives of FEDECAMARAS, but had made such promises in the past and failed to keep them. Any delay in the adoption of measures to counter social instability would have dire consequences for Venezuelan workers, employers and the population in general. The Employers therefore supported the draft decision.
147. *The Worker spokesperson* said that a meeting had been held with representatives from the Employers' group and the Venezuelan Government on how to address the issues raised by the Employers in their complaint. During the meeting, the Government had presented a plan of action on social dialogue establishing a bipartite round table, composed of representatives of the Government and FEDECAMARAS, to discuss the complaint, and a tripartite round table to tackle economic issues and issues related to wages, workers' rights and other matters related to ILO Conventions. It was up to the Employers to determine their position on the

Government's offer, which contained several of the recommendations made by the ILO tripartite mission and might constitute a useful mechanism to address the issues in the complaint. The Workers supported the draft decision.

- 148.** *A Government representative of the Bolivarian Republic of Venezuela* recalled that, at the 325th Session of the Governing Body, his delegation had provided legal arguments to justify the inadmissibility of the complaint, as well as information and responses to the ILO to establish that there was no need to appointing a Commission of Inquiry. The information submitted demonstrated not only his Government's compliance with Conventions Nos 26, 87 and 144, but also its political willingness to work with the private sector and continue strengthening social dialogue. Within the context of the National Council on Productive Economy, meetings had been held between the Government and various sectors, including representatives of private enterprises, at which they had agreed to maintain a social agenda, despite the international slump in oil prices and domestic economic situations. A meeting had also been held with representatives from the Employers' and the Workers' groups, which had led to fruitful dialogue and the development of an action plan with specific deadlines for the establishment of round tables to address the issues related to the complaint and to reach an agreement on action mechanisms. The Government had always responded to all requests made by the ILO and the social partners.
- 149.** *Speaking on behalf of GRULAC*, a Government representative of Mexico reiterated that the complaint was not admissible. The Venezuelan Government had provided a timely response to the complaint and had further justified that it would be inappropriate to appoint a Commission of Inquiry. He welcomed the new information contained in the addendum, including the reference to the Government's willingness to work with the private sector and the inclusive policies towards employers. Given the goodwill expressed by the Government, GRULAC was confident that social dialogue would be strengthened. He endorsed the draft decision.
- 150.** *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said that Albania and the Republic of Moldova aligned themselves with the statement. While recognizing the evolving political environment and difficult economic situation in the Bolivarian Republic of Venezuela, he called upon the Government to increase efforts to consult with employers' and workers' organizations and engage in constructive tripartite social dialogue. He supported the draft decision.
- 151.** *A Government representative of the Islamic Republic of Iran* welcomed the approach of the Venezuelan Government reinforcing social dialogue through inclusive policies towards the social partners. It was important for the Government to continue its work to tackle the issues related to the complaint, and for the Office to assist it in fulfilling its promises. He expressed support for the draft decision.
- 152.** *A Government representative of the Russian Federation* said the Venezuelan Government had shown readiness to cooperate with the ILO and the social partners to ensure the observance of freedom of association and other rights under ILO Conventions and expressed the hope that fruitful cooperation would continue. The Bolivarian Republic of Venezuela had regularly provided the ILO and supervisory bodies with the necessary information and had taken measures to promote social dialogue with all of its social partners, including FEDECAMARAS. He supported the request for the Government to submit further information at the following Governing Body session, and expressed concern over attempts to politicize the ILO's work by repeating the same complaints in its various bodies. He rejected the appointment of a Commission of Inquiry.

153. A *Government representative of China* expressed the hope that the ILO would provide the Venezuelan Government with the necessary technical cooperation. There was no need to appoint a Commission of Inquiry.
154. A *Government representative of India* noted that the Conference Committee on the Application of Standards in June 2014 and the report by the Committee of Experts in 2015 had not shown any failure on the part of the Venezuelan Government with regard to Conventions Nos 26 and 144. The issues relating to Convention No. 87 should be left to the Committee on Freedom of Association under Case No. 2254. There was no need to establish a Commission of Inquiry. The ILO should acknowledge the cooperation and commitment of the Venezuelan Government and continue to provide technical cooperation to support its efforts in an objective manner.
155. A *Government representative of the United States* urged the Venezuelan Government to accept the recommendations of ILO supervisory bodies, and expressed support for the draft decision.
156. A *Government representative of Cuba* noted with satisfaction that the documents on the complaint explicitly recognized the political willingness demonstrated by the Venezuelan Government. It was important to build on the progress that had been made. She endorsed the draft decision.
157. A *Government representative of Pakistan* expressed her appreciation for the constructive engagement of the Venezuelan Government in addressing the issues relating to the complaint and its readiness to establish a tripartite social dialogue. She supported the draft decision.
158. A *Government representative of Mauritania* commended the Venezuelan Government on its efforts to meet the requirements of the Conventions concerned, particularly the establishment of the National Council on Productive Economy in 2016. The continuation of social dialogue in the country would reinforce the positive climate between the social partners and help improve the lives of workers. He endorsed the draft decision.
159. A *Government representative of the Dominican Republic* agreed that it was not necessary to appoint a Commission of Inquiry, and hoped that the Venezuelan Government would continue to provide information on the issues related to the complaint. She supported the draft decision.
160. A *Government representative of Zimbabwe* supported the call for strong social dialogue in the Bolivarian Republic of Venezuela and noted the Venezuelan Government's commitment in that regard. The Office should provide further technical support in that area.

Decision

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

- (a) *taking into account the latest examination by the CEACR in relation to many of the issues raised in the article 26 complaint, contained in document GB.326/INS/9(Rev.), requested the Government and the social partners to provide detailed information on all the issues raised in the complaint;*
- (b) *deferred to its 328th Session (November 2016) the decision to consider the appointment of a Commission of Inquiry.*

(GB.326/INS/9(Rev.), paragraph 6.)

Tenth 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.326/INS/10)

- 162.** *A representative of the Director-General* (Deputy Director-General, Management and Reform) said that, while it had not been possible to reach a formal agreement with the Government of Myanmar as it would not take office until the following week, discussions had been ongoing between the ILO Liaison Officer and the National League for Democracy (NLD). The party Chairperson, Aung San Suu Kyi, had expressed her strong wish for the incoming Government and the ILO to work together closely on the development of a full strategy to address Myanmar's employment and labour market challenges. She had reconfirmed the importance of continuing the fight against forced labour, including through the complaints mechanism under the Supplementary Understanding and the review and strengthening of the Memorandum of Understanding and the associated action plans. An agreement on issues relating to forced labour and a framework for future ILO engagement with Myanmar was expected to be reached with the incoming Government within weeks, and the Office would report back to the Governing Body in November 2016.
- 163.** *A Government representative of Myanmar* said that a new political culture of resolving issues through dialogue and negotiation had emerged in Myanmar since 2011 to forge peaceful national reconciliation. A national ceasefire agreement had been signed, with a view to resolving armed conflict through political means and establishing a federal and democratic union through political dialogue. Following a landmark general election, the next Government was being formed in a peaceful, inclusive and orderly transition. Considerable progress had been made on the action plans under the Joint Strategy for the elimination of forced labour in Myanmar. Remaining work could be conducted under the ongoing Decent Work Programme. He would welcome the establishment of an ILO country office in Myanmar for further cooperation. He supported the draft decision.
- 164.** *The Worker spokesperson* said that numerous provisions of the Action Plan for the Elimination of Forced Labour in Myanmar by 2015 remained wholly or substantially unaddressed. The military continued to exact forced labour, and there had been no end to complaints concerning forced labour in connection with land acquisition and confiscation. Prosecutions for forced labour had essentially ceased, and those who were prosecuted generally only received administrative punishments. Upon taking office, the NLD should prioritize eradicating forced labour as quickly as possible. The Workers' group supported the continued operation of the Supplementary Understanding, and the Memorandum of Understanding and its associated Action Plan, and strongly urged the new Government to learn from its predecessor's errors. Trade unions must be fully integrated in the execution of the Action Plan. The idea of a new framework for future engagement with Myanmar was welcome. He urged the ILO to continue and to strengthen its work on freedom of association in Myanmar and not to mainstream it in other projects, and to that end proposed inserting "and the promotion of freedom of association" in paragraph (a) of the draft decision.
- 165.** Further reforms to the labour laws and the building of mature industrial relations must be prioritized. The new Government should work with representative trade unions to amend the Labour Organizations Act and the Labour Disputes Settlement Act, and the ILO should help the Government to identify priority reforms. Furthermore, the ILO must ensure that multinational enterprises investing in Myanmar were undertaking human rights due

diligence. It should also convene discussions between the Government and companies and workers in key industries to guarantee the development of decent work and to establish sectoral collective agreements. He supported the draft decision, with his group's proposed amendment.

166. *The Employer spokesperson* noted that there were still parts of the country and sectors where forced labour remained a reality, and welcomed the news that the NLD intended to continue the implementation of the Memorandum of Understanding and the Supplementary Understanding. Agreeing that it was time for the ILO to change its approach, he supported the proposed presentation of a broader framework for future engagement, as well as a review of priorities with a view to the development of a more comprehensive strategy for ILO action in Myanmar.
167. *Speaking on behalf of ASPAG*, a Government representative of India welcomed the progress made by the current Government of Myanmar and encouraged the next Government to maintain efforts to eliminate forced labour. He supported the original draft decision.
168. *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said that Serbia, Norway, Republic of Moldova and Georgia aligned themselves with the statement. He welcomed the NLD's commitment to continue the implementation of the Memorandum of Understanding and the Supplementary Understanding. He supported the review of priorities in the ILO programme agreement with a view to the development of a new, comprehensive strategy which could form the basis of a Decent Work Country Programme. Consultations with the members of the national tripartite dialogue forum and the national and international communities would contribute substantially to the process. He supported the draft decision and could endorse the proposed amendment.
169. *A Government representative of the United States* welcomed the Government's commitment to continue work to eliminate forced labour. She urged the Government to prosecute perpetrators of forced labour under the Ward and Village Tract Administration Amendment Law of 2012, and to promptly resolve the detention of Captain Chit Ko, who had been imprisoned for seeking information from the ILO. She supported the development of a framework for future ILO engagement that promoted inclusive economic growth, including through the promotion of freedom of association and collective bargaining, and decent work. She endorsed the draft decision, with the proposed amendment.
170. *A Government representative of Japan* said that Japan had been providing employment-related support to Myanmar and planned to provide technical cooperation in collaboration with partners, including the ILO Office in Yangon, in order to expedite the improvement of the country's labour situation. He supported the original draft decision.
171. *A Government representative of China* expressed the hope that the Government and the ILO would extend their cooperation to include employment promotion and social security, and that the ILO would consider establishing a country office in Myanmar.
172. *A Government representative of India* said that a comprehensive approach focusing on the creation of decent employment opportunities, rural development and poverty reduction was the most effective way to eliminate forced labour. She supported the original draft decision, to allow the Government more time to develop a comprehensive framework, including on the elimination of forced labour.
173. *A Government representative of Thailand* welcomed the socio-economic developments in Myanmar, especially the steps taken to eliminate forced labour, and urged the international community to continue to support the country. He encouraged Myanmar to continue its engagement with the ILO. He supported the original draft decision.

174. *A representative of the Director-General* (Deputy Director-General, Management and Reform) clarified that the wording of the draft decision was identical to that of the November 2015 decision. Strong promotion of freedom of association and collective bargaining would implicitly be integral to any framework of ILO action.
175. *The Worker spokesperson* emphasized that, as a fundamental ILO standard and a prerequisite for social dialogue and peaceful economic growth, freedom of association should be explicitly referred to in the draft decision.
176. *The Employer spokesperson*, a Government representative of Ghana and a Government representative of Mexico supported the proposed amendment.
177. *A Government representative of Sudan* asked the Government representative of Myanmar whether the amendment was consistent with national policy.
178. *The Government representative of Myanmar* said that the Government had been very actively promoting freedom of association. As the focus of the document was on the elimination of forced labour, he supported the original draft decision, but accepted the proposed amendment in the interest of consensus.

Decision

179. *The Governing Body noted the situation as concerns the transition of power in Myanmar following the general elections of November 2015 and requested the Director-General to:*
- (a) *present a framework for future ILO engagement with Myanmar, including the elimination of forced labour and the promotion of freedom of association, to the 328th Session (November 2016) of the Governing Body;*
 - (b) *took the necessary action to ensure the continued operation of the Supplementary Understanding and the Memorandum of Understanding and its associated Action Plan in the interim period.*

(GB.326/INS/10, paragraph 14, as amended.)

Eleventh item on the agenda

Results of the independent evaluation of the ILO Action Plan for Gender Equality 2010–15 and outline of the ILO Action Plan 2016–17 (GB.326/INS/11)

180. *The Employer spokesperson* noted with concern that many of the targets of the Action Plan for Gender Equality 2010–15 had not been met; indeed, the situation had worsened in some respects. The Office should consider why the Action Plan had incorporated so many different targets and why progress in some areas, including the Organization’s management culture, had been impossible to measure. Any new action plan must be simple, measureable and achievable but also ambitious. Those given accountability for achieving its goals must be held accountable. With regard to the 2016–17 Action Plan, while his group supported the use of the UN System-wide Action Plan on Gender Equality and the Empowerment of Women (UN-SWAP) indicators and measurement criteria, they did not go far enough. The

Office needed to understand why things did not change enough and what would be done differently to bring more success. It would be sad if the Governing Body received a report after 2017 that had similar results to those from the previous Action Plan. The ILO's leadership role on policy advice in areas such as maternity protection, equal pay and women's entrepreneurship would eventually be compromised if it proved incapable of internal reform. His group had been involved in ACT/EMP's work in the area of women in business and management, which had led to the successful launch of global and regional reports and high-level conferences held in London, Singapore and Oman. In that regard, his group had welcomed the collaboration with the Gender, Equality and Diversity Branch (GED) and the funding for follow-up activities that had been provided by Norway. The relevant ILO staff members and senior officers should review the experiences of constituents in order to see what might work. His group would appreciate additional information on how the 2016–17 Plan would lay the foundations for future work, especially in the context of the ILO Women at Work Centenary Initiative, and hoped that – like the previous Action Plan – it would be informed by the International Labour Conference 2009 resolution concerning gender equality at the heart of decent work. Gender equality should be mainstreamed into all ILO activities, including sectoral meetings and international conferences, and should influence future research. The ILO Women at Work Centenary Initiative should be forward-looking and delve deeper into certain topics, and the new Action Plan should prepare the ground for that Initiative. The new Action Plan should have a communication strategy, and those with responsibilities under the plan would need to be held to properly account to ensure they did what was demanded of them. Finally it should complement the current and future ILO programme and budgets, with gender being mainstreamed as a cross-cutting issue. His group supported the draft decision.

- 181.** *The Worker spokesperson* drew attention to Table 1 of the report, which showed that the targets under several indicators had not been fully achieved. Her group was concerned at the lack of progress since 2010 on gender parity and the increase in male staff at the P4 and P5 levels. It regretted the absence of results under indicator 7 on responsible chiefs perceived by reporting staff as creating an environment that valued diversity including sensitivity to gender, which was a priority and key; priority should be given to ensuring that managers at headquarters and in the field addressed gender equality issues. It would be useful to know why the target for indicator 8, on initiatives taken to strengthen or enforce the conflict prevention and resolution collective agreement, had not been met and what would be done. It was urgent to remedy the situation of gender equality in technical cooperation projects, which the evaluators had assessed as “alarming”. With regard to indicator 4, all staff should have access to training. It was regrettable that the target under indicator 11 had not been met since gender audits had a proven record in addressing gender equality. Her group welcomed the signing of a collective agreement on maternity protection under indicator 5. It requested the Office provide additional information on action taken at the beginning of the current biennium to ensure that gender equality and non-discrimination – which was one of the cross-cutting policy drivers – were promoted and applied under all policy outcomes and in the ILO Women at Work Centenary Initiative. It was also unfortunate that the report made no mention of inter-sectionality and there was very little on the inclusion of race, orientation and ability. She appealed to the members of her group to increase the proportion of women delegates at ILO conferences and meetings. She supported the alignment of the Action Plan 2016–17 with the UN-SWAP targets, and noted the Chief Executives Board's deadline of 2017 for realizing all UN-SWAP requirements; retention of the most relevant indicators and measurement criteria of the previous Plan; and the establishment of a specific senior-level mechanism to ensure the accountability and demonstrated leadership of senior management, which she described as important. Her group supported raising awareness of the Action Plan and its relevance among all staff, developing one-page briefs on how gender equality and non-discrimination drove each of the ten policy outcomes under the current programme and budget. Her group supported the draft decision.

- 182.** *Speaking on behalf of ASPAG*, a Government representative of Australia said that, while recognizing the efforts made, the evaluation provided a sobering assessment of the significant shortcomings of the implementation of the 2010–15 Action Plan. Those included areas of improvement ranging from accountability to staff awareness to gender sensitivity in technical cooperation. Positive developments included good practices concerning evaluation processes linked with indicator 18. ASPAG had taken note of the Director-General’s work as a Geneva Gender Equality Champion and encouraged other ILO managers to take similarly visible steps and to ensure that measures for gender equality received appropriate attention and resources. It hoped that the 2016–17 Action Plan would address the problems identified in the evaluation by incorporating the UN-SWAP targets while ensuring relevance to the ILO’s circumstances and needs by retaining the most relevant aspects of the previous plan; it should be short, simple and accompanied by a communications strategy to promote the plan to all staff. The evaluation should be viewed as a catalyst for improvement, particularly as the ILO worked towards the Women at Work Centenary Initiative and implementation of the SDGs. ASPAG supported the draft decision.
- 183.** *Speaking on behalf of IMEC*, a Government representative of Canada noted that the evaluation had found that the previous Action Plan’s design had aligned fully with the ILO Strategic Policy Framework. However, the Office should make a greater effort to close the gender gap at the top levels of the Organization, improve the work environment for women and measure results in order to lead by example. IMEC shared the evaluators’ alarm at the fact that 73 per cent of technical cooperation projects and programmes had missing or weak gender components. He noted the evaluation’s suggestion that increasingly-condensed reporting might have led to under-reporting of the Organization’s achievements in gender-related policy areas where it played a leading global role. He highlighted weaknesses identified by the evaluation in management arrangements and called the current situation, where follow-up and monitoring was essentially left to the Gender, Equality and Diversity Branch, as neither effective nor sustainable. IMEC agreed that ILO management could play an important catalytic role. Concerning the Action Plan 2016–17, it welcomed the increased focus on accountability, reporting and visibility and stressed the importance of allowing the evaluation’s conclusions and recommendations to feed into the new Action Plan, as well as into implementation of the current programme and budget and, crucially, the preparation of the next strategic framework and future programme and budget proposals. IMEC supported the draft decision.
- 184.** *Speaking on behalf of the Africa group*, a Government representative of Sudan said that his group appreciated the efforts in preparing the important paper before the Governing Body, and the objectives of the evaluation, which were to provide guidance for internal management learning and decision-making. The Africa group appreciated that the evaluation had found the previous Action Plan to be aligned with the Strategic Policy Framework, and the ILO gender equality policy. It was also found to be linked to the 2009 ILC resolution concerning gender equality at the heart of decent work, as well as to the programme and budget outcome statements on gender equality and non-discrimination. When speaking of gender-related programmatic outcomes, the Africa group supported the assessment of the ILO’s global leadership in the areas of maternity protection, equal pay and gender wage gaps, domestic workers, and women in business and management, and hoped much work would continue to be done in those areas. It suggested that the UN-SWAP indicators and measurement criteria could be used as the core performance indicators of the ILO Action Plan 2016–17. It stated that implementation of the ILO gender equality policy required the unfailing commitment and participation and contribution of each staff member, and it placed responsibility and accountability for success on programme managers, senior managers at headquarters, and regional directors. The Africa group supported the draft decision.
- 185.** *A Government representative of Mexico* said that the results of the Action Plan should be examined at a future meeting in order to revise and update the guidelines for future efforts,

particularly in areas where the targets had not been met. National and international cooperation frameworks were needed in order to achieve women's economic empowerment and eliminate gaps in the areas of labour relations and gender equity. His Government undertook to promote international conferences, policies and strategies in that regard. His Government supported the draft decision.

- 186.** *A Government representative of India* stressed that gender equality was an essential prerequisite to inclusive sustainable development. The ILO should continue its role in pursuing that objective and encourage the international community to promote and realize gender equality in the world of work. However, the ILO was more than the Office, and the tripartite partners must be brought on board concerning the issue of gender equality. While national governments were responsible for achieving the gender balance in tripartite delegations to the International Labour Conference, they had a very limited role in the social partners' selection of delegates. For that reason India suggested that the ILO come up with specific instructions and mandatory guidelines for the constitution of tripartite delegations, which would also promote capacity building and gender balance for the three constituents at the national level. Gender equality should be incorporated at the initial formulation stage of DWCPs and development cooperation programmes. The Organization should increase the number of women at its regional and subregional offices, particularly in senior positions, and recruit gender equality policy experts. The Programme and Budget for 2016–17 contained no specific outcome on gender equality and non-discrimination; that issue should be evaluated for all thematic areas and policy outcomes. Her Government supported the draft decision.
- 187.** *A representative of the Director-General* (Chief, Gender, Equality and Diversity Branch (GED)) assured the speakers that their comments and guidance would be taken into account in finalizing the new Action Plan. She said that the reasons for the lack of progress in certain areas was reflected in the full evaluation report, and had already been discussed with the Office's directors and gender focal points. The Human Resources Development Department (HRD) had put in place a new tool that provided data under indicator 7, which was being collated and the results would soon be disseminated. The issues of ownership and accountability would be handled differently under the Action Plan 2016–17. The departments, rather than GED, would be responsible for monitoring their own progress, and each responsible department (or "business owner" under the UN-SWAP) was determining which indicators and targets they considered realistic; they were genuinely committed to overcoming the problems identified in the evaluation. Regarding the implementation of the cross-cutting policy driver on gender equality and non-discrimination, a marker had now been required for all country programme outcomes to assess the extent to which gender and non-discrimination had been incorporated. The new Action Plan would go beyond the UN-SWAP and include ILO-specific indicators. The importance of the ILO Women at Work Centenary Initiative as a vehicle for visibility and advancing key substantive issues was also highlighted in the evaluation, and would be reflected in the Action Plan, as well as the relevant resolutions of the International Labour Conference.
- 188.** *The Director-General* agreed that the results of the evaluation were sobering and that while there had been some progress in some cases, there were far too many with little or no progress. He also agreed that the evaluation results must be used as a catalyst for action and improvement. The most obvious and important reason for urgent action was that that was the right thing to do and that it should be done as a matter of principle. If not, he agreed there was a danger that ILO leadership in policy areas it was promoting could be compromised, as well as its credibility, including the moving forward of the Women at Work Centenary Initiative; that could not be accepted or tolerated. He stressed the importance of simplicity in the Action Plan 2016–17 design, as well as measurability and accountability – the latter of which he noted many speakers had mentioned. He stated that accountability needed to be established across the Organization for the pursuit of the goals that had been set. He agreed

that a communication strategy was an integral part of the Action Plan, and that the secretariat could learn about what constituents were doing and what worked. Finally, he stressed that accountability was the bottom line and that it ultimately rested with him. Everything would be done to record a better scorecard the next time the Action Plan came back to the Governing Body.

Decision

189. The Governing Body:

- (a) *requested the Director-General to finalize and implement the ILO Action Plan for Gender Equality 2016–17, in the light of the recommendations of the evaluation of the ILO Action Plan for Gender Equality 2010–15 contained in document GB.326/INS/11, and taking into account its guidance;*
- (b) *decided to examine the implementation results of the ILO Action Plan for Gender Equality 2016–17 at a future session of the Governing Body, and to provide guidance on the orientation of future action plans;*
- (c) *requested the Director-General to take into consideration its guidance in pursuing the ILO's mandate to promote gender equality in the implementation of the Programme and Budget for 2016–17, in preparing the next strategic framework and future programme and budget proposals, and in facilitating extra-budgetary resources.*

(GB.326/INS/11, paragraph 32.)

Twelfth item on the agenda

Reports of the Committee on Freedom of Association

377th Report of the Committee on Freedom of Association (GB.326/INS/12)

- 190.** *The Chairperson of the Committee on Freedom of Association* said that there were 175 pending cases, 17 of which had been examined on their merits. In Cases Nos 2723 (Fiji), 3018 (Pakistan) and 3119 (Philippines), the Committee had observed that it had still not received complete observations from the respective governments, who were asked to transmit their observations as a matter of urgency. In Case No. 3104 (Algeria), the Committee had been obliged to examine the case without the benefit of the information that could have been provided by the Government. The Committee had not been able to meet with the Government of Somalia, whom it had invited to come before it in March 2016 in light of the seriousness of the matters raised in Case No. 3113. It urged the Government of Somalia to take immediate steps to give full effect to its recommendation of November 2015 and expected that the Government would come before it at its meeting in May–June 2016 with detailed information in that regard. The delegations of Algeria and Bahrain had met with the Chairperson of the Committee, who trusted there would be fuller engagement on their part in the future.

- 191.** The Committee had examined eight cases in which the governments had kept it informed on the measures taken to give effect to its recommendations. The Committee noted with satisfaction the progress made in Cases Nos 2700 (Guatemala), 2533 (Peru) and 2976 (Turkey). The complaints in Cases Nos 3048 (Panama) and 2868 (Panama) had been withdrawn following an agreement reached in a national dispute settlement body. The Committee drew the Governing Body's attention to the serious and urgent nature of Cases Nos 2882 (Bahrain) and 2923 (El Salvador). In the case concerning Bahrain, the Committee noted with deep concern the allegation that the health of the President of the Bahraini Teachers Association had deteriorated and that the prison officers were preventing him from receiving the necessary medication. Recalling that he had been detained since 2011, it had requested the Government to ensure his immediate release should it be found that he had been detained for the exercise of legitimate trade union activities. In the case concerning El Salvador, the Committee deeply deplored and condemned the murder of a trade union leader. The Government of El Salvador was urged to provide information on the criminal proceedings initiated and to take all possible steps to identify the perpetrators of the murder.
- 192.** Regarding the Committee's working methods, the Committee continued to review its procedures, visibility and impact. It had agreed to implement some measures which would improve its functioning. It had decided to set up a subcommittee on a trial basis that would meet in Geneva prior to the Committee's triannual meetings with a view to making proposals to the Committee for final decision. The Committee further considered that the handling of complaints and the internal working methods of the Office needed to be modernized. The Committee considered that it was essential to update the *Digest of decisions and principles of the Freedom of Association Committee*. The *Digest* would be updated and published in hard copy, while further developments would be reflected in an e-Digest. Those measures would have financial implications not accounted for in the programme and budget; the cost estimates were set out in document GB.326/INS/12(Add.), which the Governing Body was invited to review and approve.
- 193.** *The Employer Vice-Chairperson of the Committee* said that the number of cases before the Committee had increased to 175, another 137 cases were awaiting follow-up examination. The Committee had examined 17 cases on their merits and four active cases had been closed (Cases Nos 3118 (Australia), 3053 (Chile), 2620 (Republic of Korea) and 3136 (El Salvador)). Six follow-up cases had also been closed. In view of the recent agreement between the Government of Panama and the social actors, Cases Nos 3048 (Panama) and 2868 (Panama) had also been closed. Significant progress had been made regarding the Committee's working methods as set out in paragraphs 16–26 of its report, including the creation of the tripartite subcommittee, which would improve the functioning of the Committee, and the decision to update the *Digest* and create an electronic version that would always be up to date. The appointment of a Government coordinator to the subcommittee would strengthen tripartism. The increased use of hearings of governments had started to yield positive results. It was hoped that further progress would be made regarding the relevance of cases that were handled by the Committee. Many cases could be resolved by national bodies, through labour inspections or the country's legal system where there was a clear separation of powers. Serious or urgent cases needed to be brought to the Committee more rapidly for recommendations to be timely and effective. The geographical balance of complaints was important. The Employers supported the use of committees for the settlement of disputes before the ILO, which had been operating in some countries in the Latin American region. Based on the positive experience, a greater presence of ILO regional offices was suggested. Topics still under discussion were the mandate of the Committee on Freedom of Association, the possibility for members of the Committee to electronically access cases and other relevant information, the preparation of the Committee's conclusions and recommendations, the possibility of the Vice-Chairpersons having an assistant at

meetings without breaching confidentiality and the adoption of rules clarifying confidentiality issues.

- 194.** In Case No. 3113 (Somalia), the Government had been invited to come before the Committee but it had not been able to attend. The Director-General was therefore requested to ask the Government to take urgent measures to ensure respect for freedom of association. The Committee was awaiting responses and timely solutions regarding Cases Nos 2882 (Bahrain) and 2923 (El Salvador). A positive principle had been established in Case No. 3118 (Australia), namely that a fair and reasonable compromise should be sought between the need for financial sustainability and the need to preserve as far as possible the autonomy of the bargaining parties, and that, so far as possible, governments should seek general consensus regarding labour, social and economic policies adopted in the context of economic restraint, given that social partners should be able to share in the responsibility of securing the well-being and prosperity of the community as a whole. Regarding Case No. 3107 (Canada), the issue of essential services depended on the national context, and it was not always possible to apply a blanket rule. In Case No. 3140 (Montenegro), the Committee was called upon to assess the dilemma that could arise where the principle of freedom of association could be confronted with the situation where a company in bankruptcy proceedings would cease to exist. Fewer cases on the agenda made it possible to discuss the substantive issues in more depth.
- 195.** *The Worker Vice-Chairperson of the Committee* supported the adoption of the 377th Report of the Committee on Freedom of Association. The Governing Body's attention was drawn to Cases Nos 2882 (Bahrain) and 2923 (El Salvador), which were serious and urgent. Case No. 2882 (Bahrain) concerned grave allegations of widespread arrest, torture, dismissals, intimidation and harassment of trade union members and leaders. The Government of Bahrain was urged to promote and guarantee the freedom of expression. Case No. 2923 (El Salvador) concerned the murder of the General Secretary of the Union of Municipal Workers of Santa Ana. Although his murder had taken place in January 2010, the authorities had not identified the perpetrators. The Government was urged to initiate criminal proceedings without delay. The Government of Somalia had been invited to come before the Committee in light of the seriousness of the matters raised in Case No. 3113 (paragraph 5); however, it had shown a lack of cooperation. Continued interference and harassment, including the attempted assassination of the Secretary-General of the Federation of Somali Trade Unions and the National Union of Somali Journalists, were a deep concern. The Government of Somalia was urged to give effect to the Committee's recommendations.
- 196.** He supported the proposed new working methods that were aimed at improving the functioning of the Committee, including setting up a subcommittee on a trial basis. It was important to update the *Digest* in hard copy and for further developments to be reflected in an electronic version. As those measures had financial implications, he supported the draft decision in document GB.326/INS/12(Add.). All members of the Committee had agreed to continue discussing the Committee's working methods. In order to be successful as a Committee, building trust and confidence was essential.
- 197.** In Case No. 3107 (Canada), the Toronto Transit Commission, a public transportation agency, was declared to be an essential service. The Committee had to recall that it was not an essential service in the strict sense of the term. It was the Government's responsibility to open fair bargaining with unions to examine when the requirement of a minimum service in the event of a strike could be justified. In Case No. 2620 (Republic of Korea), the Government had refused to register the Migrants' Trade Union (MTU) and had carried out a targeted crackdown on the MTU. However, the Government had indicated that, on 25 June 2015, the Supreme Court had ruled in favour of the MTU's registration. The ruling should be given full effect in practice, to ensure and safeguard the freedom of association and collective bargaining of all migrant workers. In Case No. 3100 (India), the West Bengal

Civic Police Association, the complainant, whose members were civic police volunteers but carried out activities that constituted work, should enjoy adequate protection against all acts of anti-union discrimination. The Indian Government was urged to conduct investigations into the allegations. In Case No. 2949 (Swaziland), two trade unionists of the Swaziland National Association of Teachers had been arrested and charged with obstruction for participating in a protest. The Government of Swaziland must ensure that workers could exercise their trade union rights, including the right to engage in protest action and peaceful demonstration. In Case No. 3128 (Zimbabwe), two new trade unions had not been allowed to register and protests had been banned by the police. National legislation should be in line with the principles of freedom of association, and the police and security forces should follow a code of conduct in line with universal human and trade union rights. Cases Nos 3048 (Panama) and 2868 (Panama) had been closed with ILO technical cooperation. Case No. 2533 (Peru) had also been closed.

198. *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 said that modernizing the Committee would benefit future Committees and increase transparency, governance and effective tripartism. It was important to set out the agreements that had been reached in that regard and the shortcomings that were still to be resolved, so that a comprehensive list would be available for discussion and approval before the end of the Committee's mandate. The update of the *Digest* would be a useful tool for constituents, facilitating access to information about past decisions and recommendations. Regarding logistics, the Office was commended for ensuring that interpreters were available to Government members; it was important that Government coordinators could participate on an equal footing with the Worker and Employer spokespersons. Broad discussions, less narrowly focused on draft complaints, and access to the complete case file for all members of the Committee were important. The creation of a subcommittee that would meet prior to the Committee was an important step in the right direction. Serious and urgent cases should be taken up without delay; cases that were not serious or urgent could be dealt with through national mechanisms or, in some cases, committees for the settlement of disputes before the ILO. However their use should not detract from the possibility of having recourse to the Committee. Technical cooperation played an important role in the ILO's supervisory system; regional offices acted as links and optimized the results of the bodies that made up the ILO's supervisory system. The agreed and pending changes required resources; the Governing Body was urged to reallocate resources from within the Office to bolster the International Labour Standards Department's human and material resources. The Governing Body was urged to adopt the Committee's Report and the draft decision set out in paragraph 6 of document GB.326/INS/12(Add.).

199. *Speaking on behalf of GRULAC*, a Government representative of Mexico said that more than half the cases before the Committee were from the Latin America and Caribbean region, raising questions as to the cause of the geographic imbalance and how it could be rectified. The imbalance testified to the region's commitment to protecting the rights of workers and employers. However, there was concern that it appeared to reflect a possible failure to promote and apply those fundamental rights in the region. The governments of the region were committed to safeguarding the principle of freedom of association and worked tirelessly to guarantee workers' and employers' organizations the full exercise of their rights. Moreover, the region boasted one of the highest rates of ratification of ILO core Conventions. The Office needed to step up its efforts to promote the ratification of those instruments and to garner greater commitment to ensuring the full exercise of fundamental rights at work, thereby strengthening the ILO's supervisory system. The criteria used by the Committee to determine the admissibility of the complaints brought before it had a bearing on the transparency and objectivity with which it conducted its work. Indeed, the quality of its work could suffer on account of an excessively heavy caseload, which only underscored the need to adopt clear and objective admissibility criteria and to take steps to reconcile the right of

the social partners to lodge complaints, on the one hand, with the need to streamline the Committee's working methods, on the other. To that end, the Committee should provide complainants with guidance that the information accompanying complaints should be comprehensive and up to date. In that connection, the Committee should also draw on the region's good practices relating to conflict resolution within tripartite bodies. Indeed, greater recourse to tripartite social dialogue mechanisms by the Committee would lead to improvements in its functioning.

- 200.** The group also urged the Committee to address the inconsistencies in the classification of cases and their status, as there was still uncertainty over the deadlines by which governments had to report before cases were considered closed, and on whether a case considered "closed" could be reopened if the Committee received new information. The group welcomed the Committee's efforts to improve its working methods and its intention to revise the *Digest*. The group noted with interest the decision to set up a subcommittee comprising the Chairperson, the two Vice-Chairpersons and the Government coordinator, and looked forward to the review of its functioning and impact that would be presented to the Governing Body in 2017. However, the Office should provide more information on its functions, the nature of its recommendations and the duration of the tenure of its members. Similarly, while the group welcomed the preparation by the Office of a study of the case management system, it would appreciate more information on that subject. The group supported the draft decision relating to the financial implications of the proposed reforms contained in paragraph 6 of document GB.326/INS/12(Add.).
- 201.** A Government representative of Panama said that strengthening the application of ILO core Conventions was indeed a priority in the region of Latin America and the Caribbean. Panama was committed to strengthening the ILO's supervisory system and invited the Governing Body to take note of the forums for dialogue and complaint resolution set up in the national territory on the initiative of the Office's International Labour Standards Department in 2012. Panama also wished to thank the Office for the technical assistance that it had provided through the workshop and tripartite meetings held in February 2016. It should be noted that two cases brought before the Committee had been closed as a result of special sessions of tripartite meetings involving ILO representatives held during that period. She supported the draft decision contained in document GB.326/INS/12(Add.).

Decision

- 202.** *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: 118 (Case No. 3104: Algeria); 125 (Case No. 2987: Argentina); 185 (Case No. 3118: Australia); 199 (Case No. 2882: Bahrain); 214 (Case No. 3064: Cambodia); 244 (Case No. 3107: Canada); 270 (Case No. 3017: Chile); 288 (Case No. 3053: Chile); 298 (Case No. 2620: Republic of Korea); 313 (Case No. 2923: El Salvador); 328 (Case No. 3136: El Salvador); 347 (Case No. 3094: Guatemala); 381 (Case No. 3100: India); 396 (Case No. 3140: Montenegro); 418 (Case No. 2889: Pakistan); 441 (Case No. 2949: Swaziland); 476 (Case No. 3128: Zimbabwe); and adopted the 377th Report of its Committee on Freedom of Association as a whole.*

(GB.326/INS/12.)

Financial implications (GB.326/INS/12(Add.))

203. *Speaking on behalf of IMEC*, a Government representative of Spain said that the group welcomed the reforms aimed at improving the Committee's working methods. The group looked forward to the review of the functioning and impact of the new subcommittee and supported the revision of the *Digest*. The group endorsed the draft decision.

Decision

204. *The Governing Body approved the proposals for reform made by the Committee on Freedom of Association in document GB.326/INS/12(Add.) and further decided that the cost of the reform, which was estimated at a total of US\$99,850, be financed in the first instance from savings that might arise under Part I of the budget or, failing that, through the use of the provision for unforeseen expenditure, Part II. Should this subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the biennium.*

(GB.326/INS/12(Add.), paragraph 6.)

Thirteenth item on the agenda

Report of the Working Party on the Functioning of the Governing Body and the International Labour Conference (GB.326/INS/13)

205. *The Employer spokesperson* expressed support for the draft decision.
206. *The Worker spokesperson* said that, as his group had expressed concern with regard to the proposed closing of the International Labour Conference on the Friday of the second week he was surprised to see a reference to "wide" support for that proposal in paragraph 3 of the report. His group was still worried that closing the Conference on Friday would place the CAS under time pressure, which might prove detrimental to its important work, in particular as the World of Work Summit would coincide with the closing session of the CAS. His group could agree to closing the Conference on Friday, 10 June 2016 only on a trial basis and could therefore support the draft decision only on that condition.
207. *Speaking on behalf of IMEC*, a Government representative of Canada, referring to the fourth indented subparagraph in paragraph 10, said that there had been no agreement in the Working Group on closing the speakers' list. Indeed, all governments had been opposed to that suggestion. With reference to paragraph 11, he noted that there been no consensus on pursuing the idea of setting up CAS subcommittees, which would present challenges in terms of costs and of having enough delegates to cover subcommittee meetings. Subject to the amendment of paragraphs 10 and 11 to take account of those points, his group would be in favour of the draft decision.
208. *Speaking on behalf of GRULAC*, a Government representative of Mexico concurred with the representative of IMEC in respect of paragraph 11. With that reservation, he supported the draft decision.

209. *Speaking on behalf of the Africa group*, a Government representative of Kenya emphasized the importance of timely agreement on the list of cases to be considered by the CAS. A preliminary list should be available no less than 30 days before the opening of the Conference and the final list should be agreed by the Worker and Employer spokespersons on the Friday before the opening of the Conference. Her group was in favour of extending interpretation services at regional group meetings.
210. *The Chairperson* proposed that the word “wide” in paragraph 3, as well as the fourth indented subparagraph in paragraph 10 and the final sentence in paragraph 11 of the report, should be deleted.

Decision

211. *The Governing Body:*

- (a) *decided to propose to the Conference that it implement the proposed arrangements contained in document GB.326/WP/GBC/1(Rev.) for the International Labour Conference in June 2016;*
- (b) *requested the Office to prepare for the 328th Session (November 2016) of the Governing Body an analysis of the session of the International Labour Conference in June 2016, which would allow the Governing Body to draw lessons from that experience and take the appropriate decisions as regards the arrangements for future sessions of the International Labour Conference;*
- (c) *requested the Office to undertake a comprehensive review of the Standing Orders of the Conference with a view to submitting to the 328th Session (November 2016) draft amendments to the Standing Orders to the International Labour Conference;*
- (d) *requested the Office to prepare for the 328th Session (November 2016) a background document on the conduct of the Regional Conferences (or Meetings) to enable the Working Party to commence its review of the functioning and role of the Regional Meetings, as agreed by the Governing Body in June 2011.*

(GB.326/INS/13, paragraph 18.)

Fourteenth item on the agenda

Report of the Working Party on the Social Dimension of Globalization

(GB.326/INS/14(Rev.) and
GB.326/INS/14/Add.(Rev.))

212. *The Chairperson* introduced the report and its addendum which contained a proposal for a tripartite technical meeting on the integration of refugees and other forcibly displaced persons in the labour market. She explained that a full summary record of the meeting held on Monday, 21 March 2016, would be published on the ILO website.

- 213.** *The Worker and the Employer spokespersons* said that they approved the draft decision.
- 214.** *Speaking on behalf of the Africa group*, a Government representative of Ghana said that the growing refugee crisis was assuming alarming proportions and was having traumatic effects on refugees and forcibly displaced persons, especially women, children, the elderly, the sick and the vulnerable. The massive influx of refugees and displaced persons was having severe repercussions on receiving countries' labour markets, especially in Africa. His group therefore called on the ILO to work closely with other stakeholders to help resettle refugees and displaced persons in Africa and to provide training and employment support for them. It further called on the ILO to support entrepreneurship and establish education schemes for refugees. His group appreciated the role played by the ILO in helping to stem the flow of refugees and its active participation in forums on the refugee crisis and urged it to continue its role in facilitating peacebuilding, reconciliation and conflict resolution. It also called on the ILO to undertake more activities in post-conflict situations. The ILO should take the leading role in matters related to labour market impacts and the promotion of decent work.
- 215.** He proposed that paragraph 7 of document GB.326/INS/14(Add.) should be amended to read:

“The Director-General proposes the following agenda for the meeting:

- Prepare guidance with regard to the design of guiding principles for policy measures concerning the contribution of the ILO to address the issue of refugees and other forcibly displaced persons. This guidance would be based on an analysis by the Office of related principles contained in international labour standards and universal human rights instruments, as well as good practices implemented in the field. It would also be based on international cooperation and mechanisms of sharing the burden of host countries and host communities, including through expedited pathways for admission in third countries and facilitating sustainable voluntary repatriation and reintegration.
- Recommend ways to disseminate and give practical effect to such ILO guidance, including to inform national and multilateral responses and forums.”

He further proposed that paragraph 10 should be amended to read:

“The Governing Body approves the above agenda, composition and arrangements for a tripartite technical meeting about addressing the issue of refugees and other forcibly displaced persons which transpired at the 326th Session of the Governing Body.”

- 216.** *Speaking on behalf of IMEC*, a Government representative of Canada said that he regretted that the proposal to hold a tripartite technical meeting on the integration of refugees and other forcibly displaced persons had been circulated only shortly before the meeting. However, given the topicality of the issue, his group supported the draft decision.
- 217.** *Speaking on behalf of ASPAG*, a Government representative of India asked how the tripartite meeting would be funded.
- 218.** *Speaking on behalf of GRULAC*, a Government representative of Mexico said that his group supported the original version of the draft decision.
- 219.** *A Government representative of Jordan* said that his delegation wished its statement on the issue to be reflected in the report. The issue raised in paragraph 13 was exceptionally important for his Government. Policies not drawn up in close agreement with the countries directly affected had a low chance of success. Employment of refugees should not be at the expense of the national labour force; any solution found should not create bigger problems

for the national authorities. He disagreed with the change introduced to the title of the addendum to the report, which shifted the focus from “addressing the labour market impacts of refugees” to “the integration of refugees”. When the subject had first been placed on the table, his Government had asked whether a decision would be taken on the discussions and the answer had been negative. While his delegation had no problem with the ILO formulating a clear policy on its role in the matter, there are red lines that must be carefully observed to avoid creating further problems.

- 220.** *A Government representative of India* agreed that the title of the report should be maintained in the addendum, and added that paragraph 7 of the addendum should take into account the 1951 Convention relating to the Status of Refugees.
- 221.** *A representative of the Director-General* (Deputy Director-General, Management and Reform) , in reply to the representative of India, said that there were mechanisms to obtain funding for decisions made at the Governing Body that had not been anticipated in the programme and budget, as well as regular monitoring. Paragraph 8 detailed the costs of the proposed meeting and paragraph 9 indicated that those could be met by postponing, not cancelling, a previously approved meeting. He reassured the Jordanian delegation that the document under discussion was merely a brief oral report by the Chairperson, and that a full report of all interventions would be included in the minutes.
- 222.** *A representative of the Director-General* (Director, Conditions of Work and Equality Department (WORKQUALITY)) said that the term “integration” had been used in the title of the proposed meeting since, during the discussions, delegates had highlighted the importance of obtaining guiding principles on how to integrate refugees and forcibly displaced people while remaining mindful of the interests and needs of the host population. The concerns expressed by the Jordanian representative were taken fully into account.
- 223.** *The Chairperson*, in response to the representative of Jordan, suggested adding the words “The employment of refugees should not be at the expense of the local labour force” to document GB.326/INS/14, after the second sentence of paragraph 13.
- 224.** *A Government representative of Jordan* said that that addition was acceptable in principle, once the proper terminology was agreed. However, the issue of the changed title of the addendum was more important. While he respected the explanation provided by the Office, the change reflected a departure from the ILO’s role, which was to address the labour market impact of refugees and other forcibly displaced people.
- 225.** *The Chairperson* said that a new sentence could be agreed and inserted into paragraph 13 and invited the Governing Body to respond to the proposed amendments.
- 226.** *The Worker spokesperson* said that changing the title was not a simple task and therefore the draft decision in the addendum should be maintained.
- 227.** *The Employer spokesperson* concurred that the draft decision should not be amended.
- 228.** *A Government representative of the United States* said that he supported the draft decision in the addendum. While he took the point made by the Africa group, it broadened the area of discussion to areas beyond the ILO’s purview. The focus should remain on the labour aspects identified in the original draft decision.
- 229.** *A Government representative of France* expressed support for the proposal in the addendum, as it addressed both the labour market impact and integration.

230. *A Government representative of Germany* agreed that the draft decision should remain as it stood. The agenda of the technical meeting should concentrate on action that the ILO could take on the issue, and guidance from the Organization was needed.
231. *A Government representative of Jordan* said that, although it was indeed difficult to change the title of the addendum, it had already been changed without apparent reason and could be changed back.
232. *The Worker spokesperson* said he wished to clarify that, while guidance could be provided on labour market integration, labour market impacts involved statistics and figures. In that context, he was satisfied with the current title.
233. *The Director-General* said that the added value and contributions from the ILO should focus on labour market impacts and remain strictly within its mandate. The proposal should thus remain the same. The purpose of the proposed meeting was to develop principles of action for the ILO, not simply to reconsider the impact of the situation on the world of work. That had been the reason why the word “integration” had been used. The purpose of the proposed meeting was to assist governments and member States in finding the right pathways of access for refugees and displaced persons to labour markets, not to fully integrate all people in their territory into labour markets or to push countries beyond what was realistic or proper to expect of them.
234. *A Government representative of Ghana* said that the word “integration” needed to be further qualified in the decision point in order to allay the fears of countries with distressed labour markets.
235. *A Government representative of Sudan* supported the statement of Ghana on behalf of the Africa group and the remarks of Jordan, which complied with the ILO’s mandate.
236. *A Government representative of India* said that the 1951 Refugee Convention and its additional protocols identified burden-sharing as the most important principle in addressing the impacts of refugees. It might be more useful to refer to burden-sharing than to integration, which placed the responsibility on host governments. The word “addressing”, used in the title of the Chairperson’s oral report, was broad enough to encompass all kinds of solutions, including integration and the provision of guidance.
237. *A Government representative of Jordan* proposed adding the words “while safeguarding the interests of the national labour force” to the end of the draft decision.
238. *The Chairperson* proposed amending the draft decision to read “The Governing Body approves the above agenda, composition and arrangements for a tripartite technical meeting on the access of refugees and other forcibly displaced persons to the labour market”. Furthermore, she proposed amending the heading of the addendum to read “Proposal for a tripartite technical meeting on the access of refugees and other forcibly displaced persons to the labour market” and, accordingly, replacing the word “integration” with the word “access” in paragraph 7.
239. *The Government representatives of India, Ghana, Jordan and Sudan* expressed their support for the proposed amendments.

Decision

240. *The Governing Body approved the holding of a tripartite technical meeting on the access of refugees and other forcibly displaced persons to the labour market, as*

well as its composition, agenda and financial and other arrangements as set out in document GB.326/INS/14/Add.(Rev.).

(GB.326/INS/14/Add.(Rev.), paragraph 10, as amended.)

Fifteenth item on the agenda

Report of the Director-General

(GB.326/INS/15(Rev.2))

Part I. Obituaries

Decision

241. *The Governing Body invited the Director-General to convey its condolences to the Government of the Russian Federation and to the family of Mr Yuriy Lyublin; to the Chairperson of the Histadrut and to the family of Mr Yousef Kara; to the Associated Labor Union of the Philippines, to the Trade Union Congress of the Philippines and to the family of Mr Democrito Mendoza.*

(GB.326/INS/15(Rev.2), paragraphs 4, 8 and 13.)

Parts II, III, IV and V of the Report

Decision

242. *The Governing Body took note of the information presented in document GB.326/INS/15(Rev.2) concerning the membership of the Organization; progress in international labour legislation; internal administration; and publications and documents.*

(GB.326/INS/15(Rev.2), paragraphs 14–35.)

First Supplementary Report: Appointment of the Director of the International Training Centre of the ILO, Turin

(GB.326/INS/15/1)

Decision

243. *The Governing Body noted that the Director-General, after having duly consulted the Officers of the Governing Body, had appointed Mr Yanguo Liu Director of the International Training Centre of the ILO, Turin, at the Assistant Director-General level. Mr Liu made and signed the prescribed declaration of loyalty as provided under article 1.4(b) of the ILO Staff Regulations.*

(GB.326/INS/15/1, paragraph 4.)

Second Supplementary Report: Appointment of a Regional Director (GB.326/INS/15/2)

Decision

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

(GB.326/INS/15/2, paragraph 4.)

Third Supplementary Report: International Decade for People of African Descent (2015–24) (GB.326/INS/15/3)

245. *The Employer spokesperson said that the ILO could contribute to the International Decade for People of African Descent by combating discrimination, particularly through the promotion of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). It should also work with the tripartite constituents to address inequality of access to education and vocational training, endemic unemployment, over-representation in low-skilled and informal jobs, and low representation in top management and in leadership positions in workers' and employers' organizations. To address structural discrimination, States were invited to repeal any laws and policies which might be discriminatory, and combat discrimination and marginalization in labour market policies and institutions. He expressed support for the proposed ILO action concerning strengthening dialogue, promoting fundamental principles and rights at work, collecting reliable data, building capacity, promoting the transition from the informal to the formal economy and supporting the rural economy. It should also promote entrepreneurship and SMEs, and should seek strategic alliances with other UN agencies.*
246. *The Worker spokesperson said that the Durban Programme of Action constituted a solid basis for the development of practical measures to combat racism against people of African descent in the world of work. Her group would have appreciated further proposals on ILO action to tackle the institutional impediments to racial equality in the labour market, especially to address each of the obstacles it mentioned in paragraph 3 of the Office document. Impact assessments of affirmative action measures would be useful. Synergies should be forged with the constituents in the context of the Decent Work Country Programmes to develop time-bound measures that would have a real impact. The ILO should promote the right to free, public and quality education for all to achieve equal opportunities and empower disadvantaged communities. Social dialogue should be initiated between businesses and international trade unions to promote the participation of people of African descent in the workforce and decision-making bodies; the MNE Declaration could be a useful reference. The ILO should also prioritize strengthening trade unions' capacity to bargain collectively to improve access to vocational training and eliminate labour segregation. The Organization should engage with development banks and similar institutions to ensure that they involved local communities in choosing economic development plans to best meet their needs and that they prioritized employment creation and decent work for disadvantaged communities. As part of its international alliances, the ILO should advocate for specific measures at all levels to attain the objectives of the*

Programme of Action. It could also publish a biennial statistical report on changes in the labour market concerning persons of African descent, which could be linked to the SDGs and used throughout the UN system. Specific and urgent action was also required from ILO member States to achieve progress. Her group supported the draft decision.

- 247.** *Speaking on behalf of the Africa group*, a Government representative of Kenya urged all stakeholders to take measures to implement the Programme of Action. She called upon United Nations agencies to act against the historical injustices, in line with their mandates and budgets, and within the framework of the African Union's Agenda 2063. Technical support was necessary for data collection to inform policy-making for people of African descent. Marginalization and exclusion of people of African descent were deeply rooted in societies, including labour market institutions and policies. She urged the ILO to continue to promote full and productive employment and decent work to address discrimination, including the multiple discrimination faced by women in particular, and overcoming stereotypes. Action under outcome 8 of the ILO programme and budget, on protecting workers from unacceptable forms of work, should specifically address the situation of people of African descent, as should the cross-cutting policy work on gender equality and non-discrimination. The ILO could also contribute to the programme of activities through its Decent Work Country Programmes. Furthermore, international partnerships and multi-stakeholder discussions were vital for the achievement of the objectives of the Programme of Action. As recognized in the Declaration of the Global African Diaspora Summit in Johannesburg, South Africa in 2012, sustainable partnerships between Africa and the African diaspora were needed, and South-South cooperation should form a framework for development and pan-African solidarity. Her group supported the draft decision.
- 248.** *Speaking on behalf of GRULAC*, a Government representative of Mexico noted that international and regional policies for people of African descent should be implemented to ensure full legal equality and eliminate material impediments to inclusion in the world of work. He welcomed the ILO's focus on data collection to gain a clearer picture of the scale of racial discrimination in the labour market and, in turn, to eliminate stereotypes, empower young people and strengthen social dialogue. His group welcomed the proposed ILO action outlined in the document, especially capacity building on equality and ethnic diversity. It was also important to study in depth how people of African descent could best be protected in the workplace with a view to attaining decent work for all, in line with SDG 8. The Regional Meeting for Latin America and the Caribbean on the International Decade, held in Brasilia in December 2015, had supported UN efforts and indicated new approaches in that regard. His group supported the draft decision.
- 249.** *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, Serbia and Georgia. He said that all EU Member States had ratified Convention No. 111, and called on any ILO Members who had not done so to ratify. EU legislation specifically targeted discrimination on the grounds of racial or ethnic origin and established a general framework for equal treatment in employment. More targeted measures had also been taken to promote diversity and non-discrimination in the workplace, through financial support to NGOs and Member States, awareness-raising projects and specific publications. It was also supporting voluntary company initiatives, such as diversity charters. His group fully supported the programme of activities undertaken under the UN framework to combat racism, racial discrimination and xenophobia. Implementation of the wide range of ILO standards on equality and non-discrimination would contribute significantly to the International Decade. The Office should pay particular attention to the gender dimension in its activities. He supported the draft decision.
- 250.** *A Government representative of Brazil* reiterated her country's commitment to the International Decade, and noted that Brazil had tabled a 2015 resolution of the UN Human

Rights Council on the incompatibility between democracy and racism. The Regional Meeting for Latin America and the Caribbean on the International Decade in Brasilia had resulted in the adoption of a declaration reaffirming the commitment of the States to fully implement the Durban Declaration and Programme of Action and promote human rights of people of African descent, including through affirmative action. Racism was treated as a crime in Brazil, and progress was being made through public policies and affirmative action programmes. Nevertheless, the phenomenon was difficult to eradicate. Focusing on boys' and girls' education was essential to current and long-term goals. Racial discrimination was a significant obstacle to the attainment of the SDGs, and her country stood ready to work with the ILO on effective policies to promote equal opportunity and social inclusion of people of African descent around the world. Brazil supported the draft decision.

- 251.** *A Government representative of Trinidad and Tobago* recommended that the many success stories of people of African descent and their positive contributions to the labour market should be taken into account in the development of the programme for ILO action and the promotion of best practices. A modern approach to sustainable development and inclusion must focus on the implementation of multidimensional and multipronged strategies to emphasize the positive, not just the problems.
- 252.** *A Government representative of Cuba* expressed his support for the actions being developed by the ILO under the Durban Declaration and Programme of Action, and for the Action Plan adopted by the Community of Latin American and Caribbean States at its third summit in 2015. His country was immensely proud of its African heritage. He supported the draft decision.

Decision

- 253.** *The Governing Body recalled the importance of promoting equality of opportunities as well as eliminating all forms of discrimination, as enshrined in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), in particular with respect to people of African descent, and requested that the Office, within its available resources, implement activities aligned with the steps to be taken by the international community and international and regional organizations to attain the objectives of the International Decade throughout this and the forthcoming programme and budget periods.*

(GB.326/INS/15/3, paragraph 23.)

Fourth Supplementary Report: Documents submitted for information only (GB.326/INS/15/4)

- 254.** *The Employer spokesperson* asked whether, in view of its importance, the report of the CEACR should be discussed, rather than merely noted, by the Governing Body in the future.
- 255.** *The Worker spokesperson* agreed that the question should be considered at a later date, bearing in mind that the report was discussed at the Conference.

Outcome

- 256.** *The Governing Body took note of the information contained in the documents listed in the appendix to document GB.326/INS/15/4.*

(GB.326/INS/15/4, paragraph 4.)

Fifth Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by the Government of Chile of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the First Inter-Enterprise Trade Union of Mapuche Bakers of Santiago
(GB.326/INS/15/5)

(The Governing Body considered this report in a private sitting.)

Decision

257. In light of the conclusions concerning the issues raised in the representation contained in the report in document GB.326/INS/15/5, the Governing Body:

- (a) approved the report;*
- (b) invited the Government to provide the Committee of Experts on the Application of Conventions and Recommendations with information on the issues addressed in the report and in the Committee's conclusions so that the Committee of Experts could examine that information at its 87th Session (November–December 2016);*
- (c) made the report publicly available and closed the representation procedure.*

(GB.326/INS/15/5, paragraph 203.)

Sixth Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by Chile of the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), made under article 24 of the ILO Constitution by the College of Teachers of Chile AG
(GB.326/INS/15/6)

(The Governing Body considered this report in a private sitting.)

Decision

258. In the light of the conclusions contained in the report in document GB.326/INS/15/6, the Governing Body:

- (a) *approved the report;*
- (b) *requested the Government, in the light of paragraphs 50, 55, 59, 64 and 67 of the report, to take the necessary steps to ensure the full application of the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187);*
- (c) *entrusted the Committee of Experts on the Application of Conventions and Recommendations with following up the matters raised in the report with respect to the application of Convention No. 187;*
- (d) *made the report publicly available and closed the procedure initiated by the representation made by the College of Teachers of Chile AG alleging non-observance by Chile of Convention No. 187.*

(GB.326/INS/15/6, paragraph 68.)

Seventh Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by the United Arab Emirates of the Forced Labour Convention, 1930 (No. 29), made under article 24 of the ILO Constitution by the International Trade Union Confederation (ITUC)
(GB.326/INS/15/7)

(The Governing Body considered this report in a private sitting.)

Decision

259. *In light of the conclusions set out in paragraphs 34–55 of the report contained in document GB.326/INS/15/7 concerning the issues raised in the representation, the Governing Body:*

- (a) *approved the report;*
- (b) *welcomed the recent measures taken by the Government as a significant step towards the protection of migrant workers and encouraged the Government to continue to take proactive action in this regard;*
- (c) *requested the Government, in order to ensure that migrant workers enjoyed the protection provided for in the Convention, to take into account the action requested in paragraphs 37, 39, 40, 41, 46, 47, 48, 49, 53 and 54 of the report;*
- (d) *invited the Government to communicate information in the report it would submit by virtue of article 22 of the ILO Constitution on the measures taken to give effect to the recommendations of the Committee;*
- (e) *invited the Government to continue to avail itself to any technical assistance of the International Labour Office on this matter;*

- (f) *made the report publicly available and closed the procedure initiated by the representation.*

(GB.326/INS/15/7, paragraph 56.)

Eighth Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by France of the Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106), made under article 24 of the ILO Constitution by the Federation of Salaried Employees and Managerial Staff of the General Confederation of Labour–Force Ouvrière
(GB.326/INS/15/8)

(The Governing Body considered this report in a private sitting.)

Decision

260. *In the light of the conclusions contained in paragraphs 42–60 in the report contained in document GB.326/INS/15/8, the Governing Body:*

- (a) *approved the report;*
- (b) *requested the Government to take account of the observations made in paragraphs 47, 48, 51, 54, 55 and 60 of the report;*
- (c) *requested the Government to submit a report to the Committee of Experts on the Application of Conventions and Recommendations for examination within the regular reporting cycle;*
- (d) *published the report and declared the representation procedure closed.*

(GB.326/INS/15/8, paragraph 61.)

Sixteenth item on the agenda

Reports of the Officers of the Governing Body

First report: Action to be taken regarding the appointment of the Director-General
(GB.326/INS/16/1)

261. *The Employer spokesperson and the Worker spokesperson supported the draft decision.*

Decision

262. *On the recommendation of its Officers, the Governing Body adopted the following timetable for the appointment of the Director-General:*

- *326th Session of the Governing Body (March 2016): The Governing Body to approve the election timetable.*
- *18 April 2016: The Chairperson of the Governing Body to call for candidatures.*
- *15 July 2016: Last date for the reception of candidatures.*
- *328th Session of the Governing Body (October–November 2016):*
 - *31 October 2016: The Governing Body to conduct candidate(s) hearings*
 - *7 November 2016: The Governing Body to conduct the ballot for the election of the Director-General.*
- *1 October 2017: New term of office of the Director-General to commence.*

(GB.326/INS/16/1, paragraph 7.)

Second report: Arrangements for the 10th European Regional Meeting (GB.326/INS/16/2)

263. *The Employer spokesperson and the Worker spokesperson supported the draft decision.*

Decision

264. *The Governing Body, on the recommendation of its Officers, approved the proposed agenda and the arrangements for the 10th European Regional Meeting, as described in document GB.326/INS/16/2.*

(GB.326/INS/16/2, paragraph 8.)

Third report: Representation alleging non-observance by Colombia of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), 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 Confederation of Workers of Colombia (CTC) (GB.326/INS/16/3)

(The Governing Body considered this report in a private sitting.)

Decision

265. *On the recommendation of its Officers, the Governing Body decided that the representation was not receivable.*

(GB.326/INS/16/3, paragraph 5.)

Fourth report: Representation alleging non-observance by Colombia of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the ILO Constitution by the General Confederation of Labour (CGT) (GB.326/INS/16/4)

(The Governing Body considered this report in a private sitting.)

Decision

266. *On the recommendation of its Officers, the Governing Body decided that the representation was not receivable.*

(GB.326/INS/16/4, paragraph 5.)

Fifth report: Representation alleging non-observance by Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Sweden and Spain of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), made under article 24 of the ILO Constitution by Solidarity, Independence, Democracy
(GB.326/INS/16/5)

(The Governing Body considered this report in a private sitting.)

Decision

267. On the recommendation of its Officers, the Governing Body decided that the representation was not receivable.

(GB.326/INS/16/5, paragraph 5.)

Sixth report: Representation alleging non-observance by Thailand of the Forced Labour Convention, 1930 (No. 29), made under article 24 of the ILO Constitution by the International Trade Union Confederation (ITUC) and the International Transport Workers' Federation (ITF)
(GB.326/INS/16/6)

(The Governing Body considered this report in a private sitting.)

Decision

268. 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.326/INS/16/6, paragraph 5.)

Seventh report: Representation alleging non-observance by Croatia of the Maintenance of Migrants' Pension Rights Convention, 1935 (No. 48), made under article 24 of the ILO Constitution by the Association of Trade Unions of Pensioners of Serbia (USPS) (GB.326/INS/16/7)

(The Governing Body considered this report in a private sitting.)

Decision

269. *In the light of the information presented in the report contained in document GB.326/INS/16/7, 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.326/INS/16/7, paragraph 9.)

Seventeenth item on the agenda

Composition and agenda of standing bodies and meetings (GB.326/INS/17)

Decisions

Meeting of Experts to Adopt Policy Guidelines for the Promotion of Sustainable Rural Livelihoods Targeting the Agro-food Sectors (Geneva, 26–30 September 2016)

Invitation of international non-governmental organizations

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

- *Sustainable Trade Initiative (IDH);*
- *International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF);*
- *Oxfam;*
- *World Banana Forum (WBF).*

(GB.326/INS/17, paragraph 4.)

Meeting of Experts on Violence against Women
and Men in the World of Work
(Geneva, 3–6 October 2016)

Agenda

271. *The Governing Body, on the recommendation of its Officers, approved the following agenda for the Meeting of Experts:*

- *review existing understandings of what is considered to be violence in the world of work, related trends, forms and incidence;*
- *examine the gender dimensions of violence in the world of work;*
- *review the impact of violence in the world of work on workers and enterprises, including on workers' well-being and productivity, and firms' performance;*
- *identify groups of workers, enterprises, sectors and occupations more at risk of being subjected to violence;*
- *review responses to prevent and address violence in the world of work in national and international laws and regulations, collective agreements and enterprise policies; and*
- *provide, on the basis of the above, guidance for the standard-setting item on violence against women and men in the world of work that has been placed on the agenda of the International Labour Conference in June 2018. Guidance could include identifying forms of violence warranting priority consideration and responses thereto.*

(GB.326/INS/17, paragraph 8.)

Invitation of international non-governmental organizations

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

- *Building and Wood Workers' International (BWI);*
- *Education International (EI);*
- *European Agency for Safety and Health at Work (EUOSHA);*
- *International Federation of Journalists (IFJ);*
- *IndustriALL Global Union;*
- *International Transport Workers' Federation (ITF);*
- *International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association (IUF);*
- *Promundo;*

- *Public Services International (PSI)*;
- *Women in Informal Employment: Globalizing and Organizing (WIEGO)*;
- *Union Network International (UNI)*.

(GB.326/INS/17, paragraph 11.)

Global Dialogue Forum on the Challenges and Opportunities
of Teleworking for Workers and Employers in the ICTs
and Financial Services Sectors
(Geneva, 24–26 October 2016)

Invitation of international non-governmental organizations

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

- *International Confederation of Private Employment Agencies (CIETT)*;
- *UNI Global Union (UNI)*.

(GB.326/INS/17, paragraph 15.)

Meeting of Experts to Adopt a Revised Code of Practice
on Safety and Health in Ports
(Geneva, 21–30 November 2016)

Invitation of international non-governmental organizations

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

- *Federation of European Private Port Operators (FEPOR)*;
- *International Cargo Handling Coordination Association (ICHCA)*
- *ISP Technical Panel*;
- *International Association of Ports and Harbors (IAPH)*;
- *International Transport Workers' Federation (ITF)*;
- *International Shipping Federation (ISF)*;
- *World Shipping Council (WSC)*.

(GB.326/INS/17, paragraph 19.)

16th Asia–Pacific Regional Meeting
(Bali, Indonesia, 6–9 December 2016)

Invitation of international non-governmental organizations

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

- *Arab Trade Union Confederation (ATUC);*
- *ASEAN Confederation of Employers (ACE);*
- *ASEAN Trade Unions Council;*
- *Building and Wood Workers' International (BWI);*
- *Confederation of Asia–Pacific Employers (CAPE);*
- *Disabled Peoples' International (DPI);*
- *Education International (EI);*
- *General Confederation of Trade Unions (GCTU);*
- *General Union of Chambers of Commerce, Industry and Agriculture for Arab Countries (GUCCIAAC);*
- *IndustriALL Global Union;*
- *International Federation of Journalists (IFJ);*
- *Institution of Occupational Safety and Health (IOSH);*
- *International Council of Nurses (ICN);*
- *International Social Security Association (ISSA);*
- *International Transport Workers' Federation (ITF);*
- *International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association (IUF);*
- *International Young Christian Workers (IYCW);*
- *Inter-Parliamentary Union (IPU);*
- *Public Services International (PSI);*
- *South Asian Regional Trade Union Council (SARTUC);*

- *South Pacific and Oceanic Council of Trade Unions (SPOCTU)*;
- *Trade Union Advisory Committee to the Organisation for Economic Co-operation and Development (TUAC–OECD)*;
- *UNI Global Union (UNI)*.

(GB.326/INS/17, paragraph 24.)

- 276.** *Speaking on behalf of the Africa group*, a Government representative of Sudan welcomed the invitation of the listed organizations to attend the International Labour Conference and Meetings of Experts as observers, taking into account the need to ensure the relevance of their mandates to the respective agendas.
- 277.** *Speaking on behalf of GRULAC*, a Government representative of Mexico requested that the United Nations Economic Commission for Latin America (ECLAC) should be invited as an observer to the 105th Session of the International Labour Conference, as matters of great relevance to the region would be discussed.
- 278.** *The Worker spokesperson* said that his group could support the request although due procedure within the Governing Body had not been followed, and he requested organizations to follow the correct procedure in the future.
- 279.** *The Employer spokesperson* concurred with the Worker spokesperson.
- 280.** *Speaking on behalf of GRULAC*, a Government representative of Mexico said that the procedural requirements had been duly noted and thanked the social partners for their flexibility in extending the invitation to the International Labour Conference to ECLAC.

Other business

- 281.** *The Chairperson and members of the Governing Body* offered their heartfelt sympathy and solidarity to the people and Government of Belgium, following the terrorist attacks in Brussels in the morning of 22 March 2016.
- 282.** *The Worker spokesperson* said that he wished to draw the attention of the Governing Body to the suspicious disappearance and death of Mr Giulio Regeni, a 28-year-old Italian PhD student, who had apparently been tortured. He had been researching social development in Cairo, focusing on freedom of expression, freedom of association, workers' rights and working conditions in the country. National and international media had pointed to the Egyptian security forces as the perpetrators in that and other similar cases. He called on the Government of Egypt to immediately open an independent inquiry to identify and prosecute the perpetrators and masterminds of the crime. He expressed his group's condolences to Mr Regeni's family, colleagues, friends and to the Italian people.
- 283.** Furthermore, it had been reported that the Egyptian Ministry of Labour had systematically attacked independent trade union organizations. In its Review No. 6 of 2016, the Civil Status Authority had prohibited the recognition of independent trade union organizations in the country's official organs, preventing trade unions from producing or publishing any official documents bearing their seal. It had also prohibited trade unions from bargaining and exposed their leaders to the risk of unfair dismissal, arrest and imprisonment. The decision was in blatant violation of 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), and violated article 76 of the 2014 Egyptian Constitution. He

requested the Director-General to remind the Government of Egypt of the obligations it had accepted by ratifying the aforementioned Conventions, to urge the Government to repeal the decision to ban independent organizations, and to encourage it to create conditions conducive to inclusive social dialogue involving all social partners.

- 284.** *A Government representative of Italy* joined the Workers' group in paying tribute to the memory of Mr Regeni, and in calling for a full investigation of the case to bring the perpetrators to justice.
- 285.** *Speaking on behalf of Austria, Belgium, Bulgaria, Denmark, Finland, France, Germany, Lithuania, Netherlands, Poland, Spain and Sweden,* a Government representative of Germany expressed his deepest sympathies to Mr Regeni's family and called for a full investigation into the case.

Policy Development Section

Employment and Social Protection Segment

First item on the agenda

Outcome 1: More and better jobs for inclusive growth and improved youth employment prospects (GB.326/POL/1)

- 286.** *The Employer spokesperson* noted that the Employers had always been strong advocates of job creation and had been supportive of both areas of critical importance (ACIs) 1 and 2, which had now become outcome 1. The document had much to commend it. However, the Employers had some comments. A more balanced interpretation of the situation in the global economy would have been preferable, as economic forecasts predicted improvement in some countries. Furthermore, for outcome 1 to be successful, both cyclical and structural rigidities should be addressed, including labour market rigidities. The proposed programme of work had many positive features, including consideration of public–private partnerships. While the document acknowledged the key role of the private sector in job creation, the strategy did not sufficiently take account of that basic driver of employment. Governments should provide an enabling framework to give employers the confidence to hire and invest in the ongoing employability of young people.
- 287.** The Employers had expected more work under indicator 5 on labour market institutions, particularly on active labour market policies, through a comprehensive approach that included labour market and social protection policies. The work on enterprise development under outcome 4 should be in close synergy with outcome 1, in view of the key role of the private sector in job creation and growth, and entrepreneurship. The ILO should continue that work as part of the solution to combat youth unemployment. While a lot of thought had gone into developing the action plan, it was crucial to incorporate lessons learned from past experiences; to complete fewer actions well; and to ensure that activities such as capacity building were driven by constituents and their particular needs and circumstances.
- 288.** While industrial and sectoral policies were key to achieving structural transformation in an economy, enterprises often based their investment choices on market data rather than government preferences. Best practices should focus on how governments create conditions to enable enterprises to operate competitively and productively, rather than on influencing business decisions on investment. A holistic view should be taken on the progress of technology in all enterprises to better evaluate its impact on employment and skills. A more ambitious agenda on skills was needed, particularly in the context of the Future of Work Centenary Initiative. Outcome 1 could also contribute to that initiative, by considering demographic challenges and the changing nature of employment. More work was needed to explore new forms of working arrangements, not just non-standard forms of employment. A tripartite meeting of experts on regulatory gaps and possible new standards on non-standard forms of employment was not needed, as the Standards Review Mechanism (SRM) would address the issue. The Employers supported the draft decision, on the understanding that their views would be taken into account.
- 289.** *The Worker spokesperson* congratulated the Office on its impressive work under outcome 1, which reflected discussions held at the International Labour Conference in 2014 and 2012. Nevertheless, it was important to address unemployment, including youth unemployment,

in a more committed and comprehensive way, and to take into account labour market impacts due to technological developments and other changes, including the refugee crisis and the resultant labour market challenges.

- 290.** The comprehensive framework on employment policy adopted in 2014 appeared to have been implemented differently in different countries and in a selective manner; yet the strength and logic of the framework was that its various elements reinforced each other and multiplied results when applied comprehensively. Renewed efforts were needed to implement the entire framework, together with specific measures to combat youth unemployment. The ILO should participate in the debate on the future of work and digitalization, defined as the fourth industrial revolution, ensure the quality of jobs and conduct the relevant research and a more proactive approach should be taken regarding work on the future of work.
- 291.** The shift in emphasis to macroeconomic policies and the quality of work was welcome. However, more action was needed to revive economic growth and demand side measures. The Office should strengthen the work to promote the ratification of the Employment Policy Convention, 1964 (No. 122), and its implementation. The Workers' group supported the proposed tripartite meeting of experts on regulatory gaps and the need for a new standard on non-standard forms of work. The guide on rights for young people was appreciated. Furthermore, investment efforts should address the social economy and cooperatives. The quality aspects of the new toolkit on quality apprenticeships were important, and trade unions and collective bargaining had a key role to play in regulating apprenticeships. However, developing an international framework for quality internships was not a priority for the Workers' group. Greater attention and more policy work was needed on the increased involvement and capacity building of workers' organizations including in the definition of skill systems, transitions from school to work and lifelong learning. More attention for VET was important. Access to business development support should be corruption free.
- 292.** Tripartism was important when dealing with employment challenges in fragile states, and its role in such contexts should be addressed at the start of all relevant initiatives. A special focus was required on youth and their participation. The use of macroeconomic tools to create new jobs should be a key priority. Macroeconomic policies should be implemented through the provision of policy advice and technical assistance, with the active participation of the social partners. The requisite expertise was currently insufficient in the field, and she asked whether the ILO would have enough capacity to provide such assistance.
- 293.** Industrial policies were crucial for achieving structural transformation in all countries. However, a stronger focus was required on developing a framework and tools on industrial policies. Assistance and policy advice to ILO Members for the design of industrial policies at the national level should feature prominently in the work programme.
- 294.** Work regarding indicator 5 on labour market institutions was very much welcomed and this excellent work should be stepped up. Within the work already conducted on wages, the ILO should initiate action on living wages.
- 295.** She requested that ACTRAV and the secretariat of the Workers' group be kept informed on the collaboration with the International Confederation of Private Employment Agencies and wanted to know whether the research on job insecurity and its social and economic implications had been done. Research was needed on the new use of digital platforms and the resultant forms of insecure employment, and on how workers could access their fundamental rights.
- 296.** In its collaboration with other agencies, the ILO should ensure that the Decent Work Agenda and the concept of tripartism are used, respected and promoted, as well as used, accepted

and enshrined in collaborative work, and should capitalize on the momentum created with the 2030 Agenda for Sustainable Development by sharing its knowledge and experience. Governments should prioritize the establishment of a fund related to the Paris Agreement of COP21 and include a strong link to employment creation and work on a just transition. As the 2014 Conference conclusions included the establishment of a full voluntary peer review mechanism on employment policies, the modalities for that mechanism should be developed and presented to the Governing Body in November 2016. The Workers supported the draft decision.

- 297.** *Speaking on behalf of the Africa group*, a Government representative of Lesotho stressed that youth unemployment remained a major challenge and the Office should implement specific and focused interventions to promote youth employment. Social partners should take advantage of ILO support and report on the progress achieved under the five indicators. Extensive capacity building, technical assistance for developing policy frameworks, knowledge sharing and financial assistance should be prioritized. Emphasis must be placed on the implementation and monitoring of outcome 1 within the 2016–17 biennium. He urged member States to ratify Convention No. 122, and asked the Office to provide countries with technical assistance for its implementation.
- 298.** Given the current crisis, more countries should receive technical support for the development of industrial, sectoral, trade, skills, infrastructure, investment and environment policies. Moreover, technical support efforts should be well coordinated and consolidated to yield better results. The focus on skills policies and systems at the country level was welcome. The ILO should consider making the rotating regional courses on employment policies permanent courses to increase the number of beneficiaries. Regional youth employment initiatives should continue to be strengthened. He endorsed the draft decision.
- 299.** *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, Montenegro, Serbia, Albania, Norway, Republic of Moldova and Georgia. The ILO's contributions on the issues of better jobs for inclusive growth and youth employment were important. The policies of the EU and its Member States largely matched the five thematic areas identified in the report, and they stood ready to share information on the work and best practices.
- 300.** Sustained investment in quality education and training and skills alignment was crucial, and apprenticeship systems helped to integrate young people into the labour market. Social investment could prevent poverty and social exclusion and strengthen employment prospects. Joint programmes and a One UN approach would help to tackle future challenges, in line with the 2030 Agenda for Sustainable Development. The reference to the implementation of the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), was welcome, as was the attention to small and medium-sized enterprises (SMEs) in relation to decent and productive employment creation. The EU had adopted a “think small first” approach, especially with regard to adopting new legislation taking into account effects on SMEs. Furthermore, the discussion at the Conference in 2016 on good practices in global supply chains would benefit work under outcome 1. Cooperation with other UN bodies regarding capturing the opportunities of international trade should include the United Nations Conference on Trade and Development (UNCTAD).
- 301.** Given the need to address fragility in countries through employment, more information was requested on the ILO's flagship programme on Jobs for Peace and Resilience. Increased coherence among international initiatives, particularly in the context of the Sustainable Development Goals (SDGs), was crucial. The global initiative on decent jobs for youth launched in February 2016; the strong cooperation with the private sector on youth

employment, and the ILO's substantial inputs to the G20 Employment Working Group were particularly welcome. Further consideration should be given under outcome 1 to the challenges of the future of work. The EU stood ready to engage with the Office on outcome 1.

- 302.** *Speaking on behalf of BRICS*, a Government representative of India noted that skills development, new technologies and social protection constituted the pillars of inclusive and job-rich growth. Providing more and better job opportunities for youth and other vulnerable groups required national employment policies that included relevant programmes and concerted efforts to impart appropriate skills. Exchange of information on labour and employment was also a priority.
- 303.** The ILO should promote the concepts of decent work and inclusive development as part of economic growth. Challenges to inclusive growth and sustainable development should be tackled through encouraging domestic industry, including SMEs, attracting large-scale global investment, addressing wage distortions and promoting labour mobility. The ILO should promote domestic and international labour mobility to enable people to access the best global opportunities.
- 304.** ILO technical support had enriched the policy discourse in the BRICS countries. In turn, working on issues in those countries would provide the ILO with an opportunity to realign policy tools to emerging economic and labour market needs. The acknowledgement by the Director-General that, in the face of changing employment scenarios, ILO efforts should not be constrained by rigid understanding was welcome. The group supported the draft decision.
- 305.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran said that enterprise development and private investment should be key components in comprehensive employment frameworks. Labour market information systems and capacity building to produce reliable statistics were vital in monitoring the effectiveness of strategies and programmes. Information was needed on effective interventions to improve the quantity and quality of jobs for young people. The ILO should develop methodologies on mitigating skills mismatches, in collaboration with pertinent international organizations. The Office should consider action to assist member States in helping young people who were neither in employment, nor in education or training. The ILO's repositories of information on young people and employment were helpful and should be continuously updated. Research findings on macroeconomic policies should be consolidated into practical tools and policy briefs.
- 306.** The Office should devise specific plans to support disaster-affected countries, with the aim of integrating productive employment into recovery and prevention strategies. Concerning jobs and skills for youth, the Office should take stock of all international initiatives and assess their implications. The countries selected under outcome 1 should be those most directly impacted to obtain realistic findings.
- 307.** *Speaking on behalf of GRULAC*, a Government representative of Mexico welcomed the ILO's work under outcome 1, but would have appreciated more information on activities and results achieved in countries. He supported the incorporation of research into practical tools to promote informed policy dialogue, including on the role of monetary and fiscal policies in fostering structural transformation.
- 308.** GRULAC supported the proposal to identify initiatives that had been effective in promoting youth employment. The ILO should continue to take a leadership role in the adoption of measures to combat the youth unemployment crisis. Technical support for countries developing policies and programmes on decent jobs and skills for young people was welcome. It was necessary to work with ministries of education and enterprises to match skills to labour market demands. Quality internships were important in facilitating entry into

the labour market, but they must not become the norm for young people instead of employment. Measures taken to ensure young people's transition to the formal economy and the focus on disadvantaged youth were welcome. Lastly, it was important that the work carried out under outcome 1 was linked to target 8.b of the 2030 Agenda for Sustainable Development.

- 309.** *A Government representative of Ethiopia* commended the Office's efforts to implement the strategy and the inclusion of 35 African countries in the target countries for the five indicators. Africa would benefit from tailor-made strategies, since, in the past, high growth had not generated job-rich inclusive growth. He commended the innovative strategies envisaged under outcome 1, and noted that it was time to reset the policy agenda and establish an inclusive strategy that generated employment and sustainable growth and addressed young people's needs. Additional information should be provided on the Office's planned programmes and strategies to create more and better jobs in accordance with the Paris Agreement. He supported the draft decision.
- 310.** *A Government representative of France* expressed support for the strategy, in particular efforts on inclusive and proactive growth based on employment. That approach, which prioritized employment services for vulnerable groups, would permit real cooperation with other actors and boost the impact of future actions. The Office should continue collating good practices, which would contribute to the implementation of relevant strategies in each country. He shared the Office's view on the responses to the challenges of a changing world of work, namely: improving labour market functioning; ensuring adequate social protection; and strengthening education, training and social dialogue. Achieving results under outcome 1 was linked to the recognition of basic labour rights. Recalling France's commitment to various ILO technical cooperation projects, he concluded that a global policy approach was required.
- 311.** *A Government representative of China* said that outcome 1 was particularly important in the current global context and would assist member States in restoring economic growth and ensuring sustainable development. China had implemented robust employment policies. Young people in China faced high employment prospects due to steady economic growth, economic structural reform, proactive employment policies and improved employment services. Challenges remained, however, and supply-side reform implied laying off workers. China appreciated the ILO's technical assistance. His country would continue to share good practices and hoped to exchange lessons learned with other member States. He looked forward to receiving further support from the ILO during the Chinese presidency of the G20.
- 312.** *A Government representative of the United States* encouraged the Office to continue efforts to identify and replicate best practices to improve labour markets globally. She emphasized the importance of the ILO's knowledge strategy and research, and welcomed its expanded partnerships with international and regional organizations in areas where it could leverage its expertise. Given the multidimensional challenges of youth employment, she valued the synergies of the planned activities with the other relevant outcomes. She supported the approach related to upgrading and recognizing skills; gender mainstreaming; the follow-up to Recommendation No. 204; and the work on non-standard forms of employment. She encouraged the Office to produce the report and guide mentioned in paragraph 57 to facilitate consideration of a tripartite experts' meeting to review possible regulatory gaps and the need for new standards on non-standard forms of employment. She supported the draft decision.
- 313.** *A Government representative of Argentina* highlighted employment as a key instrument to create and enhance social cohesion. In 2008, Argentina launched a youth employment programme through integrated actions, in which over 800,000 young people had participated to date, just over half of them women. Under the programme, training and youth employment units were established at the municipal level and priority given to knowledge production;

programme participants were twice as likely to obtain formal work as non-participants. The programme would focus on green job skills and the care sector to meet real market demands. Argentina supported the draft decision.

- 314.** *A Government representative of Mexico* noted the focus on demographic shifts and climate change under outcome 1. He awaited further details on the 16 Latin American countries selected for the five indicators, and on the rotating regional course. Public employment policies were a priority in Mexico. He therefore welcomed the inclusion of lessons learned in the previous biennium from ACI 1 and ACI 2. He welcomed the research on the effects of demographic developments and the dissemination of experience regarding inclusion of vulnerable groups in employment policies. It was vital to promote productivity growth through skills training for young people to match labour market needs, and *Key Elements of Quality Apprenticeships*, an outcome document adopted by the G20 in 2012, should be taken into account in the implementation of the strategy under indicator 2. All stakeholders needed to be involved in order to facilitate the school-to-work transition and to promote a system of internships in line with labour market needs which guaranteed rights, facilitated social security, ensured equal access for all and encouraged participation of women, youth and disabled people. The ILO's support for the G20 was appreciated. Mexico supported the draft decision.
- 315.** *A Government representative of the Russian Federation* highlighted measures taken by his Government to boost youth employment, which included the provision of psychological support and career guidance to young people, particularly those with disabilities. A range of activities were being undertaken to improve the national vocational qualifications system and ensure the independent evaluation of qualifications. He thanked the Director-General and the Employment Policy Department for the assistance provided to his country, which looked forward to continuous work with the ILO to develop vocational standards and testing for qualifications.
- 316.** *A Government representative of Indonesia* explained that his country was establishing policy frameworks to provide better platforms for youth employment. Youth entrepreneurship and apprenticeship had been promoted through the national vocational training centre. Other policies had been introduced to boost job creation. Indonesia had been cooperating with the ILO on the Decent Work Country Programme (DWCP) and stood ready to continue that work. It supported the draft decision.
- 317.** *A Government representative of India* appreciated the comprehensive approach of the strategy and urged the Office to cooperate closely with governments in the revision of national employment policy frameworks. The ILO should strengthen social partners' capacities to ensure that social dialogue processes took full account of current labour and employment issues. Moreover, the International Training Centre of the ILO should conduct training programmes at the regional and subregional levels, involving the V.V. Giri National Labour Institute. Labour mobility should be promoted. India looked forward to research which would provide a substantial basis for informed decision-making.
- 318.** *A Government representative of Bangladesh* noted that low skill levels among unemployed youth limited their access to the labour market and pushed them into poor working conditions. The Office's initiatives would only be effective if national contexts and local priorities were taken into account and skills matched with demand. The Office should focus on integrating vulnerable groups into productive employment. Demographic trends and climate change hindered labour mobility and access to employment, and such challenges required specific interventions. Needs-based resource allocation was crucial to the effectiveness of ILO operations under outcome 1. Bangladesh supported the draft decision.

- 319.** *A Government representative of Japan* said that a law had recently been enacted in Japan to promote youth employment and improve prospects for young people through vocational and skills training. Japan supported the draft decision.
- 320.** *A Government representative of Italy* noted that the work of the ILO remained essential to supporting countries and promoting decent work for inclusive growth. In Italy, government reforms had led to an increase in employment, and permanent contracts and stable jobs were increasingly common. Despite a reduction in business incentives in 2015, young people were still being hired, which was a sign of economic recovery.
- 321.** *A representative of the World Bank* said that the employment agenda was a top priority for the World Bank, which worked daily with client countries to determine how to generate more and better quality jobs, including for the most disadvantaged groups. The introduction of policies to encourage the development of information and communication technologies might boost employment opportunities, including for women, by providing access to jobs unavailable locally. The World Bank's partnership with the Rockefeller Foundation sought to catalyze new, sustainable employment opportunities and skills training for youth in Africa. There was consensus that anyone who wanted a job should be able to find one and that everyone, no matter what their job, should have access to the same benefits and to working conditions consistent with human dignity.
- 322.** *A representative of the Director-General* (Director, Employment Policy Department) thanked the Governing Body members for the broad endorsement of the five proposed thematic areas under outcome 1 and for the recognition of the Office's action in implementation of the 2012 call for action on youth employment and the 2014 Conference conclusions on employment. Due note had been taken of guidance on areas to which emphasis should be given.
- 323.** Regarding the number of countries receiving ILO support and selection criteria, she was pleased to report that 134 country results were identified for that biennium under outcome 1, across the five indicators; half of them in Africa. Countries had been selected in view of the priorities set in DWCPs, direct requests to the Office and assessments of the relevance of the measures in question and the sustainability of their results. Some 30 countries had requested assistance with devising comprehensive policy frameworks and 38 had sought help with youth employment programmes. The scope of the ILO's response, however, would have to take account of the availability of technical staff and financial resources. She thanked governments which supported the technical cooperation portfolio of the ILO in those areas, enabling expanded action that often extended over one biennium. She underscored that it was the Office's standard practice to customize frameworks and guidelines to the needs and circumstances of each country.
- 324.** Regarding the suggestion from the Workers' group that the Office's proposed action plan seemed to be selective in implementing different elements of the comprehensive policy framework in different countries, she explained that, in fact, all 14 elements of the comprehensive policy frameworks identified in the 2014 Conference conclusions were embedded in the diagnostics methodology used for national employment policy development processes and when facilitating informed tripartite policy dialogue. Following which, governments and social partners decided on priority elements and the policy combination at the country level. Many country results reflected extremely wide-ranging policies. The three elements singled out in the document – namely: enabling environments for sustainable enterprises; wage policy and collective bargaining; and green jobs – were for developing innovative strategies to link them more strongly in the work on comprehensive employment policy frameworks. Work on the comprehensive employment policy frameworks did in fact support the effective implementation of Convention No. 122, and the Office would continue to actively promote its ratification in more countries during the

biennium. The Office had already published a thematic, user-friendly guide to young people's rights at work, and was finalizing another guide that provided a systematic review of international labour standards and young people's rights. A widely used mobile application on the subject was also available. Macroeconomic expertise in the field had been increased through recruitment of new employment specialists, and all regional offices currently had macroeconomic capacity. Regarding the employment policy peer review mechanism, the Office stood ready to submit a proposal to the tripartite screening group for consideration at forthcoming Governing Body sessions. Experimental peer review mechanisms at the regional level were generating much interest. Regarding the refugee crisis, work under outcome 1 focused on support to livelihoods and jobs and technical assistance for labour market integration. She recalled that the follow-up action plan of the 2014 Conference spanned until 2020. Research was under way on the various streams of job insecurity and a report providing a holistic overview could be produced in the following biennium.

- 325.** She assured the Employers that the Office was building as many synergies as possible in the context of outcomes 1 and 4, and that policy interactions of labour market policies and employment were assessed. With respect to the skills agenda, a major project on skills mismatches was planned, engaging United Nations agencies, academic bodies and tripartite constituents to provide a holistic perspective on jobs and skills mismatches and identifying policy tools.
- 326.** In response to several comments from the Employers, Workers and Governments regarding work under outcome 1 and the Future of Work Initiative, she said that the findings of that study as well as other streams of work would contribute and feed into the initiative. The Office was also deeply involved in the follow-up to the Paris Agreement on Climate Change, including with a focus on the implications for jobs, skills and a just transition framework.
- 327.** In response to the Government group, she underscored that additional information on the Global Initiative on Decent Jobs for Youth would be provided in due course. The Office already cooperated with the United Nations Conference on Trade and Development and the World Trade Organization on trade and employment issues. The Office was aligning its strategies with regional initiatives and strategies, such as the examples given by the Africa group. Work under outcome 1 contributed to the forthcoming discussion on global supply chains. The Office was fully committed to continuing its partnership with, and support to, the BRICS countries and the G20.
- 328.** *The Employer spokesperson* said that many of the ideas on increasing youth employment would require monetary and fiscal investment, infrastructure investment, innovative public policy and bravery. The “think small first” approach was a wonderful idea; if public policy worked for small businesses it would inevitably work for large ones. He noted that the issue of living wages was controversial. His group agreed with the Workers on the importance of effective social protection floors and endorsed the holistic approach of viewing youth employment through both an unemployment and a social protection lens. Macroeconomic reform must be geared to ensuring that investment occurred and skills policies were fit for purpose. Comprehensive policy frameworks had to be unique and be country owned.
- 329.** *The Worker spokesperson* urged the Office to put the peer review mechanism paper on the agenda of the screening group's next meeting and said that the option of multi-country peer review could be envisaged. The response concerning Convention No. 122 was welcome. The “think small first” approach was not the best way to increase the number of quality jobs, which tended to be found in larger firms. It was generally hard for employees in small firms to protect their right to collective bargaining or freedom of association or to assert other internationally recognized rights.

Decision

- 330.** *The Governing Body requested the Director-General to take account of its guidance in further implementing the strategy for outcome 1 of the Programme and Budget for 2016–17 on “More and better jobs for inclusive growth and improved youth employment prospects”.*

(GB.326/POL/1, paragraph 65.)

Second item on the agenda

Outcome 9: Promoting fair and effective labour migration policies

(GB.326/POL/2)

- 331.** *The Employer spokesperson expressed appreciation for the Director-General’s efforts to give new impetus and visibility to migration issues, notably his recent chairing of the Global Migration Group. The 2030 Agenda for Sustainable Development recognized the positive contribution of migrants for inclusive growth and sustainable development and the major relevance of international migration for the development of countries of origin, transit and destination, which required coherent and comprehensive responses. The conclusions adopted by the 2013 Tripartite Technical Meeting on Labour Migration had provided an important roadmap for the ILO’s work on the issue. The strategic approach and areas of intervention outlined in the paper were broadly based on the four areas identified by the Technical Meeting, but too much emphasis was placed on a rights-based approach. Employers supported the protection of migrant workers’ rights but sought a balanced approach that maximized the opportunities afforded by migration, both for migrants themselves and for countries of origin and destination, while minimizing the associated risks. The ILO had often focused more on problems associated with migration rather than on migrants’ positive contribution in filling skills gaps in destination countries. For that reason, the Office should ensure that the Labour Migration Branch coordinated closely with the Skills and Employability Branch. Advancing coherence between employment and labour market policies should, as proposed, form an integral part of the strategic approach. To address the brain drain, legal and orderly migration must be facilitated through skills recognition and accreditation. Efforts to ensure integration into destination countries’ labour markets were vital.*
- 332.** Recognizing that intra-EU mobility would not fill the skills gap in member countries, the EU had signed mobility partnership agreements with European Neighbourhood Policy countries such as Armenia, Azerbaijan, Georgia, Jordan, Republic of Moldova, Morocco and Tunisia. The ILO could play an important role in guiding countries wishing to sign such agreements. ILO standards for migrant workers should be updated to make them relevant to current migration realities. The proposed tripartite meeting of experts could be guided by the many existing initiatives on fair recruitment: for instance, the International Organisation of Employers (IOE) was collaborating with the International Organization for Migration (IOM) on the development of the International Recruitment Integrity System (IRIS). Establishment of an outcome implementation and monitoring team in the Office was welcome. With the participation of ACT/EMP and ACTRAV, and particularly the Employment Policy Department, it could ensure a more balanced ILO approach to migration. The Employers’ group endorsed points (a) and (b) of the draft decision, pending clarification on point (c) – the Office should indicate whether the funding required for the proposed tripartite meeting of experts was in fact available.

333. *The Worker spokesperson* welcomed outcome 9 in light of the importance of migration worldwide and said that the refugee crisis heightened the need to swiftly address employment and migrant workers' rights. The focus on the four selected areas of intervention was welcome. Regarding protection of migrant workers' rights, the Office's work to promote the ratification and effective implementation of the international labour standards related to labour migration, and particularly its provision of legal and policy assistance, was important. The Office should also help tripartite constituents in countries that had indicated the existence of barriers to ratification in the General Survey. Several trade unions in various regions had committed themselves to campaigns for the ratification of Conventions applicable to migrant workers, and the Workers' group would be happy to work with the relevant labour ministries and employers to promote rapid ratification and effective implementation. Such campaigns should also focus on the development of national migration policies aimed at protecting migrant workers, in particular women migrants.
334. The Workers' group strongly supported the proposal for a tripartite meeting of experts to adopt guidelines on fair recruitment. It was particularly important for the ILO to develop such consolidated tripartite guidance as soon as possible, in view of the various initiatives on fair recruitment that were under way but which did not involve all ILO constituents. Recruitment guidelines clearly fell under the ILO's mandate, and should be based on ILO values and international labour standards. Her group also strongly supported the work on recruitment in migration corridors, social protection, specific sectors and vulnerable migrant workers. The ILO needed to ensure equal treatment of migrant workers in terms of wages, social protection and coverage by collective agreements. Equal access to social protection was vital and recent developments in Europe, weakening this principle, were reason for concern.
335. Coherence between employment and labour migration policies at national, regional and international levels was important; the proposed exercise to examine and map good practices in policy integration was welcome. Migration must be integrated into a comprehensive policy framework on employment, and the impact of new trade agreements on migration needed to be assessed. Skills development and recognition were essential for effective labour market integration of migrant workers, refugees and forcibly displaced people. The development of guidance on skills recognition and piloting in key migration corridors was welcome. The causes of involuntary migration should be addressed, and the Office's plans to work on two fronts in that area in 2016–17 were therefore welcome.
336. Highlighting the importance of reliable, gender disaggregated and timely data for ensuring sustainable responses to labour migration flows, the Workers' group supported the proposed work on statistics and the research to be conducted, including with the Development Centre of the OECD. Social dialogue and multilateral cooperation were key to the establishment of fair labour migration policies, and the ILO's development of guidance and tools for tripartite dialogue in relation to labour migration governance was thus welcome. The Office should continue to promote its rights-based approach to labour migration and to emphasize the benefits of tripartite dialogue in national, regional and global forums.
337. Areas of work that the Workers' group would like to see prioritized were: protection of migrant workers' rights, in particular the promotion of the migration Conventions and the development of tripartite guidelines on fair recruitment; protection of vulnerable migrants; establishment of social dialogue mechanisms for migration policy development and the protection of migrant workers' rights, including as part of bilateral, regional and multilateral cooperation agreements; and increased coherence between employment and migration policies, with a focus on social dialogue. The Office, and particularly its Labour Migration Branch, should act on the recommendations that had emerged from the discussion on the labour market impacts of refugees and other forcibly displaced people at the High-level Section during the current Session. She supported the draft decision, emphasizing that the

proposed meeting of experts should result in a set of ILO guidelines on fair recruitment, as set out in paragraph 9 of the appendix to the paper.

- 338.** *Speaking on behalf of the Africa group*, a Government representative of Lesotho while commending the proposed strategic approach of outcome 9, said that the implementation of international instruments was insufficient to address the decent work deficits that were conspicuous in the labour migration cycle. Migration was a labour market and decent work issue; its root causes needed to be addressed holistically through targeted economic development programmes. Coherence between employment and labour migration policies was important and the starting point should be to promote fair and effective labour migration policies. The need to harmonize country-level migration policies with regional and international standards should be underscored. Multilateral and bilateral agreements played a major role in migration governance, some of which applied specifically to the continent. Interregional policy dialogue, focused on youth and women's employment, skills development and social protection, was important to ensure achievement of the Decent Work Agenda. Enhanced labour migration statistics were needed as a matter of priority, in order to assess the implications of migration for labour markets. Social dialogue was indispensable to the labour migration process. The Office should build constituents' capacity in support of the ratification and implementation of international labour standards and the promotion of respect for migrant workers' rights. The development of ILO guidelines on fair recruitment was essential. He supported the draft decision, including the proposed convening of a tripartite meeting of experts, and the proposed means of financing the meeting.
- 339.** *Speaking on behalf of GRULAC*, a Government representative of Mexico highlighted the need to promote regular, secure and ordered migration flows that protected the human rights and dignity of migrants and their families. His group supported the four priority areas of intervention identified by the Office, considering that the same importance should be given to activities in each area. In determining priorities, particular attention should be paid to formal requests for technical assistance and to regional trends. The Office could seek orientation from the approaches being taken in his region, such as those agreed at the two most recent Inter-American Conferences of Ministers of Labour. It should furthermore continue its active participation in national, regional and global forums, such as the South American Conference on Migration. He expressed the hope that it would be possible to organize a regional tripartite meeting on labour migration in 2016–17. He supported the draft decision.
- 340.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran said that, in view of the particular impact of migration on his region's labour market, the Office should provide tailor-made assistance to enable member States to overcome challenges effectively. It was essential to advance the fair migration agenda, in order to achieve the proper implementation of the Sustainable Development Goals. A holistic approach should be adopted in providing assistance, with due consideration for specific national challenges, the magnitude of migration and its causes. Mainstreaming migration in employment, education and training and in development policies would be crucial in advancing the fair migration agenda. It was vital to develop a global knowledge base on areas for which there was a dearth of reliable data; in that regard, the new ILO global estimates on migrant workers and further work on that topic were welcome. In particular, the ILO goal of developing guidelines on fair recruitment (to be achieved at the proposed tripartite meeting of experts, which he supported) required the production and sharing of knowledge and good practices and the reinforcement of the institutional capacities of ILO constituents. The Labour Migration Academy courses offered at the International Training Centre of the ILO (Turin Centre) were essential in the latter regard. He supported the draft decision.
- 341.** *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Serbia,

Albania, Norway and Georgia aligned themselves with the statement. Noting that the ILO played a key role in labour migration and in ensuring the equal treatment of migrants at work, she expressed satisfaction with the active role of the Director-General in the UN Global Migration Group. Migration and mobility contributed to the achievement of many of the Millennium Development Goals and 2030 Agenda set important targets relating to migration. Given the growing challenge of abuses and fraudulent practices in the field of recruitment, a tripartite meeting of experts to develop guidance on fair recruitment was timely. The EU Global Approach to Migration and Mobility provided a comprehensive framework for external action on migration. While countries should engage in international dialogue and strengthen bilateral and regional labour migration management, success was also dependent on the effective engagement of the private sector, social partners, academic institutions, civil society, and migrants' and human rights organizations. The ILO should promote the swift ratification and implementation of the Protocol of 2014 to the Forced Labour Convention, 1930, and actively promote coordination, coherence and complementarity between all relevant agencies and regional organizations, as well as with the IOM and the Global Forum on Migration and Development. The ILO should also pursue its efforts to address the dearth of reliable labour migration statistics and to assist constituents in strengthening their capacities. A coordination team under outcome 9 was an essential means of achieving coherence, and the work of the Turin Centre should be harnessed to disseminate learning products and tools for the benefit of ILO constituents. More systematic and comparable work was needed to build up a sufficient knowledge base on the effects of migration. She supported the draft decision.

- 342.** *A Government representative of Ethiopia* said that improving the protection of migrants' rights and reducing the cost of migration required the development of a framework for well-regulated and fair migration and ethical recruitment processes focused on the protection of human rights. In the strategic approach adopted, the ILO should give priority to the four interventions in the first area, on the protection of migrant workers' rights. The ILO should continue developing partnerships with other relevant actors in the UN system, as the cornerstone to promoting fair and effective labour migration policies and the implementation of outcome 9. He supported the draft decision.
- 343.** *A Government representative of Bangladesh* said that longer tenure would contribute to reducing the cost of migration in relative terms; length of tenure should therefore be fixed in a rational manner, taking the costs and earnings of migrant workers into consideration. Sending and receiving countries should collaborate to simplify recruitment processes with a view to preventing abuses. Measures under outcome 9 should take into consideration national economic, political and social settings, strengthen institutional and monitoring capacities in countries of origin and destination, and ensure the protection of migrants. It was important to ensure coordination between origin and destination countries, and efforts should be made to develop internationally accepted tools for recognition of informal skills in key sectors such as construction. He supported the draft decision.
- 344.** *A Government representative of the Republic of Korea* said that, in view of the importance of establishing transparent and fair recruitment processes and increasing the self-sufficiency of migrant workers, the ILO should work to identify skill gaps and enhance the employability of migrant workers. The ILO could further strengthen its support for migrant workers in Asia and the Pacific by establishing a regional training centre to address areas of skill mismatch and increase employment opportunities. The highest priority of 2016–17 should be protecting the rights of migrant workers. She supported the draft decision.
- 345.** *A Government representative of Italy* said that social integration and labour market policies were to be implemented in a complementary framework, as the proper integration of migrants, including refugees, in the labour market could have a positive social and economic influence in host countries. Recent data in her country showed that migrants generated more

State revenue than expenditure. Legislation had recently been adopted in Italy to prevent fraudulent recruitment practices in the agricultural sector, and to designate 3 October as the national day in remembrance of victims of immigration. Achieving integration required a good understanding of migration and a culture of solidarity at all levels.

- 346.** *A Government representative of Bulgaria* said that his country was in the process of transposing EU directives relating to labour migration to its national legislation. Providing access to social rights for citizens from third countries was an important means of attracting foreign workers. Multilateral dialogue on labour migration management was being promoted; in that context, a ministerial conference would be held in Sofia in May 2016 to adopt a joint declaration including provisions on the quality of human resources, decent work, support for labour mobility, and the management of labour migration in south-eastern Europe.
- 347.** *A Government representative of Kenya* asked the Office to indicate whether assistance on the promotion of relevant labour standards would take the form of project work or technical advice. Experience had shown that, at a comparable cost, the impact of those approaches varied markedly. The Office should provide a more robust response on the promotion of ratification of the relevant standards, in line with the calls made at the 103rd Session (June 2014) of the ILC. Her Government remained open to any proposals that might arise from the general discussion on labour migration governance at the 106th Session (June 2017) of the ILC. Notwithstanding resource constraints, the list of countries identified as key migration countries and corridors should be reviewed and expanded to include others with similar or more deserving needs. The protection of migrant workers in situations of vulnerability in certain sectors, such as domestic work, notably through bilateral labour agreements and the regulation of recruitment agencies were areas of particular importance for her Government. She supported the draft decision.
- 348.** *A Government representative of the United States* welcomed the four proposed main policy areas of work under outcome 9. Building the ILO knowledge base on migration and labour markets was essential for the development of effective policy responses and coherence between employment and migration policies. The Office should therefore assist constituents with the establishment and building of their labour migration statistics capacities. She supported the proposed tripartite meeting of experts but would welcome information on the relationship between that effort and the IOM's IRIS. She requested further information on planned work to create fair recruitment corridors in selected sectors, and on how recruitment guidelines would be applied in countries where technical assistance had already begun. In view of the cross-cutting benefits of ILO guidance on skills recognition, would there be coordination between the Office's branches for Labour Migration and for Skills and Employability? She commended the ILO's efforts to leverage external partnerships and welcomed its research collaboration with the World Bank's Global Knowledge Partnership on Migration and Development and with the OECD on the economic contributions of migrants in low- and middle-income host countries. The ILO should continue to engage in national, regional and global forums such as the Global Migration Group and the Global Forum on Migration and Development. The Office should carefully assess the need for new good practice tools and guidance products. Further information would be appreciated regarding implementation and monitoring modalities, and about the role and functioning of a coordination team under outcome 9, in particular with respect to reporting and consulting on the allocation of resources and monitoring implementation. She supported the draft decision.
- 349.** *A Government representative of the United Arab Emirates* said that he supported holding a tripartite meeting of experts in September 2016 and hoped that the meeting would provide solutions and guidance for better recruitment practices. His Government had launched an initiative at the start of the year to ensure a transparent procedure for contractual labour

relations, whereby workers could view job offers, including contractual terms and conditions, in a language they understood. The terms and conditions had to be reviewed by the worker prior to entering the United Arab Emirates and, upon arrival, the worker signed the labour contract corresponding to that job offer. The initiative promoted the rights of both workers and employers. Recruitment and employment required integrated cooperation between countries of origin and destination. He expressed the hope that practices that embodied the integrated cooperation would be discussed and adopted at the meeting of experts.

- 350.** *A Government representative of the Russian Federation* said that the Russian Federation was one of the leading countries in terms of the volume of migrant workers welcomed onto the labour market. Migration was important for the country in terms of economic, social and demographic development. That was why it was essential to ensure that the social and labour rights of migrant workers were fully respected. The Russian Federation was seeking to update national labour legislation and ensure its proper application. A new section of the Labour Code had been introduced in 2014 to cover foreign workers. He outlined the steps taken by the Russian Federation to ensure social and labour rights for migrant workers and concluded by remarking that many of the issues under discussion had been or were being resolved through the legislation adopted in his country.
- 351.** *A Government representative of India* said that fair and effective labour migration policies included decent working conditions, fair wages, social security and skills recognition. Fair wages were essential to ensure a decent standard of living for migrant workers and mitigated distortions in the wage market in the country of destination. Recruitment practices had to be fair and transparent; information should be available in the public domain, and standard and cost-efficient mechanisms for acquiring the appropriate skills should be developed. A large number of migrant workers, including women, worked in the construction and domestic sectors in India. The measures taken by his Government included the extension of social security measures and health services, and the recognition of skills learned on the job. He supported the ILO's strategy for the promotion of labour standards for migrant workers. The ILO should define the components for fair and decent treatment of migrant workers, which could serve as a guideline for member countries. He welcomed the work done by the ILO country office in New Delhi.
- 352.** *A Government representative of Cuba* said he supported the draft decision. The Special Declaration of January 2016, a regional initiative, adopted at the Fourth Summit of Heads of State and Government of the Community of Latin American and Caribbean States, was in line with outcome 9. Highlighting that the Declaration underlined the importance that Latin American and Caribbean countries placed on migrant workers' contribution to a country's development and on international migration governance, he referred to a number of key points addressed in the Declaration. He also emphasized that the Heads of State and Government concerned had expressed their commitment to reviewing their respective national legal frameworks and adopting measures to address irregular migration flows.
- 353.** *A Government representative of Argentina* said that his country's Migration Act established the fundamental and inalienable right to migration based on the principles of equality and universality. The best way to prevent labour exploitation of migrant workers was to implement effective policies regulating labour and migration. Under Argentinian law, workers' rights were guaranteed irrespective of their migration status; migrant workers and their families were entitled to free access to public health and education services. Other measures had been taken in Argentina, notably the implementation of the National Programme for the Standardization of Immigration Documents to regularize the situation of migrants in Argentina. At the regional level, the principles of an agreement on residency for nationals of Common Market of the Southern Cone (MERCOSUR) member States had been

incorporated into the national migration laws of the countries in the region. He supported the draft decision.

- 354.** *A Government representative of Colombia* said that it was important to carry out a review of the repercussions on the labour market caused by the arrival of refugees and other forcibly displaced persons and to address the issue in the framework of the 2030 Agenda for Sustainable Development. To that end, it was essential to share knowledge and good practices and strengthen institutional capacities through the Turin Centre Labour Migration Academy. The promotion of fair recruitment, reduction of labour migration costs, access to social protection and expansion of coverage were priorities. He supported the development of policies that aimed to eradicate child labour and forced labour. The recognition of migrant workers' skills benefited the workers, their families and the country of destination. His country had been promoting the inclusion of migration as an item on the agenda of the Ibero-American Conference of Ministers for labour and social affairs, one focus of which would be on skills recognition, which would permit the access of young migrant workers in particular to the labour market under fair and orderly conditions. He supported the draft decision.
- 355.** *A Government representative of Indonesia* said that she supported the strategy for outcome 9. Migrant workers played an important role in the development of both origin and destination countries and fair and effective migration policies were therefore key. Indonesia continued to promote and protect the rights of migrant workers at the bilateral, regional and multilateral levels. The Government of Indonesia had supported the establishment of an ASEAN instrument for the protection of migrant workers, had ratified the International Convention on the Protection the Rights of All Migrant Workers and Members of their Families, and had been actively involved in international forums which promoted fair migration. Other measures taken by her Government to further improve the protection of Indonesian migrant workers abroad included the promotion of bilateral agreements on placement and protection of rights in the workplace, particularly in the domestic sector. The ILO's assistance in the field of labour migration and particularly on fair recruitment had been requested. She welcomed the draft decision.
- 356.** *A Government representative of Brazil* said that his Government had facilitated the regularization of undocumented migrants through periodic amnesty programmes. Migrants made a valuable contribution to Brazilian society. Migration flows between countries of origin, transit and destination were much more complex than they had been previously. In an increasingly interconnected world, human mobility should be at the centre of the international agenda. Migratory regulation should be one of the fundamental ways to ensure that migrants were drivers of development. He highlighted the special migration policy adopted by Brazil aimed at receiving Haitian nationals following the earthquake in 2010. He concluded that the establishment of safe, legal and adequate channels to meet the existing demand was fundamental to avoid people smuggling and trafficking and other violations of human rights.
- 357.** *A Government representative of China* said that labour mobility was an indispensable product of globalization. Labour migration created wealth and promoted social and economic growth in the country of destination. However, migrant workers often had low-income jobs with poor working conditions, which presented a significant challenge for labour markets and social stability. He supported the work the ILO planned for 2016–17 in the four main policy areas and the global fair recruitment initiative. The ILO was requested to not only provide technical assistance to countries of origin, but also to take into account the needs of the countries of destination. He asked the ILO to develop guidance on skills recognition and to mobilize resources to assist constituents in providing the necessary training programmes for migrant workers to improve their employability. He supported the ILO's capacity-

building activities relating to public employment services. The ILO was urged to strengthen its cooperation with the IOM, the UNHCR and other relevant organizations.

- 358.** *A representative of the Director-General* (Director, Conditions of Work and Equality Department (WORKQUALITY)) acknowledged the broad endorsement of the thrust of the four main policy areas and outcome 9 strategic approach. The Office welcomed the positive developments in migration policy that had taken place in a number of countries and regions, in particular the Declaration by the Organization of American States adopted recently by the Heads of States which identified labour migration as a key priority for the region. The Office took note of the guidance received from constituents on how priorities should be determined in view of the scarcity of resources. There seemed to be consensus on the need for the Office to take a balanced approach to labour migration which paid equal attention to the four areas outlined in the workplan and which gave priority to requests for assistance originating directly from constituents.
- 359.** The Office would continue to take a balanced approach to labour migration in an effort to reconcile the protection of the rights of migrant workers with the needs of the labour market. It would continue to work with the Employment Policy Department (EMPLOYMENT) to measure the impact of different skills recognition systems on migrant workers with a view to producing guidance on such systems for countries with specific needs in that regard, and to enhance coherence between employment and labour migration policies.
- 360.** While the wording of point (c) of the draft decision was perhaps unclear, sufficient funding was available to hold the tripartite meeting of experts, albeit from different sources. Responding to a question on how the Office dealt with requests for assistance in ratifying or implementing international labour standards, she said that Chapter 10 of the General Survey concerning the migrant workers instruments listed those countries that had expressed an interest in receiving such assistance from the Office. The Office gave priority to requests for assistance originating from governments. Concerning the implementation and monitoring of work carried out in the context of outcome 9, a multidisciplinary team comprising officials from headquarters and the field was reviewing previous requests for assistance and helping to put together a workplan based on new requests for assistance and the priorities outlined in the report. It was also responsible for identifying and addressing funding gaps. A system for monitoring the implementation of the outcome 9 workplan was also in place. Owing to the limited resources allocated to outcome 9, the Office would face challenges. There would certainly be a considerable gap between demand and available capacity. Already, 61 countries had requested assistance; of those, 26 target countries had been identified in which concrete results had to be achieved by the end of the biennium. In some regions, funding gaps were more apparent than in others.
- 361.** *A representative of the Director-General* (Chief, Labour Migration Branch (MIGRANT)) said that, while ILO standards would remain the primary reference point for preparing a tripartite meeting of experts and developing guidance on fair recruitment practices under the global fair recruitment initiative, the Office would also take into consideration other guidance principles, such as the UN Guiding Principles on Business and Human Rights. The Office was undertaking projects in several countries to determine how the practice of fair recruitment could be effectively realized and adequately monitored and was considering different types of monitoring tools that could be used for that purpose.
- 362.** Bilateral or multilateral cooperation was necessary to exercise adequate oversight over recruitment through migration corridors. The Office's work in that area was focused on building constituents' capacity to exercise governance over such corridors, particularly when migrants were known to be vulnerable in certain sectors. Furthermore, the Office would soon be hosting a workshop intended to improve trilateral cooperation among African, Asian and Arab States in respect of oversight of the recruitment of migrant domestic workers. The

participants in the tripartite meeting of experts on fair recruitment would decide on the approach to be taken to give practical effect to the recruitment guidelines. The Office would provide any guidance necessary prior to the meeting.

- 363.** *The Worker spokesperson* said that the Workers' group appreciated the strong governmental support for holding a tripartite meeting of experts on fair recruitment, as well as for including the concepts of equal treatment and workers' rights in the approach to be taken when addressing that issue. The concept of equal treatment should cover wages and collective bargaining.

Decision

364. The Governing Body:

- (a) requested the Director-General to take account of its guidance, in order to inform the implementation of outcome 9 of the Programme and Budget for 2016–17;*
- (b) agreed to holding in September 2016 a three-day tripartite meeting of experts to develop guidance on fair recruitment, which would report its conclusions to the Governing Body at its 328th Session (November 2016) and approved its proposed agenda and composition as set out in the appendix to document GB.326/POL/2;*
- (c) decided that US\$153,300, which was the current funding gap of the tripartite meeting of experts, be financed, in the first instance, from fundraising of extra-budgetary resources or failing that from savings that may arise under Part I of the budget for 2016–17 or, failing that, through the use of the provision for unforeseen expenditure, Part II. Should this not prove possible, the Director-General would propose alternative methods of financing at a later stage in the biennium.*

(GB.326/POL/2, paragraph 37.)

Third item on the agenda

Results achieved during the Director-General's tenure as Chairperson of the UNAIDS Committee of Cosponsoring Organizations (CCO) in 2015 (GB.326/POL/3)

- 365.** *The Worker spokesperson* said that the Director-General's tenure as Chairperson of the UNAIDS CCO in 2015 had served to enhance the visibility of the ILO's work within UNAIDS and had drawn attention to the revised ILO strategy to address HIV and AIDS in the world of work and to its efforts to promote the ratification of the HIV and AIDS Recommendation, 2010 (No. 200). Recalling that 2015 marked the end of the Millennium Development Goals (MDGs), particularly goal 6, the Workers' group welcomed the leading role played by the ILO in developing the new UNAIDS Strategy 2016–21 and, in particular, the inclusion of a target on discrimination in the workplace and specific references to social protection and to the role of ministries of labour and workers' and employers' organizations.

The group thanked the Office for having involved constituents in the consultations and was also pleased to note the inclusion of workplace-related outputs in UNAIDS' new Unified Budget, Results and Accountability Framework (UBRAF) for 2016–21. The ILO strategy on HIV and AIDS should strengthen linkages between HIV and AIDS and the other priority areas of the ILO's work, and further promote Recommendation No. 200. Such an integrated approach should follow the design of the 2030 Agenda for Sustainable Development.

- 366.** Challenges persisted in terms of AIDS response and workplace-related discrimination on grounds of real or perceived HIV status. The reduction in funding to co-sponsors for 2016 was a major cause for concern, and the Workers supported the establishment of the CCO working group to address this issue. While the ILO should seek to mobilize additional resources as a matter of urgency, it should also give priority to mainstreaming HIV and AIDS in other areas of its work, as well as in country offices and decent work teams. Moreover, it was important to ensure that the UBRAF outputs prioritized by the ILO corresponded to the priority areas of HIV and AIDS-related work identified in the Programme and Budget for 2016–17. He concluded with a call to involve the social partners in the preparations for the high-level meeting on HIV and AIDS to be held under the auspices of the United Nations in June 2016. The group supported the draft decision.
- 367.** *The Employer spokesperson* congratulated the Director-General for his successful tenure as Chairperson of the CCO and commended the ILO on its VCT@WORK initiative, which provided an effective response to the need to expand HIV testing, and was referenced in the resolution adopted by the United Nations Economic and Social Council (ECOSOC) in 2015. The group welcomed the leading role played by the ILO in developing the new UNAIDS Strategy 2016–21, which also underscored the need to fast-track the AIDS response to meet the targets set under SDG 3. The inclusion of specific references to HIV-related discrimination in the workplace, the role of ministries of labour and workers' and employers' organizations, social protection and the private sector in the new strategy were much appreciated. The group was also pleased to note that the Office had already identified specific areas of action where the ILO could scale up its contribution to the fast-track response to AIDS. Integration of HIV within the work of the ILO under the Programme and Budget 2016–17 was crucial. With the assistance of the Office's HIV/AIDS and the World of Work Branch (ILOAIDS), the Employers' group had organized an event on AIDS at the Social Partners' Summit on Employment in Africa in 2015; a similar event was to be held in Kenya in May 2016. However, the reduction of resources for the ILO to continue its work was a major cause for concern. While the Office worked to mobilize external resources to close the funding gap, it should mainstream HIV and AIDS-related work in the priority areas identified under the Programme and Budget for 2016–17 and strengthen the linkages between HIV and AIDS and the other areas of the ILO's work. The group supported the draft decision.
- 368.** *Speaking on behalf of the Africa group*, a Government representative of Lesotho commended the ILO on its role in guiding the efforts of UNAIDS towards achieving MDG 6 and the targets set out in the United Nations Political Declaration on HIV and AIDS, and in coordinating discussions on the resolution adopted by ECOSOC. However, despite the progress made at global level, many challenges remained in sub-Saharan Africa, and it was important to focus on countries that were still disproportionately affected by the epidemic. The group welcomed the adoption of the new UNAIDS Strategy 2016–21, which, thanks to the input provided by the ILO, now included a target addressing HIV-related discrimination in the workplace. The Office and constituents should mainstream HIV and AIDS in their work, including in proposals aimed at giving effect to the 2030 Agenda for Sustainable Development. He called on all stakeholders and development partners to continue to support the implementation of the African Union Roadmap on Shared Responsibility and Global Solidarity for AIDS, TB and Malaria Response in Africa. The diminishing funding for HIV and AIDS programmes was regrettable and could have serious implications for the gains

already made in the fight against the epidemic. The Office should mobilize resources to cover the shortfall and mainstream HIV and AIDS in the priority areas identified under the Programme and Budget for 2016–17. The group supported the draft decision.

- 369.** *Speaking on behalf of GRULAC*, a Government representative of Mexico said that the Director-General's tenure as Chairperson of the UNAIDS CCO had allowed the ILO to underscore the importance of offering a tripartite response to HIV and AIDS in the workplace. Recalling ILO Recommendation No. 200, he said that it was important not to overlook persons working in the informal economy, since access to decent work and, hence, to social protection systems, promoted the prevention and treatment of HIV infection. The group welcomed the inclusion of specific references to the role to be played by ministries of labour and workers' and employers' organizations in the new UNAIDS Strategy 2016–21. The governments of the GRULAC countries allocated the resources necessary to combat HIV and AIDS and to support persons living with the disease. However, a number of challenges persisted in the region as many people were not receiving treatment, and only a 3 per cent drop in new infections had been recorded between 2005 and 2013. Participants in the Second Latin American and Caribbean Forum on the HIV Continuum of Care, which had taken place in August 2015, had made commitments that were in keeping with the UNAIDS fast-track strategy to end the AIDS epidemic by 2030. The Office should continue its efforts to mobilize the funds necessary to pursue its HIV-related work among key populations in the region. The response to HIV and AIDS needed to be multi-sectoral in nature, tailored to the specific needs of countries and linked to the 2030 Agenda for Sustainable Development. The group supported the draft decision.
- 370.** *Speaking on behalf of IMEC*, a Government representative of France congratulated the Office on the crucial role that it had played in facilitating the process of reaching consensus on the new UNAIDS Strategy 2016–21. He noted with satisfaction that the Office had succeeded in promoting and giving effect to the general principles of Recommendation No. 200; that the new UNAIDS Strategy included a target that explicitly addressed HIV-related discrimination in the workplace; and that efforts were also being made in the areas of gender equality, access to information, treatment, care and support. The group supported the Office's proposals to scale up the formulation and implementation of policies and programmes to protect workers belonging to high-risk populations from discrimination and to promote the empowerment and participation of all workers, regardless of their sexual orientation or gender identity. It also supported the Agenda for Zero Discrimination in Health Care launched by UNAIDS and the Global Health Workforce Alliance. Noting the financial constraints facing UNAIDS, IMEC supported the establishment of the CCO working group to deal with this problem. He requested the Office to explain how it planned to make better use of existing resources in its HIV and AIDS-related activities. The ILO strategy to address HIV and AIDS outlined in paragraph 28 of the report should be integrated in all ILO programmes and policies. Addressing HIV and AIDS-related discrimination in the workplace should remain a priority for the Office in the years to come and he urged it to mainstream HIV and AIDS in its efforts to give effect to the 2030 Agenda for Sustainable Development. The group supported the draft decision.
- 371.** *A Government representative of Zimbabwe* recalled that Zimbabwe had chaired the UNAIDS Programme Coordinating Board (PCB) while the ILO Director-General had been chairing the CCO in 2015. He commended the Office on facilitating the participation of its country offices and constituents in the development of the new UNAIDS Strategy. The ECOSOC resolution was of particular importance at a time when HIV and AIDS were no longer viewed as a priority, particularly by some donor countries. He expressed the hope that the PCB field visit to Zimbabwe had allowed the Office to observe best practices that could be replicated by other countries. Strengthened coordination between governments, international organizations and cooperating partners through joint programmes could narrow the funding gaps that hindered HIV and AIDS programme implementations. The ILO should

fully integrate HIV and AIDS into all of its work. National tripartite partnerships and institutions must be strengthened in order to reach out to all sectors, including the informal economy, and to vulnerable groups. Zimbabwe supported the draft decision.

- 372.** *A Government representative of Brazil* said that the ILO could and should contribute to the global effort to end HIV and AIDS as a public health threat by 2030. He commended the Director-General on placing measures against stigma and discrimination, particularly in the workplace, at the heart of a fast-track response to HIV and AIDS in the UNAIDS Strategy 2016–21. Public health initiatives should be mainstreamed into government actions, taking account of the world of work and welcoming tripartite constituent input. His Government supported the 90-90-90 fast-track targets for treatment and believed that universal access to health services was underpinned by measures to foster social inclusion and combat poverty. The participants in the Second Latin American and Caribbean Forum on the HIV Continuum of Care had set new regional targets for 2020. The adoption of the 2030 Agenda for Sustainable Development made it more important than ever to ensure universal sexual and reproductive health and enjoyment of human rights within a comprehensive approach to health and development. HIV and AIDS should be embedded within the other policy areas of work of the ILO. Brazil supported the draft decision.
- 373.** *A Government representative of India* commended the ILO for mainstreaming the HIV and AIDS agenda into the world of work. The Office should encourage more proactive participation by the social partners in implementation of the new UNAIDS Strategy, and country offices should work with national governments and social partners to influence national policy. India had implemented a national policy on HIV and AIDS in the world of work, the ILO's "Getting to Zero at Work" campaign, a VCT@WORK initiative and a successful employer-led model of HIV and AIDS intervention. National HIV-sensitive social protection floors were the most critical of the six UBRAF outputs, and the ILO should capitalize on its presence in international forums to promote them. The funding gaps mentioned in paragraph 22 of the report might be addressed by expanding involvement with national tuberculosis programmes. The ILO was working with national partners in India to compile data on people with HIV/AIDS and should provide similar support to other countries. India supported the draft decision.
- 374.** *A representative of the Director-General (Director, ILOAIDS)* noted with satisfaction that, despite the wide variety of development priorities, all of the speakers had endorsed the ILO's role in combating the epidemic. The Director-General's tenure as Chairperson had allowed him to bring the ILO's vision of social dialogue to non-traditional forums such as the PCB, and his innovative invitation for other Board members to submit contributions to his report had been greatly appreciated. The new UNAIDS Strategy recognized the importance of the ILO's work and the role of its tripartite constituents, was aligned with the ILO Programme and Budget for 2016–17 and was based on human and labour rights, including those set out in ILO Recommendation No. 200 (2010). Various initiatives taken by the Office might be useful in addressing the budget constraints faced by all the co-sponsoring organizations. Mainstreaming HIV in existing programmes is something that the ILO should do systematically. The ILO constituents should be directly involved at country level in efforts to mobilize resources, including from the Global Fund. She noted that since 2013, countries allocated more domestic resources to HIV/AIDS than they received from donors. It would be useful to consider how these increasing resources could be channelled into programmes associated with the world of work. Her Department would work with ACTRAV and ACT/EMP to ensure that the social partners were involved in preparations for the High-Level Meeting of the United Nations General Assembly on HIV/AIDS, to be held in June 2016. She thanked the Secretariat of UNAIDS and the Governments of Zimbabwe and Switzerland which had held the chairmanship and the vice-chairmanship respectively, of the PCB in 2015, for their exemplary collaboration and support.

375. *The Worker spokesperson* welcomed the fact that the report referred to “HIV and AIDS” rather than “HIV/AIDS” and encouraged the Office to bear that distinction in mind in the future.
376. *The Employer spokesperson* said that her group recognized the challenge of raising resources for combating HIV and AIDS, particularly at the domestic level.

Decision

377. *The Governing Body:*

- (a) *noted with interest the Office’s report contained in document GB.326/POL/3 on the results achieved during the Director-General’s tenure as Chairperson of the Committee of Cosponsoring Organizations of the Joint United Nations Programme on HIV/AIDS in 2015; and*
- (b) *invited the Office to take into consideration the implications for follow-up and opportunities for the ILO and its constituents to integrate HIV and AIDS issues into their work, when drawing up proposals for future work of the Office aimed at implementing the 2030 Agenda for Sustainable Development, particularly goal 8.*

(GB.326/POL/3, paragraph 30.)

Social Dialogue Segment

Fourth item on the agenda

Follow-up to the recurrent discussion on social dialogue held at the 102nd Session of the International Labour Conference (2013) Implementation of the plan of action (GB.326/POL/4)

378. *The Employer spokesperson* congratulated the Office on the extensive activities and progress made in the implementation of the plan of action. He underlined that the social partners should be given a more prominent role in the Office’s activities aimed at mainstreaming social dialogue. Despite the fact that true social dialogue took place only between Governments and the most representative employers’ and workers’ organizations, or between social partners, it seemed from paragraph 19 that the latter had been sidelined. He stressed the importance of respecting the autonomy of the social partners and the role they played. The tripartite constituents supported the goals and objectives of the ILO but also needed to serve the interests of their own members. The group supported the draft decision.
379. *The Worker spokesperson* thanked the Office for the report and renewed the commitment of her group to social dialogue. She found that the report did not highlight sufficiently the many obstacles preventing social dialogue, in particular a lack of respect for freedom of association, from taking place or hampering the effectiveness of existing mechanisms. While taking note of the progress made by campaigns to promote the ratification of international labour standards, the group reiterated the need to achieve the universal ratification of all core

ILO conventions, especially Conventions Nos 87 and 98 on freedom of association and collective bargaining, which were the main drivers for decent work and pillars for social dialogue. With regard to building and sharing knowledge, the publication of different documents and tools on social dialogue and the creation of several databases would help the ILO to remain the leading authority on industrial relations. She underlined the strong interest of her group in research and in the expert meeting on cross-border social dialogue, which should be an essential part of the Office's follow-up to the Conference discussion on global supply chains.

- 380.** Despite the Office's efforts to build the institutional capacity of ILO constituents to engage in social dialogue, the social partners were still not sufficiently involved in the design of sectoral policies. Notwithstanding the Office's role in helping Greek constituents reach a consensus on a structural adjustment policy, the severity of the measures imposed by the Troika, especially those aimed at discouraging social dialogue, were problematic. She requested an update on the current situation with respect to social dialogue in Greece. The Office needed to offer a more robust response to austerity programmes imposed by financial institutions when they contravened fundamental rights or ran counter to ILO core values. Given that around 20 per cent of ILO member States had no national tripartite mechanism for social dialogue and that existing mechanisms did not always function effectively, a programme should be put in place to create new institutions and build the capacity of existing ones. Furthermore, regular meetings should be held to allow the leaders of such social dialogue institutions to exchange experiences and information. A critical analysis should be conducted to determine the real effectiveness of tripartite institutions, in addition to academies on social dialogue. Social dialogue and tripartism needed to be implemented at national, sectoral and local levels and serve as the starting point for the development of industrial relations.
- 381.** The Office's programme to build the capacity of ILO constituents should give due prominence to collective bargaining as an important form of social dialogue, especially at the sectoral level, as well as to extending collective agreements to cover workers in non-standard forms of employment. The Office needed to do more to promote collective bargaining at the national level, including through technical support to constituents. It should also pay more attention to collective bargaining and social dialogue involving MNEs. In view of the fact that the revision of labour legislation often led to less collective bargaining and poorer working conditions, the Office should provide increased support to trade union organizations so that workers were better prepared to deal with the challenges brought by such reforms.
- 382.** The ILO should also actively contribute to the efforts to achieve the 2030 Agenda for Sustainable Development, while ensuring tripartism at national and global levels. While the group welcomed the Office's contribution to the G20 Summit, it harboured some concerns over the social consequences that could follow interventions of global financial institutions. When entering into partnerships with multilateral organizations, the Office should ensure that the principles of decent work and tripartism were respected by all. The Office should build partnerships with the African Union's Labour and Social Affairs Commission.
- 383.** In the future, the Office should conduct more campaigns to raise awareness of the importance of social dialogue and to bring the findings of its research and the benefits of social dialogue for social and economic progress and stability to a wider audience. The progress made in promoting social dialogue should be regularly evaluated. The Office's efforts to develop the institutional capacity of ILO constituents must continue to be focused on the promotion of collective bargaining in particular sectoral bargaining and extension of collective agreements. Reinforcing national social dialogue mechanisms and addressing problems are urgently needed. The Workers' group attached great importance to social dialogue intended to guarantee migrants access to decent work, especially in the Arab States. Noting that the

promotion of gender equality in social dialogue remained a challenge for the Office, she requested it to take appropriate action to translate that principle into reality, especially in view of the current under-representation of women in tripartite social dialogue structures around the world. The group supported the draft decision.

- 384.** *Speaking on behalf of the Africa group*, a Government representative of Mali praised the strategy followed by the Office and the results achieved. She urged the Office to conduct further research on social dialogue, collective bargaining and labour disputes prevention and resolution, and to enhance its tools and databases with a view to bolstering the technical and advisory services that it provided to constituents while taking into account the needs of the different regions. In that connection, the Office should: disseminate those tools widely; encourage constituents to use the database on national social dialogue institutions; take steps to extend the practice of social dialogue to the information and communication technology sector, green jobs and the informal sector; build the capacity of ILO constituents to deal with the implications of labour legislation reforms through social dialogue; and build the capacity of national social dialogue institutions to ensure their active participation in policy-making. The group welcomed the Office's efforts to consolidate partnerships with external organizations and its contribution to the G20 Summit. It also encouraged the Office to maintain and strengthen the linkages between the plan of action, on the one hand, and programme and budget policy outcomes, on the other. The group commended the initiative taken by the Government of Algeria to fund a programme aimed at strengthening African countries' capacities with regard to social dialogue and tripartism. The group supported the draft decision.
- 385.** *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, Serbia, Norway, the Republic of Moldova and Georgia. The Member States of the EU were giving social dialogue renewed impetus, which should result in stronger involvement of social partners in EU policy-making and a greater role for social dialogue and social partners in national policies and reforms. Particular attention would be paid to building the capacity of national social partners. The EU welcomed the efforts outlined in paragraphs 8 and 9 of the report. The databases referred to in paragraph 12 would prove to be an invaluable source of information for policy-makers, legislators and the social partners alike. The ILO Future of Work Centenary Initiative would help establish the ILO as a centre of excellence in the area of social dialogue.
- 386.** He noted with satisfaction that, as a result of work done by the Office's technical advisory services, more than 20 countries had taken steps to create or strengthen national institutional frameworks for social dialogue and the adoption of tripartite agreements. The development of "social dialogue markers", as part of the Office's strategy to mainstream social dialogue in programme and budget outcomes, was also to be welcomed. The ILO's partnerships with external organizations would continue to play an important role in gaining recognition for social dialogue as an essential tool for addressing inequality and achieving inclusive growth in the context of the 2030 Agenda for Sustainable Development. The fact that there were still many places where the exercise of freedom of association and the right to collective bargaining were not guaranteed, only served to underscore the need to step up efforts to achieve the universal ratification of the core ILO Conventions. Moreover, the Office should pursue its efforts to promote gender equality in social dialogue. He supported the draft decision.
- 387.** *A Government representative of Pakistan* said that Pakistan would host the Asian Living Wage Conference, focusing on the textile and garment sectors, in May 2016. The main theme of the Conference would be the use of tripartite social dialogue to realize living wages in those sectors. Eight regional textile and garment producing countries had been invited, as well as international buyers, NGOs and academia.

- 388.** *A Government representative of Argentina* said that it was clear from the report that the Office had done much to promote and ensure the effectiveness of social dialogue in member States and to guarantee the participation of the social partners in the design and execution of social and economic policies. Argentina, in cooperation with the ILO, used social dialogue in decision-making processes and in achieving consensus on policies in the four areas of the Decent Work Agenda. The government representatives met with the social partners to discuss the implementation of new policies. He supported the draft decision.
- 389.** *A Government representative of Indonesia* said that his Government committed to further strengthen tripartite social dialogue under the auspices of the national tripartite cooperation agency and through the establishment of various national and regional councils, including on such issues as wages, OSH and productivity, as well as by providing training on social dialogue.
- 390.** *A Government representative of the Russian Federation* appreciated the usefulness of the comparative information contained in the report on various aspects of social dialogue. He indicated that in his country, the general tripartite agreement concluded every three years dealt with wage-related issues under a separate section and provided basis for collective bargaining at different levels. At the enterprise level, more than 50 per cent of workers were members of a trade union and the collective agreements concluded at that level covered trade union members and all other workers, with the result that the proportion of workers covered by such agreements was even higher than that shown by the statistics. There was a legal requirement to hold consultations with the social partners prior to adopting labour legislation. The Russian Federation was consistently improving its legislation as could be seen by its ratification record in the previous six years, including Convention No. 144. He supported the draft decision.
- 391.** *A Government representative of India* said that the ratification of core ILO Conventions by member States was the most effective means of promoting social dialogue and that ILO regional and country offices should play a greater role in that process, particularly in terms of reporting on country-specific impediments to ratification. The Organization should examine the Conventions with the lowest rate of ratification with a view to amending or removing articles or clauses that prevented member States from ratifying them. Furthermore, the Office should continue to build the capacity of the social partners to enable them to play an active role in social dialogue processes and assist those member States wishing to adopt the social dialogue training model used by the Turin Centre. India had set up a number of tripartite social dialogue mechanisms and was in the process of streamlining its labour legislation with the assistance of the Office. He supported the draft decision.
- 392.** *The Worker spokesperson* said that the fundamental conventions had to be universally ratified, and there could be no flexibility in that regard.
- 393.** *A representative of the Director-General* (Director, Governance and Tripartism Department) said that the social partners were at the centre of all of the Office's activities as essential actors in social dialogue. In implementing the plan of action, the Office tailored its response to national contexts, as seen from the many examples of good practices contained in the report. The challenges encountered in implementing the plan were described in paragraphs 39–42. The report also addressed external constraints, such as political and economic changes, that could delay achievement of the expected results. He thanked the speakers for their observations and guidance, which would help the Office to improve the implementation of the plan of action.

Decision

394. *The Governing Body requested the Director-General to take its guidance into account when pursuing the implementation of the plan of action on social dialogue.*

(GB.326/POL/4, paragraph 45.)

Fifth item on the agenda

Review and possible revision of formats and standing orders for meetings

(GB.326/POL/5)

395. *The Worker spokesperson* said that while the informal brainstorming among constituents held in July 2015 had been useful, further consultations should be held prior to a revision of formats and standing orders for meetings. The standing orders for sectoral meetings could not be reviewed without considering and implementing the other proposals made during the brainstorming. While the group supported the modalities described in paragraph 6, and the need for further informal consultations, their timing must also be determined through informal consultations. Guidelines should be adopted not only for sectoral meetings and social dialogue forums, but for all meetings held at headquarters and in the field and for all departments and regional offices. As consensus was not synonymous with unanimity, minority views should continue to be reflected in the minutes of meetings. With respect to the section of the appendix on “Outputs”, every meeting should seek to produce a specific output and the constituents should undertake to reach consensus. With regard to the section on “Types and length of documents prepared for meetings”, she stressed the importance of such documents, particularly those that provided information that facilitated discussion and provided data and statistics. They also served for future reference and visibility of the ILO. Concerning the section on “Composition”, the three groups should be equally represented. Issues with implications for the Organization as a whole, such as the development of codes of practice and guidelines, should be discussed and decided upon at meetings in ILO headquarters whereas training sessions and meetings focusing on the implementation of collective decisions might be held at the regional or national level with the consent of the constituents. In the section on “Observers”, the established practice of allowing the secretariats of the Workers’ and Employers’ groups to speak at meetings should be clarified and confirmed. Lastly, in the section on “Setting up of a subsidiary body (working party on resolutions)”, such bodies should also become an option for meetings of experts. Her group supported the draft decision with the proviso that all elements of a SECTOR review should be finalized prior to a Governing Body discussion of the revision of formats and standing orders for meetings.

396. *The Employer spokesperson* said that his group supported the proposals. Two separate sets of standing orders were needed: one for meetings of experts and another for technical and sectoral meetings as described in paragraph 10. The latter should include separate sections on traditional tripartite meetings with negotiated conclusions and on global dialogue forums, with appropriate terminology for each of them. Once the advisory bodies had recommended a theme for consideration by the Governing Body, the nature of the meeting should be decided by the Governing Body, its Officers or the advisory body.

397. There was value in open dialogue that did not necessarily lead to consensus, but the global dialogue forums had evolved into traditional tripartite meetings as the participants entered into detailed negotiations on the outcome document, a problematic development since those

meetings were shorter and had fewer participants. They had lost much of their unique value and should be discontinued.

- 398.** Drawing attention to paragraph 11, he acknowledged that governmental observers often wished to participate in meetings of experts. However, that practice prolonged discussions. Perhaps observers should be asked to voice their concerns only in their respective group meetings, as the Employers did in their group. In relation to the section in the table regarding the secretaries of groups, the speaker highlighted that they played a central role in planning meetings and were important sources of experience and knowledge. Since the pace of the debate did not always allow them to brief their group in real time, they must be able to intervene on matters of procedure, policy or practice but should not have a voice on substantive matters. A possible solution could be to register them as technical advisors, thus placing them under article 9, paragraph 1.
- 399.** *Speaking on behalf of the Africa group*, a Government representative of Mali said that standing orders for meetings of experts and global dialogue forums were needed. Her group supported the proposals contained in paragraph 6 of the report and invited the Office to take into account the recommendations made during the informal brainstorm and to ensure that the new standing orders distinguished between meetings of experts and technical meetings. The group supported the draft decision.
- 400.** *Speaking on behalf of IMEC*, a Government representative of Norway said that the report did not address several issues that had been discussed in the brainstorming and flagged in the independent evaluation of the ILO strategy for sector-specific decent work. A more coherent and ambitious approach was needed in order to better harmonize sectoral work with the Organization's overall strategy; improve decision-making on the agenda for sectoral work while preventing dual governance; and increase the added value of that work for all constituents, including governments. In 2012, the Office had said that it planned to submit to the Governing Body proposals on follow-up to the recommendations made in the independent evaluation. The complexity of the appendix illustrated the need to review the different modalities for meetings and to clarify the mandate and working methods for each format. As many of the government representatives participating in sectoral meetings had little or no experience with the ILO, clearer rules might speed up the proceedings, particularly at the beginning of meetings, and ensure meaningful participation. During the informal brainstorming there had been indications that the number of formats could be reduced; IMEC would have welcomed more specific proposals from the Office on those matters. The draft decision was unclear; IMEC therefore suggested to replace "at a future session" with "at the 329th Session of the Governing Body (March 2017)". It also requested the Office to submit to the Governing Body at its 328th Session a discussion paper on implementation of the recommendations of the 2012 independent evaluation and the status of the ongoing SECTOR review. Synergies could be achieved between the preliminary discussion of the Programme and Budget proposals for 2018–19 and the preparation of the programme of sectoral meetings by the advisory bodies.
- 401.** *Speaking on behalf of GRULAC*, a Government representative of Mexico suggested a single set of standing orders with clear rules applicable to all tripartite meetings. These should be supplemented by provisions specific to technical sectoral meetings, meetings of experts and global dialogue forums. As a rule, the outcome of tripartite meetings should be reached through consensus. For meetings with a limited number of participants, the Office should bear in mind his group's reiterated position that the list of governments to be invited should be previously considered by the regional coordinators and selected according to the principle of geographical balance. Observers should be permitted to attend and take the floor as well as given prior access to the documents for meetings, but not to participate in the consensus on the outcome document. With regard to the proposals contained in paragraph 6, constituents should be invited to post their comments in a web-based forum created for that

purpose or to submit them directly by email rather than through their groups and regional coordinators. The tripartite discussions mentioned in the footnotes to the report should be taken into account in preparing draft standing orders for future consideration. GRULAC supported the draft decision with the amendment proposed by IMEC.

- 402.** *The Employer spokesperson* supported the draft amendment proposed by IMEC.
- 403.** *A representative of the Director-General* (Director, Sectoral Policies Department) said most of the 11 recommendations made in the 2012 independent evaluation of the ILO's sector-specific approach to decent work had been implemented, as reported to the Governing Body. The few remaining recommendations had been addressed during the SECTOR review under two themes of the review, namely: the so-called "dual governance" structure; and the alignment of sectoral work with wider organizational priorities. In addition, the review also included a third theme on formats and standing orders of meetings, which had not been the subject of the 2012 evaluation. The review process had included meetings between the Director-General and each of the groups as well as an informal tripartite brainstorming. Matters falling under the first theme were being addressed and implemented as no further formal authorizations were required. In relation to the second theme – alignment of sectoral work with wider organizational priorities – the Director-General had requested the senior management team to discuss and consider the recommendations made by tripartite constituents. Those recommendations included issuing Office-wide guidance aimed at enhancing internal synergies and collaboration as well as the setting up of joint responsibility frameworks with a view to implementation of and follow-up to the conclusions and recommendations of sectoral meetings and the effective use of sectoral tools, guidelines and approaches. The third issue, which related to tripartite meetings, was addressed in the paper, which reflected the guidance provided at the brainstorming and the request by the screening group to simplify and harmonize the framework of tripartite meetings. The Office would prepare a proposal for revision of formats and standing orders for meetings and organize informal consultations. The Office also stood ready to submit a paper to the 328th Session (November 2016) on the implementation of the recommendations of the 2012 independent evaluation as well as on the status of the review of the Sectoral Policies Department.

Decision

- 404.** *The Governing Body approved the modalities set out in paragraph 6 of document GB.326/POL/5 and requested the Director-General to prepare – based on the guidance provided during the discussion – revised standing orders for meetings for consideration at its 329th Session (March 2017).*

(GB.326/POL/5, paragraph 14, as amended by the Governing Body.)

Sixth item on the agenda

Sectoral meetings held in 2015 and proposals for sectoral work in 2016–17 (GB.326/POL/6)

- 405.** *The Employer spokesperson* said that he supported the draft decision.
- 406.** *The Worker spokesperson* thanked the Office for the meetings held and said it was important to ensure a follow-up to the points of consensus, conclusions and action resulting from the meetings, as well as to promote the Flag State Guidelines for the Implementation of the

Work in Fishing Convention, 2007 (No. 188). She stressed the need to actively promote the ratification of Convention No. 188 to ensure its entry into force and its implementation. Convention No. 188 was an important tool to combat forced labour in the fishing sector and human trafficking. It was essential to involve sectoral organizations, as well as workers' and employers' organizations, in sectoral activities. She supported the meetings planned for 2016–17 and the draft decision.

- 407.** *Speaking on behalf of the Africa group*, a Government representative of Mali concurred with the recommendations made by four sectoral meetings held in 2015. The Office was invited to take the necessary follow-up measures to ensure that the recommendations resulting from those meetings and forums were implemented. Regarding the interim report of the Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel, the Office was also asked to take the necessary measures to follow up on the recommendations contained in the report. She supported the proposed programme of sectoral meetings for 2016–17 and the draft decision.
- 408.** *A Government representative of Mexico* said that the priority safety and health issues discussed at the Tripartite Sectoral Meeting on Safety and Health in the Road Transport Sector would provide guidance to governments in the drafting of national policies and programmes. He welcomed the adoption of two resolutions at that meeting; they would be a fundamental tool in the constituents' work. The Global Dialogue Forum on the challenges and opportunities of teleworking for workers and employers in the ICTS and financial services sectors and the Meeting of Experts to adopt guidelines on decent work and socially responsible tourism, planned for 2017, were of particular interest. He supported the draft decision.
- 409.** *A representative of the Director-General* (Director, Sectoral Policies Department) thanked the speakers for their support and endorsement.

Decision

410. The Governing Body:

- (a) took note of the reports of the four meetings referred to in section I of document GB.326/POL/6 and the interim report (document CEART/INT/2016/1) of the Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART);*
- (b) authorized the Director-General to publish the Guidelines on flag State inspection of working and living conditions on board fishing vessels contained in document MEIWFC/2015/5;*
- (c) authorized the Director-General to communicate the final reports of the sectoral meeting and two Global Dialogue Forums mentioned in section I of document GB.326/POL/6 to governments, requesting them to communicate the reports to the employers' and workers' organizations concerned, and to the international employers' and workers' organizations and other international organizations concerned;*
- (d) 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 meetings referred to in section I of document GB.326/POL/6;*

- (e) *authorized the Director-General to communicate the interim report of the CEART, along with any observations made by the Governing Body, to the governments and organizations concerned, and invited them to take the necessary follow-up action as recommended therein;*
- (f) *endorsed the proposals contained in the table appended to GB.326/POL/6 relating to the dates, duration, official title, purpose and composition of the meetings listed therein.*

(GB.326/POL/6, paragraph 22.)

Development Cooperation Segment

Seventh item on the agenda

Public–private partnerships:

Report on progress

(GB.326/POL/7)

411. *The Employer spokesperson* said the private sector was critical to the realization of Sustainable Development Goals 8, 9, 12 and 17. The review of the ILO's achievements in respect of public–private partnerships (PPPs) was opportune in view of Goal 17 and the Second High-Level Meeting of the Global Partnership for Effective Development Cooperation, which would be held in Nairobi in November 2016. Her group welcomed the steady growth in PPPs since 2008, their increased share of the ILO's extra-budgetary resources as well as that 53 per cent of those funds came from private companies. The group also appreciated the broadening of thematic areas, including through non-financial cooperation, such as capacity building, exchange of information and research. It was pleased that the strategic objective of employment had received the greatest support from companies. The Office should explore ways to leverage funding from PPPs for constituent capacity-building in coordination with ACTRAV and ACT/EMP. Her group was particularly pleased with the increased role of PPPs in South–South and triangular cooperation. The PPPs were a work in progress and the Office should continue to enhance them, guided by the Organization's principles and values, the Decent Work Agenda, tripartism and gender equality, and field offices should be given the capacity to engage with the private sector on PPPs. Employers' needs were not fully reflected in the five flagship programmes. Modalities for engagement with employers, particularly on the ground, should be improved, representational functions and clearance and review processes enhanced and undue delays avoided. ACTRAV and ACT/EMP could play a greater role in that regard. It was important to ensure that communicating on the PPPs was in line with the ILO's principles and values. The Organization's definition of PPPs was broader than the widely accepted definition; the term should be restricted to partnerships with private foundations funded by a private company and mutually beneficial, collaborative agreements with private companies, including non-monetary private-sector contributions. However, PPPs were only one form of interaction with the private sector; the Office should take a systematic approach to its relationships with all companies, not just those seeking development cooperation programmes, and to its implementation of the MNE Declaration. Since, for obvious reasons, employers' organizations had a greater role to play in the implementation of PPPs than other constituents, the IOE, ACT/EMP and employers' organizations should be the natural route through which the ILO engaged with companies. The ILO strategy on PPPs should take an integrated, business-friendly approach and the Office should seek the support of the IOE and ACT/EMP, which had well-established networks with employers' organizations and

companies, knew which partners were reliable and were aware of local sensitivities, at the earliest stage of a partnership. It was important to win the confidence of communities when PPPs were launched in areas that affected them and to address any hesitations or fears that companies might have before entering a partnership. Her group supported the draft decision.

412. *The Worker spokesperson* said that more efforts should be made for all PPPs to take into account the principles and values of the ILO and systematically include the social partners, while addressing the issues of social dialogue, international labour standards, labour relations and the improvement of working conditions. The implementation and promotion of the MNE Declaration should be discussed with enterprises seeking to establish partnerships with the ILO. Within the contexts of PPPs, the Office must actively promote all aspects of decent work, strengthen the role of the social partners and ensure their involvement, by developing a methodology, alongside ACTRAV and ACT/EMP, bolster internal governance procedures relating to the selection of private entities for partnerships and encourage a better participation of constituents to ensure that partnerships were relevant and sustainable. A privatization of development cooperation needed to be avoided. Work must continue to rebalance the PPP portfolio by strategic objective and to increase their quality. The decisions of the Governing Body regarding capacity building of constituents in development cooperation must be implemented, along with plans to strengthen individual constituents and the bipartite dimension, in collaboration with the International Training Centre of the ILO, Turin. The Office should continue to develop ways of supporting South–South and triangular cooperation. The process relating to the eligibility-based selection of private partners and to areas of intervention must be improved; internal consultation with ACTRAV and ACT/EMP, as well as with the secretariats of both groups, was essential in that regard. The secretariat of the Workers’ group should be consulted regarding the suitability of all potential PPPs in terms of labour relations and respect of fundamental rights. In case of breach of trade union rights within the entity seeking to engage in a partnership with the ILO, a PPP should not be established. Consideration must be given to the relevance of the work to be undertaken with private entities and labour standards must be integrated into that work. A better sharing of information with ACTRAV and ACT/EMP was needed when a request for a PPP was received so that the necessary consultations with the respective group secretariats could be made. PPPs should be aimed at improving industrial relations in the participating companies. Information on regional and national PPP approval procedures would be welcome. Thought should be given to the issue of the centralization of PPP requests. There must be more evaluation, transparency and accountability with regard to PPPs. The inclusion of the ILO in the 2030 Agenda for Sustainable Development could be an opportunity to strengthen the mandate and action of the Office at the national and multilateral levels. A more focused approach designed to promote the participation of the social partners could facilitate the work of the Office and the implementation of the Enterprises Initiative while reinforcing industrial relations and working conditions. The group supported the draft decision.

413. *Speaking on behalf of IMEC*, a Government representative of Italy said that his group would like the next progress report to contain a section dedicated to proposals for improvement or conclusions. PPPs could help to define the role of the ILO in the governance of global supply chains. The high percentage of PPP funding allocated to international labour standards demonstrated that PPPs were a part of the ILO’s core mandate and were developed in respect for fundamental rights at work. Maintaining the quality of partnerships in relation to ILO objectives must be a priority. The partnerships under the Better Work and IPEC+ flagship programmes could be extended to the other three flagship programmes. Training of staff should be enhanced and cooperation with the Turin Centre further strengthened. Social partners could assist in identifying potential PPPs. Internal clearance and review of proposals should be sped up. Information on the dissemination of the lessons learned from the Better Work and Child Labour Platform programmes would be welcome. Strategic monitoring of PPPs should continue. His group supported the draft decision, wished to know when

point (b) would be implemented and would appreciate clarification on the financial implications of the refined PPP strategy.

- 414.** *Speaking on behalf of the Africa group*, a Government representative of the United Republic of Tanzania said that collaboration between the Office and the private sector must be strengthened. The Addis Ababa Action Agenda of the Third International Conference on Financing for Development should be taken into account as a matter of priority. His group welcomed the measures for the implementation of the refined PPP strategy set out in the document. It was essential to have robust public–private policies and institutional frameworks for coordination and implementation in place at the national level. The Office’s PPP projects must be designed to ensure maximum impact, sustainability, transparency, ownership, capacity building of social partners and inclusive planning covering the informal economy. The Africa group supported the draft decision.
- 415.** *A Government representative of India* said that the engagement of PPPs through extra-budgetary funding was less than ideal from the point of view of transparency and sound budgetary policy. Financial issues must not take precedence over the core values of the ILO. He supported the draft decision and recommended that the ILO should be guided by the outcome of the independent evaluation of PPPs when implementing its corresponding strategy
- 416.** *A representative of the Director-General* (Director, Partnerships and Field Support Department (PARDEV)) said that work on PPPs had above all been guided by the need to mobilize resources in order to make progress relating to the Decent Work Agenda and constituents’ priorities. The methodology used with regard to PPP-related decision-making at headquarters and in the field was tripartite in nature. Consultations with ACTRAV, ACT/EMP, and the Employers’ and Workers’ groups were essential to the achievement of an integrated approach to the Decent Work Agenda. The lessons learned from the Better Work programme and actors dealing with the issue of child labour demonstrated that it was possible to continue to improve tripartite participation and respond in a more focused way to specific requests. Enterprises and private bodies could work together in certain regions and sectors to take action on child labour. Good work on the refined PPP strategy had been carried out by a small team, who had succeed in making PPPs not just the fifth contributor to the ILO’s extra-budgetary funding but also a real forum for tripartism. Resources were needed to maintain the team, provide training and strengthen work processes.
- 417.** *The Employer spokesperson* said that PPPs only addressed those specific points previously agreed on by the parties concerned and that, therefore, not all partnerships would cover the issue of the improvement of labour relations.
- 418.** *The Worker spokesperson* said that decent work was a total package, one element of which was industrial relations, which needed to be actively promoted.

Decision

419. *The Governing Body requested the Office to:*

- (a) continue the implementation of the refined public–private partnership (PPP) strategy, taking into account the guidance provided by the Governing Body on the proposals for improvement;*
- (b) conduct an independent evaluation of PPPs, their value added and the intervention models used, in line with the workplan set for ILO evaluations.*

(GB.326/POL/7, paragraph 36.)

Multinational Enterprises Segment

Eighth item on the agenda

Proposed modalities to review the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (GB.326/POL/8)

- 420.** *The Employer spokesperson* said that her group attached great importance to the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration), which was an important instrument in the debate on international corporate social responsibility (CSR). The support of employers and the business community for any text concerning the private sector was crucial to ensure credibility and effectiveness; therefore any update of the Declaration must be conducted in close cooperation with them. Her group would support an update of the MNE Declaration text to include references to the United Nations Guiding Principles on Business and Human Rights and relevant ILO texts and standards that had been adopted since the last update. A more comprehensive revision, however, was unnecessary. She questioned the rationale behind increasing ownership of the Declaration, as the existing text was supported by ILO constituents worldwide, and country assistance on the ground was the most effective way of promoting the instrument.
- 421.** The Employers warned against a substantive and excessive revision. First, the chapter on employment and industrial relations of the OECD Guidelines for Multinational Enterprises was based on the MNE Declaration; therefore any review of the Declaration that departed from the current OECD Guidelines would have implications for OECD member States and multinational enterprises that were subject to those Guidelines, and would undermine the intention of the Guidelines to operate in parallel with the Declaration. In addition, any measures to review the interpretation procedure of the Declaration could end up competing with the National Contact Points process for the OECD Guidelines, which continued to make significant contributions to the settlement of labour disputes. Policy coherence at the global level was essential. Second, it was unrealistic to envisage the completion of an in-depth review of the Declaration and the interpretation procedure within one year, or with only two meetings of a tripartite ad hoc working group. Third, the ILO's limited resources would be more effectively allocated to essential work in the field, which would demonstrate the Declaration's relevance in practice. She proposed amending the draft decision to state that the Office was requested to update the Declaration, in consultation with the Officers of the Governing Body and their representatives, to reference the UN Guiding Principles and relevant recent international labour standards, and to submit the proposed text for adoption by the Governing Body in March 2017.
- 422.** *The Worker spokesperson* supported a comprehensive review and revision of the MNE Declaration to incorporate new relevant international standards and maintain its relevance. The ILO had a leading role in establishing standards and guidelines, and as the only organization that operated on a tripartite basis was best placed to define the responsibilities of MNEs. The ILO would enhance its credibility by ensuring that governments created the appropriate legal frameworks and the social partners were supported in their efforts to implement the Declaration, including the interpretation procedure. The general discussion on global supply chains at the 2016 International Labour Conference could inform the review.

- 423.** The Workers stated that a review would be timely and necessary, given the global developments, and supported the objectives of the review and were in favour of option 3 as the most comprehensive proposal for its scope. They supported paragraph 9 of the document. The review should include all relevant international labour standards adopted since the 2006 revision such as Recommendation No. 198, the forced labour protocol, the Global Jobs Pact, the *Guidelines for a just transition towards environmentally sustainable economies and societies for all* and the conclusions of the general discussion on global supply chains. The revised Declaration should also encompass an extensive wage policy, emphasizing governments' responsibilities to provide social and maternity protection, decent work and minimum living wages. Further, the revised Declaration should address: actions to increase social dialogue between MNEs and trade unions throughout their supply chains as a means to achieve economic and social progress with living wages; an update on the grounds for elimination of discrimination; the conclusions of the meeting of experts on non-standard forms of employment; improved labour inspection and transparency with publication of results of inspection and effective remedy and tribunals; access to workplaces for labour inspectors and the provision of accurate information through the involvement of workers and their representatives; disclosure of workplace locations in supply chains; the employment of migrant workers in MNEs and their supply chains, and migration policies incorporating ILO standards on migration; and the elimination of forced labour. It should also reference the UN Guiding Principles and effective grievance mechanisms described in them, based on the eight effectiveness criteria, and provide guidance on how to implement the Guiding Principles nationally. The Declaration should include the principle of due diligence to ensure that enterprises remained accountable and incorporated human rights in their risk assessments. Furthermore, the ILO Helpdesk for Business should be developed as a source of knowledge and centre of excellence on good practices, grievance mechanisms, mediation and other dispute-settling mechanisms. And finally a much stronger follow-up mechanism, with at the least an enhanced version of the voluntary confidential company-union dialogue mechanism for dispute resolution to replace the current interpretation mechanism of the MNE Declaration.
- 424.** As to the review process, experience had demonstrated the effectiveness of a tripartite ad hoc working group. The global unions should also be invited to participate. With regard to the timeline, the Workers supported 2017 given the 40th anniversary of the Declaration, recognizing that it would be challenging, but that the process could be facilitated by electronic communication between meetings. In view of the importance of the Declaration and the ambitious timeline, the Office should make the necessary resources available for the review. The Workers supported the original draft decision.
- 425.** *Speaking on behalf of the Africa group*, a Government representative of Ethiopia noted that at the 13th African Regional Meeting a number of challenges and opportunities had been identified by the constituents in promoting and applying the MNE Declaration; and that it had not been promoted effectively to realize its objectives, taking into account each country's specific circumstances. His group supported the objectives of the review and was in favour of option 1 on the scope. The proposal to include a review of developments outside of the ILO was particularly welcome, which should also include UN Guiding Principles, including the principle of due diligence; the 2030 Agenda for Sustainable Development; and the Paris Agreement on climate change, in particular the role of the private sector. With regard to the process, his group endorsed the proposed tripartite ad hoc working group, which would allow for balanced geographical representation and constituent ownership of the review process. The representatives of other international organizations invited to participate in the review process should also include the Chairperson of the UN Working Group on the issue of human rights and transnational corporations and other business enterprises and the Chairperson of the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights. However, the involvement of outside representatives should be limited to information

discussions; the Office could consider various mechanisms to enable them to present their views. As to the timeline, he supported 2018, in accordance with the Governing Body's previous decision regarding the review of the implementation strategy. He agreed with the proposed alternative financing methods. On the understanding that its proposals would be taken into account, the Africa group supported the draft decision.

- 426.** *Speaking on behalf of IMEC*, a Government representative of the Netherlands considered it timely to review, update and possibly revise the MNE Declaration. The conclusions of the discussion of decent work in global supply chains at the 105th Session of the International Labour Conference could provide input. Her group agreed with the objectives of a review. A revised MNE Declaration should complement the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises. To ensure synergies between the various relevant instruments, other international organizations should participate in the review. Regarding the scope, IMEC was in favour of option 2 – the text and the interpretation procedure; the implementation strategy should be reviewed in due course. It would be sensible to scale back action to promote the Declaration while it was under review and to use the funds thereby made available for the review. As to the process, proper preparation was important, and the Office should make concrete proposals for how to proceed, on the basis of the Governing Body's discussion, including possibilities for cost savings. Agreement on the revised version of the Declaration should ideally be reached by 2017. IMEC supported the draft decision.
- 427.** *Speaking on behalf of GRULAC*, a Government representative of Mexico noted that the subject was linked to the 2030 Agenda for Sustainable Development, the ILO's Future of Work Initiative, the ILC discussion on global supply chains, and to the agenda of a number of United Nations agencies and other international organizations which had developed instruments aimed at securing greater respect for human and fundamental labour rights. The time had come to update the Declaration. His group preferred option 2 in respect of the scope of the review, and stressed the importance of incorporating the notion of due diligence. It was in favour of option 3 for the process, in order to ensure that the tripartite constituents were adequately represented. The process should be completed by 2017. GRULAC endorsed the draft decision.
- 428.** *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said that Turkey, Serbia and Georgia aligned themselves with the statement. A review of the MNE Declaration, which was promoted through a number of European internal and external policies, instruments and activities, could help the ILO to respond better to the needs of MNEs and small and medium-sized enterprises (SMEs) engaged in cross-border activities. It should also take account of developments outside the ILO, in particular the 2030 Agenda for Sustainable Development and the UN Global Compact, to ensure policy coherence. The review exercise might provide an opportunity to reinforce cooperation with other organizations engaged in work which furthered the achievement of the Declaration's objectives. It should also reflect the outcome of the discussion on global supply chains at the 2016 International Labour Conference. As to the timeline, the process should be completed by 2017. For the scope, option 2, covering the text and the interpretation procedure, was preferable. Even though a review of the implementation strategy would also be useful, this could perhaps be done after the review of the text and interpretation procedure. For the process, a tripartite ad hoc working group would strengthen the Governing Body's ownership of the Declaration and enable more in-depth discussion.
- 429.** *A Government representative of Belgium* said that it was necessary to develop suitable instruments to promote social justice, given the increasing number of jobs which depended directly on MNEs. She reaffirmed how the Belgian Government had always given great importance to the Declaration and therefore fully supported, and was willing to contribute

to, a review of the text of the Declaration and the interpretation procedure by a tripartite ad hoc working group in order to attain the stated objectives.

- 430.** *A Government representative of the United States* said that the MNE Declaration was a tool for the ILO to promote respect for, and contributions to, decent work by businesses. However, it was just one of the many tools at the ILO's disposal. It was essential to remember that the ILO's constitutional mandate, long-standing experience and expertise provided the best basis for its work in that arena. Careful thought should be given to how the Organization could best employ its limited resources for that work. An update of the Declaration should provide genuine added value. Detailed preparation and concrete proposals would be extremely important for a successful outcome. She requested the Office to consider alternative approaches which might be less costly than the existing proposals.
- 431.** *A Government representative of Germany* emphasized the importance of the Declaration as the only international document which addressed the implementation of social and labour standards in such a detailed manner. It therefore deserved greater international respect. In order to achieve that, it should be thoroughly reviewed in order to bring it into line with national and international developments on CSR in MNEs. Concerning the objectives, the Declaration should include a reference to enterprises' responsibility in supply chains to make it more consistent with the UN Guiding Principles and the OECD Guidelines, inter alia. To achieve a global level playing field, it was important to develop a common understanding at the international level of due diligence in supply chains and what could be expected of enterprises. With regard to the scope of the review, she favoured option 2, to discuss whether an interpretation procedure was needed; and if so, the form it should take. She also supported a revision of the implementation strategy in 2018, once the revision of the Declaration and the interpretation process had been completed. The review should be conducted by a tripartite ad hoc working group, which, although it should focus on quality rather than speed, should if possible complete its work by 2017. Consideration should be given to adopting the revised Declaration at the 2017 session of the Conference.
- 432.** *A Government representative of the Republic of Korea* approved of reviewing the MNE Declaration to keep pace with the many social and economic changes which had occurred since its adoption, most importantly the globalization of production. The scope of the review should cover the Declaration and the annex and addenda thereto, as well as the interpretation procedure, which may need to be replaced by a more practical one. The review, which should be carried out by a tripartite ad hoc working group, should be completed by 2017. Her Government supported the draft decision.
- 433.** *A Government representative of Italy* stated that the Declaration, with its unique tripartite origin, was still of fundamental importance for enterprises, governments, employers and workers, and reasserted the leading role for the ILO in supplying policy guidance on the world of work. An updated Declaration would foster economic and social development, and would benefit the social partners and governments, and also SMEs. She supported the establishment of a tripartite ad hoc working group and the timeline of 2017. For the scope, she was in favour of option 2; however, practical and sustainable tools for implementing principles of international labour standards were also needed, as well as an emphasis on social dialogue and mature industrial relations. Adoption of the revised Declaration, rather than mere endorsement, by the International Labour Conference would give the tripartite constituents a greater feeling of ownership of the Declaration.
- 434.** *A Government representative of China* said that Bangladesh, India, the Islamic Republic of Iran, Japan and Pakistan aligned themselves with the statement. The promotional activities of the Office had started to increase visibility and understanding of the MNE Declaration. It should be updated, to make it relevant to the current world of work and to promote respect by business for decent work at the global, regional and national levels. The Office should

update the text as in the previous update, after the discussion at the International Labour Conference on decent work and global supply chains.

- 435.** *A Government representative of Cuba* drew attention to the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights, in which his Government was actively participating. The development of a binding instrument would have repercussions on the enjoyment of collective labour rights. He noted the participation of the Office in the first meeting held in June 2015, and encouraged the Office to attend the second meeting, to be held in October 2016.
- 436.** *A Government representative of Argentina* said that a revision of the MNE Declaration to take account of the 2030 Agenda for Sustainable Development would be of central importance in addressing the challenges of the twenty-first century, since it stressed the role of social dialogue and inclusive growth. Such a revision should pay due heed to the realities of globalization and be forward-looking in order to provide developing or emerging countries with the means of promoting sustainable corporate social responsibility and decent work. The best way of attaining those objectives was through option 3 in respect of the scope of the review. Failure to carry out a thorough revision of the Declaration would render it obsolete. If the Declaration were to have a real impact, the implementation strategy should also be reviewed.
- 437.** *A representative of the Director-General* (Director of the Enterprises Department) noted that all speakers had emphasized the importance of the MNE Declaration and that it should be updated to continue to be relevant. Links should be made to other relevant international instruments that were in line with the Declaration. There had been agreement on the need to promote the Declaration and to deal with it on a separate track. There had been consensus on completing the review by March 2017. The Office would certainly be able to propose cost-effective methods of conducting the review. The objectives set in paragraph 9 could be achieved by extensive consultation in order to ascertain which aspects were deemed important by stakeholders.
- 438.** *The Worker spokesperson* referring to the scope of the review, said that the Office's proposal under option 2 would work, as it concerned the interpretation procedure and would allow for consistency between the different elements. The next step would be to look at the implementation strategy. She welcomed the broad support for a tripartite ad hoc working group and the consultations proposed by the Office. The Workers wished to collaborate with the Office on a draft, which would include many of the points raised in the Governing Body discussions, before the tripartite ad hoc working group began its work. A draft could be produced in time for the 2017 International Labour Conference, if work focused initially on interpretation; the implementation strategy and follow-up could then be addressed in 2018.
- 439.** *The Employer spokesperson* said that she agreed with the suggestions put forward by IMEC, the EU and individual member States that the Declaration should be a practical tool and that it should be used to increase the ILO's visibility and provide a centre of knowledge. It would be useful to focus on the common points, indicated by the Office, in order to address the way forward as there were a number of issues to bring together. Consensus was necessary if the Declaration was to reflect the ownership of the constituents and those to whom it was addressed.

Decision

440. *The Governing Body decided to:*

- (a) establish a tripartite ad hoc working group of eight members representing Governments, four members representing Workers and four members*

representing Employers that would meet twice before March 2017 to review the text of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy including its annex and addenda and the interpretation procedure. The recommendations of the working group, arrived at through consensus, would be presented for possible adoption at the 329th Session (March 2017) of the Governing Body;

- (b) request the Director-General to ensure that the Office provided all necessary support to the constituents;*
- (c) approve the funding of the tripartite ad hoc working group's meetings as set out in paragraph 17 of document GB.326/POL/8, having due regard to the possibilities of reducing the costs through careful planning, and that the costs be financed in the first instance from savings in Part I of the budget or, failing that, through Part II, on the understanding that, should that subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the 2016–17 biennium.*

(GB.326/POL/8, paragraph 19, as redrafted following the Governing Body discussion.)

Legal Issues and International Labour Standards Section

Legal Issues Segment

First item on the agenda

Follow-up to the discussion on the protection of Employers' and Workers' delegates to the International Labour Conference and members of the Governing Body in relation to the authorities of a State of which they are a national or a representative (GB.326/LILS/1)

441. *The Worker spokesperson* said that the 1970 resolution and the 2010 amendment to the Standing Orders of the International Labour Conference did not fully address the protection gap resulting from the exception contained in Article V, section 17, of the 1947 Convention on the Privileges and Immunities of the Specialized Agencies. That was reflected by complaints submitted to the Committee on Freedom of Association (CFA) and requests for intervention addressed by the Workers' group to the Director-General to guarantee the safety of certain Workers' delegates in connection with views expressed at the Conference on the situation of workers' rights in their respective countries. This gap in protection had to be urgently addressed. Protection of freedom of speech and action of workers' and employers' delegates was an essential pre-condition for the effective exercise of tripartism. He noted that a number of international organizations had in the past amended their respective annexes to the 1947 Convention to provide protection for additional categories of persons and that the amendment process was neither complicated nor lengthy. His group was willing to accept the proposed limitations to the coverage of the proposed new immunities, except regarding the exclusion of ILO Regional Meetings, which should be included, owing to their political significance. He noted and supported the scope of the proposed immunities set out in paragraph 14. Pending clarification of the issue of Regional Meetings, his group supported the draft decision.
442. *The Employer spokesperson* said that the protection offered by the draft resolution should be extended to include Employers' and Workers' delegates or advisers to the ILO Regional Meetings in view of the elevated importance of Regional Meetings and also in order to ensure greater consistency with Article V, section 13, of the 1947 Convention. There did not appear to be any convincing reason to provide immunity from legal process in respect of oral or written statements of Employers' and Workers' delegates at ILO Regional Meetings for third countries but not as far as their own countries were concerned. As regards the design of the proposed provisions, it was noted that new paragraph 2(i)(d) of the revised Annex I to the 1947 Convention concerned the inviolability of all papers and documents, not only passports or travel authorizations, while the provisions of new paragraph 2(i)(c) related to restrictions on free movement. With the change proposed, the Employers' group supported the draft decision.
443. *Speaking on behalf of the Africa group*, a Government representative of Angola said that at the 325th Session his group had expressed concern as to the relevance of the proposals under consideration and to the fact that the immunities in question were modelled on those enjoyed

by parliamentarians in a number of countries. While the draft resolution provided for the waiver of the privileges and immunities by the Conference or the Governing Body, the group remained concerned regarding the authority for deciding on such waiver in situations where differences of interpretation might arise concerning the distinction between acts performed by persons in their official capacity and in their personal capacity, all the more so since the national institutions involved (parliament, ministry of foreign affairs, ministry of internal affairs) might have a different view of the recognition of those privileges and immunities. His group wished to be assured that the Organization's various offices in countries that accepted the revision of Annex I would not become places of refuge for persons attempting to avoid arrest for a common-law offence or legal proceedings. The principle of inviolability could not be absolute, could not be invoked in cases where an offender had been caught in the act and could not be used to hinder legal proceedings in such cases. Member States should be granted more time to hold consultations on the Office's new proposals. The group put forward the following amendment to the draft decision: "The Governing Body notes the proposals made by the Office and decides to postpone consideration of the draft decision to the 329th Session of the Governing Body (March 2017), to allow time for tripartite consultations at the national level."

- 444.** *Speaking on behalf of IMEC*, a Government representative of the United States said that the proposed amendment to Annex I to the 1947 Convention had the advantage of establishing a legally binding protection. However, the adoption of the revised Annex I at the Conference would lose political weight if there were significant opposition in that regard; it would involve lengthy and complicated approval and acceptance procedures for certain ILO Members; and it would have limited impact on the situation of Workers' and Employers' delegates in many instances. There was uncertainty as to whether any precedent existed in international law for the recognition of immunity by a State for its own nationals as extensive as that envisaged in the draft resolution. Although detailed provisions relating to immunity for Members of the European Parliament were laid down by Protocol No. 7 on the Privileges and Immunities of the European Union, procedures related to immunity and its waiver were thoroughly regulated by the Rules of Procedure of the European Parliament. Clarification was required concerning the ILO's envisaged criteria and procedures for waiving immunity. The Office should further examine the possible repercussions for both international and national law of immunity from arrest or detention during the journey to or from the place of meeting, and the procedures to be followed for every eventuality should be well defined. The Office should consult the other member States that are not members of the Governing Body to allow them to consider the issue before it goes to the Conference.
- 445.** With regard to the draft resolution, IMEC proposed numbering the new paragraph of Annex I to the 1947 Convention as 1bis, rather than 2; inserting the following clause at the end of the introductory section (i): "... the following privileges and immunities, while immunity cannot be claimed when the person is found in the act of committing an offence: ..."; moving the words "both during and subsequent to the discharge of their duties" in subsection (i)(a) immediately after the phrase "immunity from the legal process" at the beginning of the subsection; removing the words "in its opinion" contained in section (ii) and introducing a new phrase "such as a commission of a crime by said Employer or Worker" after the clause "... would impede the course of justice ..."; and inserting the clause "– if the national legal system allows –" after the words "to apply" in the last two paragraphs of the draft resolution. In case of overwhelming support, IMEC would not block a consensus decision of the Governing Body on the matter. Should its proposed amendments be accepted, IMEC would not oppose the draft resolution.
- 446.** *Speaking on behalf of GRULAC*, a Government representative of Mexico said that his group recognized the need to respect the freedom of speech of employers and workers participating in ILO meetings and underlined the importance of article 40 of the ILO Constitution and the resolution concerning freedom of speech of non-governmental delegates to ILO meetings

adopted by the Conference at its 54th Session in 1970. However, the similarity of the proposed privileges and immunities to those enjoyed by parliamentarians of member States gave cause for concern. The issue should not be included on the agenda of the 105th Session of the Conference but rather taken up again at a future session of the Governing Body. GRULAC did not support the draft decision contained in the document, or the proposal made by a Government representative of the United States on behalf of IMEC.

447. *Speaking on behalf of ASPAG*, a Government representative of India endorsed the amendment to the draft decision put forward by a Government representative of Angola on behalf of the Africa group.
448. *A Government representative of Zimbabwe* said that the issues in question mainly fell within the purview of other government officials and, consequently, further consultation was required at the national level. To that end, the proposals made by the Office should be communicated to all member States, including those not represented in the Governing Body.
449. *The Employer spokesperson*, referring to the proposal made by the Africa group, questioned the need for additional consultation given that the basis for the proposals had been known for some time. Protection for Workers' and Employers' delegates at ILO meetings had to be put in place as a matter of urgency. However, the IMEC proposal was complicated and would necessitate legal analysis.
450. *The Worker spokesperson* said that clarification on the various legal issues raised thus far would be welcome. Further discussion and consultation on the issue should take place within the Governing Body, rather than at the national level. The proposal made by the Africa group could be amended to read: "The Governing Body takes note of the proposal and requests that the item be postponed for discussion and decision at the 328th Session of the Governing Body in November 2016, to allow more time for tripartite consultation."
451. *A representative of the Director-General (Legal Adviser)* said that the coverage of the revised Annex I was currently limited to the meetings of the executive or decision-making bodies of the Organization, namely the International Labour Conference and the Governing Body, but it was possible, as the Workers' and Employers' groups wished, to extend the scope of the revised Annex to include Regional Meetings. The proposal in the paper was not modelled on parliamentary immunities: it was not proposed that any State should apply its system of parliamentary immunity to Employers' and Workers' delegates of its nationality. However, the diversified system of parliamentary immunity could be usefully considered in relation to points (a) and (b) of paragraph 14, as it contained analogous elements. Systems of parliamentary immunities were extremely diverse and were often articulated around a basic distinction between the "parliamentary privilege" or "non-liability" (i.e. protection from legal action resulting from an opinion expressed or vote cast) and "parliamentary immunity" or "inviolability" (i.e. protection against civil or criminal proceedings for acts performed outside the exercise of their parliamentary function). Even though rules on parliamentary *inviolability* were becoming increasingly controversial (and in most countries did not apply in cases of flagrante delicto), the rules on parliamentary *non-liability* appeared more homogeneous and enjoyed wide acceptance. With regard to the concern expressed about the ILO's authority to adjudicate on disputes that might arise in relation to the practical application of a revised Annex, two procedural guarantees existed. First, it would be for the International Labour Conference or the Governing Body to decide whether to waive immunity; and second, according to sections 24 and 32 of the 1947 Convention, differences as to the application or interpretation of the Convention were to be referred to the International Court of Justice for a binding advisory opinion. It was true that the European Parliament had detailed rules and procedures on parliamentary immunities and their waiver. There was no ILO equivalent at the current time. He could not yet give details of the envisaged criteria for the waiver of immunity other than those contained in the draft

provision, although general principles that could be referred to existed (such as those developed by the European Parliament). The Office had noted the suggestions that it should study existing procedures used to determine when to waive immunity and consult non-Governing Body members. With regard to IMEC's suggestion to remove the words "in its opinion" from the proposed section (ii) – those words were standard language already contained in Annex I to the 1947 Convention and further clarified that whether the conditions for a waiver of immunity were fulfilled was ultimately for the Organization to determine.

- 452.** *The Employer spokesperson* agreed with the Workers' group that a decision should be deferred until no later than November 2016, by which time the Governing Body should have a new paper to consider, which would incorporate the elements that had been mentioned by the Legal Adviser and any other relevant information.
- 453.** *Speaking on behalf of the Africa group*, a Government representative of Angola accepted the Workers' proposal that the matter be reconsidered in November 2016, and said that consultations with States and the ILO social partners should take place in the meantime.
- 454.** *Speaking on behalf of ASPAG*, a Government representative of India sought clarification regarding the nature of the consultations to be held. National-level consultations with other ministries were required, as ministries of labour, which were represented at the Governing Body, would not be those responsible for ensuring compliance with the protection accorded.
- 455.** *Speaking on behalf of GRULAC*, a Government representative of Mexico supported the proposal to return to the item under consideration at a later date. Given the need for consultations with various national ministries in the interim, the Office should prepare an updated document.
- 456.** *A representative of the Director-General* (Deputy Director-General, Management and Reform) said that an updated paper would indeed be prepared. He envisaged at least two rounds of consultations before November 2016: the details of the new paper would be discussed with the Workers' and Employers' secretariats, the Regional Coordinators and the Government group representatives; subsequently group and national-level consultations could be held.
- 457.** *Speaking on behalf of the Africa group*, a Government representative of Angola said that the proposed amendment to the draft decision should explicitly provide for national-level consultations.

Decision

- 458.** *The Governing Body took note of the proposals made by the Office and decided to postpone the decision on this item until its 328th Session (November 2016) to allow time for tripartite consultations, including at the national level.*

(GB.326/LILS/1, paragraph 16, as amended.)

Second item on the agenda

Amendments to the Compendium of rules applicable to the Governing Body of the International Labour Office (GB.326/LILS/2)

- 459.** *A representative of the Director-General (Legal Adviser)* explained that since the web posting of the paper, the Office had identified additional points requiring correction. They were mostly editorial, however, five proposals added new text either to ensure terminological consistency or to clarify existing provisions. Firstly, the reference in paragraph 37 of the Introductory note to the International Institute for Labour Studies, which had ceased to exist, should be removed. Secondly, in paragraph 1.5.4 of the Standing Orders, “committees and working parties” should be added for the sake of consistency with paragraph 4.2. Thirdly, in paragraphs 1.7.1 and 1.7.2 of the Standing Orders, the reference to the seats “reserved for the eighteen States selected by the Government electoral college” should be removed and the words “elective seats” should be inserted, in order to clarify that the system for filling vacancies applied to both regular and deputy Government representatives. Fourthly, in paragraph 3.2 of the Standing Orders, the words “after consultation with the other officers” should be replaced by “after consulting the Vice-Chairpersons”, in order to reflect the language used in paragraph 24 of the Introductory note. Lastly, the words “and entitled to vote” should be added at the end of paragraph 6.1.3 of the Standing Orders, in line with established practice and a similar amendment proposed to paragraph 6.3.1.
- 460.** *The Worker spokesperson* expressed support for the draft decision, including the additional amendments put forward.
- 461.** *The Employer spokesperson* echoed the Workers’ point of view. He proposed that at some point further streamlining of the Introductory note and the Standing Orders should be envisaged to better reflect current practice.
- 462.** *Speaking on behalf of IMEC*, a Government representative of Canada, recalling his group’s satisfaction with the Governing Body reform process – key achievements of which were enhanced government involvement, the screening group’s agenda setting, the continuous plenary and the holding of only one meeting at a time – welcomed the proposed amendments and corrections to the Compendium. In addition, IMEC tabled the following further amendments to the Introductory note of the Compendium. Firstly, in paragraph 1, the full stop after the new sentence “Since ... Compendium” should be removed. Secondly, in paragraph 20, in the last sentence, in the bracketed text, “or regional coordinators” should be deleted and the following sentence should be added at the end of the paragraph: “Similarly, the nominations of regional coordinators are to be communicated by their respective regional groups to the Chairperson of the Governing Body”. Those changes would serve to clarify that regional coordinators were nominated by regional groups and not agreed by the whole Government group. Thirdly, in paragraph 21, after “her representative”, “as well as with the regional coordinators” should be added, in order to enshrine a helpful practice. Fourthly, in paragraph 31, “full” should be inserted between “each” and “Governing Body”, and at the end of the paragraph the full stop should be deleted and “in March/April for the following June and November sessions and in November for the next March session” should be added, in order to further specify the practice. Fifthly, the following should be added at the end of paragraph 33: “It includes, as annexes, a tentative order of business with a clear indication of time frames for each section and a list of the documents prepared by the Office for information only. No more than one meeting should be held at the same time.” The insertion would reflect the importance of timing and ensure

that the practice of not holding parallel sessions was maintained. Lastly, in paragraph 48, the words “but at the latest within six weeks” should be added to ensure publication in reasonable time.

- 463.** *Speaking on behalf of the Africa group*, a Government representative of Angola supported the draft decision and the amendments presented by the Legal Adviser. With regard to the timelines for the publication of the draft minutes of sessions of the Governing Body, the group considered that they should be web posted as soon as possible, and at any rate, no later than two weeks after the end of each session.
- 464.** *Speaking on behalf of GRULAC*, a Government representative of Mexico saw no basis for the proposed amendment to the second box under paragraph 5 of the Introductory note to replace “regional conferences” with “regional meetings”. “Regional conferences” was the expression used in the ILO Constitution and should be kept. The group supported all the other draft amendments contained in the Office document, including the additional draft amendments presented by the Legal Adviser. Some of the proposed amendments introduced by IMEC went beyond the simple updating of the Compendium and required careful consideration.
- 465.** *The Worker spokesperson* said that his group supported the amendments proposed by IMEC, except for the amendment to paragraph 21. At the time of the Governing Body reform in 2011, it had been agreed that the Chairperson of the Government group could hold consultations with the necessary persons in that group. That practice had later developed into the consultation of the regional coordinators. Although it was accepted practice, his group considered that it was not necessary to institutionalize it in the Compendium as it only concerned the internal functioning of the Government group, not the Governing Body itself.
- 466.** *The Employer spokesperson* shared the Workers’ position regarding IMEC’s proposed amendments. Internal procedural arrangements within the Government group did not relate to the functioning of the Governing Body. Accordingly, his group supported all the amendments proposed by IMEC, except for the amendment to paragraph 21.
- 467.** *A Government representative of Cuba* requested more time to consider the amendments proposed by IMEC.
- 468.** *Speaking on behalf of GRULAC*, a Government representative of Mexico observed that the amendments proposed by IMEC generally concerned practice and therefore went beyond the initial intention of the amendments. His group therefore requested the postponement of the draft decision to allow more time for consideration.
- 469.** *A Government representative of Brazil* said that the amendments proposed to paragraphs 20 and 21 by IMEC were linked and related to a question of substance, which warranted further reflection before a decision was taken.
- 470.** *Speaking on behalf of IMEC*, a Government representative of Canada said that his group was willing to withdraw the amendment to paragraph 21 and proceed to the adoption of the other amendments.
- 471.** *Speaking on behalf of GRULAC*, a Government representative of Mexico stated that his group did not support the amendment to paragraph 20 proposed by IMEC and recalled that his group could not support the proposal to replace the term “regional conferences” with that of “regional meetings” in the Introductory note.
- 472.** *Speaking on behalf of IMEC*, a Government representative of Canada reiterated that the current wording of paragraph 20 could lead to misunderstandings, as, even if regional

coordinators had a key role in coordinating positions within the Government group, “regional coordinator” was technically not a function of the Government group itself. Regional coordinators were appointed independently by the autonomous regional groups and their appointment did not need to be approved by the whole Government group. While the second component of the amendment to paragraph 20 could be dispensed with, the group still wished to delete the words “or regional coordinators” from the text in parenthesis and insert the words “and of the regional coordinators” immediately afterwards for the sake of clarity.

- 473.** *Speaking on behalf of GRULAC*, a Government representative of Mexico said that, while his group concurred with IMEC that “regional coordinator” was technically not a function of the Government group, and while he could support the deletion of the words “or regional coordinators” from the text in parenthesis, GRULAC could not accept a further reference to regional coordinators within that paragraph.
- 474.** *Speaking on behalf of IMEC*, a Government representative of Canada said that his group was willing to postpone consideration of its proposed amendment to paragraph 20. He believed that the proposed amendment to paragraph 21 was no longer under consideration.
- 475.** *Speaking on behalf of GRULAC*, a Government representative of Mexico said that his group wished to postpone not the adoption of the draft decision, but rather any discussion of the role of the regional coordinators and all related amendments to the Compendium.
- 476.** *Speaking on behalf of IMEC*, a Government representative of Canada said that his group was prepared to withdraw its proposed amendment to paragraph 20 on the understanding that regional coordinator nominations were made by the relevant regional groups.
- 477.** *A representative of the Director-General (Legal Adviser)* said that the Office had proposed replacing the term “regional conferences” with that of “regional meetings” so as to reflect the terminology consistently used by the ILO to refer to the conferences convened under article 38 of the Constitution, and to harmonize the language already used throughout the Introductory note (for instance, in paragraph 53), as approved by the Governing Body. Regional meetings had for all intents and purposes replaced regional conferences since 1995. Accordingly, the rules of procedure currently applicable to regional meetings, which were adopted by the Governing Body and approved by the Conference, were entitled “Rules for Regional Meetings”. Other terms used in the ILO Constitution that had fallen into disuse included “General Conference”, which had been replaced by the term “International Labour Conference”.
- 478.** *Speaking on behalf of GRULAC*, a Government representative of Mexico, while noting the explanations provided by the Office, maintained that the term “regional meeting” was being misused. Either the wording should be brought into line with article 38 of the Constitution throughout the Compendium or the Introductory note should be amended to include, after the first mention of “regional conferences”, a statement that those conferences had been known as “regional meetings” since 1995 but that the events were those mentioned in article 38 of the Constitution.
- 479.** *Speaking on behalf of IMEC*, a Government representative of Canada said that without a written proposal to examine, which would give a clearer understanding of all ramifications, his group could not support the GRULAC proposal.
- 480.** *A representative of the Director-General (Legal Adviser)* clarified that following the Governing Body decision in November 1995 to replace the ILO Regional Conferences by shorter Regional Meetings with a single agenda item, a set of new rules had been adopted in November 1996 which were subsequently revised in 2002 and 2008. These *Rules for*

Regional Meetings clearly indicated that Regional Meetings were to be considered as regional conferences for the purposes of article 38 of the ILO Constitution. If the Governing Body decided to revert to the term “regional conferences”, the Compendium would have to be reviewed accordingly.

481. *The Employer spokesperson* saw no point in reversing 21 years of accepted terminology on an issue that would make no difference in terms of outcome and to embark on an editorial review that would involve not only the Compendium, but other documents as well.
482. *Speaking on behalf of GRULAC*, a Government representative of Mexico said that, as a matter of principle, his group was concerned that, because it was difficult to amend the Constitution, alternative ways of changing the constitutional terminology had been found. However, in light of the many years of accepted practice on the current terminology, he could agree to replace the term “conference” by “meeting” and to include a note explaining that Regional Meetings were considered as the regional conferences referred to in article 38 of the Constitution.
483. *A representative of the Director-General (Legal Adviser)* said that although the reference to “regional conferences” in the document was contained in a text box in the Introductory note, the insertion of an explanatory footnote was feasible.

Decision

484. *The Governing Body adopted the amendments to its Standing Orders and to the Introductory note to the Compendium of rules applicable to the Governing Body of the International Labour Office proposed in the appendix to document GB.326/LILS/2, as well as those agreed during the discussion.*

(GB.326/LILS/2, paragraph 7, as amended according to the Governing Body discussion.)

International Labour Standards and Human Rights Segment

Third item on the agenda

The Standards Initiative: Joint report of the Chairpersons of the Committee of Experts on the Application of Conventions and Recommendations and the Committee on Freedom of Association

(GB.326/LILS/3/1)

485. *The Worker spokesperson* welcomed the report. The group underscored the need for a more robust and systematic follow-up with regard to all of the supervisory mechanisms to ensure that ILO members comply with observations, conclusions and recommendations. In many ways, the report provided too positive an assessment of the supervisory system, one which contrasted to the reality in the world of work. Violations of trade union and labour rights were widespread, even after years of ILO intervention. The speaker also regretted that the report did not present innovative proposals for strengthening the supervisory system. While supporting longer or more frequent sittings of the Committee of Experts on the Application

of Conventions and Recommendations (CEACR), the Worker members rejected the proposal to further “streamline the content of its report”, as it had detected a significant decline in the thoroughness of the CEACR’s report in recent years. The group supported the common sense suggestion of meetings and exchanges of information between the various committees to enhance coordination, and where relevant with the participation of the Worker and Employer Vice-Chairpersons. Similarly, the group supported the continuation of the dialogue between the Conference Committee on the Application of Standards (CAS) and the CEACR. The speaker observed that the Workers’ group proposals as to how the supervisory system could be strengthened were not reflected in the report and was unsure why the proposal in the draft report of the creation of a standing committee to adjudicate representations under article 24 of the ILO Constitution was not included in the final text. The Worker members supported the draft decision calling for further consultations with the constituent groups to formulate recommendations for consideration by the Governing Body, stating that such a process should not aim to once again redefine mandates and methods nor to return to ideas already clearly rejected. The aim should be to determine how to make the supervisory system meaningful to the constituents and to effectively protect workers’ rights.

- 486.** *The Employer spokesperson* thanked the authors for their detailed description of the ILO supervisory system. The report contained valid information as well as certain concrete proposals for improvement, many of which were, however, not new or were superficial. Few suggestions were made to rectify identified shortcomings. The Employers’ group considered that the report lacked a critical approach and ambition and ignored the crucially important question of ownership of the supervisory system. The report did not address how well the human rights bodies’ supervisory machinery it described worked in practice, which was critical to draw any conclusions for possible improvements of the ILO supervisory procedures. Substantial comments on the draft report made by the Employers’ group had not been reflected in, and appended to, the report as had been requested. The main finding from the report was that the ILO supervisory system had over time become very complex, making it difficult for constituents to own the system. Streamlining, simplifying and consolidating the system based on a clear understanding of distinct mandates and functions of individual components was required. Clarity and transparency were essential. The Employers’ group supported the draft decision indicating that they hoped that the Director-General would prioritize the formulation of substantial recommendations for consideration by the Governing Body in November 2016, incorporating specific proposals by the social partners and the governments. The Director-General could consider the creation of a working party to deal with the issues.
- 487.** *Speaking on behalf of the Government group*, a Government representative of Ghana thanked the authors for producing the report and indicated that governments were looking forward to further consultations that the Office would undertake, with a view to formulating recommendations that the Governing Body could consider at its 328th Session in November 2016.
- 488.** *Speaking on behalf of GRULAC*, a Government representative of Mexico highlighted the extreme caution with which the report addressed the subject of improvements to the ILO supervisory system. Reiterating the commitment of GRULAC to the supervisory system, he said that efforts should continue with a view to having an objective, impartial, transparent and efficient supervisory system. GRULAC had already spoken at length on previous occasions about possible improvements to the supervisory system, providing two documents, and the report would have benefited from having the results of previous consultations reflected in it. He asked for the results of the consultations to be published together with the report with a view to the examination of the specific proposals. GRULAC supported the draft decision and was prepared to participate actively in future consultations in accordance with the principles of transparency, equity and inclusiveness, with a view to

identifying the structural problems that had given rise to the crisis in the supervisory system and making recommendations in that regard.

- 489.** *Speaking on behalf of the Africa group*, a Government representative of Burkina Faso endorsed the Government group's statement and underlined the importance of the supervisory system. Since the report contained no clear indications regarding the way to address the concerns raised, the Africa group encouraged the Director-General to hold consultations with a view to specific and precise recommendations being made at the November 2016 session of the Governing Body.
- 490.** *Speaking on behalf of IMEC*, a Government representative of the United States supported the statement of the Government group and thanked the authors for their joint report, stressing that the report provided useful information and that further consultations on issues related to the report were welcomed. Further exploration of the proposals for annual meetings of the chairpersons of the supervisory bodies and a report from the CFA to the CAS would be helpful. It was not clear how the question of addressing the interests of unorganized workers related to the transparency and visibility of the ILO supervisory system. Interest was expressed in exploring options for reducing reporting burdens on governments, while at the same time enhancing the functioning of the supervisory system. Cost estimates were requested regarding the options presented in paragraph 138 for split, or longer, sessions of the CEACR. Proposals to increase the efficiency of the CAS proceedings could be considered within the context of the informal tripartite consultations on the working methods of the CAS and, equally, the consolidations of CFA complaints alleging similar violations could be explored. The question of how to ensure the safeguarding of the rights of workers and employers was left open in relation to a possible requirement of exhaustion of national procedures or filtering out of unsubstantiated cases. Further clarification was needed with respect to the reference in paragraph 147 to improved balance between obligations of ratifying and non-ratifying member States. Certain measures merited further consideration, including: the functioning and interrelationship of the different supervisory mechanisms and the effects of overlapping or parallel processes; a better articulation of article 24 and CFA procedures; the codification of established practice in Standing Orders; increasing transparency around receivability criteria; addressing delays in procedures; possibilities for better prioritizing consideration of alleged breaches; and the possibility of taking interim measures aimed at remedying urgent situations. IMEC emphasized the continuing strong support for, and confidence in, the supervisory machinery and supported the draft decision.
- 491.** *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands supported the statements made by IMEC and the Government group and indicated that Albania, Turkey, Serbia and Georgia aligned themselves with his declaration. He thanked the authors for a comprehensive and thorough review of the supervisory mechanism and for having ensured tripartite participation in the process. Supporting the draft decision, the speaker indicated a commitment to further improving the ILO supervisory mechanism, which was well designed and functioning. The report was understood as part of a longer term process, in which tripartite participation, transparency and time-efficiency were important, as were suggestions aiming at better coordination and coherence relating to the seriousness of cases, national dispute settlement mechanisms and obligations of ratifying and non-ratifying member States.
- 492.** *Speaking on behalf of ASPAG*, a Government representative of China, thanked the authors for the comprehensive report and expressed support for the proposal of an annual meeting between the Chairpersons of the CAS, the CEACR and the CFA. Transparency could be enhanced by selecting CAS cases according to the objective criteria proposed by the Office. Comments of the supervisory mechanisms ought to stem from the recognized sources delimited by the rules of the Organization to ensure that they were consistent with reality,

and reliance on any extra sources should be avoided as they might not provide genuine and reliable information. The functions and working relationship of the CEACR and the CFA could be examined with a view to clarifying respective roles. ASPAG supported the use of modern technology to simplify the reporting procedure and proposed increasing the number of experts composing the CEACR, with due consideration to geographic representation. ASPAG also supported research on national dispute settlement options preceding recourse to the ILO, as well as technical assistance promoting the ratification and implementation of Conventions. ASPAG looked forward to participating in constructing the future consultation on improving the supervisory mechanism.

- 493.** *A Government representative of India* indicated that his Government aligned itself with the statement made by ASPAG and thanked the authors for their joint report. The supervisory system was an integral feature of the ILO. India supported a more transparent and continuous dialogue between the CEACR, the CAS and the CFA. The procedure for both admission and closure of cases should be developed in order to help countries to prepare their responses. There was no substantial merit in the proposal to create another independent standing committee, and he reiterated that his Government was not in favour of the establishment of a separate internal tribunal to resolve disputes in interpretation of ILO standards. More details were sought on the proposal for dispute resolution at the national level, which would rationalize the workload of the supervisory system and create better linkages with national practices. The ILO should play the role of a facilitator more than that of a monitor.
- 494.** *A Government representative of Brazil* indicated that his Government aligned itself with the statements by GRULAC and the Government group. While not suggesting that the ILO supervisory system should be permanently reviewed, it was essential to ensure that its institutional framework was clear, predictable, up to date and acceptable to all. The focus should be on rendering the system more meaningful and should respond to the needs of countries and strengthen their capacities to commit to international labour standards.
- 495.** *A Government representative of France*, endorsing the statements of IMEC and the EU, commended the work done and said that his Government wished to participate in discussions aimed at optimizing the production of reports on the application of Conventions with a view to better mobilizing resources where they were most needed, particularly in relation to serious or urgent cases. It was also important to address the issue of the interpretation of standards which had brought the CAS to a standstill on two occasions. At present there was no legitimate instrument for settling differences of interpretation. The difficulty, if not impossibility, of recourse to the International Court of Justice highlighted the need for considering the possibility of recourse to the alternative provided for by article 37(2) of the Constitution to appoint an internal tribunal for the resolution of disputes. The abovementioned discussions, in which France was prepared to participate, should be a means for examining more closely the practical and legal consequences of establishing such a mechanism.
- 496.** *A Government representative of Turkey* indicated that his Government aligned itself with the statements made by the Government group, IMEC and the EU, and thanked the authors for their joint report. Addressing the problems of workers, whether organized or unorganized, was the most important objective of the ILO, and monitoring compliance by member States with international labour standards was relevant to both categories of workers. However, with regard to addressing the interests of the unorganized workers in paragraph 129 of the report, it was not clear how that could be achieved in a supervisory mechanism and how it would enhance its transparency and visibility. Welcoming suggestions to enhance the efficiency of the CAS, the speaker further suggested that initial government statements delivered during the CAS proceedings on its case should be published verbatim in order to allow the CEACR to fully take note of the discussions. In selecting the individual cases before the CAS, the use of criteria of geographical balance and balance between developed

and developing countries did not fairly reflect the situation and alternative approaches were necessary in order to achieve a genuine balance. The use of the CAS for purely political allegations arising from the domestic political agenda could harm the credibility of the supervisory mechanisms. Agreeing that systems for filtering out unsubstantiated cases might relieve some pressure on the supervisory system, as was set out in paragraph 142 of the report, the speaker noted that the report did not provide answers to the questions of how to establish a fair threshold for the admissibility of cases before the supervisory bodies. Unsubstantiated allegations should be dismissed and cases which were before national courts should be suspended for the duration of the court proceedings. Establishing a new standing committee for representations under article 24 of the ILO Constitution would only increase the complexity of the supervisory mechanism. Turkey supported the draft decision which envisaged consultations leading to concrete recommendations that avoid overlap and simplify the system.

- 497.** *A Government representative of Spain*, aligning himself with the EU and IMEC statement and indicating that Switzerland and Italy supported his statement, made proposals to explore and define possible improvements to the supervisory system. Longer meetings of the CFA would be necessary so that it could get up to date with its work and meet between Governing Body sessions in order to give guidance to the Office on cases to be examined, discuss recommendations to be adopted and request guidance from the Governing Body on the modification of working methods. Regarding admissibility, a balance needed to be struck between the right of workers and employers to have recourse to the ILO supervisory bodies and respect for national procedures for safeguarding guarantees. If, among other things, there was no judicial independence, if the matter was not considered admissible by national bodies and if judicial provisions were not applied, the CFA should consider the case as serious and urgent. The CFA should show prudence when dealing with matters which were before national judicial bodies or even specific national committees for the settlement of disputes before the ILO. A tripartite facilitation group might be set up to evaluate the direct or indirect admissibility of complaints. Regarding the imbalance in the system resulting from the different degrees of ratification and the possibilities for national partners to submit complaints or representations, three types of measure should be explored: (i) ILO technical cooperation should target areas that received less supervision; (ii) the policy for the promotion of ratifications should consider additional elements that encouraged ratification; and (iii) a proper geographical balance in supervision needed to be achieved. The recommendations of the supervisory bodies should be accompanied by detailed explanations and the meetings on the working methods of the various committees should, at the very least, be partially open to members of the Governing Body. While supporting the draft decision, the speaker asked the Director-General to hold additional consultations on all the issues concerning the supervisory system when the Office was in a position to do so, suggesting November 2016 as a possibility.
- 498.** *A Government representative of Mexico* said that the results of the report confirmed the need to continue analysis in greater depth through a consultation process that would make it possible to make comments and issue specific proposals for improving the supervisory procedures.
- 499.** *A Government representative of the United States* indicated that her Government aligned itself with the statement made by IMEC and thanked the authors for their report, emphasizing that the supervisory system functioned well and effectively served the important functions for which it was created. The United States was willing to participate in consultations to further strengthen its effectiveness, credibility and prestige.
- 500.** *A Government representative of Zimbabwe*, indicating that Zimbabwe aligned itself with the statement of the Africa group, looked forward to an in-depth analysis of measures that could

be taken to reduce duplication of procedures among the supervisory bodies and supported the draft decision.

- 501.** *A representative of the Director-General (Deputy Director-General, Management and Reform) observed that the depth of the comments reflected the complexity of the issue under discussion. While the Office could not provide clarifications sought by some speakers as it was not the author of the report, it would ensure that those issues would be addressed in the further consultations to be undertaken. Those consultations could also include questions about the form of the consultations and the timeframe. It was likely that the earliest that that could be brought back to the Governing Body would be March 2017.*

Decision

502. *The Governing Body:*

- (a) *received the joint report of the Chairperson of the Committee of Experts on the Application of Conventions and Recommendations and the Chairperson of the Committee on Freedom of Association 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;*
- (b) *requested the Director-General to undertake further consultations on issues related to the joint report with a view to formulating recommendations for consideration by the Governing Body.*

(GB.326/LILS/3/1, paragraph 3.)

The Standards Initiative: Report of the first meeting of the Standards Review Mechanism Tripartite Working Group (GB.326/LILS/3/2)

- 503.** *The Chairperson of the Standards Review Mechanism Tripartite Working Group (SRM TWG) introduced the report of the Officers of the SRM TWG. The key objective of the first meeting to develop the future programme of work of the SRM TWG had been achieved one-and-a-half days earlier than expected, which illustrated how constructive and outcome-oriented the discussions had been. The SRM TWG decided: to recommend an initial programme of work reviewing 231 international labour standards organized into 20 thematic sets of instruments grouped by strategic objective; to convene its second meeting from 10 to 14 October 2016, when it would examine the five sets of instruments concerning the unfinished follow-up to the standards identified as outdated by the Working Party on Policy regarding the Revision of Standards (the Cartier Working Party); and to authorize the attendance of eight advisers to assist the Government members; and to refer the maritime instruments to the Special Tripartite Committee (STC) established under Article XIII of the Maritime Labour Convention, 2006 (MLC, 2006). It was agreed that the remaining sets of instruments would be examined at a later stage to take into account the 2016 evaluation by the Conference of the impact of the ILO Declaration on Social Justice for a Fair Globalization 2008 (the Social Justice Declaration), and its expected impact on the future cycle of recurrent discussions, as well as future General Surveys and tripartite Meetings of Experts. The success of the SRM TWG meeting was due to the constructive*

approach and positive input of all the members, and in particular the Employer and Worker Vice-Chairpersons.

- 504.** *The Employer spokesperson* stressed the collaborative spirit that had guided the discussions of the SRM TWG, and had allowed proposals to be made in consensus and after constructive discussions. That promising outcome provided a good basis for tackling the challenging work programme ahead. The Employers' group supported the draft decision and looked forward to continuing work jointly with governments and workers in that major initiative.
- 505.** *The Worker spokesperson* indicated that the SRM had the potential to strengthen the constitutional mandate of the ILO to guarantee the protection of workers and their rights at work. It was positive that the first meeting of the SRM TWG had resulted in fruitful discussions carried out in good faith from all sides. The 2015 Joint Statement of the Workers' and Employers' groups on the ILO Standards Initiative provided the necessary foundation of trust and confidence for the process which would, however, be long, and difficult debates could be expected. The objective of the SRM TWG as per its terms of reference was not to revise, but to classify, standards, identifying any needs for revision and to address gaps in standards with a view to appropriate follow-up action including the development of new standards. The Workers' Group agreed with the proposal to review a total of 231 instruments organized in 20 thematic sets of instruments grouped by strategic objective. Adjustments to the grouping of instruments by strategic objective might be necessary as work progressed. Classification of standards constitutes recommendations concerning possible follow-up action. The legal validity of standards, and therefore the need to promote their ratification and implementation, should remain unaffected until any decision was taken by the Conference according to the Constitution. The SRM TWG agreed that the classification used by the Cartier Working Party was a good starting point that could evolve, based on consensus and experience over time. Given that the instruments to be examined in the second meeting of the SRM TWG had already been classified by the Cartier Working Party, their review could be undertaken without an agreement on a final classification system. While their review was unlikely to be greatly impacted by the upcoming evaluation of the impact of the Social Justice Declaration, it was nevertheless of critical importance. The SRM TWG needed to ensure that instruments superseded by new Conventions dealing with the same subject matter were not abrogated until the newer instrument had been ratified by those States which had previously ratified the instrument deemed as outdated. That would need to involve promotional work. A thorough gap analysis should be carried out in order to assess whether the abrogation of other outdated instruments would lead to gaps in international labour standards. Finally the Group agreed to refer the maritime instruments to the Special Tripartite Committee under the Maritime Labour Convention.
- 506.** *Speaking on behalf of the Government group*, a Government representative of Ghana expressed support for the draft decision. The initial programme of work of the SRM TWG would make a significant contribution to the overall objective of the SRM to ensure that the ILO has a clear, robust and up-to-date body of international labour standards. Prioritizing the review of instruments identified as outdated following the Cartier Working Party would help ensure that the substantive work started from a constructive and pragmatic foundation. The Government group welcomed the participation of technical expert advisers at the second meeting of the SRM TWG, which would enable a more informed participation and greater inclusion. The referral of all maritime instruments to the STC demonstrated a collaborative and institutionally coherent approach. While an important milestone had been achieved, expectations would continue to be high, and the SRM TWG would be under greater scrutiny once the substantive review of standards commenced.
- 507.** *Speaking on behalf of IMEC*, a Government representative of Canada aligned himself with the statement of the Government group and supported the draft decision. IMEC indicated its pleasure with the positive tripartite spirit and efficiency of the discussions.

- 508.** *Speaking on behalf of the Africa group*, a Government representative of Burkina Faso commended the SRM TWG for the results achieved through its first meeting. The TWG had shown flexibility in constituting thematic sets of instruments while taking account of the need for institutional coherence so that the ILO would have a clear, robust and up-to-date body of international labour standards enabling effective protection of workers' rights and taking account of changes in the world of work and the needs of sustainable enterprises. The Africa group expressed confidence that the forthcoming work would bear fruit and contribute to the Governing Body taking decisions that were geared to the implementation of the ILO standards policy and the strengthening of tripartite consensus on the role of international labour standards in achieving the objectives of the Organization. The Africa group supported the draft decision.
- 509.** *Speaking on behalf of GRULAC*, a Government representative of Mexico emphasized that the first meeting of the SRM TWG had taken place in a constructive spirit, in which dialogue and the search for consensus had predominated. The important work performed by the TWG would make it possible to have a body of standards that addressed the dynamics and the challenges of the world of work. The review exercise would necessarily be long and complex and should therefore be undertaken in accordance with the principles of transparency and inclusive participation and without any disregard for workers' rights. GRULAC welcomed the fact that Government technical advisers would participate in the second meeting of the TWG, since it would contribute to a better informed debate. It would be beneficial for the information meeting organized by the Office on the first day to be open to all members of the ILO. GRULAC supported the programme proposed by the TWG and encouraged it to continue the search for specific, consensus-based results in relation to the classification of standards. GRULAC supported the draft decision.
- 510.** *Speaking on behalf of the Association of Southeast Asian Nations (ASEAN)*, a Government representative of Cambodia aligned himself with the statement of the Government group and supported the draft decision. The participation of eight advisers in the work of the SRM TWG for its second meeting was to be welcomed, taking note of the fact that the Government members in the SRM TWG were not experts on every matter to be reviewed.
- 511.** *Speaking on behalf of ASPAG*, a Government representative of India supported the draft decision. There was a need to simplify, consolidate and align standards to the contemporary world of work. ASPAG expected the SRM TWG to take into account parameters such as the level of ratification when considering the relevance of existing instruments, and it should be ensured that instruments fitted within a coherent policy framework. The SRM process should be conducted with transparency, good faith and flexibility. It required regular evaluation and decisions should be taken by consensus while allowing divergent views. The need for time-bound action was emphasized.
- 512.** *A Government representative of the Islamic Republic of Iran* aligned himself with the statements made by the Government group and ASPAG and supported the draft decision. The SRM process should respond effectively to the requirements of the current world of work. It was crucial to benefit from the experience of previous working groups as well as from information available, including that contained in the General Surveys.
- 513.** *The Employer and Worker spokespersons* stressed that there was great willingness to ensure that the next meeting of the TWG was successful. They reiterated their support for the draft decision.

Decision

514. The Governing Body:

- (a) *took note of the report of the Officers concerning the first meeting of the Standards Review Mechanism Tripartite Working Group (SRM TWG);*
- (b) *approved an initial programme of work for the SRM TWG that reviewed a total of 231 international labour standards organized into 20 thematic sets of instruments grouped by strategic objective;*
- (c) *decided that the SRM TWG would examine sets of instruments 4, 11, 13, 16 and 19 concerning all the unfinished follow-up to the instruments identified as outdated by the Cartier Working Party, in its meeting to take place from 10 to 14 October 2016;*
- (d) *referred the maritime instruments (sets of instruments 18 and 20), to the Special Tripartite Committee established under Article XIII of the Maritime Labour Convention, 2006 (MLC, 2006), for its expert review and report to the Governing Body; and*
- (e) *convened the second meeting of the SRM TWG from 10 to 14 October 2016.*

(GB.326/LILS/3/2, paragraph 6.)

Fourth item on the agenda

Proposed form for reports to be requested under article 19 of the Constitution in 2017 on the instruments on working time (GB.326/LILS/4)

- 515.** *The Employer spokesperson* noted that, in addition to questions concerning the provisions of the relevant instruments, the report form also contained highly relevant questions on “trends and practice”, to which each government could determine whether to respond. Adaptations of report forms to obtain relevant information in the context of the follow-up to the Social Justice Declaration should not increase the reporting obligations of member States. Having historically had reservations about General Surveys covering a high number of instruments due to the workload for constituents and the difficulty of undertaking an in-depth analysis, the Employers’ group expressed the hope that all governments, as well as employers’ and workers’ organizations, would send replies to the report form and that the General Survey prepared by the CEACR on that basis would provide meaningful and complete information. That would be particularly important in the context of the SRM TWG review of instruments as the discussion of the General Survey was meant to contribute to the classification of the instruments covered. The Employers’ group agreed with the draft decision.
- 516.** *The Worker spokesperson* supported the approach of the proposed report form to include 16 instruments dealing with different aspects of working time, as it improved the effectiveness of the General Survey and was in line with the intention of the Social Justice Declaration to look comprehensively at ILO standards. Emphasizing that beyond providing an overview of law and practice, General Surveys should also add information to the recurrent discussions on trends and practices in relation to a given strategic objective, his group believed that the report form provided an adequate balance. Both elements were needed to provide constituents with up-to-date information on the state of play of ILO working-time standards in a rapidly changing world, and to make evidence-based

recommendations on possible standard-setting needs. The General Survey should feed into the Meeting of Experts on working time and work–life balance in 2018, the decisions of which should be submitted to the Governing Body for follow-up action. Recognizing the challenge for constituents in providing exhaustive answers to a comprehensive article 19 report form while inviting constituents to seize the opportunity to use the questionnaire in an innovative way, the Workers’ group supported the draft decision.

517. *Speaking on behalf of the Africa group*, a Government representative of Botswana, observing that the report form was long and complex, requested the Office to ensure that the necessary technical assistance was made available at ILO regional offices to facilitate the provision of the required information by member States. The Africa group supported the draft decision.

Decision

518. *The Governing Body:*

- (a) *requested governments to submit reports for 2017, under article 19 of the Constitution, on the working-time instruments listed in paragraph 3 of document GB.326/LILS/4; and*
- (b) *approved the report form concerning these instruments contained in the appendix to document GB.326/LILS/4.*

(GB.326/LILS/4, paragraph 6.)

Fifth item on the agenda

Proposed forms for reports to be requested under articles 19(5)(e) and 22 of the Constitution in relation to the Protocol of 2014 to the Forced Labour Convention, 1930 (GB.326/LILS/5)

519. *The Worker spokesperson* welcomed the entry into force of the 2014 Protocol, following its ratification by Mauritania, Niger, Norway and the United Kingdom, and invited governments to ratify the instrument, which was fundamental for the eradication of modern slavery. The Workers’ group presented a number of amendments to the draft report forms in order to ensure greater consistency with the provisions of the Protocol. For the article 22 report form, a new question should be inserted, under Article 3: “Please also indicate measures taken to provide other forms of assistance and support.” Concerning the article 19 report form, the expression “forced labour” should be replaced by “forced or compulsory labour” in questions 1.1 and 14 to ensure consistency with the text of the Protocol. In question 2.2, the words “targeting especially people in vulnerable situations and employers” should be added after “information, education and awareness raising” as provided for in Article 2 of the Protocol. Similarly, a reference to “recovery and rehabilitation” should be added in question 3.1, as provided for in Article 3 of the Protocol. Furthermore, since the measures listed were inspired by both the Protocol and the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203), the Workers’ group proposed: a reference to “promotion of freedom of association and collective bargaining to enable at-risk workers to join workers’ organizations” and to “basic social security guarantees as part of the national social protection floors” under question 2.3; a reference to “the protection of privacy and identity” and to “appropriate accommodation” under question 3.2; and a reference to “the

promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations" under question 9.2. With such changes the Workers' group agreed with the draft decision.

- 520.** *The Employer spokesperson* noted the lack of consultations on the draft report forms, in contrast to the consultations that had taken place on other items. As regards the article 22 report form, the requests for information should follow closely the text of the Protocol. In line with that, regarding Article 1, in the question on paragraph 2, the words "coordination of" should be replaced by the word "systematic". Furthermore, a question requesting information relating to "coordination, if any, with employer and worker organizations" should be added. Concerning the question under Article 2, the term "as well as the organizations involved" could be clarified. The second question under Article 3 asked governments to describe the measures taken to "provide victims with comprehensive, immediate and long-term protection with a view to their recovery and rehabilitation". The words "comprehensive, immediate and long-term" should be deleted, since they were not explicitly contained in that provision of the Protocol. Finally, since the question under Article 6 did not seem to properly reflect the content of those provisions, it should be replaced by the sentence: "Please describe the manner in which the measures to apply the Protocol and the Convention are determined, in particular to what extent that was done by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned."
- 521.** As regards the article 19 report form, the Employers' group believed that ILO documents relating to the 1998 ILO Declaration on Fundamental Principles and Rights at Work, and its website, should make clear that when the fundamental Conventions were listed that the Protocol was in some way included. The Employers' group considered that, since there was only one principle on the elimination of all forms of forced and compulsory labour, there should be only one report form including questions covering the aspects of prevention, victim protection and access to remedies addressed in the Protocol. Furthermore, for each question proposed, the relevant provision of the instrument should be clearly identified. The Employers' group proposed adding a question on the adoption of a national policy and plan of action against trafficking in persons, as provided for under Article 1.3 of the Protocol. In question 3.2, it was not clear to what provision of the Protocol the reference to the "Development of forced labour indicators" related. In addition, question 4.2 referred to the "Provision of a reflection and a recovery period", which was contained only in the Recommendation. Finally, question 4.2 referred to "stricter penalties", while there was no reference to penalties in the Protocol. With those changes, the Employers' group agreed with the draft decision.
- 522.** *Speaking on behalf of the Africa group*, a Government representative of Botswana stated that the Africa group supported the draft decision.
- 523.** *A Government representative of Mexico* stressed the fact that the various requests for information should be consistent with the text of the Protocol where optional aspects of the Protocol were concerned, in particular the questions under Article 1(2) of the Protocol concerning consultations and Article 4 concerning penalties and prosecution in relation to the victims of forced labour. Regarding Article 1(3), the question should form part of the requests made under Article 4, since the activities referred to in Article 1(3) would be described in detail in the replies requested under Article 4. Regarding Article 6, the consultations with the employers' and workers' organizations concerned referred to in the last paragraph of the question related to the application of measures and not to the effective application of national laws, which came solely within the power of the State. In Appendix II [article 19 report form], there was no reference in question 1.3 to consultations with "other groups concerned", as specified by Article 1(2) of the Protocol. With regard to the boxes in question 3.2, it did not seem appropriate to categorize either the beneficiaries of measures

or the forced labour practices, since there was no general, consensus-based classification of all forced labour practices. The heading “Development of forced labour indicators” should be transferred to the box in question 4.2 in order to be consistent with Paragraph 13 (“Enforcement”) of the Recommendation. Lastly, the reference to “stricter penalties imposed on perpetrators” in question 4.2 did not appear appropriate since Paragraph 13(b) of the Recommendation referred to other penalties such as the confiscation of profits of forced or compulsory labour. In conclusion, the Office should take account of the observations made.

Decision

524. The Governing Body:

- (a) *requested the Office to ensure that the issues raised during its discussion were adequately reflected in the report forms for the Protocol of 2014 to the Forced Labour Convention, 1930, which would be used as the basis for the preparation of reports due under articles 19(5)(e) and 22 of the ILO Constitution; and, on that basis,*
- (b) *approved the report forms appended to document GB.326/LILS/5.*

(GB.326/LILS/5, paragraph 5, as amended according to the Governing Body discussion.)

Sixth item on the agenda

Report of the second meeting of the Special Tripartite Committee established under the Maritime Labour Convention, 2006

(Geneva, 8–10 February 2016)

(GB.326/LILS/6)

525. *The Worker spokesperson* was pleased to note that all matters on the agenda of the second meeting of the STC had been addressed and that a number of amendments to the Code of the MLC, 2006, had been unanimously adopted. Highlighting the importance of the proposed amendment concerning the payment of wages of seafarers held captive on or off the ship as a result of acts such as piracy or armed robbery, the Workers’ group was content that a STC working group had been established to examine that issue and prepare proposals, including an amendment to the Code. Recalling the concerns expressed by Government representatives regarding the process of submitting amendments to the Code, he also supported the decision that the working group would recommend improvements to that process to the STC.

526. *The Employer spokesperson* stated that the time available for discussion at the second meeting of the STC had been inadequate and suggested that more time be allocated in the future. With reference to point (i) of the resolution concerning the establishment of a working group of the STC, he trusted that the necessary funding would be made available and recalled that the Shipowner members had put on record their understanding that there would be no automatic submission of an amendment regarding the question of payment of wages during captivity of seafarers and that other possibilities could be explored (paragraphs 148 and 150 of the report of the second STC meeting). Concerning the process of preparing proposals for amendments, his group echoed the view of the Government representatives at the STC that a standard protocol for the submission and explanation of potential amendments should be developed, and supported the use of a similar template to that used by the International

Maritime Organization (IMO). The Employers' group supported the draft decision in clauses (a), (b), (c) and (e) of paragraph 17 and could also agree with clause (d) on the understanding that the working group would not necessarily have to prepare proposals for an amendment to the Code of the MLC, 2006, but could also come up with proposals for alternative action.

- 527.** *Speaking on behalf of ASPAG*, a Government representative of Japan supported the draft amendments to the MLC, 2006, in particular the amendment to allow an extension of the validity of maritime labour certificates, which aimed to address the problem faced by ships that could not immediately carry new certificates after renewal inspections had been completed. However, ASPAG wished to draw attention to the issue of timing for the entry into force of that amendment. According to Article XV of the MLC, 2006, following the notification by the Director-General to ratifying Members of amendments approved by the Conference the period for the communication of any formal disagreement would be of two years unless the Conference set a different period. Most certificates carried by ships of ratifying Members worldwide had been issued in July–August 2013, just before the Convention had entered into force, and they would expire and be renewed in July–August 2018. If the period for communication of disagreement were to remain at two years, the amendment would only become effective around January 2019 and thus fail to benefit many ships. To avoid such a situation, ASPAG submitted an amendment to the draft decision suggesting that the Governing Body recommended to the Conference to decide, when approving the amendments, that the period for communication of disagreement should be 14 months.
- 528.** *Speaking on behalf of the Africa group*, a Government representative of Burkina Faso supported the proposals for amendments to the Code relating to Regulations 4.3 and 5.1 of the MLC, 2006. Regarding the proposed amendment to Regulation 2.2, the Africa group was in favour of setting up a working group of the STC and suggested that it could also outline new proposals aimed at better implementation of the MLC, 2006. The Office should take all possible steps to mobilize the necessary financial resources to enable the working group to complete its mission. The Africa group supported the draft decision as amended by ASPAG.
- 529.** *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands noted that the following countries aligned themselves with the statement: Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Norway and Georgia. He welcomed the proposed amendments relating to the renewal of the maritime labour certificate which would facilitate the implementation of the Convention in practice. The draft amendments concerning harassment and bullying on board ships gave prominence to an issue supported by the EU as demonstrated by the 2013 *Guidelines to shipping companies on eliminating workplace harassment and bullying* adopted by the European maritime social partners, which formed the basis of the international guidelines referred to in the amendments. He was pleased that the STC working group would address the serious issue of wages for seafarers taken captive as well as the process for the submission of new amendments, including possible improvements to better anticipate such submissions and offer more time for preparation.
- 530.** *A Government representative of China* indicated that his Government had ratified the MLC, 2006, on 12 November 2015 and was in the process of refining and modifying legislation and institutional arrangements to implement it. He trusted that the ILO would continue providing technical assistance to China in that respect and signalled his Government's readiness to share experiences. While the protection of seafarers' wages when the seafarer was held captive was, in principle, acceptable to China, the working group should take into account all views expressed during the STC and the Office should keep the parties informed. He supported the draft decision as amended by ASPAG and, more generally, expressed the

hope that efforts would be made in the future to avoid scheduling important meetings during the Chinese New Year.

- 531.** *The Worker spokesperson* stated that the Workers' group could accept the ASPAG amendment as long as the same timeframe was applied also to the amendment related to Regulation 4.3, as it would cause difficulties to have different dates of entry into force for amendments adopted by the STC at the same time. A subamendment was submitted to that effect.
- 532.** *The Employer spokesperson*, while expressing support for the initial ASPAG amendment, stated that his group was not in a position to accept the subamendment proposed by the Workers' group to treat the two amendments adopted by the STC as a package, since the International Chamber of Shipping (ICS) had not been able to undertake the necessary consultations.
- 533.** *Speaking on behalf of ASPAG*, the Government representative of Japan did not insist upon the amendment, expressing the hope that the current discussion would lead to further developments by the time of the Conference so that a proposal could be tabled then to address the issue.

Decision

534. *The Governing Body:*

- (a) *took note of the information provided in the report (document GB.326/LILS/6);*
- (b) *decided to transmit to the 105th Session of the International Labour Conference (June 2016) for approval the amendments to the Code of the Maritime Labour Convention, 2006, adopted by the Special Tripartite Committee, as contained in Appendix I to document GB.326/LILS/6;*
- (c) *appointed Ms Julie Carlton (United Kingdom) as the Chairperson of the Special Tripartite Committee for a three-year term (2016–19);*
- (d) *endorsed the establishment of the working group of the Special Tripartite Committee and approved that the cost of the meeting of the working group, estimated at US\$103,100, be financed in the first instance from savings in Part I of the budget or, failing that, through Part II, on the understanding that, should this subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the 2016–17 biennial;*
- (e) *decided to convene the third meeting of the Special Tripartite Committee in 2018, and requested the Director-General to include a provision for that purpose in the Programme and Budget proposals for 2018–19.*

(GB.326/LILS/6, paragraph 17.)

Seventh item on the agenda

Report of the meeting of the Ad hoc Tripartite Maritime Committee for the amendment of the Seafarers' Identity Documents Convention

(Revised), 2003 (No. 185)

(Geneva, 10–12 February 2016)

(GB.326/LILS/7)

535. *The Worker spokesperson* welcomed the adoption of the proposed amendments to Convention No. 185 which would make the Convention workable given that the previous technology standards had been rendered obsolete. The key to securing the aims of the Convention rested on port States accepting the documents issued by the flag State and facilitating access to shore leave and transit to and from the ship. The implementation of the revised Convention would involve costs to the flag States, especially if the International Civil Aviation Organization (ICAO) Public Key Directory was used for the verification of the new seafarers' identity documents (SID) at points of entry. The Workers' group agreed with the draft decision expecting that port States would ratify the revised Convention and that the Office would actively promote it.
536. *The Employer spokesperson* noted that the proposed amendments were meant to keep the technical standards of the Convention relevant to the maritime world of work. The Employers' group agreed with the draft decision.
537. *Speaking on behalf of the Africa group*, a Government representative of Angola stressed that because of different levels of technological development, technical cooperation measures should be contemplated to facilitate implementation of the amendments to Annexes I, II and III to Convention No. 185 by the countries concerned. The group supported the draft decision.
538. *Speaking on behalf of IMEC*, a Government representative of France supported the two resolutions and the proposed amendments to Annexes I, II and III of Convention No. 185, which were based on a technical approach for global interoperability of the Convention, in line with the evolution of technology and compatible with other international norms, such as ICAO 9303. It was hoped that those new provisions offered a new opportunity for an operational and modern SID and would trigger a new momentum in terms of ratifications of the Convention. An evaluation of the effects of those amendments in due course would be appreciated.
539. *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, Montenegro, Serbia, Albania, and Georgia. He welcomed the proposed amendments aligning the SID to ICAO 9303 by introducing a contactless chip with a stored facial image, which would eventually render it globally interoperable and compatible with standard readers available at borders for the reading of e-passports. He supported both resolutions fully understanding the need for a transition period. Continued difficulties for seafarers to enjoy shore leave and to transit to and from ships required swift and appropriate solutions.

Decision

540. The Governing Body:

- (a) requested the Director-General to remain seized of the issue of the facilitation of access to shore leave and transit of seafarers;*
- (b) decided to transmit the proposed amendments and the resolutions adopted by the Ad Hoc Tripartite Maritime Committee to the International Labour Conference at its 105th Session (June 2016).*

(GB.326/LILS/7, paragraph 7.)

Programme, Financial and Administrative Section

Programme, Financial and Administrative Segment

First item on the agenda

ILO programme implementation 2014–15 (GB.326/PFA/1)

541. *The Chairperson* invited the Governing Body to make general comments on the overall report.
542. *The Worker spokesperson*, while noting that the report contained much useful information and a number of significant achievements, said that the format of the report made it difficult to have a clear assessment of action taken to advance decent work at country level, of difficulties encountered and of successes. For the Governing Body to exercise its governance role effectively, the report should provide more details on where work had failed to bring about systemic change and why. As that was the last implementation report under the Strategic Policy Framework 2010–15, more information had been expected on the achievements and challenges encountered in realizing the four components of decent work and in the ILO's interaction with other organizations in the multilateral system, as well as a more general analysis covering the period as a whole. A more concrete consolidation of information similar to the one available online on the outcomes' overview would have provided a clearer picture of the Office's performance and enabled a more informed debate. Future reports should include a section on the involvement of workers and employers in work under each outcome, difficulties encountered and challenges to overcome, and an outline of the Office's advocacy work in respect of the multilateral system. The presentation of the key areas of ILO action only gave a snapshot of issues, leaving a number of questions unanswered. The inclusion of the information contained in the appendix in the main report would have provided a more detailed analysis.
543. *The Employer spokesperson* welcomed the improved clarity of the report and the transparent consultation process. While the key themes of the Programme and Budget 2014–15 had been to achieve greater focus, critical mass, value for money, real impact and efficiency, to be achieved through ILO reform, the report provided little evidence that the concentration of resources and effort through the areas of critical importance (ACIs) had resulted in greater efficiency or impact. The numerical approach to reporting on targets was useful to indicate levels of achievement but said nothing about the quality of results or their impact. More detailed reporting would have provided a better assessment of the reality on the ground.
544. *Speaking on behalf of ASPAG*, a Government representative of China applauded the ILO's achievements with respect to the successful contribution to the 2030 Agenda for Sustainable Development, the reform of the International Labour Conference and positive results in relation to enhancing organizational effectiveness across a number of areas. The role of the International Training Centre of the ILO in Turin (Turin Centre) was acknowledged with respect to capacity development for constituents as was the ILO's enhanced responsiveness to migrant movements and the refugee crisis. However, a clear distinction between refugees and migrants should be drawn. The ILO should continue its assistance to Jordan and Lebanon and extend its support to other countries in the region affected by the refugee crisis. The

2030 Agenda for Sustainable Development provided an important opportunity for the ILO and the Office should mobilize more resources to realize the Sustainable Development Goals (SDGs). The ILO should also maintain its partnerships, including at the regional level, with a view to increasing its visibility, seeking further ways to communicate achievements and use lessons learned to inform future agendas.

- 545.** *Speaking on behalf of GRULAC*, a Government representative of Mexico congratulated the Office on the quality of the report.
- 546.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe welcomed the report and commended the Office for the results achieved. His group was particularly encouraged that 34 per cent of targets had been achieved in the Africa region. While the Office had succeeded in mainstreaming elements of the Decent Work Agenda through the SDGs, the challenge would be to capacitate constituents to implement Goal 8 and other elements of the Decent Work Agenda in the SDGs at country level. It was important to guard against a strategic drift by ensuring that the Organization remained focused on its core mandate and deepened its policy coherence to meet contemporary challenges in the world of work.
- 547.** *Speaking on behalf of IMEC*, a Government representative of the United Kingdom said that his group appreciated the quality of the report and commended the Office for the steps taken to reform and refocus on areas raised previously by the Governing Body. Progress made on getting the Standards Review Mechanism (SRM) under way, in relation to the SDGs and the G20, the strengthening of the knowledge base and analytical capacity were particularly welcome. As was the lessons learned section of the report, which illustrated how the evaluation function was embedded into the way the ILO did business, including in terms of the design and delivery of its strategy. He welcomed the information on areas of underachievement but called for further information on how the lessons learned would inform future delivery. Further work could be done on communicating more widely on successes to boost the ILO's visibility, its role in the international community and its relevance to constituents. The report could be made more accessible and adopt a format that provoked more debate, including more data, graphs and visual reporting, which would facilitate comparisons with past trends and performance. In addition, more information could be given on the impact of ILO action on people's lives and the main obstacles encountered.
- 548.** *A Government representative of China* called on the ILO to accelerate the implementation of the reforms as set out in the programme and budget.
- 549.** *The Chairperson* opened the discussion of Part I of the report (paragraphs 1–115).
- 550.** *The Employer spokesperson* said that, as the ACIs did not have a results framework, it was difficult to judge from descriptions in the report the extent to which results or impacts had been achieved. In particular, the ACIs were supposed to lead to enhanced teamwork, but the dedicated assessment requested by the Employers in that regard had not been conducted. Instead of focusing on procedure, the report should highlight achievements. More use could have been made of the information on critical gaps identified through evaluability assessments in paragraph 58. Greater consideration should be given to lessons learned on capacity development for policy reform. The latter was not only a technical process but also a results-driven one and, unless it was owned and led by constituents, it was unlikely to be sustainable. Furthermore, unless the Organization had a clear idea of where it was going and why, capacity development could fail. Information on expenditure and financial delivery indicated a 95 per cent delivery rate under the approved regular budget. The Office should provide an explanation for overall unspent resources, especially given that some areas of work were running short, a fact that could have considerable repercussions. There was a substantial difference in the amounts allocated to support the work of employers' and

workers' organizations under the regular budget and the Regular Budget Supplementary Account (RBSA). The Office should justify the difference and clarify the weighting distribution for the RBSA. Regarding the organizational effectiveness of development cooperation, the report was silent on how the Office failed to anticipate action on shifting donor priorities, namely due to the emergence of the refugee crisis, which left some areas of work, such as strengthening employers' organizations, without any extra-budgetary technical cooperation, particularly in the Latin America and Africa regions.

551. *The Worker spokesperson* said that the Office was to be commended for the achievements outlined in the first part of the report. In respect of the ratification of 39 labour standards, it would be useful to have a list of such ratifications in future reports. Major challenges, however, remained at the end of the biennium as the world was far from recovering from the financial and employment crisis. With regard to areas of significant underachievement, the Office's explanation with respect to indicator 14.1 seemed to be overly optimistic; underachievement on indicator 3.4 suggested that more needed to be done to raise awareness of the MNE Declaration; and while the Office's explanation with regard to outcome 18 might be correct in part, a number of core Conventions, notably Conventions Nos 87 and 98, remained the least ratified and the Office should step up efforts for universal ratification of all fundamental Conventions. Regarding outcomes 14, 15, 16 and 17, it would have been useful if the lessons learned had mentioned the results achieved in the countries cited. Parts of the report were overly optimistic; the group had not seen progress with regard to freedom of association and collective bargaining in export processing zones as the report claimed. He would have liked more information on how grouping work into each ACI had affected the ILO's capacity to deliver through more synergies and joined up work methods. The report was selective rather than being a systematic assessment of progress. The lessons learned in box 2 were very important; how had they been translated into the reality of work done at country level by the Office? How had work on the ratification and implementation of international labour standards been mainstreamed into each ACI? He welcomed the increased use of technology at the Turin Centre, particularly the online learning platforms and the Massive Open Online Courses, and the launch of the ILO knowledge portal. More must be done on search engines and other tools, and new agreements with digital partners must be in line with international labour standards. The Office should address the critical gaps identified through evaluability assessments. Turning to financial information, he noted that there was still room for improvement in the distribution of funds across outcomes. The bulk of RBSA resources continued to go to employment, despite having the largest share of resources from the regular budget and extra-budgetary funds. The level of RBSA allocated to standards and fundamental principles and rights at work was low compared to other outcomes. While acknowledging the reasons for the current distribution of the RBSA under the ACIs, in future there should be a better distribution for thematic areas that attracted less voluntary contributions than others. More information on the ILO's project portfolio, in particular the relationship between projects at country level, would be welcome. It would have been useful to have a list of the 92 new public-private partnerships signed in 2014-15 appended to the report. While progress had been reported on how the United Nations Development Action Framework (UNDAF) and the UN One Programme were mainstreaming the Decent Work Agenda, more needed to be done to ensure that all four dimensions of decent work were equally addressed. Too often standards and social dialogue were disregarded. He requested further information on the measures taken to improve the functioning of the Regional Meetings in the Americas and Africa and welcomed the publication of the Enterprise Risk Management (ERM) framework.

552. *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe said that the challenges highlighted in paragraph 6 would undoubtedly demand continued attention. Cooperation with the International Monetary Fund (IMF) and the World Bank should be encouraged to ensure that employment was at the heart of macroeconomic policy, and should be developed between national tripartite constituents and ministries of finance and

development. Despite the commitment shown by many African countries such as Niger and Zambia in ratifying ILO instruments, the performance results indicated in table 1 for indicator 18.3 were not encouraging; only one of 20 targets had been met. Regarding the impressive achievements set out in table 1 for indicator 16.2, he suggested reviewing the target-setting process to avoid under-targeting. With respect to the Turin Centre, he requested a breakdown by gender and the number of participants from vulnerable groups such as persons with disability and asked how the low percentage of labour ministry participants could be increased. He suggested further decentralizing Turin training activities to various African countries. The Office was urged to consider assigning a labour migration specialist to Decent Work Teams in Africa, given the strategic importance of labour migration issues in the region. The availability of extra-budgetary resources to support all areas of the Decent Work Agenda was welcome, as was the increase in domestic funding. He underlined the importance of the DWCP approach and its relevance at the subregional level. It was hoped that the implementation of DWCPs in the region would be informed by the African Union Declaration on Employment, Poverty Eradication and Inclusive Development and the African Union Agenda 2063. While progress had been made regarding the reform agenda, reform fatigue was possible given how long the reform process had been going on. While field restructuring had helped to align the coverage of ILO offices with structures in regions, there must be transparency in the process through increased constituent involvement and consultation. The Office was urged to resolve the remaining areas of concern regarding the reform of the Governing Body and the Conference highlighted in paragraph 110, and to review the standing rules governing Regional Meetings.

- 553.** *Speaking on behalf of GRULAC*, a Government representative of Mexico noted that 167 targets had been set for the Americas. The results for the region had shown it to be very successful regarding outcome 16, where targets had been exceeded. He expressed concern regarding outcome 18, the results for which were significantly below the targets set. He reiterated the group's commitment to hold constructive and tripartite discussions on the Standards Initiative. Regarding the *World Employment and Social Outlook: Trends* report, the *World Social Security Report* and the *Global Wage Report*, the incorporation of the decent work programme in the SDGs would provide new opportunities for the Office to compile data to measure progress. He supported the publication of the reports at clear and determined intervals, which should not coincide with other central activities of the ILO so as to ensure that constituents and media could devote the necessary attention to them. The Office was invited to continue to provide clear information on the link between the regular budget and extra-budgetary resources. He welcomed the ten new partnerships that had been signed with middle-income countries and South–South and triangular cooperation partners. He reiterated the importance of decentralization and of regional activities in delivering the Organization's programme.
- 554.** *A Government representative of Pakistan* appreciated the ILO's extensive support for its recently concluded DWCP 2010–15 and looked forward to continued ILO technical assistance for the preparation and implementation of the new one. The government of Punjab province had promulgated the Punjab Prohibition of Child Labour at Brick Kilns Ordinance 2016, aimed at eliminating child labour at brick kilns through an extensive inspection and monitoring mechanism.
- 555.** *A Government representative of Trinidad and Tobago* said that contrary to the indication in table 10, the preparation of a new DWCP was not yet under way in her country. The statement that DWCPs continued to be a powerful tool for fostering dialogue seemed to run counter to the conclusions of an independent evaluation of DWCPs in the Caribbean which suggested that DWCP documents appeared to be missed opportunities to present the ILO's work and technical cooperation activities as coherent strategies to promote the Decent Work Agenda at national and subregional levels. She hoped that the recommendations made in the

said evaluation to strengthen delivery through DWCPs in the Caribbean subregion would be borne in mind.

- 556.** *A Government representative of the United States* welcomed the list of selected research projects in box 1, which demonstrated that ILO research efforts were integral to programme and budget outcomes. She requested more detailed information about the councils of experts – how the members were chosen, whether they were standing councils or established to review particular research projects, what the relationship was between those councils and the Research Review Group. More information would have been welcome regarding what measures the Office was taking to close the critical gaps identified through evaluability assessments and to ensure application of the lessons learned. While welcoming the increasing diversification of extra-budgetary funding sources, she urged the Office to work to improve the financial delivery rate of extra-budgetary projects. She appreciated the ILO's significant contributions to the work of the G20 Employment Working Group and the ILO's expanded dialogue with the Organisation for Economic Co-operation and Development (OECD), the World Bank and other international organizations.
- 557.** *A representative of the Director-General (Treasurer and Financial Comptroller)* said that the total expenditure on outcomes in 2014–15 had been close to US\$606 million, which was in line with the appropriation of US\$612 million for the strategic objectives as contained in the Programme and Budget for 2014–15. The results published for 2014–15 showed an overall budgetary surplus of US\$11.9 million, which was, however, offset by a shortfall in income from member States, leaving an overall deficit of US\$15.4 million. The US\$6 million variance in the outcome expenditure was part of the overall budgetary surplus of US\$11.9 million. Regarding the reason for that budgetary surplus, as foreseen and announced to the Governing Body in March 2015, inflation projections contained in the 2014–15 budget had not materialized. It was therefore normal that the expenditure level would be below budget.
- 558.** *The Chairperson* opened the discussion of Part II of the report (paragraphs 116–284).
- 559.** *The Worker spokesperson* expressed regret about the lack of reference to standards in the ACI on promoting more and better jobs for inclusive growth. He requested more information on the intervention model for youth employment developed in the Africa region. None of the policy recommendations in paragraph 130 addressed rights, even though they were a key pillar of the 2012 Conference conclusions. Collective bargaining continued to receive insufficient attention in the work on productivity and working conditions. Referring to paragraph 148, he expressed concern that the example provided did not reflect the full reality in Indonesia. The recent reforms to the minimum wage fixing system in that country eliminated decentralized, tripartite wage boards and created a new system in which workers have no role. The Government had violently repressed workers protesting over the new wage system. While it appeared that the ILO had supported the Government's new wage scheme, evidence suggested that the Government had ignored key aspects of Convention No. 131. The Government had failed to consult trade unions over the modification of the minimum wage fixing machinery in 2015. Since the introduction of wage reforms, the International Trade Union Confederation (ITUC) and Indonesian trade unions had asked the Office to intervene on several occasions, but had been informed that the Office could not criticize a sovereign government. His group found it difficult to understand how a new wage system going against ILO Conventions could be presented in a positive light. He asked the ILO to promote a resolution which would lead to an ILO-consistent wage-setting mechanism and guarantee workers' rights, including the right to freedom of association and to bargain collectively. Similarly, the report overstated the achievement of ILO work regarding working conditions and wages on Thai fishing boats. The scope of the section on child labour and social dialogue was rather limited. While the section on regional highlights provided clear and useful information on DWCPs, the areas of focus in each region indicated the

absence of an integrated ILO approach based on all four strategic objectives. Regarding South Africa, there appeared to be a mismatch between the substantive country results set out in paragraph 228 and those in table 9. While the group welcomed the section on realizing labour rights in Latin America and the Caribbean, it would have welcomed information on the impact of the missions and the work of the special committees regarding the labour rights situation and whether the countries had dealt effectively with the issues identified by the ILO supervisory bodies. Still not enough attention was being given to rights in the Arab States region. Future Office interventions should focus more on addressing labour rights deficiencies in that region, including those affecting migrant workers in countries members of the Gulf Cooperation Council (GCC). With respect to labour migration in Asia, there should be a stronger focus on rights and continue to use the term “labour migration” rather than “labour mobility”. The Association of Southeast Asian Nations (ASEAN) countries had ratified the least number of core ILO Conventions in the region, and while trade unions were involved in efforts to promote decent work for migrant workers, they still had no formal status within ASEAN processes. The research mentioned in paragraph 262 should cover labour rights in addition to employment and social protection. The assessment of the examples set out in the section on the Europe and Central Asia region should have been more realistic in view of the crisis affecting many countries in the region. ILO interventions had allowed social dialogue to be re-established in a number of countries, such as Greece, however, the report was all but silent on the deteriorating situation of labour rights in countries such as Armenia, Kazakhstan, Kyrgyzstan and Tajikistan and others, on account of a massive liberalization of labour legislation. The next implementation report should include a section providing an overall analysis of the global performance of the Office with information on: the main areas of focus of its work; the successes and challenges encountered in its cooperation with other organizations and advocacy work; the countries in which it had made the most and least progress and the reasons why; the countries in which progress had been made in realizing the four dimensions of the Decent Work Agenda; and on whether the reform and the introduction of new working methods in the Office had helped to achieve that goal. The section on the delivery of the strategy should cover all the areas identified in the programme and budget and provide an overview of how each area had been addressed, based on the four dimensions of the Decent Work Agenda. The section on the support delivered to constituents should provide more detailed information on the involvement of workers’ and employers’ organizations, and on the successes and challenges encountered in that area. That information should be complemented by another section outlining the advocacy work of the Office in respect of the multilateral system and other organizations, and the results of that work. The sections on lessons learned were useful and should be included in all future reports. The report for the following biennium should also highlight the extent to which the different outcomes and work in the regions had promoted the ratification and effective implementation of international labour standards.

560. *The Employer spokesperson*, noting that strengthening employers’ organizations had been recognized as a key area of ILO action, asked why sufficient resources had not been allocated to achieve that objective. His group would like to receive a breakdown of the resources allocated to work in support of employers’ organizations and to sustainable enterprises under the regular budget.

561. *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe said that the integrated approach to achieving the outcomes, which formed the basis of the ILO’s work for the current biennium, would allow the Office to respond more effectively to the needs of the Africa region. He welcomed the Office’s endeavour to focus on fewer areas of work overall and trusted that doing so would yield tangible results. Noting the substantive number of country outcomes on promoting more and better jobs for inclusive growth targeting the Africa region and the numerous ILO initiatives under way, he urged the Office to share best practices in the region, including those relating to tackling youth unemployment, which was a regional priority. He welcomed the adoption of

Recommendation No. 204 and said that member States looked forward to receiving technical assistance in its implementation. His group expected that the lessons learned from the piloting of a toolkit for labour inspection in the informal economy in West Africa would lead to its dissemination in other parts of the region. The possibility of better synchronizing programme implementation and evaluation reports was encouraged.

562. *A representative of the Director-General* (Director, Strategic Programming and Management Department (PROGRAM)) thanked the members of the Governing Body for the richness of the comments and guidance provided during the discussion, which would allow the Office to improve its performance in implementing the ILO programme for 2016–17 and the quality of future programme implementation reports. In response to the comments raised during the debate, he made the following points. First, with regard to the content and format of the report, the Office had taken into account previous Governing Body guidance and had endeavoured to improve the quality of the report without making radical changes thereto. The programme implementation report did not take the place of evaluation reports, nor was it meant to become an impact study. The purpose of the report was to provide information on the Office’s biennial performance so as to enable the Governing Body to exercise its governance function. The format had been modified to give more prominence to successes at the global level and the progress made in achieving the 2030 Agenda for Sustainable Development, among other areas of work. In the interest of brevity, some information had not been included in the report, but much complementary information was available online. Second, the Office had acted upon the recommendations contained in evaluation reports and had adopted a new approach which allowed it to identify any shortcomings in the implementation of the programme more easily. Box 3 provided an overview of the shortcomings which the Office was seeking to address. The lessons learned from the implementation of the programme for the previous biennium had informed the programme implementation strategy for the biennium that followed. Those lessons learned and the comments made at the present session of the Governing Body would be reflected in future programmes. Third, he recalled that the Governing Body had adopted a Strategic Policy Framework structured around 19 outcomes and that it had decided not to adopt a separate framework for the ACIs introduced in 2014–15. To the extent possible, the work completed and the results achieved under the ACIs should be viewed through the prism of that Framework. Fourth, underachievement in results reported against targets could be attributed to various factors, including: political issues in the countries in question; indicator-related difficulties; over-ambitious outcomes and targets; and to difficulties in mobilizing resources. The Office was aware of the need to step up its efforts in respect of indicators 2.3, 3.3 and 3.4, where it had underachieved as shown by the results achieved in 2014–15. Fifth, he acknowledged the need to allocate more resources to social dialogue activities. Following the evolution of the ACIs into policy outcomes in the Programme and Budget for 2016–17, the Office had taken measures to ensure that issues relating to labour standards, social dialogue and gender equality and non-discrimination were integrated across all its work. He noted the concerns expressed about the information on Indonesia in the section on productivity and working conditions in small and medium-sized enterprises and about DWCPs in the Caribbean. Sixth, the ILO reform agenda had already borne fruit and many gains had been made, a trend which would grow in the years to come. The positive impact of the reform was evident in the quality of the dialogue within the Governing Body and at regional meetings, and improvements in document management and production.

Outcome

563. *The Office took note of the observations and guidance provided by the Governing Body.*

(GB.326/PFA/1.)

Second item on the agenda

Delegation of authority under article 18 of the Standing Orders of the International Labour Conference (GB.326/PFA/2)

564. *The Worker spokesperson and the Employer spokesperson* endorsed the draft decision.

Decision

565. *The Governing Body delegated to its Officers, for the period of the 105th Session (June 2016) 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 75th financial period ending 31 December 2017.*

(GB.326/PFA/2, paragraph 3.)

Third item on the agenda

Update on the headquarters building renovation project (GB.326/PFA/3)

566. *The Worker spokesperson* noted with satisfaction that the work was progressing well and that measures had been taken to minimize the impact on staff. While his group was in favour of considering the possibility of seeking voluntary contributions to fund the balance of the works, previous proposals along those lines had not generated many expressions of interest. Reputational issues would also need to be carefully considered. The option of a special assessment on member States should be considered. A commercial loan should be considered only as a last resort. In order to avoid cost increases, the renovation work should be completed without a break. His group supported the draft decision.

567. *The Employer spokesperson* welcomed the information that the renovation of the southern third of the building would be completed and staff relocated by the end of 2016. The Office's proposal to use the headquarters portion of the Building and Accommodation Fund long-term financing reserve for 2016–17 and 2018–19 to cover the shortfall resulting from the reduced proceeds of the land sale appeared reasonable, especially as it would have no impact on long-term needs. It would be useful to have more detailed information on each of the three options envisaged for financing the balance of the works: a commercial loan, voluntary contributions and assessment on member States. His group supported the first two subparagraphs of the point for decision and would like to hear the views of governments before commenting on the third one.

568. *Speaking on behalf of IMEC*, a Government representative of the United Kingdom said that his group noted with satisfaction the progress made since the previous session of the Governing Body. It welcomed the open book approach, the shared savings clause and the Office's continued commitment to staying within the original project cost. While acknowledging that the total budget remained within the limits of the financial plan endorsed by the Governing Body, it was concerned that the actual cost to member States had increased, owing primarily to lower income generation than anticipated. It commended the agreement

whereby the Office had relinquished the leasehold land located on Route de Ferney in return for freehold title to one half of the property sold and the timely sale of both land plots.

- 569.** He thanked the Office for exploring possibilities for financing the additional scope of the project, as requested by IMEC at the November 2015 session of the Governing Body. However, it was disappointing that the three options presented relied on member State funding; the Office should consider alternatives. IMEC would appreciate further details on the financial implications of postponing the additional works. The Office should consider all options to defray costs or generate revenue, including prioritizing and/or reducing the scope of the additional works and identifying sources of funding, particularly non-governmental. It should also identify the works removed from scope that it considered essential. Lastly, the Office should submit to the Governing Body, at its next session, a proposal for the creation of a specialized committee of ILO members to monitor the project and advise the Office and the Governing Body on its implementation.
- 570.** IMEC did not support advancing at present on any option that entailed an assessment on member States. The out-of-scope items, which accounted for over 50 per cent of the original project, had been removed for a reason and should not be considered as a complete package to be funded. Prioritization was crucial, and individual elements could be funded from internal resources and savings when the need became acute. He recalled the resolution concerning treatment of net premium earned, adopted by the International Labour Conference at its 97th Session in 2008. The group would welcome a further report on developments at the November 2016 session of the Governing Body.
- 571.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe welcomed the progress made in the project and the agreement reached on the disposal of land. He hoped that the Governing Body would have an opportunity to take a decision on the three options for additional funding that the Office had presented. The group supported the draft decision.
- 572.** *A Government representative of Mexico* said that, in light of the current financial uncertainty and the challenges faced by many member States, it was important for the work to be completed within the budget approved by the Governing Body. As the representative of IMEC had stated, priorities for the out-of-scope work should be set: work on the parking area and the general services was not urgent. The genuine needs of the conference centre should be assessed in light of the ongoing renovation projects that would provide larger meeting rooms elsewhere in Geneva, including at the Palais des Nations, and any renovation of that part of the building should be financed from voluntary contributions or innovative financing sources. She supported the measure proposed in point (b) of the draft decision to finance the shortfall of 2.4 million Swiss francs (CHF).
- 573.** *A representative of the Director-General* (Deputy Director-General, Management and Reform) confirmed that point (b) of the draft decision concerned only the funding shortfall resulting from the reduced revenue from the land sale. The “additional CHF120 million” mentioned in the report represented a recalculation of the CHF95–100 million estimated 12 months previously, when it had been decided to take some elements of the renovation out of scope in order to preserve the original budget of CHF205 million. In response to IMEC’s query on priorities, he suggested that works could be reprioritized by starting with safety and health, to include the replacement of all glazing, additional insulation and additional fire exits to the offices and common areas in the general services and conference centre. That could be followed by the mechanical, electrical and plumbing works, concluding with internal finishes and finally, the parking. Very rough cost estimates for these works would be CHF25–30 million for safety and health, CHF40–50 million for mechanical, electrical and plumbing work, CHF25–30 million for internal finishes and CHF11 million for parking. He stated that if the additional renovations were done in parallel with the current works, the

savings were estimated at slightly more than CHF2.2 million. He asked what non-governmental funding options IMEC wished the Office to explore. Lastly, he reminded the Governing Body that it had established a building subcommittee to monitor the original project and that, at the end of the planning process, it had been replaced by the Office's current governance arrangements, which had been welcomed in the various audit reports. The day-to-day building process was overseen by the Project Management Team, the entire project was overseen by the Governance Committee, and the Office reported to the Governing Body at each of its sessions.

574. *The Employer spokesperson* said that his group now wished to support the point for decision as contained in the document.

Decision

575. The Governing Body:

- (a) took note of the progress report regarding the headquarters renovation project;*
- (b) approved the use by the headquarters renovation project of the provisions under Part IV of the regular budget in respect of the long-term financing reserve for the headquarters building pending completion of the renovation; and*
- (c) requested the Director-General to prepare and circulate to member States a list of potential donation packages.*

(GB.326/PFA/3, paragraph 31.)

Fourth item on the agenda

Update concerning the after-service health insurance

(GB.326/PFA/4)

576. *A representative of the Director-General* (Treasurer and Financial Comptroller) explained that the corrigenda clarified that the proposal made by the UN inter-agency Working Group on the funding of the after-service health insurance (ASHI) liability (repeated in the document under consideration) related to the employer's share of health insurance premiums only and would not entail a deduction from staff members' entitlements. The Office had just been informed that the Fifth Committee of the UN General Assembly had endorsed a set of recommendations made by the Advisory Committee on Administrative and Budgetary Questions (ACABQ). A key recommendation was that the Working Group should obtain further information in relation to the leveraging of national health insurance schemes as a means to reduce organizations' liabilities. The document under consideration explained that such a move would not result in any change of benefits or premiums for insured persons. The ACABQ had also recommended that the Working Group should continue to explore options for greater consolidation of health insurance plans, although it appeared to recognize that the United Nations Joint Staff Pension Fund (UNJSPF) might not be the best vehicle for such a consolidation. The ACABQ had supported further collective negotiations with health-care providers and, to the extent possible, the harmonization of accounting valuation methodologies. While recognizing that it was for each organization to determine the optimal

approach to ensuring that adequate resources were available to fund its ASHI liability, the ACABQ had repeated its recommendation that the UN secretariat should continue to do so on a pay-as-you-go basis. One theme that had emerged from the Fifth Committee's discussion was that the UN Working Group should continue to explore ways of achieving greater inter-agency portability of health insurance plans.

- 577.** *The Employer spokesperson* requested clarification of paragraphs 32–36 of the report. With 76 per cent of the ILO's Staff Health Insurance Fund (SHIF) health-care costs incurred in Switzerland and France, the possibility of covering former officials through national health insurance schemes in those countries should be explored. His group supported all appropriate measures that would result in cost containment, particularly preventive health care and negotiations with health-care providers. With regard to point (c) of the draft decision, his group had already expressed support for the application of a payroll charge and welcomed the confirmation that there would be no consequent increase in staff contributions to the SHIF. However, it was unclear that such an approach would, in itself, resolve the problem of ASHI liability since, as stated in paragraph 36 and clarified by the discussion in the Fifth Committee, the Office would be required to continue the pay-as-you-go funding of ASHI and the liability would not begin to reduce until after 2025 and would then take some 60 years to expire. Perhaps a payroll charge could be combined with other solutions; he would welcome clarification from the Office on that point. His group supported the draft decision.
- 578.** *The Worker spokesperson* said that his group supported the cost containment measures related to preventive health care, the development of a preventive health-care policy by the Office and further collective negotiations with health-care providers. However, such negotiations should not result in additional costs or reduction of benefits for staff, and the clarification given in that regard was welcome. The Workers' group supported point (a) in the draft decision but did not see the need for point (b), given that it dealt with issues already covered by the wider consideration that the Office should be undertaking under point (a). The group requested confirmation that any options submitted to the Governing Body relating to changes to the SHIF Regulations and, in particular, coverage through national health insurance schemes would be the result of joint negotiations between the Administration and the Staff Union. The proposal contained in point (c) of the draft decision would imply an increase in the budget of US\$40–50 million. Any extra contributions by member States to decrease a theoretical ASHI liability must not entail cuts in funding for essential ILO programmes and activities. Upcoming changes related to the right of staff to retire at the age of 65 years could have a positive impact on the ASHI liability and should be taken into account in any future discussions on the issue.
- 579.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe said that former officials must be adequately covered by ASHI and any existing gaps in national systems must be mitigated at the global level. The Organization must spearhead efforts to protect present and former employees' acquired rights. The Africa group welcomed the recommendation to determine the feasibility of engaging with member States regarding the opening of primary coverage under national schemes, although such an approach should not lead to liability being shifted wholesale to member States. The group supported the amendment to the draft decision to be submitted by IMEC.
- 580.** *Speaking on behalf of IMEC*, a Government representative of Spain said that the Office must focus on finding ways of funding, containing and reducing liabilities in line with other UN agencies. He would appreciate an estimate of the amount saved as a result of collective negotiations with health-care service providers and asked whether a special reserve for ASHI could be set up independently of the SHIF. Steps must be taken to look into how significant savings and efficiencies could be achieved and to start managing the Organization's liability in order to keep it under control and limit related costs. IMEC supported points (a) and (b)

of the draft decision and encouraged the Office to explore the possibility of taking the proposed regulatory measures without waiting for the finalization of United Nations-wide analyses. With regard to point (c), he understood that a payroll charge would fall on the employer and would entail increased staff costs. In the absence of a specific plan to contain and finance costs, IMEC could not support that point. He accordingly proposed that points (c) and (d) should be deleted and replaced with the following text: “present to the 328th Session of the Governing Body (November 2016) concrete proposals to finance and contain the after-service health insurance (ASHI) liability”.

- 581.** *Speaking on behalf of GRULAC*, a Government representative of Mexico said that the group was concerned at the fact that, in 2014, the Organization had reported negative net assets of over US\$117 million and an ASHI liability of US\$1,100 million. The Organization could move forward and take a number of measures to reduce the liability, including negotiations on coverage by national health insurance schemes and, in particular, on collective bargaining with health-care providers in Switzerland. It was vital to consult with the representatives of the staff in that regard. Information on the amount of savings that could be made as a result of applying such measures would be welcome. A common UN system-wide policy on ASHI would bring with it a number of advantages. When taking decisions on the funding of the liability, the Office must undertake to apply efficiency and cost-containment measures while bearing in mind the overall demographic make-up of the ILO staff. The document failed to take into account the discussions at the 322nd Session on the possibility of identifying other sources of funding for a potential ASHI reserve, such as the transfer of ILO budgetary savings or the allocation of underspending at the end of a biennium. Those measures would minimize the impact on the regular budget and member States’ contributions. Points (c) and (d) of the draft decision should be replaced with the following text: “present to the 328th Session (November 2016) possible options for the establishment of an ASHI reserve, including specific measures for increasing efficiency and containing costs, while examining the positive impact of such measures in reducing ASHI liabilities for the ILO”.
- 582.** *The representative of the Director-General* in reply to the Employer spokesperson said that, rather than building a reserve to cover the existing ASHI liability, the proposal was to let it gradually expire through attrition, while funding future growth. As new liability was accrued, a corresponding reserve would thus be built up to fund it. In the meantime, the Office would continue to meet its contribution towards ASHI for existing retirees through the pay-as-you-go method. With the exception of point (c) the draft decision did not call for any immediate changes. Decision point (b) would not entail any cost to or change in benefits of insured persons. Through a similar arrangement for retirees based in the United States, the UN secretariat in New York had reduced its total liability by approximately US\$258 million. However, without further study, it was not yet clear whether such an approach could be possible with regard to ILO retirees based elsewhere, nor could the Office currently provide an estimate of potential savings. The raising of the age of retirement to 65 years would not materially reduce the ASHI liability. He confirmed that the Office had already made a commitment to the Staff Union that there would be consultations before any decisions were taken concerning points (a) and (b). Although the Office could not give an estimate of the value of savings achieved through collective negotiations, health-care providers had agreed to tariff reductions between 10 and 15 per cent. Under the proposal contained in point (c) a special ASHI reserve would be set up, to be held outside the SHIF itself. The SHIF Management Committee had established a subcommittee to identify further areas of cost containment and was reviewing options such as the use of generic medicines and alternatives to hospitalization.
- 583.** *The Worker spokesperson* said that the date of November 2016 contained in the amendments put forward by IMEC and GRULAC did not allow for enough time to consider the outcome of further discussions by the UN Working Group on ASHI. The best option would be to retain the original text of the draft decision.

584. *The Employer spokesperson* said that his group supported the original text.
585. *A Government representative of Spain* said that he could support the amendment put forward by GRULAC.
586. *Speaking on behalf of GRULAC*, a Government representative of Mexico said that his group was prepared to change the date in its proposed amendment to March 2017.
587. *A Government representative of Spain* said that he supported the change in date put forward by GRULAC.
588. *The Worker spokesperson* asked for clarification of the technical difference between the original text of point (c) of the draft decision and the proposed amendment put forward by GRULAC.
589. *The Employer spokesperson* asked whether the options referred to in the GRULAC proposal included a payroll charge.
590. *Speaking on behalf of GRULAC*, a Government representative of Mexico said that a payroll charge was a possible option. The GRULAC proposal did not endorse the creation at the present time of a reserve to fund the ASHI.
591. *The Employer spokesperson* said that his group supported the version of point (c) proposed by GRULAC containing the date of March 2017.
592. *The Worker spokesperson* asked whether the Office believed that one year would be enough time for effective consultation.
593. *The representative of the Director-General* said that discussions within the UN Working Group on ASHI would probably not be completed by March 2017. However, the Office would be able to report back on any cost-containment measures taken and resubmit options for funding at that time.
594. *The Worker spokesperson* said that his group could agree to the version of point (c) proposed by GRULAC.

Decision

595. *The Governing Body requested the Director-General to:*
- (a) *ensure the ILO's continued participation in the UN after-service health insurance (ASHI) Working Group in its study of further options to increase efficiency and contain costs and in its development of specific proposals;*
 - (b) *collaborate with other UN organizations in exploring the practicability and effects of introducing into the Staff Health Insurance Fund (SHIF) Regulations and Administrative Rules a requirement for former officials insured by the SHIF and their dependants, who reside in Switzerland, France and the United States to be covered under the national health insurance schemes of those countries; and*
 - (c) *present to the 329th Session of the Governing Body (March 2017) possible options for the establishment of an ASHI reserve, including specific measures*

for increasing efficiency and containing costs while examining the positive impact of such measures in reducing ASHI liabilities for the ILO.

(GB.326/PFA/4, paragraph 39, as amended.)

Fifth item on the agenda

Information and communications technology questions: Final report on the ILO Information Technology Strategy 2010–15 and proposed transitional strategy 2016–17

(GB.326/PFA/5)

- 596.** *The Worker spokesperson* said, in relation to outcome 1 of the ILO Information Technology (IT) Strategy 2010–15, that the Office should consolidate the field deployment of IRIS, reinforce knowledge sharing and collaboration, and continue to train staff in new technologies. He asked when a decision on the use of Microsoft SharePoint would be made, and what its implications would be. In relation to outcome 2, the Office should provide more details on the reduction of IT costs and assurances that cost-saving measures would not affect the staff's working conditions. Establishment of the Information Technology Governance Committee (ITGC) was a welcome initiative. On outcome 3, the Office should continue to modernize IT infrastructure and strengthen information security and risk management. He asked what the IT security budget had been before the reallocation of US\$2.4 million, in order to determine the percentage increase that it represented. The transitional strategy for 2016–17 was welcome, although more information on implementation costs was needed. He supported the draft decision.
- 597.** *The Employer spokesperson* commended ILO's holistic approach towards modernization and standardization of IT, and the Office's cost-saving measures taken to leverage limited resources. However, it was worrying that the ILO's IT resource levels were 30–40 per cent lower than those of industry peers, and the Office was asked to explain why that was the case. While it was essential to get the best value for money, the ILO and its constituents should benefit from the full potential of IT. For example, he noted the absence of Wi-Fi in some parts of the building. The reallocation of US\$2.4 million to cyber security and the establishment of a dedicated information risk-management outcome under the transitional strategy were commendable. He appreciated the five strategic drivers underpinning the transitional strategy, particularly the first two, and supported the draft decision.
- 598.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe commended the cost-effective implementation of projects by the Office, which enabled it to maintain a lower IT operating budget and staffing levels than comparable organizations. With regard to the transitional strategy, the Office should prioritize the roll-out of full IRIS functionality to the new Regional Office in Abidjan. He supported the draft decision.
- 599.** *Speaking on behalf of IMEC*, a Government representative of Canada, noting the cost-saving measures and the fact that IT costs were 30–40 per cent lower than those of comparable organizations, requested more detailed estimates of the savings achieved. The Office should, within existing resources, pursue the improvements specified in the transitional strategy. The ITGC had a crucial role to play in the strategic prioritization of IT services and solutions. The Office should consider implementing dual reporting lines for field-based IT staff. He supported the draft decision.

600. *A representative of the Director-General* (Director, Information and Technology Management Department (INFOTEC)) said that while the full costing and a decision on implementation of SharePoint would probably be taken in 2016, the project itself would be carried out during the 2018–21 strategy period. Approximately 25 specific cost-reduction measures had been taken, including those identified in the paper, which had enabled resources to be redeployed. Key examples included savings from Headquarters (HQ) infrastructure consolidation, which had enabled the Office to subsequently fund the centralization of infrastructure for the field offices, and the centralization of IT LAN administration services, which had enabled the Office to free up 11 part-time IT focal points for other duties across HQ departments. The creation of the ITGC had ensured strategic prioritization of those projects that were sustainable in the long term, thereby ensuring more effective utilization of resources. The Office was contracting external providers to complement regional and HQ employees to share responsibilities for 24-hour IT support without negatively impacting the working conditions of staff. Investment in information security had been increased fourfold. Based on initial estimates and planning, the transitional strategy included only those items that could be implemented using existing resources. INFOTEC was using its existing funds efficiently and was examining ways to generate funding for large initiatives. The entire building was being enabled for Wi-Fi in accordance with the building renovation timeline. The ITGC had already discussed dual reporting lines for IT staff in the field, and the Human Resources Department was currently following up on that item.
601. *The Employer spokesperson* asked for confirmation of the Office’s ability to work optimally given that its IT operating budget was 30–40 per cent lower than that of similar organizations.
602. *A representative of the Director-General* (Deputy Director-General, Management and Reform) said that the underlying problem was that the ILO had underinvested in IT over many years, and the Office was trying to correct that over time. INFOTEC did indeed need more funding to meet the necessary demands on IT, and the next programme and budget would reflect that. Other departments also needed to make provision for IT expenditure within their own budgets, and the Office was looking into different funding models. IT initiatives required long-term funding arrangements; however the Office had to plan in accordance with the biennial budget. It was necessary to examine options for the establishment of a reserve, in order to sustain long-term projects.

Decision

603. *The Governing Body took note of the final report on the ILO Information Technology Strategy 2010–15 and endorsed the proposed transitional IT strategy for 2016–17 as set out in paragraphs 41–54 of document GB.326/PFA/5.*

(GB.326/PFA/5, paragraph 55.)

Sixth item on the agenda

Knowledge Strategy 2010–15: Achievements, lessons learned and the way forward (GB.326/PFA/6)

604. *The Employer spokesperson* said that strengthening the Organization’s research capacity was of strategic importance. A knowledge strategy should be part of a well-informed

policy-making process that recognized the critical role played by evidence-based analysis, ensured that research by the Office met constituents' needs and acknowledged the crucial contribution of the Turin Centre as training and skills were closely linked with research and knowledge. His group was therefore confused by the fact that the Office's Knowledge Strategy was being treated only as an operational matter within the Director-General's domain, without the need to consult the Governing Body in that regard. As a result, feeling constrained in their ability to comment on the report, the Employers simply took due note of the draft decision.

- 605.** *The Worker spokesperson* said that, since high-quality statistical data and analysis were indispensable for informed policy decisions, more solid evidence of improvements in the implementation of the Knowledge Strategy would be welcome. As highly visible and well-researched flagship reports reinforce the Organization's authority on key labour issues, his group was in favour of biannual reports on wages and social security. The thematic focus of the *World Employment and Social Outlook* report was, however, unclear, given that the report had different annual themes. Therefore he asked how the Office planned to establish the report as a veritable flagship publication, since switching topics entailed a risk that no single report would be considered authoritative. Further, would reports be produced by ILO experts, or would the same themes be assigned to report writers in the Research Department? How would coherence between the work of the latter and the technical departments of the Office on a given topic be ensured? Flagship reports should undergo a proper internal and external review to ensure that standard academic practice was followed. He requested further information about evidence of a growing interest in ILO publications.
- 606.** The Workers supported the emphasis placed on strengthening the Organization's statistical knowledge base. They commended the Office for securing the inclusion of decent work objectives in the SDG indicators and welcomed the follow-up work, with tripartite constituents, to the 19th International Conference of Labour Statisticians, as well as its readiness to work with other bodies to obtain high-quality statistical data and indicators for monitoring progress towards decent work.
- 607.** He requested information about plans and resources for realizing the potential of the Knowledge Management Gateway by providing more up-to-date information on countries, and for disseminating ILO information more widely. He also requested further information about the nature of proposed partnerships with digital providers. Since the Organization's institutional strength lay in its tripartite nature, the Workers would welcome initiatives to draw on the expertise and knowledge networks of the trade union movement in addition to those of United Nations agencies and academic networks.
- 608.** *Speaking on behalf of IMEC*, a Government representative of the United States said that the Organization's strengthened capacity to deliver sound, evidence-based analysis as the foundation for policy-making on key issues not only enhanced its influence in global and regional debates but also helped promote international understanding of relevant issues. She would be interested to learn about challenges in the implementation of the Knowledge Strategy and the solutions found. IMEC strongly supported the Office's efforts to heighten the quality and relevance of its research and analysis, boost its statistical capacity and expand collaboration between headquarters and the field and with other organizations. Its technical assistance to member States to improve the quality and quantity of their statistics would add real value in the context of the SDGs. The challenges and opportunities presented by the changing world of work meant that sound, evidence-based research and analysis would continue to be needed. Consequently, a well-developed and well-implemented knowledge strategy should be a priority for 2018–21. She endorsed the draft decision.
- 609.** *A Government representative of Brazil* said that his country supported the approach to knowledge management outlined in the report, noting that strengthening its knowledge base

had been a cornerstone of the Organization's programme in 2014–15. Since decent work objectives were included in the SDGs, the database used by the Organization for its research and analysis must be made truly universal and research and statistics harmonized to improve comparability between countries. To that end, it was also essential to use analytical bases covering the same time periods and employing the same collection method, and to divulge weighting coefficients and calculation memories. Since one of the targets of the 2030 Agenda for Sustainable Development referred to the Global Jobs Pact, he assumed that the latter would continue to serve as a reference. The use of data from up-to-date, primary sources, such as national institutions, would improve the reliability of statistics and give constituents a greater sense of ownership of reports when published. Lastly, ILO research should be rendered more accessible in non-anglophone countries through its publication in a wide range of languages. He endorsed the draft decision.

- 610.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe said that if knowledge generated by the Organization were to have a positive impact on national, regional and global policies and practices, the next strategy should aim to further improve its relevance, quality and accessibility. Constant consultations and information exchanges between the Office and constituents would alert the Office to knowledge gaps and specific requirements in various regions and enable it to generate information fine-tuned to constituents' needs. In order to guarantee the quality and reliability of research and information, the next strategy should strengthen mechanisms to enhance analysis and objectivity in ILO reports and publications. Broader, deeper peer review mechanisms involving renowned universities worldwide would assure the quality of such documents. Stronger links between the Turin Centre, national universities and regional institutions would promote the generation and dissemination of knowledge. More space might have been devoted in the report to lessons learned and benefits derived from achievements under the Knowledge Strategy. Given the scant attention paid in the report to a clear transitional strategy for the 2016–17 biennium, particularly in view of the current national consultations on the future of work centenary initiative, he asked how the Office was planning to cover that period.
- 611.** *A representative of the Director-General* (Special Adviser to the Deputy Director-General for Policy on Economic and Social Issues), replying to comments made during the debate, said that the report covered the transitional period between planning cycles. An effort would be made to incorporate all suggestions in the new Knowledge Strategy. The coordination of work at various levels and externally was indeed vital and had been the focus of the Office's efforts in recent years. Such expanded collaboration within the Office and with tripartite constituents and academics would continue, and would be included in the new Knowledge Strategy. Regarding the quality of reports, the Office had issued a new publishing policy containing specific guidelines on the peer review of flagship reports, including the *World Employment and Social Outlook* report. The Office would keep members informed of progress in that respect. The Data Coordination Working Group had been set up to ensure the quality and consistency of statistics across different departments, reports and publications. Significant progress had been made in coordinating and updating statistics in the Knowledge Management Gateway and the Office was currently striving to improve policy-related information.

Decision

- 612.** *The Governing Body took due note of the implementation of the Knowledge Strategy 2010–15 and requested the Director-General to take into account its guidance in preparing the new strategic plan for 2018–21.*

(GB.326/PFA/6, paragraph 28.)

Seventh item on the agenda

Other financial questions

Report of the Government members of the Governing Body for allocation of expenses (GB.326/PFA/7/1)

613. *The Worker spokesperson and the Employer spokesperson supported the draft decisions.*

614. *Speaking on behalf of IMEC, a Government representative of the United States, requested the Office to provide an update to the Governing Body at its 328th Session (November 2016) on the steps taken to absorb within the existing budget level, the costs of the previously unbudgeted activities approved by the Governing Body for 2016–17.*

Decisions

Assessment of the contribution of the Cook Islands

615. *The Governing Body decided to propose to the International Labour Conference that the contribution of the Cook Islands to the ILO budget for the period of its membership in the Organization during 2015 and 2016 be based on an annual assessment rate of 0.001 per cent.*

(GB.326/PFA/7/1, paragraph 3.)

Assessment of the contribution of the Kingdom of Tonga

616. *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 UN, to propose to the International Labour Conference that the contribution of the Kingdom of Tonga to the budget of the ILO for the period of its membership in the Organization during 2016 be based on an annual assessment rate of 0.001 per cent.*

(GB.326/PFA/7/1, paragraph 6.)

Scale of assessments of contributions to the budget for 2017

617. *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 UN, to propose to the International Labour Conference the adoption of the draft scale of assessments for 2017 as set out in column 3 of the Appendix to document GB.326/PFA/7/1, 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.326/PFA/7/1, paragraph 10.)

Audit and Oversight Segment

Eighth item on the agenda

Report of the Independent Oversight Advisory Committee (GB.326/PFA/8)

- 618.** *The Chairperson of the Independent Oversight Advisory Committee (IOAC)* highlighted the transitional nature of the Committee's report, which covered work by both its previous and new members since its last report. The progress made in implementing the Committee's recommendations was encouraging to note. The January 2016 meeting had provided a valuable opportunity to bring the new Committee together in its understanding of the challenges faced by the Organization. The format of the report had been revised to highlight the importance attached by the Committee to the follow-up to its recommendations.
- 619.** *The Worker spokesperson*, turning to the Committee's recommendation 1, asked whether an audit of human resources-related processes could really be integrated in a revised audit plan for 2017. He could accept recommendation 2 but, with respect to recommendation 3, considered it necessary to consult the Staff Union as part of the business review process. As for recommendation 4, ILO management should be responsible for following the audit recommendations and the Office of Internal Audit and Oversight (IAO) should then assess whether compliance with those recommendations was adequate.
- 620.** *The Employer spokesperson* said that recommendation 1 was particularly relevant in light of the business process review and as part of the 2016 risk assessment. Concerning recommendation 4, he asked whether the IAO had the capacity to expand its role in the follow-up of management responses to its recommendations, and requested the Office to ensure that it had sufficient resources for its current and any expanded roles. The continuing relatively high incidence of allegations of fraud or other malpractice remained a serious concern. The Office should explain how it would address that issue, and whether adequate resources to ensure the investigation of such allegations had been foreseen. Regarding prior IOAC recommendations, the Office should expend greater efforts to ensure compliance with deadlines for rolling out risk management throughout the ILO, and guarantee follow-up on IOAC recommendations.
- 621.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe expressed support for all four recommendations and requested the Office to provide the support necessary for their implementation, in addition to follow-up information in future Governing Body sessions on progress in that regard.
- 622.** *Speaking on behalf of IMEC*, a Government representative of the United States expressed support for all four recommendations, noting in particular recommendations 2 and 4. The continuing high incidence of allegations of fraud or other malpractice were indeed cause for concern. A properly resourced and responsive investigation unit within the IAO was needed, and the Office should implement recommendation 2 within existing resources. Further efforts, such as ethics training, were required to address that issue. Regarding recommendation 4, he asked what an expanded role of the IAO in the follow-up to management responses would constitute, who was currently responsible for follow-up and whether the Committee had identified a gap that would require a change in existing practice. How did recommendation 4 relate to the proposal to amend the 2010 Audit Charter, which would remove reference to the IAO monitoring implementation? In addition, he asked why recommendation 2 of 2012 was still not fully implemented.

- 623.** *A representative of the Director-General (Chief Internal Auditor) said that the inclusion of a human resources performance audit had been considered during the biennium planning risk assessment. However, it had been deemed unnecessary at that stage as an in-depth review of Human Resources Development Department (HRD) processes was to be carried out as part of the McKinsey business process review. The matter would be reconsidered when the risk assessment was updated at the end of 2016. Regarding the rise in allegations, he underscored that investigations were unpredictable; while there had been a decrease in 2014 compared with 2013, the number had risen again in 2015. That increase could indicate that officials were increasingly aware of ILO anti-fraud policy. Not all allegations referred to the IAO had led to full investigations, and not all that were investigated had been substantiated. The cases referred represented a mixture of allegations of administrative misconduct as well as fraud.*
- 624.** *The Chairperson of the IOAC said that the ILO's current process for following up internal audit recommendations was comprehensive. However, the IAO currently only undertook follow-up audits when they came up in the risk assessment. By making such a recommendation, it was suggested that the IAO become involved more systematically in the process itself, which was considered a best practice.*

Outcome

- 625.** *The Office took note of the observations and guidance provided by the Governing Body on the report of the Independent Oversight Advisory Committee (IOAC) and its recommendations as set out in document GB.326/PFA/8.*

(GB.326/PFA/8.)

Ninth item on the agenda

Report of the Chief Internal Auditor for the year ended 31 December 2015

(GB.326/PFA/9(Rev.))

- 626.** *The Employer spokesperson emphasized the importance of the IAO recommendation relating to field audits with regard to performance appraisals. Since performance management was crucial to helping the ILO deliver its objectives, he expressed concern that the relevant officials had been unaware of the monitoring application to assist them in completing the performance cycle and ensuring follow-up. He highlighted the lack of financial summary reports following seminars and workshops of development cooperation projects in the field, and the importance of follow-up by the Office on the Staff Health Insurance Fund (SHIF) payment process. The Employers would appreciate further information on cost reduction options for the SHIF, such as third party administration, which the Office was encouraged to explore.*
- 627.** *The Worker spokesperson noted that no major weaknesses had been identified in the ILO's internal control systems and that the IAO had reported on several key areas in the SHIF payment process requiring improvement. The recommendations of the working group established by the Director-General in May 2015 to review the functioning of the SHIF were being implemented, which should address the issues in the IAO report. Regarding fraud allegations, he noted with appreciation the possible explanation provided in the report and the Office's acceptance of the IAO's recommendations to improve ethics and whistle-blower protection. His group supported the draft decision.*

628. *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe urged the Office to implement proactive measures to minimize the number of fraud allegations and expressed the hope that management would implement all audit recommendations fully and on time so as to strengthen the governance systems in the Office. His group endorsed the proposed revised Internal Audit Charter and new Investigation Charter, and supported the draft decision.
629. *Speaking on behalf of IMEC*, a Government representative of the Netherlands recommended that the Office and working group review the SHIF and liaise closely with other multilateral organizations to share lessons learned. He looked forward to the updating by the Ethics Office of the ILO's whistle-blower protection policy, and to the development of a related training programme. Since some of the IAO's 2015 investigations had been ethics-related, the Office should prioritize training on, and increase staff awareness of, such issues. Attention to strengthening internal controls in field offices should be sustained. Information on the seven IAO recommendations not addressed by the Office would be welcome.
630. Regarding lessons learned from investigations, one issue that might warrant particular attention was the personal use of information technology (IT) equipment owned by the ILO and the professional use of privately-owned IT equipment. The Chief Internal Auditor should expand on that issue, and the Office should reflect on how it addressed security and business continuity risks in that regard. His group endorsed the revised Internal Audit Charter and new Investigation Charter.
631. *A representative of the Director-General* (Chief Internal Auditor), explained that the issue of IT equipment and policy strengthening had been included in the lessons learned because investigations had found no clear policy on accessing certain websites using ILO-owned equipment, and increased use of IT and smartphones meant that there were greater security issues. The policy and its consequences needed to be made clearer. Concerning the Internal Audit Charter, the main role of the IAO was to conduct audits and make recommendations. Responsibility for implementing IAO's recommendations belonged to management. As the ILO worked in a global environment, the Office of the Treasurer and Financial Comptroller had been delegated responsibility to coordinate and follow up on implementation reports on internal audit observations due from responsible managers. The IAO reviewed implementation reports once they had been completed, and conducted follow-up audits, based on its risk assessment, to verify the actions taken as stated in implementation reports.
632. *Another representative of the Director-General* (Treasurer and Financial Comptroller) said that four of the seven recommendations not accepted by the Office had been identical recommendations from individual reports and concerned the geographical location of external collaborators' bank accounts. The remaining recommendations had related to a grading issue in a particular office; to sharing information using a Plone site; and, lastly, to a sampling approach adopted for internal control mechanisms. The Internal Auditor had accepted the explanation offered by the Office for not accepting the recommendations in each case.

Decision

633. *The Governing Body took note of the report of the Chief Internal Auditor for the year ended 31 December 2015 and approved the revised ILO Internal Audit Charter and the new ILO Investigation Charter set out in document GB.326/PFA/9(Rev.).*

(GB.326/PFA/9(Rev.), paragraph 3.)

Personnel Segment

Tenth item on the agenda

Statement by the staff representative

634. The statement by the staff representative is reproduced in Appendix I.

Eleventh item on the agenda

Update concerning the Human Resources Strategy and reform (GB.326/PFA/11)

635. *The Worker spokesperson* noted with satisfaction the progress achieved on the collective agreement on recruitment and selection procedures, the mobility policy, the collective agreement on maternity protection, the new harassment policy and the roll-out of the performance management system. He encouraged the Office and the Staff Union to make similar progress on the contracts policy, revision of the Recognition and Procedural Agreement and finalization of the consultative process on the field review implementation. It was crucial to develop a fairer approach to the contract policy, and all staff should benefit from decent conditions of service. There should be mechanisms to provide permanent contracts for a certain number of staff and decent conditions for staff who, for agreed operational reasons, were on short-term contracts. A progressive contractual policy for project-based staff would ensure the efficient delivery of development cooperation programmes. The increased ease of access to the SHIF for contributing staff members was welcomed; however, particular attention should be paid to improving its operation and services. As to the business process review, implementing the proposed changes would require the involvement of the Staff Union due to the impact on work processes. He agreed that the United Nations General Assembly resolutions would require discussion within the Office and with the Staff Union to ensure the smooth implementation of new arrangements regarding the compensation package and the mandatory age of separation. He endorsed the draft decision.
636. *The Employer spokesperson* welcomed the achievements in implementing the Human Resources Strategy for 2010–15. He requested more details on: the specific outcomes for the transitional period of 2016–17 and how they would be achieved; the new and innovative ways of developing ILO leaders; how the Office intended to invest in order to identify, attract and manage talent for key functions; how it would enhance functional and geographic staff mobility; why compliance with the Performance Management Framework remained a challenge and how the Office would address it; and the work done on the contracts framework. Furthermore, additional work was needed to improve internal governance and accountability, particularly with regard to differentiating the role of staff versus the role of constituents, and in light of the ILO's mandate to provide impartial and fact-based advice on policy matters in a context of rapid change in the world of work. He supported the draft decision.
637. *Speaking on behalf of the Africa group*, a Government representative of Ethiopia requested further information on the challenges encountered during implementation of the strategy and the measures taken to overcome them. As Africa was under-represented in ILO staff, the group considered that balanced geographical representation would broaden the cultural

capital, expertise and knowledge base of the Office and promote leadership opportunities for all. He proposed amending the draft decision to include: the promotion of geographical diversity in the human resources priorities for the 2016–17 biennium by means of specific projects; the provision of assistance to interns from unrepresented and under-represented countries; and the promotion of geographical diversity as an outcome of the 2018–21 strategy.

- 638.** *Speaking on behalf of ASPAG*, a Government representative of the Republic of Korea expressed appreciation for the improvements implemented by the Office with regard to human resources. However, he expressed disappointment that the regional imbalance in Office staffing had not improved in 2015. The number of non-linguistic staff members in the Professional and higher categories from Arab States and the Asia and the Pacific region had fallen by 6.3 per cent; furthermore, 17 new staff members from Europe had been appointed in 2015, compared to four from the ASPAG region. Candidates' technical expertise, rather than their language skills, should be prioritized in recruitment. Despite the expected impact of the increased mandatory age of separation on staff diversity, the Office should consider more seriously the diversity imbalance and provide a solution to the issue. He urged the Office to implement the measures it had proposed in document GB.320/PFA/13, paragraph 13(a) and (b), and looked forward to receiving data indicating a significant improvement in diversity at the March 2017 session of the Governing Body. The group supported the draft decision.
- 639.** *Speaking on behalf of IMEC*, a Government representative of Canada encouraged the Office to continue work on the Human Resources Strategy, despite the difficulty of implementing such a comprehensive strategy in a short period. He requested information on the critical areas and challenges to implementation. He supported the new mobility policy and would like to be informed in future of the geographical mobility rate and the policy's financial impact. The lack of progress regarding the share of women in Professional and higher positions, particularly those at grade P5 and above, was regrettable and he encouraged the Director-General to enhance the gender balance among staff. The scarcity of resources called for continuous improvement to work quality and efficiency and he therefore welcomed stronger internal governance and accountability. He asked how managers were held accountable for planning, monitoring and assessing individual performance, including in relation to development cooperation activities. He welcomed the constructive relations between management and the Staff Union. He welcomed the opportunity to provide input on the ILO's implementation of the General Assembly decision to raise the mandatory age of separation to 65, and requested the Office to provide information on the financial and workforce planning implications in March 2017. Human resources development should continue to be closely linked to ILO strategic objectives and priorities. Given that the relevant tools were mostly in place, the ILO should turn its attention to implementing the strategy, building on lessons learned in the new strategic plan for 2018–21. He supported the draft decision.
- 640.** *A Government representative of China* welcomed the efforts of the ILO to achieve the four interlinked outcomes of the strategy. He hoped that available resources would be used to enhance performance management, improve staff mobility and increase staff qualifications. Under-representation of staff members from developing countries in Professional and management positions was concerning, and should be improved by effective recruitment and selection and mobility policies. The Office should consult with staff and constituents on the 2018–21 Strategy to ensure that ILO staff could carry out the Organization's mandate.
- 641.** *A Government representative of the Republic of Korea* noted the efforts made by the Office in 2014–15 to improve recruitment procedures, the increase in the number of women staff members, and the generic job descriptions for National Professional Officer and General Service positions in field offices. She supported the Office's plan to expand professional

development opportunities, clarify the roles and responsibilities of staff, and conduct a business process review to increase efficiency and more effectively serve constituents' needs. Enhancing the geographical diversity of ILO staff was an important issue. She endorsed the draft decision.

- 642.** *A representative of the Director-General* (Director, HRD) said that the social dialogue that had generated many recent improvements directly affecting staff would continue. Proposed amendments to the staff regulations resulting from the United Nations General Assembly resolutions would undergo a consultative process with the Staff Union before submission to the Governing Body for approval. Document GB.326/PFA/11 might appear to lack detail because its purpose was to provide a general description of achievements and lessons learned and of the priorities for the transitional period between strategies. As to managerial accountability, all managers were appraised by their own managers, in accordance with criteria for managerial competence within the ILO Performance Management Framework. Mechanisms were also in place to deal with poor performance and misconduct, when needed. As to gender balance, women were indeed under-represented at the P5 level, but the number of women at the D2 level had increased substantially. Additionally, women accounted for the majority of P4 staff, which boded well for their representation at P5 grade in the future. Concerning mobility, staff movement between duty stations had increased by more than 60 per cent since the establishment of the new recruitment and selection procedures. The Office would in the future provide further information on staff mobility and any financial impact, and on any financial and workforce planning implications of the increase in the mandatory age of separation to 65.
- 643.** With regard to the geographical diversity of staff members, HRD had undertaken a considerable number of initiatives to increase the pool of qualified candidates from unrepresented and under-represented countries, including publishing vacancies in the international press and in the national press of targeted countries, posting notices on United Nations recruitment sites, and engaging in dialogue with a number of missions in Geneva. In addition, the Office had participated in careers fairs in different countries and had produced videos on work in the ILO, in various languages. While the number of candidates had risen as a consequence, the expected results had not yet been achieved and further progress was needed. The Recruitment, Assignment and Mobility Committee would be devoting a special session to geographical diversity in the near future. Additionally, the Office was considering the financial, legal and operational parameters of a programme targeted at young people from unrepresented and under-represented countries, and it was hoped that such a programme could be launched. Working in partnership with the tripartite constituents would be necessary in order to improve the geographical diversity of ILO staff.
- 644.** *The Worker spokesperson* acknowledged the importance of geographical diversity. However, in addition to gender, socio-economic status was also an important criterion in ensuring diversity, as candidates with relevant experience might not have had access to internships and postgraduate education, and that should also be taken into account. As the Office had demonstrated its commitment to geographical diversity, he endorsed the original draft decision.
- 645.** *The Employer spokesperson* said that his group was also sensitive to the concerns raised about geographical representation. The information on the partnerships between the Office and the Geneva-based missions, and on other efforts taken to increase geographical diversity of staff, was encouraging. However, competence and other criteria were also extremely important in recruitment. It was clear from the discussion that the Office was aware of the need to ensure broad geographic representation, therefore his group supported the original draft decision.

646. *Speaking on behalf of the Africa group*, the Government representative of Ethiopia said that the Office's explanation assuaged the group's concern about geographical representation, but that the purpose of the proposed amendment was to ensure more precise and time-bound decisions. He proposed alternative wording indicating that promoting geographical diversity would be one of the outcomes of the new strategy from 2018.
647. *The Worker spokesperson* said that the alternative proposed amendment still prioritized one factor of diversity.
648. *The Employer spokesperson* said that the proposal did not make the draft decision time-bound; it merely gave precedence to geographical diversity over equally valid criteria and might have adverse effects.
649. *Speaking on behalf of IMEC*, the Government representative of Canada reiterated his group's support for the original draft decision.
650. *Speaking on behalf of the Africa group*, the Government representative of Ethiopia withdrew the proposed amendment in the interest of consensus, on the understanding that the concern would be taken into consideration.
651. *The Director-General* provided assurances that the Office would indeed pursue current measures to improve the representation of unrepresented or under-represented countries and would take geographical representation into account in the new strategy from 2018 onwards.

Decision

652. *The Governing Body:*

- (a) *noted the progress made in implementing the Human Resources Strategy for 2010–15 and the Director-General's human resources reform, and noted the outline of human resources priorities for the 2016–17 biennium;*
- (b) *noted the intention to implement the decisions relating to the compensation package of the United Nations Common System as from 1 January 2017;*
- (c) *requested the Director-General to present for its consideration in 2017 the new Human Resources Strategy for 2018–21.*

(GB.326/PFA/11, paragraph 30.)

Twelfth item on the agenda

Matters relating to the Administrative Tribunal of the ILO

Proposed amendments to the Statute of the Tribunal

(GB.326/PFA/12/1)

653. *The Employer spokesperson* said that the Employers' group supported the proposed amendments to article XII of the Tribunal's Statute and its Annex and the draft decision. The

group had noted that the review of the conditions of admission of new organizations had been deferred to provide the opportunity for further discussions.

- 654.** *The Worker spokesperson* supported the repeal of Article XII of the Statute and Annex of the Tribunal. The insertion of a new provision in Article VI was also supported. He said that it was important to explore ways of ensuring that officials in the international system enjoyed the level of access to remedy available to workers at the national level. All organizations recognizing the Tribunal's jurisdiction should establish and maintain a functional system of internal remedies. The group looked forward to further consultations with member organizations of the Tribunal on conditions for admission to membership. Any related requirements should not be retrospective. The Workers' group would not support any proposal that risked removing access to justice for staff in organizations such as the European Patent Organisation (EPO). The group supported the draft decision.
- 655.** *Speaking on behalf of the Africa group*, a Government representative of Ethiopia said that the group would support the draft decision on the understanding that the Tribunal would elaborate, in its Rules of Procedure, the modalities for the filing of applications for review, interpretation or execution of judgments.
- 656.** *Speaking on behalf of IMEC*, a Government representative of the United States said that a provision should be included in the Tribunal's Statute as a matter of urgency setting out the need for organizations wishing to join the Tribunal to have effective internal remedies in place. In response to the concern over the workload of the Tribunal, he suggested to qualify the applications for review, interpretation and execution of judgments referred to in the proposed amendment to article VI of the Statute as being possible only in exceptional circumstances. The group supported the draft decision.
- 657.** *A representative of the Director-General (Legal Adviser)* confirmed, with reference to the suggestion made by IMEC regarding article VI, that applications for review were only admissible in exceptional cases and on strictly limited grounds under the Tribunal's case law. Such was however not the case regarding applications for interpretation or execution of judgments. However, if the Governing Body were of the view that the words "under exceptional circumstances" should be inserted in article VI, the Office would need to consult the Tribunal. He said that the Office would continue to hold full consultations with the Tribunal itself, member organizations, and their staff associations on further proposals for possible improvements to the functioning of the Tribunal, including the pending point on reviewing the conditions for admission of new organizations.

Decision

- 658.** *The Governing Body approved the draft resolution contained in the appendix to document GB.326/PFA/12/1 concerning amendments to the Tribunal's Statute and to its Annex, for possible adoption by the International Labour Conference at its 105th Session (June 2016).*

(GB.326/PFA/12/1, paragraph 15.)

Report on discussions with the European Patent Organisation on possible future action to improve the Tribunal's caseload (GB.326/PFA/12/2)

659. *The Worker spokesperson* stated that the finalization of the Memorandum of Understanding for the recognition by EPO of staff unions as social dialogue partners and a first round of negotiation were urgent. He added that the Workers' group had noted with concern the figures contained in paragraph 7 of the report showing that 48 new complaints had been filed against the EPO in the period from November 2015 to February 2016. In the light of information provided by the Netherlands Trade Union Confederation (FNV) on recent attacks on trade union representatives and dismissals carried out by the management of the EPO, those new complaints did not come as a surprise. The group supported the draft decision.
660. *The Employer spokesperson* said that, despite the initiatives undertaken by the EPO to streamline the internal means of redress, there had been no immediate reduction in the number of complaints filed with the ILO Administrative Tribunal. The Employers' group supported the draft decision.
661. *Speaking on behalf of IMEC*, a Government representative of the United States took note of the initiatives reported by the EPO to contain the Tribunal's caseload and supported the draft decision.

Decision

662. *The Governing Body took note of the report on the discussions between the Office and the European Patent Organisation and requested the Director-General to actively pursue those discussions and to present an updated report to its 329th Session (March 2017) at the latest.*

(GB.326/PFA/12/2, paragraph 11.)

Composition of the Tribunal (GB.326/PFA/12/3)

663. *The Employer spokesperson and the Worker spokesperson* said that their groups supported the draft decision.
664. *Speaking on behalf of IMEC*, a Government representative of the United States supported the proposed renewal of the terms of office of judges Frydman and Rouiller.
665. *Speaking on behalf of the Africa group*, a Government representative of Ethiopia also supported the draft decision.

Decision

666. *The Governing Body decided to propose to the Conference the renewal of the terms of office of Mr Frydman (France) and Mr Rouiller (Switzerland) for three years each and consequently decided to propose the following draft resolution for possible adoption:*

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, to renew the appointments of Mr Frydman (France) and Mr Rouiller (Switzerland) for a term of three years.

(GB.326/PFA/12/3, paragraph 4.)

High-Level Section

Working Party on the Social Dimension of Globalization

First item on the agenda

Addressing the labour market impacts of refugees and other forcibly displaced people (GB.326/WP/SDG/1)

- 667.** *The Director-General of the ILO* welcomed Mr Peter Sutherland, UN Special Representative of the Secretary-General on Migration; Ambassador William Lacy Swing, Director-General of the International Organization for Migration (IOM); and Ms Carol Batchelor, Director of the Division of International Protection, Office of the United Nations High Commissioner for Refugees (UNHCR). Their presence provided an opportunity to examine not only the ILO's role addressing the labour market impacts of refugees and forced displacement, but also how it fitted with what others in the multilateral system were doing. System coherence and the interdependence of policy-making were critical factors. Better awareness of the role of good labour policies in integrating refugees and realizing their economic and social benefits would therefore enhance the quality of decision-making, promote better understanding and remove political obstacles to action in the face of human suffering.
- 668.** There had been millions of refugees in many parts of the world for decades, and a global challenge required global solutions. The international community was collectively responsible for responding to the challenge and must ask itself whether it was doing enough. The full weight of the crisis should not be borne by only a few countries, by accident of their geographical proximity. Policy responses must go beyond the provision of food and shelter and must help refugees and other forcibly displaced people access decent work, since work stood at the intersection of the humanitarian and development aspects of international aid. The international community must increase the pathways to decent work for refugees and all workers, based on a universal commitment to international labour standards.
- 669.** A better understanding of the situations arising from the crisis in the Syrian Arab Republic and other regions was needed, since lessons from the field would play an important role in future dialogue, alongside strong partnerships in sending, receiving and transit countries. The ILO welcomed closer collaboration with member States, the UNHCR, the IOM and other agencies working in that area. The review of the ILO's Memorandum of Understanding with the UNHCR would strengthen the two agencies' collaborative work. Closer cooperation between the Global Migration Group and the Global Forum on Migration and Development would be marked by a side event at the 2016 World Humanitarian Summit in Istanbul. The UN high-level plenary meeting on addressing large movements of refugees and migrants in September 2016 would serve as a reference point for everyone's efforts. The Governing Body's discussion was crucial in charting the future course for the ILO.
- 670.** *The Special Representative of the Secretary-General on Migration* said that the world faced an unprecedented generational crisis. The international community's first responsibility was to recognize its own failure and that of governments, employers, trade unions and the UN system to craft responses to a crisis that threatened, and had already taken, many lives. The situation presented a challenge for all countries. In the European context, Germany, Sweden and the European Commission had provided leadership, while other countries – including

many represented on the Governing Body – had turned their backs on the challenge and given succour to xenophobia and racism expressed politically all over Europe. Europe demonstrated the problem of associating proximity with responsibility; the neighbours of countries in crisis, such as Jordan, Turkey and Lebanon, should not have to carry a disproportionate burden for a global issue. Almost half a million people had perished in the Syrian Arab Republic and the rest who had fled were clearly refugees, who needed sanctuary. Of all asylum seekers reaching Europe's shores, 36 per cent were children, who were dying and freezing as barricades were built through the Balkans. The failure to share responsibility was unacceptable.

- 671.** Politicians closed their eyes to the tragedies or, worse, stirred up anti-immigration feeling. Not just governments but trade unions and employers – as the domestic lobby – should contest that sentiment. If they did not, the growth of extremist xenophobic parties would devastate political systems. For too long, governments had wrongly prioritized safeguarding sovereignty over the universal values proclaimed after the Second World War. That was most evident in countries' failure to adopt and implement agreed international conventions. However, on spurious grounds, sovereignty was thought to be more important than values. Employers and trade union groups had long expressed their agreement with the principles of the ILO and had a responsibility to lead. A new deal was required, alongside leadership that would take on those who challenged it.
- 672.** There were more than 60 million displaced people in the world, 20 million of whom were refugees. States needed to deliver on their commitments made at the Conference, including on resettlement and humanitarian admissions. Some political leaders were prepared, in principle, to accept refugees, but claimed that economic migrants had no rights and should be returned, despite the fact that many were vulnerable, including people whose lives were threatened and those fleeing natural disasters. It was important to fashion a system that allowed for humanitarian responses to major climatic issues in the future. For centuries, economic growth had been created by migrants. Immigration was not contrary to self-interest: all employees – migrant and local – contributed to society.
- 673.** Statements made at the upcoming pledging conference on the Syrian refugee crisis must do more than pay lip service to the issue. The world needed to deliver, including by standing up to the siren voices that were gaining political momentum in Europe and elsewhere. He asked why OECD countries did not always apply the values they proclaimed; why countries such as Greece were being turned into vast labour camps; why problems were constantly shifted onto others; why 540 million Europeans on the wealthiest continent would not take in and share 1 million refugees per year; and why the rest of the world was failing to share responsibility. Part of the answer was that the political systems, which included employers and trade unions, had failed to deliver. The ten European countries with the biggest demographic deficits included many of those that were most negative about migration. Employers and trade unions alike should be opposed to policies that were contrary to the national interest, even without the humanitarian imperative. The responsibility for opposing such policies lay with the elected officials in the Governing Body.
- 674.** The forthcoming international conferences should define and develop an international system that would guide the world into the future and determine whether it could meet the challenge it faced. Real action was needed, as was the sharing of responsibility, cooperation and an acceptance that sovereignty was not an absolute right, but must stand alongside a responsibility to the values that created the ILO.
- 675.** *The Director-General of the IOM*, picking up on the statement made by the Special Representative of the Secretary-General on Migration under the rubric of what the Director-General called “a perfect storm”, said that in an era of unprecedented human mobility, the world population had quadrupled. That reality, combined with a complex, protracted

economic crisis and various humanitarian emergencies, had produced the largest number of forced migrants since the Second World War. However, aside from negotiations on the Syrian crisis, there were no political processes under way that offered hope of short- to medium-term solutions to the various crises and humanitarian emergencies. A dearth of political leadership and a serious erosion of international moral authority was visible in the functioning of some institutions, including those in New York. As a result peoples' confidence in governments' ability to manage migration flows had declined.

- 676.** Anti-migrant sentiment, policies and public discourse were poisonous and contrary to the overwhelmingly positive history of migration; most countries had been built on the backs of migrants. Migrant flows were inevitable, due to demographic deficits, disasters and other forces, including the digital revolution. They were also necessary for economies to flourish, and should be viewed as a reality that needed to be managed, rather than as a problem. Most societies could expect to become more multicultural, multi-ethnic and multireligious, and societies with migrant-friendly policies were likely to perform better economically than those with anti-migrant policies.
- 677.** With regard to concern about the economic consequences of migration, only 10 per cent of displaced Syrians had travelled to Europe, while Lebanon, Jordan and Turkey hosted and provided resources for millions of refugees. Careful planning could help those governments with that burden. The challenge facing Europe was to link the humanitarian needs of 1 million migrants with its own demographic deficit and labour needs at all skill levels. Governments, trade unions and the private sector should all help, since migration would be one key to ensuring that economies in ageing parts of the world thrived.
- 678.** The Director-General had also addressed the issue of how to best integrate migrants and refugees into the labour market. If job availability, language learning and the receptivity of communities were ignored, integration would fail. Jobs allowed migrants to support themselves, contribute to the host country and maintain and acquire skills, and gave them a sense of dignity and community, particularly through trade union membership. Integration must be grounded in human rights, labour law and equal treatment for all workers and should be based on a comprehensive approach to managing migration. Partnerships between the ILO, trade unions, the private sector, civil society and refugees were of critical importance. The failure of migrants to find work increased States' costs and deprived them of migrants' valuable contribution. A common, comprehensive and long-term EU integration and asylum policy would facilitate the labour market integration of refugees and migrants. Forced migration flows were challenging but entirely manageable.
- 679.** *The Director of the Division of International Protection, UNHCR* said that refugees and internally displaced and stateless people had the same capacities, needs, rights and responsibilities as everybody else. Safe and dignified work that allowed self-reliance could constitute a pathway to a comprehensive and durable solution. However, millions of refugees faced legal barriers to working. Less than half of host countries formally granted them rights to work, including social and economic rights. Refugees were therefore at increased risk of exploitation and, since they could not return to their countries of origin, their choices and options were limited. Time out of the labour force encouraged dependency, blunted skills and prevented knowledge and skill acquisition by the next generation. When denied the opportunity to be self-reliant, refugees resorted to work in the informal economy and exploitative industries and, sometimes, reliance on the earnings of children.
- 680.** The ILO and its tripartite constituents should play a key role in supporting the inclusion of refugees and internally displaced and stateless people in host country labour markets. Seven steps for action that should be considered were to: identify market needs and employment opportunities for refugees and host countries; ensure the participation of employers, trade unions, public authorities and others in adjustments and specific programming; consider how

to achieve skills recognition for people without documents or certificates; include refugees and internally displaced and stateless people in occupational safety and health measures and systems designed to support representation by all groups; include refugees and displaced and stateless people in the shift from informal to formal markets; protect fundamental principles and rights at work, paying particular attention to those for whom speaking out carried greater risk; and conduct further studies on the impacts of refugees and other forcibly displaced people on the labour market.

- 681.** Lastly, she highlighted the link between jobs and livelihoods, protection and solutions, and peace and stability. Decades of experience had shown the link between refugees' inability to work and develop skills – sometimes for years or generations – and an inability to rebuild their societies. When the moment arrived to allow refugees to return home in safety and dignity, what would they have to return to? Refugees empowered through access to the labour market, livelihoods and jobs could build peace and stability in their home or adopted countries, or third countries. The year 2016 presented an opportunity to drive change and ensure that, through access to labour markets and a dignified existence, refugees were able to contribute to the well-being and future of all.
- 682.** *The Employer spokesperson* said that the IOE had been working closely with the IOM to promote ethical recruitment and assist migrants in crisis zones. Following discussion at the 325th Session (November 2015) of the Governing Body, the Employer spokesperson had noted growing confusion between the terms “refugees” and “migrants”. Irregular migrants were not seeking protection, although asylum procedures could be misused by migrants lacking regular migration channels and asylum seekers could resort to using human smuggling channels and thus be treated as irregular migrants. The international community had a strong refugee protection regime and it was therefore important to differentiate between refugees and migrants. The 1951 UN Convention relating to the Status of Refugees was a key legal instrument in defining who was a refugee, and their rights and States' obligations. However, the refugee protection regime continued to be severely tested. Conflicts were spilling over into neighbouring countries, and security concerns had led to border closures and, sometimes, denial of asylum. Additionally, many host countries lacked adequate resources to accommodate refugees and displaced people. Women, children and the elderly were becoming increasingly vulnerable.
- 683.** Although not a relief agency like the UNHCR or the IOM, the ILO could play an important role in facilitating peace. All warring factions must be brought to the negotiating table. Reconstruction, social cohesion and economic resilience should be strengthened by increasing countries' competitiveness and improving governance. The ILO publication *Jobs after war* provided a clear roadmap, and its work on peace-building and resilience in fragile States provided further guidelines. The Employers supported paragraph 8 of the Governing Body paper, particularly on the need to join humanitarian and development efforts to tackle the problem at the source. Furthermore, efforts were needed to integrate the large numbers of refugees and other forcibly displaced persons, as was happening across borders in Lebanon, Egypt, Turkey and Jordan, into the labour market. The ILO could assist in identifying skills, supporting entrepreneurship and establishing lifelong learning schemes. Business investment could help to create employment opportunities. The ILO's participation in recent conferences – such as the Syria Donors Conference in London, which had highlighted the importance of job creation for refugees and nationals alike – had been laudable, and the review of the ILO–UNHCR Memorandum of Understanding to enhance coordination for labour market and livelihood interventions for refugees was worthy of note. Lastly, national work within the United Nations Development Assistance Framework (UNDAF) should continue to enhance inter-agency cooperation and mainstream the ILO's role in job creation.

- 684.** *The Worker spokesperson* said that in view of the likelihood that the increase in refugees and other displaced persons would continue, a joint response was urgently needed to tackle the impact of that increase both on the labour market and the humanitarian situation. The right to work and guarantee of equal treatment was essential for refugees and in response to the fears of the domestic workforce that wages and work conditions would be undercut. The ILO should play a leading role in addressing the labour market impacts and promoting decent work. It could also provide expertise to humanitarian organizations on social protection measures, which should be coordinated and funded at the international level to avoid unbalanced answers and too many different approaches. Measures should include employment support and skills training, action against discrimination, and promotion of the integration of refugees. Trade unions played an important role in defending the right to work and other civil and political rights while unifying workers. Business Europe and the European Trade Union Confederation had united in a joint statement committing to working with all stakeholders to design policies based on equality of opportunity and treatment for national and migrant workers. Refugees should have equal access to all social services, which required adequate resources and procedures for processing asylum applications.
- 685.** The ILO should call for decent work objectives to be incorporated more effectively into the global response to the crisis. Such an approach would be mutually beneficial, as costs of social services would be recovered within a few years and the economic benefits would continue to grow as refugees and other forcibly displaced people bridged skills gaps in an ageing Europe. Language and vocational training should be provided to match demand, and skills recognition programmes should be established. All constituents should work towards implementation of ILO core Conventions and towards the ratification and implementation of the Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), in destination countries. Constituents should also work towards the implementation of the Sustainable Development Goals (SDGs), and the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71). The Workers' group stood ready to assume its responsibility in promoting and supporting the effective integration of refugees and working towards long-term solutions that ensured decent work opportunities in both countries of origin and destination. Tripartite responses would be key in that regard. The high-level plenary meeting of the General Assembly of the UN in September 2016 would provide an opportunity to work on a common response. Furthermore, he urged the ILO to convene a high-level tripartite meeting of experts to provide guidance on short- and long-term responses to address the integration of refugees into the labour market.
- 686.** *Speaking on behalf of the Africa group*, a Government representative of Algeria noted that mass migration flows were not a new phenomenon in Africa, which hosted over 3 million refugees or other forcibly displaced people. The complexity of the refugee crisis called for a comprehensive approach, particularly to ease the burden on developing countries, which hosted 57 per cent of all refugees. ILO support should be provided within the framework of its mandate to address the situations resulting from flows of refugees and forcibly displaced people. The distinct legal and institutional implications of the terms "migrant" and "refugee" meant that they should be distinguished from each other. He supported the ILO's role in the promotion and protection of the rights of migrant workers, but recalled that refugees fell under the mandate of the UNHCR. The ILO should work in close collaboration with the UNHCR, without encroaching on its mandate. It should ensure that refugees had access to decent work and were not subject to discrimination, and mobilize resources for training to facilitate their integration into the labour market. Before sustainable solutions could be found, the root causes needed to be addressed, with greater attention to crisis prevention and resolution, and the conditions created to allow for the voluntary and safe return of refugees. Furthermore, international cooperation should be strengthened with the host countries, many of which already had high unemployment rates.

- 687.** *Speaking on behalf of GRULAC*, a Government representative of Mexico said that refugees and other forcibly displaced people contended with challenging situations in their host countries, particularly concerning inclusion into the world of work. At its 325th Session, the Governing Body had identified key areas for action to facilitate access to the labour market for forcibly displaced people in resettlement areas. He recalled that over 80 per cent of refugees and other forcibly displaced persons were hosted in developing countries, which shouldered the heaviest burden of the crisis without the necessary resources. Efforts should therefore be increased to provide financial and technical assistance to those countries. The Office's emphasis on the humanitarian and development nexus of the overall response to the refugee crisis was welcome. He acknowledged ongoing ILO cooperation at the regional and local levels in providing specialized services and expertise to member States, but noted that it required adequate resource allocation. The active involvement of the ILO's tripartite constituents was crucial in facilitating the integration of refugees in host countries. One example of good practice from the Latin America and the Caribbean region was Brazil's Declaration and Plan of Action on refugees and displaced and stateless persons. The region's governments had expressed their political will to address the situation in the context of regional solidarity and shared responsibility.
- 688.** *Speaking on behalf of the EU and its Member States*, the Deputy Head of the Permanent Delegation in Geneva said that Turkey, the former Yugoslav Republic of Macedonia, Serbia, Albania and Georgia aligned themselves with the statement. The concerted efforts of many agencies were essential in the midst of the worst refugee crisis since the Second World War. The EU and its Member States were addressing the global refugee crisis at the highest political level. Almost 2.7 million persons, of whom 550,000 Syrians, had applied for asylum in Europe between 2011 and 2015. The EU was a leading humanitarian donor globally: it had mobilized over €8 billion for assistance to Syrians, had contributed over two-thirds of the €10 billion global pledge resulting from the Conference on Supporting Syria and the Region, and had committed to facilitating refugees' access to education and labour markets in neighbouring host countries. The group shared the concerns regarding the impact of large numbers of refugees on the labour markets of hosting communities in countries already experiencing difficult economic conditions. The integration of refugee issues in the UNDAF was welcomed as a long-term development-oriented action. The ILO should provide host countries with guidance on policies for the integration of refugees into labour markets and their access to essential services, with a gender-oriented approach. Policies should be formulated in cooperation with relevant agencies to support States in combating trafficking in persons and preventing fatalities. Furthermore, the ILO had an important role in assisting countries with the formulation of evidence-based policies to strengthen the labour markets and address youth unemployment in host countries. The ILO's work on employment and decent work for peace and resilience would provide an opportunity to enhance and operationalize the ILO's role, in particular with other UN agencies and international organizations. The international community should respond proactively to the refugee crisis in a spirit of shared responsibility and solidarity.
- 689.** *Speaking on behalf of the Community of Portuguese-speaking Countries (CPLP)*, a Government representative of Mozambique expressed concern at the loss of life and the human rights violations committed in various conflicts from which people continued to flee. The nine countries of his group currently hosted 51,000 refugees. He recalled that the ILO Constitution stated that unrest arising from hardship and privation imperilled peace, and that universal and lasting peace could be established only if it was based upon social justice. As the key text providing for the equal treatment of refugees, the 1951 UN Convention relating to the Status of Refugees was a key instrument on the protection of refugees, under which States were bound to ensure their right to work on an equal basis. Nevertheless, practical challenges would be overcome only with the close cooperation of the various agencies involved. The Agenda remained one of the most powerful tools for promoting a world built on greater equality and social justice.

- 690.** *A Government representative of Ghana* commended the Governing Body for making the subject under discussion the topic of the high-level segment, since the most tragic aspect of the burgeoning global refugee crisis was the loss of human life. The influx of refugees also had repercussions on receiving States' distressed labour markets; every displaced adult needed to work to support their family. Therefore, it was indeed vital to find a legal pathway to integrating refugees into local labour markets while protecting local workers' interests.
- 691.** *A Government representative of Zimbabwe* said that strengthening cooperation within existing regional frameworks was the best way to address the labour market impact of the influx of refugees. Practical plans of action under the Migration Dialogue for Southern Africa had allotted distinctive roles to stakeholders in the region, such as the ILO, the IOM and the UNHCR, in keeping with their specific mandates. The Organization should partner efforts to reduce human trafficking, to prevent refugees from ending up as forced labour in unacceptable forms of work, and actively assist member countries to craft labour migration policies that balanced refugees' needs for access to work with citizens' labour market needs. Lastly, it could expand its role in initiatives to combat discrimination in the workplace.
- 692.** *A Government representative of Ethiopia* said that his country was hosting the fifth largest number of refugees in the world amidst alarmingly high unemployment levels. The international community should support countries hosting large number of refugees without adequate resources. When the Organization reviewed its Memorandum of Understanding with the UNHCR, Ethiopia encouraged the Office to promote sustainable reintegration in countries of origin through humanitarian assistance that looked beyond the initial repatriation process. Moreover, it should explore mechanisms that would enable the international community to share the burden of hosting large numbers of refugees and thereby lessen their impact on host countries' labour markets, and that took account of their international obligations and national priorities.
- 693.** *A Government representative of Burkina Faso* said that his country would do its utmost to protect refugees and displaced people. It had already absorbed a massive influx of refugees fleeing crises in various West African countries, but lacked the resources to meet their needs. It therefore supported the ILO's efforts to find a global, multilateral solution for the plight of refugees and displaced people worldwide.
- 694.** *A Government representative of Kenya* said that closer inter-agency cooperation would help countries to meet the serious challenge of managing the influx of refugees. The Decent Work Agenda was an important framework to add value in that context. The paper under consideration, however, paid scant attention to security considerations. In response to the involvement of some refugees in terrorism and organized crimes, her Government had introduced legislation, out of security concerns, to ensure that criminals were separated from genuine refugees. It remained committed to protecting refugees' rights through resettlement and conditional access to the labour market, and looked forward to the active participation of regional economic bodies in the development, financing and implementation of frameworks enabling such action to be taken.
- 695.** *A Government representative of the United Republic of Tanzania* commended the Office for its constructive engagement with other UN agencies in efforts to help refugees and forcibly displaced people find decent work. People became migrants or refugees only for pressing reasons. Migrants generally moved for religious or economic reasons, while refugees did so for political reasons. Over the years, her country had fulfilled its obligations under the 1951 Convention relating to the Status of Refugees by housing refugees and other displaced people from neighbouring countries and had recently granted Tanzanian citizenship to some 160,000 Burundian refugees.

- 696.** *A Government representative of Turkey* said that the Syrian refugee crisis had evolved from a humanitarian tragedy to an integration issue with social, economic, financial and demographic consequences for both refugees and host communities. The downward pressure on wages stemming from the influx of working-age refugees was changing local labour market dynamics. Under the new regulation referred to in paragraph 14 of the paper under discussion, Syrians with temporary protection status could be granted work permits which gave them access to the labour market without any sectoral restrictions, the same social security rights and obligations as Turkish nationals and entitled them to the national minimum wage. Turkey had spent US\$10 billion on meeting the needs of Syrians, as against the US\$462 million contributed by the international community. Greater efforts were needed to increase cooperation and share the burden of dealing with the refugee crisis. In that connection, the agreement between Turkey and the EU would help eliminate the loss of human life by creating legal paths for mobility.
- 697.** *A Government representative of Jordan* said that the Syrian refugee crisis had placed severe strain on her country's economy, host communities, fiscal position and public services. Despite assistance from the international community, donor funding pledges fell far short of the required amounts and Jordan had reached its limits. It would help refugees, but not at the expense of its citizens' welfare. At the Syria Donors Conference, Jordan had proposed a sustainable solution built around three pillars, namely: development that attracted new investment and opened up the EU market; grants ensuring adequate financing of the Jordan Response Plan for the Syria Crisis 2016-2018; and support for the macroeconomic framework that addressed Jordan's needs over the coming three years. Job creation for refugees should not be at the expense of the national workforce; the ILO should aim to create jobs for host country nationals. Such projects should be financed from new sources, not from already committed funds and should focus on the needs of both host communities and refugees. Job opportunities for refugees in Jordan would depend on the volume of financial assistance from donor countries for refugee employment projects, and must be in line with national labour law. It was essential to avoid overlapping and duplication in the response of UN organizations to the situation.
- 698.** *A Government representative of Germany* said that her Government's approach focused on decent work and social protection, since those were the keys to integration. Refugees with good prospects of being allowed to remain were offered access to the labour market as quickly as possible by being interviewed almost immediately by job centre staff at reception centres. Recognition of vocational qualifications was regarded as very important, and teaching German and imparting job-related language skills played a central role. Integration could succeed only with the partnership of the social partners and civil society. No one should be left behind; no effort would therefore be spared to help refugees who had already lived in the country for some time and needed support because they had difficulty in finding a job.
- 699.** *A Government representative of India* said that a line needed to be drawn to distinguish between refugees and migrants, as the context of both groups differed. The current refugee crisis should be analysed in order to determine its labour market implications in the short, medium and long term and to shed light on the links between political, humanitarian and development measures. The ILO should tread cautiously and not establish national obligations. Pending wider national consultations on the activities proposed by the ILO, his Government reiterated its commitment to the universal values underpinning its constant endeavours to treat migrants with dignity and respect.
- 700.** *A Government representative of Bulgaria* said that in 2015, over 20,000 people had sought international protection in his country; in January 2016, almost 2,000 had done so. Although most often used as a transit country, efforts were made to integrate applicants who wished to remain in Bulgaria by giving them the same access to labour mediation services as

nationals and offering them language classes and vocational training to improve their employability, as well as a traineeship allowance and free transport. Employers received a six-month grant covering the minimum wage and social security contributions of such asylum seekers. It was essential to strengthen the link between humanitarian action and development cooperation between institutions and agencies at the national and international level, principally the UNHCR, the IOM and the ILO.

- 701.** *A Government representative of France* said that her country would take in over 30,000 refugees under European emergency relocation programmes. The French Government shared the Organization's concerns with regard to the impact of the Syrian refugee crisis on neighbouring countries (namely Lebanon, Jordan and Turkey) and was joining its European partners in providing support for them. However, long-term action and a concerted vision of how to tackle the crisis were needed. The ILO could play a crucial role in that connection by providing guidance on how best to integrate refugees into the formal labour market and guarantee them decent work, since their integration into their host country's society depended on their access to the labour market. France was in favour of a more closely coordinated response by the ILO, the UNHCR and the IOM, which took account of the different situations in host countries.
- 702.** *A Government representative of the Islamic Republic of Iran* said that, although international assistance was insufficient, his country had hosted a large refugee population and provided them with the necessary resources for decades. He urged the Organization to work with other international organizations to address the specific needs generated by the current refugee crisis by designing a specific programme focusing on education, training and skills development. His country stood ready to share its experience in that respect.
- 703.** *A Government representative of Argentina* said that in his country refugees and asylum seekers were protected by national legislation based on the standards and principles of international human rights law and the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto. Under the Constitution they enjoyed the same civil rights as citizens, including the right to work.
- 704.** *A Government representative of the Russian Federation* said that since June 2014, Ukrainian citizens and stateless persons had been forced by the armed conflict to flee to the Russian Federation in search of welfare and accommodation. Centres had been set up in the areas where they had temporarily settled to provide them with information about job vacancies and employment conditions. As of September 2014, over 56,000 Ukrainians were housed in temporary shelters and more than 332,000 were staying with Russian families. Steps had been taken to relocate Ukrainian citizens throughout the Russian Federation and the employment services in all regions were engaged in a drive to identify suitable job opportunities for Ukrainian jobseekers suited to their qualifications and experience. The UNHCR had found that the reception of Ukrainian refugees complied with the highest international standards. His Government concurred with the Director-General of the ILO about the role which the Organization could play in integrating refugees into the labour market.
- 705.** *A Government representative of the United Kingdom* said that the efforts of governments of the countries bordering Syria to host large number of refugees must be supported while humanitarian assistance was also required to help improve the situation of millions inside that country. His Government was grateful that the Director-General of the ILO had attended the Syria Donors Conference, since the Organization's mandate to promote decent work gave it a clear role in supporting the international response to the crisis. Working closely with other organizations and agencies, it should help host countries, especially those mentioned in paragraph 10 of the paper, to build resilient labour markets and provide guidance on policies to facilitate effective labour market integration and create decent work

opportunities for refugees, pending their ultimate return to Syria. The agreement between the EU and Turkey was a good example of how European institutions and Geneva-based agencies could help to preserve the long-standing protections enshrined in international law.

- 706.** *A Government representative of the United States* said that the unprecedented scale of the refugee crisis required a collective response from a number of international organizations. Although the ILO was not a humanitarian assistance agency, it could play a leading role in helping receiving countries to foster employment opportunities and social protection with its Decent Work Agenda. It could promote skills recognition matching and training, assist in protecting fundamental rights at work and promote sustainable enterprises. It was also uniquely poised to bring the social partners and governments together in an effort to mitigate the impact of the crisis on labour markets and workers.
- 707.** *A Government representative of Italy* said that refugees were particularly vulnerable migrants and required a targeted policy response. Their psychological distress made it difficult for them to enter the labour market, yet employment was the key to integration in the host society. Participation in work ensured their effective enjoyment of rights and allowed them to contribute actively to society. Therefore, Italy allowed asylum seekers to work two months after they had applied for international protection, rather than six months. A pilot project called INSIDE assessed the competence of asylum seekers and refugees with protection status and provided about 700 six-month traineeships to actively promote their integration into the labour market.
- 708.** *A Government representative of Cuba* said that millions of refugees were suffering from deplorable reception conditions, including a dearth of work opportunities. The full implementation of the right to development called for political determination on the part of all governments, especially those of the industrialized countries which bore an historic responsibility for the underdevelopment and poverty of the countries in the South. A solution to such dramatic humanitarian situations could only be found by tackling their root causes.
- 709.** *A Government representative of Norway* endorsed the view that jobs were one key to the integration of refugees into host communities. Access to education and vocational training played an important role in helping refugees find work. Norway gave priority to giving children and young people affected by conflict and natural disasters access to schooling and training. He asked panel members what they considered to be the main challenges to cooperation between the respective international agencies in order to improve refugees' access to labour markets. In addition, he asked how the ILO could best utilize its knowledge and resources to improve the international response to the refugee crisis, and how it could better disseminate its experience and advertise its potential contribution to resolving the crisis.
- 710.** *A Government representative of Uruguay* said that finding an answer to the current international humanitarian crisis and the forced displacement of millions of people fleeing violence required a concerted international effort, including from the multilateral organizations. The ILO's experience in the fields of analysis and cooperation meant that it had a fundamental role to play in finding sustainable responses to massive migratory flows which exacerbated the risk of human rights violations, trafficking and child labour. Since the adoption of a law on the rights of refugees in 2006, Uruguay had obtained good results with programmes to promote the educational, social and cultural integration of refugees who had settled in the country. It had introduced a specific resettlement programme for Syrian children and families in 2014.
- 711.** *A Government representative of Colombia* said it was essential to develop a common, coherent and appropriate response to protect, resettle and integrate refugees and other forcibly displaced people. Synergy was needed between humanitarian action and efforts to

support the development of affected communities. The ILO had a crucial role to play in the temporary or definitive integration of migrants and refugees. It should continue to promote anti-discriminatory practices, particularly concerning women, and respect for human rights and workers, share successful experiences and record progress and setbacks. Systematic efforts were needed to ensure that training provided to refugees was relevant to the labour market and took into account the circumstances of each country and region.

- 712.** *A Government representative of Australia* said that mass migration should be managed more effectively to avoid undermining and overwhelming international protection. The ILO was well placed to work with its constituents and other UN agencies to respond to the refugee issue, by: providing technical expertise, assistance and advice; sharing research and data; offering solutions to labour barriers; and providing labour market forecasts. It could also use its tripartite structure and long-standing partnerships with its constituents to develop innovative approaches to help displaced people find employment and return to self-reliance. Improved multilateral coordination was needed, as was closer collaboration between the ILO, the IOM and the UNHCR, within their respective mandates.
- 713.** *A Government representative of Pakistan*, referring to the refugee situation in her country, said that while the assistance from relevant agencies and the burden-sharing by the international community were appreciated they remained inadequate and no additional burden could be sustained. The best solution for refugees was their voluntary return to and sustainable reintegration into their country of origin, where they could contribute to the transition from war to peace. The terms “migrant” and “refugee” were defined under the United Nations International Convention on and the Protection of the Rights of All Migrant Workers and Members of Their Families, and must not be confused. The ILO should continue working to promote fair and effective migration policies and to ensure migrant workers’ rights. Governments gave top priority to the provision of employment for their nationals. Greater investment in durable solutions was needed to deal with the refugee crisis effectively. The ILO should step up its engagement in countries of origin with a view to supporting returnees and explore mechanisms for developed countries to share the burden of host countries.
- 714.** *A Government representative of Thailand* said that a distinction between the needs of refugees, displaced people and migrants should be identified. Immediate action should focus on analysis of labour demand and supply, in terms of both quality and quantity, and on how to integrate refugees and other forcibly displaced people into host country labour markets and protect particularly vulnerable groups. Decent work deficits and post-conflict situations must be addressed. The ILO should strengthen its cooperation with the UNHCR and other relevant international organizations. A broad-based understanding of the challenges and means of enhancing cooperation on a global policy should be promoted, as that would benefit not only countries and societies but also human dignity.
- 715.** *A Government representative of Indonesia* said that an inclusive development policy was required when addressing multidimensional refugee issues. Strengthening international cooperation through burden-sharing and shared responsibility was key to tackling the refugee and migration crisis. The ILO should further strengthen its work with its constituents, its partnership with the UNHCR, the IOM and other UN agencies, and with affected countries.
- 716.** *A Government representative of Brazil* highlighted the work done by her country to host and provide assistance for refugees, including the fine-tuning of a refugee policy to include the social partners.
- 717.** *A Government representative of Mexico* said that the relevant actors must coordinate their efforts and make appropriate use of the tools available to examine flows of refugees and

other forcibly displaced people. The inclusion of a high-level segment on international migration was welcome, particularly in light of the racism, xenophobia and intolerance being expressed in some quarters. The ILO should consider the role of the UNHCR and the IOM when developing policies, programmes and actions on migrant workers, as part of its response to their impact on the labour market. It should also continue to participate actively in meetings on the refugee crisis, and take proactive steps to limit the repercussions of refugee and migrant flows on the labour market.

- 718.** *A Government representative of Guatemala* agreed that action should be taken by all three constituents to create decent work for all. The refugee crisis was as much an economic, labour and social issue as it was a problem of indifference. Such indifference needed to end.
- 719.** *A representative of the United Nations Development Programme (UNDP)* congratulated governments which had embraced labour policies recognizing refugees as economic actors rather than burdens and were working with employers and workers to harness their economic potential. Such labour market policies benefited both refugees and their hosts. The UNDP resilience-based approach put job creation at the centre. That focus, combined with other initiatives, would help leverage human and development capacities in keeping with the commitments undertaken at the World Humanitarian Summit. The UNDP was willing to deepen its collaboration with the ILO.
- 720.** *A representative of the World Bank* detailed a number of initiatives that it had undertaken with the Lebanese and Jordanian Governments in response to the humanitarian and development crisis in those two countries, including the development of a temporary employment programme in Lebanon and the establishment of a special economic zone in Jordan. She also highlighted a multi-sector pilot with the Department for International Development and the ILO to implement, evaluate and potentially scale-up subsidized temporary employment programmes in Lebanon.
- 721.** *A representative of the European Public Law Organization* said that the refusal by politicians, trade unionists and employers to acknowledge migrants and refugees resulted in barriers to entry. In response to points raised by the Special Representative of the Secretary-General on Migration and the Director-General of the IOM, he asked whether refugees and migrants would be easily integrated into European labour markets if such barriers were removed and labour markets worked well.
- 722.** *The Special Representative of the Secretary-General on Migration* expressed disappointment that few questions had been asked and that most statements had been defensive of individual country positions. Before the end of 2016, there was a window of opportunity for leadership to bring about substantial changes in the system and for multilateral organizations to demonstrate their commitment to the processes of change and development; if they were merely talking shops, they would achieve nothing. He expressed the hope that at the high-level plenary meeting of the UN General Assembly on addressing large movements of refugees and migrants on 19 September 2016, deliverables would be part of the conclusions, not just words.
- 723.** While closer cooperation at the multilateral level was required, the main challenge to this was posed by multilateral organizations attending meetings primarily to maintain their own prerogatives. Cooperation was needed if greater leadership were to be provided at the United Nations level; it should be possible to deliver in that regard. The ILO could best display its expertise if its members fulfilled their commitments at the national level to protect ILO values. However, they were not doing so. For example, many States had signed the Domestic Workers Convention, 2011, (No. 189), but only 22 had ratified it. States should accept responsibility for the instruments that they signed, and should ratify and implement them, as should the social partners. Trade unions and employers, in particular, must live up to the

values that they publicly proclaimed. They should also expand their capacity to host refugees, rather than simply discussing resettlement and then refusing to take anyone.

- 724.** *The Director-General of the IOM* said that in order to weather the storm, public perceptions of migrants and refugees needed to change. A poisonous discourse had unfairly conflated refugees and migrants with terrorism in the public mind. It was in the national interest to have healthy migrants and well-educated migrant children and therefore to receive them warmly and give them the opportunity to integrate. It was also important to learn to manage diversity, if countries were to achieve the economic and social conditions that they wanted. Countries were currently short-changing themselves and creating problems where there could be opportunities. Policies must be changed, as the issue could not be solved through short-term measures that focused primarily on security and pushing people back.
- 725.** To make such changes, countries must reverse their “refugee amnesia”, overcome systemic blockages and make major psychological adjustments. As more member States became official refugee resettlement countries with respectable annual quotas and all countries developed more comprehensive, common migration and asylum policies, success would be achieved over time.
- 726.** *The Director of the Division of International Protection, UNHCR* noted that insufficient emphasis had been placed on the examination of root causes. People could not return home and restore peace and stability if they could not make a decent living for themselves and their families in exile; they would not have anything to take back home with them. Addressing that issue represented a short- and long-term investment in peace, security and stability. The ILO should promote itself as the expert and a respected authority. It should share its expertise, develop confidence-building measures and base its discourse on solid factual evidence on refugees and labour migration, including by engaging with refugees themselves to understand their skill sets, hopes, dreams and aspirations.
- 727.** *The Director-General of the ILO* reiterated the main points raised during the debate, namely: that the crisis, referred to by the Special Representative of the Secretary-General on Migration as “a generational crisis” and by the Director-General of the IOM as “the perfect storm”, was unprecedented; that there had been a collective failure to respond based on shared values and from an operational perspective; that access to decent work would have to be a key component of a collective response to the crisis; and that the international community had failed to take advantage of the economic benefits of international migration for reasons of fear, misconception and xenophobic attitudes. In order to ensure that nationals in the workforce were not disadvantaged by improved access to labour markets for refugees and displaced people, the basic principle of equal treatment for all should be guaranteed. In turn, universal respect for fundamental principles and rights at work must be ensured to avoid the dangers of refugees and displaced people falling into the trap of exploitation, informality, trafficking or child labour.
- 728.** Concerning the state of ratification of Convention No. 189, he invited constituents to also reflect on the inadequately ratified Conventions Nos 97 and 143, which were due to be examined at the International Labour Conference in June 2016. The ILO’s global flagship programme on Jobs for Peace and Resilience had a key role to play in addressing issues related to the refugee and migration crisis at their source. The ILO needed its constituents’ help to make further progress in providing technical cooperation to receiving countries. All governments, employers’ and workers’ organizations shared the responsibility of promoting labour market access. He expressed the hope that the ILO would make the fullest possible contribution to ensuring the success of the major discussions to be held on the issue of refugees and migrants in 2016, including the high-level plenary meeting of the UN General Assembly. He agreed with the workers’ proposal to hold a tripartite or high-level meeting to

take the ideas and general principles that had been discussed into much more practical channels; such a meeting should be held quickly in order for it to be effective.

Appendix I

Statement by the Chairperson of the Staff Union to the Programme, Financial and Administrative Section of the Governing Body (326th Session – 15 March 2016)

Madam Chairperson,

Mr Director-General,

Ladies and gentlemen members of the Governing Body

Dear colleagues and everyone else present today,

I have the honour and pleasure to address you today as Chairperson of the ILO Staff Union which represents 70 per cent of the staff working at headquarters and in the field.

The purpose of this regular exercise is to inform you of the staff representatives' stance on a number of the senior management's recommendations which have an impact on all staff members' employment and working conditions.

Generally speaking, this process presupposes the existence of social dialogue within the Organization and the holding of discussions, consultations, or even negotiations, prior to sessions.

But today, in my capacity of staff representative, my number one problem concerns document GB.326/PFA/4 on the after-service health insurance.

First, this document was debated yesterday evening before the Staff Union could express its opinion. The flukes in the organization of the PFA section's agenda are probably very useful, especially when it comes to muzzling the staff.

Secondly, contrary to the disconcertingly confident assertion I heard yesterday evening, which almost knocked me sideways, there was no proper consultation on this matter with the staff representatives. I can assure you of that.

As everything possible has been done to gag her, the staff representative therefore regrettably has no option but to inform you today, after the fact, of her position on this matter and on the draft decision which you have already approved. What a fine example of social dialogue within the ILO!

The proposals contained in this document are crucial for the durability and future of the social security system of ILO staff. But some of them conflict with the fundamental principles of social security and, what is more, encourage the exploration of funding possibilities which the staff find totally unacceptable. These possibilities, which are mainly contained in paragraph 39(b) of the decision will lead to discrimination in terms of age and nationality and flout the principle of solidarity between generations and between the sick and the healthy, which forms the basis of social insurance systems. They also ignore the fact that employers' contributions are deferred wages and they go against headquarters agreements making organizations' exemption from national social security schemes subject to the guarantee they will provide at least equally favourable arrangements for their staff. In short, the most attractive aspect of these allegedly risk-free possibilities is that they shift the financial burden to staff by excluding from the social protection system some of its retired policyholders who are the most expensive and by simply making them fodder for greedy private insurance companies. It is a well-known fact that national schemes will not insure people over a certain age who have never even contributed to them.

My concluding comment on this document, on which I am dwelling although its fate is already sealed, is that the Staff Union has taken due note, although this is not expressly stated

in the decision as adopted, that any further decision on this subject must be accompanied at the very least by genuine consultations with the staff. As I have not heard any real commitment from the senior management in this respect, I hope that it will remember the debates which took place here yesterday. Otherwise I will make a point of reminding it, when the time comes.

So today the Staff Union is asking itself two questions:

Can it continue to believe its Director-General's assurances that consultation and collective bargaining will always constitute the cornerstones of internal social dialogue when a document of such importance to the staff has not even formed the subject of consultations?

Must it infer that the fundamental principles related to social security which are promoted by the Organization do not apply to its own staff?

By way of a reminder, the international civil service is in a separate category to other civil services and, under their constitution and Article 101 of the Charter of the United Nations, agencies in the United Nations system have a duty to provide their officials with universal social coverage. This coverage is now being assailed on all sides. The ILO Staff Health Insurance Fund is bearing the brunt of more than erratic administration in the past and of a lack of decision-making and good governance, which could already have wrecked it on more than one occasion in the past. But, as the French proverb goes, if you want to drown your dog, accuse him of having rabies. I can assure you that at the moment the staff are rabid with anger. Anger over not receiving services and benefits commensurate with its contributions, anger over receiving reimbursement after periods of time bordering on the unacceptable, anger, especially among field staff, over not being able to be hospitalized because they have no adequate proof that they are insured, anger because staff decision-making power in the SHIF Management Committee has been deliberately whittled away over the years.

So, even if, in response to a working group's recommendations, the Director-General recently promised to employ sufficient human, technical and financial resources to enable the Fund to function properly, these improvements are coming at a very late stage and are hardly convincing our colleagues, especially those in the field, who are covered by this insurance. The staff expect deeds not just words, because this is an emergency.

This fund has existed for many years and the staff demand that everything possible be done to ensure its durability and efficiency by improving its governance and administration and they hope that the decisions which you took yesterday will go in the right direction rather than lead to its ruin.

For unfortunately the Staff Health Insurance Fund is not the only wrong from which officials are suffering today. The situation of our recently retired colleagues is scarcely any more brilliant. For about a year now, they have had to wait for an average of four to six months before they receive the first instalment of their pension. I ask you, ladies and gentlemen of the Governing Body, who can afford to wait for between four and six months, before they get their pension? The reason given, the move to new software, cannot be the full explanation. We have been informed by staff of the United Nations Joint Staff Pension Fund that there are serious governance problems and insufficient funds to ensure that it functions properly.

You can well understand that the staff is very worried by this situation and by this onslaught on its social protection which is constantly undermining its acquired rights and which, over the years, has meant that it is bearing an increasingly heavy financial burden while excluding some members from its benefits in the future. The men and women whom I represent, serving officials or current or future retirees, will not put up with this and the action which we are now taking within the ILO or in federations of staff unions and associations forms part of the counteroffensive and will continue.

Allow me now to move on to another matter, the Administrative Tribunal of the ILO, which forms the subject of a draft decision.

Document GB.326/PFA/12/1 attracted the keen attention of the staff representatives. The staff takes note of the explanations regarding article II of the Statute of the Tribunal which gave rise to some concern on the part of the staff associations and unions of other organizations. The very idea that some complainants might find themselves out in the cold, if the Tribunal were to decide no longer to accept complaints in respect of some organizations which do not meet the criteria of having effective internal remedies, is disquieting. If further discussions were to be held, the viewpoint of all organizations' staff unions and associations should again be heard.

As for the repeal of article XII, while we understand the reasons given, namely that it is anachronistic and fails to guarantee equality of access to justice, we nevertheless raise the fundamental issue of appellate review which is an essential aspect of the right of defence in judicial procedure today. Even if the proposed amendments to article VI constitute welcome progress, they provide only a partial remedy to this problem.

Furthermore, and to echo what I have already said in my November 2015 statement on this matter, a revision of the Tribunal regulations would certainly contribute to the modernization of that venerable institution; a revision on which the staff associations and unions have already submitted several proposals that, for the time being, have been left aside. The ILO Staff Union joins with the urgent calls of its peers from other organizations for a major individual and collective consultation, involving all stakeholders, to take place without delay.

Finally, ladies and gentlemen, I turn to document GB.326/PFA/11, which reports on the Human Resources Department's strategy for 2010–15. It is a document that assesses the past five years and the staff representatives are duty-bound to inform you of their views.

For those who remember it, the year 2010 did not start well. It was a time when the administration still thought a coffee on the tenth floor of the building sufficient to quiet the legitimate concerns of staff representatives who had come from all over the world. This was an event that led to the mobilization of ILO staff on a scale not seen for many years.

Fortunately – for the Organization and its staff – many changes have taken place. Progress has been made on internal labour relations, yet the problem of the lack of consultation on document GB.326/PFA/4, which we take most seriously, leads us to revise our satisfaction index downwards and encourages us to bolster our vigilance, particularly in view of future negotiations on the contracts policy. There are still departments at the heart of the Organization that appear fully impervious, if not resistant, to the culture of social dialogue. That must change.

The Department of Human Resources, in drafting its report, passes rather quickly over the fact that the past five years have been a period of relentless reforms, both within and outside the Organization, under the framework imposed by the International Civil Service Commission. The staff have frequently had questions about the sequence and coordination of these reforms and also about their purpose, since they have, in large part, not met their expectations. These reforms are copied from the private sector and are not adapted to international organizations' mandates. Moreover, economic constraints are taking them further and further away from the founding constitutional principles of these organizations. Reform on the range of provisions of the International Civil Service Commission adopted by the United Nations General Assembly, which was originally intended to simplify matters, has – unsurprisingly – been turned into an exercise in duly paring back benefits and mobility and recruitment incentives, while unfairly targeting certain vulnerable categories of staff.

Despite this far from radiant future, the staff representatives of the ILO will, of course, continue to fight to improve the framework for internal labour relations, in order that it may serve as an example to the entire United Nations system. The greater the presence of consultation in an undertaking, the greater the motivation of staff and the effectiveness of

the group as a whole. It is, incidentally, interesting, if not to say absolutely obvious, to note the extent to which progress and success in this document are proportional to the level of consultation that the Human Resources Department was able to have with the Union. This stands regardless of whether it relates to staff recruitment and selection or improving the working environment, and includes the collective agreements signed by staff representatives on maternity protection and against harassment, which have promoted a better work–life balance.

By contrast, each time that staff representatives were not sufficiently consulted, the situation is completely different and could often be improved. With regard to career management and development, the acquisition and development of electronic support tools, billed as essential to entry into the modern world, are far from having proven themselves, due to incompatibilities and because no proper evaluation has taken place to assess their effectiveness. In addition, the persistent nature of archaic administrative bodies and practices (notably the complete lack of transparency and right of defence before the Reports Board or the opaque processes for recognizing merit) and irregular practices that promote unequal careers among staff according to their contractual situation or sex, contribute to latent dissatisfaction among staff.

There is a similar situation with all training programmes, which were, for the most part, developed unilaterally and without consulting any staff representatives, because the Joint Training Board has not met for five years. The staff representatives have advocated tirelessly for it to be reactivated.

I must also return to the classification exercise for jobs in the field, an issue that has refused to disappear since the mobilization of staff in 2010, and which finally began in 2015. The staff will not allow this to turn into a veiled rationalization exercise for our colleagues in the field; weary survivors as they are of three structural reforms since 2010 and who have been cut back to the point that certain activity programmes are no longer able to offer their basic services. The Staff Union will take particular interest in ensuring that the agreements on duties that it has signed with the administration are applied to the letter.

I could continue and comment in detail on each chapter of this document, but I will spare you that long list in order to focus on what is essential. In light of all the reforms and changes that staff have endured in the past few years, and also the changes to come – notably those linked to the examination of administrative processes whose purpose appears rather removed from the basic principles promoted and defended by our Organization – vigilance is a must. It is not, as I heard with some alarm in this room yesterday, a case of changing the DNA of the ILO along with its culture. First and foremost, change is not decreed, it is led or at least guided. Secondly, is it not precisely the culture of the ILO above all that it is important to preserve? Would it not be better to make informed use of our Organization's genes – the right to social protection, the right to decent work and the right to justice and social dialogue – in order to construct the foundations on which all future internal programming and strategies can be built?

In conclusion, and in keeping with that spirit of dialogue, I would ask you, ladies and gentlemen delegates, to ensure that the staff representatives are fully included in this future human resources strategy. The staff representatives are convinced that this is the sole and only means by which the ILO will be able calmly and efficiently to achieve its objectives, while negotiating exemplary work and working conditions with its staff that are fair, progressive and ultimately worthy of the spirit and aims of its mandate.

Thank you.

Appendix II

Scale of assessments of contributions to the budget for 2017

State	ILO	UN	Draft ILO scale of	Increase (Decrease)
	assessments	assessments	assessments	(Diff. between
	2016	2016-18	2017	cols 3 and 1)
	Col.1	Col.2	Col.3	Col.4
	%	%	%	%
1 Afghanistan	0.005	0.006	0.006	0.001
2 Albania	0.010	0.008	0.008	(0.002)
3 Algeria	0.137	0.161	0.161	0.024
4 Angola	0.010	0.010	0.010	-
5 Antigua and Barbuda	0.002	0.002	0.002	-
6 Argentina	0.432	0.892	0.893	0.461
7 Armenia	0.007	0.006	0.006	(0.001)
8 Australia	2.075	2.337	2.338	0.263
9 Austria	0.798	0.720	0.720	(0.078)
10 Azerbaijan	0.040	0.060	0.060	0.020
11 Bahamas	0.017	0.014	0.014	(0.003)
12 Bahrain	0.039	0.044	0.044	0.005
13 Bangladesh	0.010	0.010	0.010	-
14 Barbados	0.008	0.007	0.007	(0.001)
15 Belarus	0.056	0.056	0.056	-
16 Belgium	0.999	0.885	0.885	(0.114)
17 Belize	0.001	0.001	0.001	-
18 Benin	0.003	0.003	0.003	-
19 Bolivia, Plurinational State of	0.009	0.012	0.012	0.003
20 Bosnia and Herzegovina	0.017	0.013	0.013	(0.004)
21 Botswana	0.017	0.014	0.014	(0.003)
22 Brazil	2.936	3.823	3.825	0.889
23 Brunei Darussalam	0.026	0.029	0.029	0.003
24 Bulgaria	0.047	0.045	0.045	(0.002)
25 Burkina Faso	0.003	0.004	0.004	0.001
26 Burundi	0.001	0.001	0.001	-
27 Cabo Verde	0.001	0.001	0.001	-
28 Cambodia	0.004	0.004	0.004	-
29 Cameroon	0.012	0.010	0.010	(0.002)
30 Canada	2.986	2.921	2.922	(0.064)
31 Central African Republic	0.001	0.001	0.001	-
32 Chad	0.002	0.005	0.005	0.003
33 Chile	0.334	0.399	0.399	0.065
34 China	5.151	7.921	7.924	2.773
35 Colombia	0.259	0.322	0.322	0.063
36 Comoros	0.001	0.001	0.001	-
37 Congo	0.005	0.006	0.006	0.001
38 Cook Islands ⁽¹⁾	-	-	0.001	0.001
39 Costa Rica	0.038	0.047	0.047	0.009
40 Côte d'Ivoire	0.011	0.009	0.009	(0.002)
41 Croatia	0.126	0.099	0.099	(0.027)
42 Cuba	0.069	0.065	0.065	(0.004)
43 Cyprus	0.047	0.043	0.043	(0.004)
44 Czech Republic	0.386	0.344	0.344	(0.042)
45 Democratic Republic of the Congo	0.003	0.008	0.008	0.005
46 Denmark	0.675	0.584	0.584	(0.091)
47 Djibouti	0.001	0.001	0.001	-
48 Dominica	0.001	0.001	0.001	-
49 Dominican Republic	0.045	0.046	0.046	0.001

State	ILO	UN	Draft ILO scale of	Increase (Decrease)
	assessments	assessments	assessments	(Diff. between
	2016	2016-18	2017	cols 3 and 1)
	Col.1	Col.2	Col.3	Col.4
	%	%	%	%
50 Ecuador	0.044	0.067	0.067	0.023
51 Egypt	0.134	0.152	0.152	0.018
52 El Salvador	0.016	0.014	0.014	(0.002)
53 Equatorial Guinea	0.010	0.010	0.010	-
54 Eritrea	0.001	0.001	0.001	-
55 Estonia	0.040	0.038	0.038	(0.002)
56 Ethiopia	0.010	0.010	0.010	-
57 Fiji	0.003	0.003	0.003	-
58 Finland	0.519	0.456	0.456	(0.063)
59 France	5.596	4.859	4.861	(0.735)
60 Gabon	0.020	0.017	0.017	(0.003)
61 Gambia	0.001	0.001	0.001	-
62 Georgia	0.007	0.008	0.008	0.001
63 Germany	7.145	6.389	6.392	(0.753)
64 Ghana	0.014	0.016	0.016	0.002
65 Greece	0.638	0.471	0.471	(0.167)
66 Grenada	0.001	0.001	0.001	-
67 Guatemala	0.027	0.028	0.028	0.001
68 Guinea	0.001	0.002	0.002	0.001
69 Guinea-Bissau	0.001	0.001	0.001	-
70 Guyana	0.001	0.002	0.002	0.001
71 Haiti	0.003	0.003	0.003	-
72 Honduras	0.008	0.008	0.008	-
73 Hungary	0.266	0.161	0.161	(0.105)
74 Iceland	0.027	0.023	0.023	(0.004)
75 India	0.666	0.737	0.737	0.071
76 Indonesia	0.346	0.504	0.504	0.158
77 Iran, Islamic Republic of	0.356	0.471	0.471	0.115
78 Iraq	0.068	0.129	0.129	0.061
79 Ireland	0.418	0.335	0.335	(0.083)
80 Israel	0.396	0.430	0.430	0.034
81 Italy	4.450	3.748	3.750	(0.700)
82 Jamaica	0.011	0.009	0.009	(0.002)
83 Japan	10.839	9.680	9.684	(1.155)
84 Jordan	0.022	0.020	0.020	(0.002)
85 Kazakhstan	0.121	0.191	0.191	0.070
86 Kenya	0.013	0.018	0.018	0.005
87 Kiribati	0.001	0.001	0.001	-
88 Korea, Republic of	1.995	2.039	2.040	0.045
89 Kuwait	0.273	0.285	0.285	0.012
90 Kyrgyzstan	0.002	0.002	0.002	-
91 Lao People's Democratic Republic	0.002	0.003	0.003	0.001
92 Latvia	0.047	0.050	0.050	0.003
93 Lebanon	0.042	0.046	0.046	0.004
94 Lesotho	0.001	0.001	0.001	-
95 Liberia	0.001	0.001	0.001	-
96 Libya	0.142	0.125	0.125	(0.017)
97 Lithuania	0.073	0.072	0.072	(0.001)
98 Luxembourg	0.081	0.064	0.064	(0.017)
99 Madagascar	0.003	0.003	0.003	-

State	ILO	UN	Draft ILO scale of	Increase (Decrease)
	assessments	assessments	assessments	(Diff. between
	2016	2016-18	2017	cols 3 and 1)
	Col.1	Col.2	Col.3	Col.4
	%	%	%	%
100 Malawi	0.002	0.002	0.002	-
101 Malaysia	0.281	0.322	0.322	0.041
102 Maldives, Republic of	0.001	0.002	0.002	0.001
103 Mali	0.004	0.003	0.003	(0.001)
104 Malta	0.016	0.016	0.016	-
105 Marshall Islands	0.001	0.001	0.001	-
106 Mauritania	0.002	0.002	0.002	-
107 Mauritius	0.013	0.012	0.012	(0.001)
108 Mexico	1.843	1.435	1.436	(0.407)
109 Moldova, Republic of	0.003	0.004	0.004	0.001
110 Mongolia	0.003	0.005	0.005	0.002
111 Montenegro	0.005	0.004	0.004	(0.001)
112 Morocco	0.062	0.054	0.054	(0.008)
113 Mozambique	0.003	0.004	0.004	0.001
114 Myanmar	0.010	0.010	0.010	-
115 Namibia	0.010	0.010	0.010	-
116 Nepal	0.006	0.006	0.006	-
117 Netherlands	1.655	1.482	1.483	(0.172)
118 New Zealand	0.253	0.268	0.268	0.015
119 Nicaragua	0.003	0.004	0.004	0.001
120 Niger	0.002	0.002	0.002	-
121 Nigeria	0.090	0.209	0.209	0.119
122 Norway	0.852	0.849	0.849	(0.003)
123 Oman	0.102	0.113	0.113	0.011
124 Pakistan	0.085	0.093	0.093	0.008
125 Palau	0.001	0.001	0.001	-
126 Panama	0.026	0.034	0.034	0.008
127 Papua New Guinea	0.004	0.004	0.004	-
128 Paraguay	0.010	0.014	0.014	0.004
129 Peru	0.117	0.136	0.136	0.019
130 Philippines	0.154	0.165	0.165	0.011
131 Poland	0.922	0.841	0.841	(0.081)
132 Portugal	0.474	0.392	0.392	(0.082)
133 Qatar	0.209	0.269	0.269	0.060
134 Romania	0.226	0.184	0.184	(0.042)
135 Russian Federation	2.439	3.088	3.089	0.650
136 Rwanda	0.002	0.002	0.002	-
137 Saint Kitts and Nevis	0.001	0.001	0.001	-
138 Saint Lucia	0.001	0.001	0.001	-
139 Saint Vincent and the Grenadines	0.001	0.001	0.001	-
140 Samoa	0.001	0.001	0.001	-
141 San Marino	0.003	0.003	0.003	-
142 Sao Tome and Principe	0.001	0.001	0.001	-
143 Saudi Arabia	0.865	1.146	1.147	0.282
144 Senegal	0.006	0.005	0.005	(0.001)
145 Serbia	0.040	0.032	0.032	(0.008)
146 Seychelles	0.001	0.001	0.001	-
147 Sierra Leone	0.001	0.001	0.001	-
148 Singapore	0.384	0.447	0.447	0.063
149 Slovakia	0.171	0.160	0.160	(0.011)

State	ILO	UN	Draft ILO scale of	Increase (Decrease)
	assessments	assessments	assessments	(Diff. between
	2016	2016-18	2017	cols 3 and 1)
	Col.1	Col.2	Col.3	Col.4
	%	%	%	%
150 Slovenia	0.100	0.084	0.084	(0.016)
151 Solomon Islands	0.001	0.001	0.001	-
152 Somalia	0.001	0.001	0.001	-
153 South Africa	0.372	0.364	0.364	(0.008)
154 South Sudan	0.004	0.003	0.003	(0.001)
155 Spain	2.975	2.443	2.444	(0.531)
156 Sri Lanka	0.025	0.031	0.031	0.006
157 Sudan	0.010	0.010	0.010	-
158 Suriname	0.004	0.006	0.006	0.002
159 Swaziland	0.003	0.002	0.002	(0.001)
160 Sweden	0.961	0.956	0.957	(0.004)
161 Switzerland	1.048	1.140	1.141	0.093
162 Syrian Arab Republic	0.036	0.024	0.024	(0.012)
163 Tajikistan	0.003	0.004	0.004	0.001
164 Tanzania, United Republic of	0.009	0.010	0.010	0.001
165 Thailand	0.239	0.291	0.291	0.052
166 The former Yugoslav Republic of Macedonia	0.008	0.007	0.007	(0.001)
167 Timor-Leste	0.002	0.003	0.003	0.001
168 Togo	0.001	0.001	0.001	-
169 Tonga ⁽²⁾	-	0.001	0.001	0.001
170 Trinidad and Tobago	0.044	0.034	0.034	(0.010)
171 Tunisia	0.036	0.028	0.028	(0.008)
172 Turkey	1.329	1.018	1.019	(0.310)
173 Turkmenistan	0.019	0.026	0.026	0.007
174 Tuvalu	0.001	0.001	0.001	-
175 Uganda	0.006	0.009	0.009	0.003
176 Ukraine	0.099	0.103	0.103	0.004
177 United Arab Emirates	0.595	0.604	0.604	0.009
178 United Kingdom	5.182	4.463	4.465	(0.717)
179 United States	22.000	22.000	22.000	-
180 Uruguay	0.052	0.079	0.079	0.027
181 Uzbekistan	0.015	0.023	0.023	0.008
182 Vanuatu	0.001	0.001	0.001	-
183 Venezuela, Bolivarian Republic of	0.627	0.571	0.571	(0.056)
184 Viet Nam	0.042	0.058	0.058	0.016
185 Yemen	0.010	0.010	0.010	-
186 Zambia	0.006	0.007	0.007	0.001
187 Zimbabwe	0.002	0.004	0.004	0.002
TOTAL	100.000	99.969	100.000	(0.000)

⁽¹⁾ The Cook Islands is not at present a member of the UN. The proposed rate of assessment is based on its membership fees in other UN specialised agencies. (GB.326/PFA/GMA/1)

⁽²⁾ The Kingdom of Tonga joined the United Nations on 14 September 1999, and became a Member of the ILO on 24 February 2016. (GB.326/PFA/GMA/2)

Appendix III

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

326^e session – Genève – mars 2016
326th Session – Geneva – March 2016
326.^a Reunión – Ginebra – marzo de 2016

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. 180
Membres gouvernementaux adjoints Deputy Government members Miembros gubernamentales adjuntos	p. 188
Membres employeurs titulaires Titular Employer members Miembros empleadores titulares	p. 195
Membres employeurs adjoints Deputy Employer members Miembros empleadores adjuntos	p. 196
Membres travailleurs titulaires Titular Worker members Miembros trabajadores titulares	p. 198
Membres travailleurs adjoints Deputy Worker members Miembros trabajadores adjuntos	p. 199
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	p. 201
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	p. 208
Représentants d'organisations internationales gouvernementales Representatives of international governmental organizations Representantes de organizaciones internacionales gubernamentales	p. 209
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	p. 212
Mouvement de libération Liberation movement Movimiento de liberación	p. 215

Membres gouvernementaux titulaires Titular Government members
Miembros gubernamentales titulares

Président du Conseil d'administration: Chairperson of the Governing Body: Presidente del Consejo de Administración:	Ms M. KAJI (Japan)
--	---------------------------

Algérie Algeria Argelia

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

suppléant(s):

M. M. KHIAT, secrétaire général, ministère du Travail, de l'Emploi et de la Sécurité sociale.

M. F. ZAIDI, directeur général de l'emploi et de l'insertion, ministère du Travail, de l'Emploi et de la Sécurité sociale.

M. A. DROUA, directeur des relations de travail, ministère du Travail, de l'Emploi et de la Sécurité sociale.

accompagné(s) de:

M. T. DJOUAMA, ministre conseiller, mission permanente, Genève.

M. M. HABCHI, conseiller, mission permanente, Genève.

M^{me} H. KHERROUR, secrétaire des affaires étrangères, mission permanente, Genève.

M. Z. KHERROUR, secrétaire des affaires étrangères, mission permanente, Genève.

M. H. KHELIF, sous-directeur, ministère des Affaires étrangères.

Allemagne Germany Alemania

Ms S. HOFFMANN, Director, European and International Employment and Social Policy Department, Federal Ministry of Labour and Social Affairs.

substitute(s):

Mr U. SEIDENBERGER, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Ms S. BAUN, Head, International Employment and Social Policy Branch, Federal Ministry of Labour and Social Affairs.

Mr A. SCHLÜTER, Head, International Labour Organization (ILO)/United Nations Division, Federal Ministry of Labour and Social Affairs.

Mr J. FARZAN, Adviser, International Labour Organization (ILO)/United Nations Division, Federal Ministry of Labour and Social Affairs.

Mr K. GÜNTHER, Social Affairs Adviser, Permanent Mission, Geneva.

accompanied by:

Mr S. KÜNZEL, Specialist, Division VI b 1, International Employment and Social Policy and Twinning, Federal Ministry of Labour and Social Affairs.

Ms M. PIEPER, Permanent Mission, Geneva.

Angola

M. A. CORREIA, ambassadeur, représentant permanent, mission permanente, Genève.

suppléant(s):

M. D. N'GOVE LUSSOKE, directeur, ministère de l'Administration publique, du Travail et de la Sécurité sociale.

accompagné(s) de:

M. A. MBEMBA NZITA, premier secrétaire, mission Permanente, Genève.

M. A. GUIMARÃES, deuxième secrétaire, mission Permanente, Genève.

Argentine Argentina

Sr. A. D'ALOTTO, Embajador, Representante Permanente, Misión Permanente, Ginebra.

suplente(s):

Sr. E. LEGUIZAMON, Jefe de Gabinete del Ministro de Trabajo, Ministerio de Trabajo, Empleo y Seguridad Social.

Sr. G. CORRES, Jefe de Departamento de Asuntos Internacionales, Ministerio de Trabajo, Empleo y Seguridad Social.
Sr. J. TITIRO, Asesor en Relaciones Laborales, Ministerio de Trabajo, Empleo y Seguridad Social.

acompañado(s) de:

Sr. J. MERCADO, Ministro, Misión Permanente, Ginebra.
Sr. L. ABBENANTE, Secretario de Embajada, Misión Permanente, Ginebra.

Brésil Brazil Brasil

Ms R. CORDEIRO DUNLOP, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr M. BARBOSA, Special Advisor to the Minister, Ministry of Labour and Social Security.

accompanied by:

Mr P. DALCERO, Minister-Counsellor, Permanent Mission, Geneva.
Ms D. ROCHA MATTOS, Chief of the International Organizations Division, Ministry of Labour and Social Security.
Mr F. FIGUEIREDO DE SOUZA, First Secretary, Permanent Mission, Geneva.
Mr P. GHETTI, Third Secretary, Permanent Mission, Geneva.

Bulgarie Bulgaria

Mr I. PIPERKOV, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Ms A. DAVIDOVA, Minister Plenipotentiary, Permanent Mission, Geneva.
Mr A. EVTIMOV, Head, Department for International Organizations and International Cooperation, Ministry of Labour and Social Policy.

accompanied by:

Ms S. PARAPUNOVA, State Expert, Department for International Organizations and International Cooperation, Directorate

for European Affairs and International Cooperation, Ministry of Labour and Social Policy.

Cambodge Cambodia Camboya

Mr S. NEY, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr C. BOU, Labour Counsellor, Ministry of Labour and Vocational Training.

accompanied by:

Mr S. YANG, Assistant of Labour Counsellor, Ministry of Labour and Vocational Training.

Chine China

Mr C. FU, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr Y. LU, Deputy Director-General, Department of International Cooperation, Ministry of Human Resources and Social Security.
Mr X. DAI, Counsellor, Permanent Mission, Geneva.

accompanied by:

Mr B. HAO, Director-General, Department of International Cooperation, Ministry of Human Resources and Social Security.
Mr S. YU, Minister Counsellor, Permanent Mission, Geneva.
Mr D. DUAN, Counsellor, Permanent Mission, Geneva.
Mr S. RONG, Director, Department of International Cooperation, Ministry of Human Resources and Social Security.
Mr F. TIAN, First Secretary, Permanent Mission, Geneva.

République de Corée
Republic of Korea
República de Corea

Mr K. CHOI, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr Y. KIM, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.

Mr J. PARK, Deputy Minister of Planning and Coordination Office, Ministry of Employment and Labour.

Mr B. KWON, Labour Attaché, Permanent Mission, Geneva.

accompanied by:

Mr W. LEE, Director, International Labour Affairs Division, Ministry of Employment and Labour.

Mr H. CHUNG, Director, International Cooperation Division, Ministry of Employment and Labour.

Ms S. KWON, Deputy Director, International Labour Affairs Division, Ministry of Employment and Labour.

Ms E. LEE, Deputy Director, International Cooperation Affairs Division, Ministry of Employment and Labour.

Mr H. LEE, Assistant Director, International Labour Affairs Division, Ministry of Employment and Labour.

Emirats arabes unis
United Arab Emirates
Emiratos Árabes Unidos

Mr H. ALSUWAIDI, Assistant Under Secretary for Labour Affairs, Ministry of Labour.

substitute(s):

Mr A. ALMARZOOQI, Director, International Relations Office, Ministry of Labour.

Mr O. ALNUAIMI, Assistant Under Secretary for Policies and Strategies Affairs, Ministry of Labour.

Mr A. ZALAMI, Adviser to the Minister for International Relations, Ministry of Labour.

accompanied by:

Mr O. ALZAABI, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr R. ALSHAMSI, First Secretary, Permanent Mission, Geneva.

Mr A. FAKHFAKH, Expert in International Organizations, Permanent Mission, Geneva.

Etats-Unis United States
Estados Unidos

Mr R. SHEPARD, Director, Office of International Relations, Department of Labor.

substitute(s):

Ms P. HAMAMOTO, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Ms J. BARRETT, International Relations Officer, Office of International Relations, Department of Labor.

accompanied by:

Mr T. ALLEGRA, Deputy Permanent Representative, Permanent Mission, Geneva.

Ms S. FOX, Special Representative for International Labor Affairs, Department of State.

Mr G. GARRAMONE, First Secretary, Political and Specialized Agencies, Permanent Mission, Geneva.

Ms J. GOODYEAR, International Relations Officer, Office of International Relations, Department of Labor.

Mr N. KLEIN, International Relations Officer, Office of Economic and Development Affairs, Department of State.

Ms K. MONAHAN, Deputy Director, Office of Economic and Development Affairs, Department of State.

Ms S. MORGAN, Labor Officer, Office of International Labor Affairs, Department of State.

Mr C. QUINTANA, International Relations Officer, Office of Trade and Labor Affairs, Department of Labor.

Mr R. WALLER, Political Counsellor, Political and Specialized Agencies, Permanent Mission, Geneva.

France Francia

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

suppléant(s):

M^{me} E. LAURIN, ambassadeur, représentant permanent, mission permanente, Genève.

accompagné(s) de:

M^{me} N. NIKITENKO, déléguée aux affaires européennes et internationales, ministère du Travail, de l'Emploi, de la Formation professionnelle et du Dialogue social.

M. T. WAGNER, représentant permanent adjoint, mission permanente, Genève.

M^{me} M. BAUDURET, chef du bureau international travail, emploi, affaires sociales, droits de l'homme, délégation aux affaires européennes et internationales, ministère du Travail, de l'Emploi, de la Formation professionnelle et du Dialogue social.

M^{me} S. PERON, conseillère pour les questions budgétaires, mission permanente, Genève.

M^{me} A. CHOPARD, chargée de mission auprès du délégué du gouvernement de la France.

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

M. Y. CRIADO, chargé de mission, délégation aux affaires européennes et internationales, ministère du Travail, de l'Emploi, de la Formation professionnelle et du Dialogue social.

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.

M^{me} M. OLSZAK, conseillère pour les affaires humanitaires, mission permanente, Genève.

M^{me} C. GAULIN, attachée pour les affaires humanitaires, mission permanente, Genève.

M^{me} M. JACQUOT, mission permanente, Genève.

Ghana

Mr S. EDDICO, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr A. MOHAMMED, Deputy Minister, Ministry of Employment and Labour Relations.

Mr E. APPREKU, Deputy Ambassador and Permanent Representative, Permanent Mission, Geneva.

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

Ms E. OFORI-AGYEMANG, Director, Policy Planning and Evaluation Division, Ministry of Employment and Labour Relations.

accompanied by:

Mr E. NARH-KORTELEY, Acting Chief Labour Officer, Ministry of Employment and Labour Relations.

Mr K. BEECHAM, Chief Executive Officer for Youth Employment Agency.

Mr S. JABANYITE, Board Chairman for Youth Employment Agency.

Mr A. MOHAMMED, Chief Executive Officer for National Youth Authority.

Mr J. OFOSU-APPIAH, Minister Counsellor, Permanent Mission, Geneva.

Mr G. SMITH-GRAHAM, Chief Executive Officer, Fair Wages and Salaries Commission.

Inde India

Mr A. KUMAR, Ambassador and Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr S. AGGARVAL, Secretary, Ministry of Labour and Employment.

Mr M. GUPTA, Joint Secretary, Ministry of Labour and Employment.

accompanied by:

Mr B.N. REDDY, Deputy Permanent Representative, Permanent Mission, Geneva.

Mr A. RAI, Counsellor, Permanent Mission, Geneva.
 Ms A. BAPAT, Director, Ministry of Labour and Employment.
 Mr E. REDDY, First Secretary, Permanent Mission, Geneva.
 Mr H. KHARBANDA, Attaché, Permanent Mission, Geneva.

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

Mr M. HOSSEINI, Acting Minister for International Affairs.

substitute(s):

Mr M. VAGHFI, Director-General for International Affairs, Department of International Affairs, Ministry of Cooperatives, Labour and Social Welfare.
 Mr R. BEHZAD, Labour Counsellor, Permanent Mission, Geneva.

accompanied by:

Mr M. ABADI, First Secretary, Permanent Mission, Geneva.
 Ms M. SOLTANI, Senior Expert, Department of International Affairs, Ministry of Cooperatives, Labour and Social Welfare.
 Ms F. ABYAR, Senior Expert, Department of International Affairs, Ministry of Cooperatives, Labour and Social Welfare.

Italie Italy Italia

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

suppléant(s):

M. A. BERTONI, ministre conseiller, mission permanente, Genève.
 M. G. MARINI, conseiller, mission permanente, Genève.
 M^{me} R. MARGIOTTA, directrice du bureau des relations internationales, direction générale pour la tutelle des conditions de travail, ministère du Travail et des Politiques sociales.

accompagné(s) de:

M^{me} L. MARRAMA, mission permanente, Genève.
 M^{me} M. GOBBO, mission permanente, Genève.

Japon Japan Japón

Mr T. KATSUDA, Assistant Minister for International Affairs, Ministry of Health, Labour and Welfare.

substitute(s):

Mr J. IHARA, Ambassador Extraordinary and Plenipotentiary, Permanent Representative, Permanent Mission, Geneva.
 Ms M. KAJI, Ambassador, Deputy Permanent Representative, Chair of the ILO Governing Body, Permanent Mission, Geneva.
 Mr K. NAGOAKA, Minister, Permanent Mission, Geneva.
 Mr M. HIRASHIMA, Counsellor, Permanent Mission, Geneva.

accompanied by:

Mr T. TERAMOTO, Adviser, International Affairs Division, Ministry of Health, Labour and Welfare.
 Mr Y. JURI, Counsellor, Permanent Mission, Geneva.
 Mr M. TADA, Counsellor, Permanent Mission, Geneva.
 Mr Y. ISHIDA, First Secretary, Permanent Mission, Geneva.
 Mr H. SUMINO, First Secretary, Permanent Mission, Geneva.
 Mr S. SUDO, Deputy Director, International Affairs Division, Ministry of Health, Labour and Welfare.
 Ms R. OUCHI, Section Chief, International Affairs Division, Ministry of Health, Labour and Welfare.
 Mr T. ANDO, Section Chief, International Affairs Division, Minister's Secretariat, Ministry of Health, Labour and Welfare.
 Ms M. NAGATA, Official, International Affairs Division, Ministry of Health, Labour and Welfare.

Kenya

Ms P. KANDIE, Cabinet Secretary, Ministry of Labour, Social Security and Services.

substitute(s):

Mr K. KASSACHOON, Principal Secretary, Ministry of Labour, Social Security and Services.

Dr S. NYAMBARI, Labour Commissioner, Ministry of Labour, Social Security and Services.

Mr S. KARAU, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr A. KIHURANI, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.

accompanied by:

Mr J. MWANZIA, Assistant Labour Commissioner, International Labour Affairs and Social Security, Ministry of Labour, Social Security and Services.

Mr J. BARSITO KAPLICH, Deputy Director, Public Communication, Ministry of Labour, Social Security and Services.

Ms E. CHEMIRMIR, Personal Assistant to the Cabinet Secretary, Ministry of Labour, Social Security and Services.

Ms E. ONUKO, Minister Counsellor (Labour), Permanent Mission, Geneva.

Mexique Mexico México

Sr. J. LOMÓNACO, Embajador, Representante Permanente, Misión Permanente, Ginebra.

suplente(s):

Sr. R. HEREDIA, Embajador, Representante Permanente Alterno, Misión Permanente, Ginebra.

Sr. L. MORALES VÉLEZ, Ministro de Asuntos Laborales en Europa, Misión Permanente, Ginebra.

Sra. B. HERNÁNDEZ NARVÁEZ, Primera Secretaria, Misión Permanente, Ginebra.

Sr. S. REYES CASTRO, Primer Secretario, Misión Permanente, Ginebra.

acompañado(s) de:

Sr. A. BONILLA GARCIA, Asesor Especialista en Seguridad Social, Secretaría del Trabajo y Previsión Social.

Sra. V. CUEVAS TREJO, Asesora, Misión Permanente, Ginebra.

Panama Panamá

Sra. Z. SANTAMARÍA, Viceministra de Trabajo y Desarrollo Laboral.

suplente(s):

Sr. R. NÚÑEZ, Jefe de la Oficina de Cooperación Técnica Internacional, Ministerio de Trabajo y Desarrollo Laboral.

Sr. C. GÓMEZ RUILOBA, Embajador, Representante Permanente Adjunto, Misión Permanente, Ginebra.

Sr. A. MENDOZA GANTES, Asesor de la Viceministra de Asuntos Multilaterales y Cooperación, Ministerio de Relaciones Exteriores.

acompañado(s) de:

Sra. V. VIGIL, Subjefa de la Oficina de Cooperación Técnica Internacional, Ministerio de Trabajo y Desarrollo Laboral.

Sra. M. ATENCIO, Secretaria Ejecutiva de la Viceministra de Trabajo y Desarrollo Laboral, Ministerio de Trabajo y Desarrollo Laboral.

Roumanie Romania Rumania

Ms C. DUMITRIU, Senior Counsellor, Direction of External Relations, Ministry of Labour, Family and Social Protection.

substitute(s):

Mr F. TUDORIE, Minister Plenipotentiary, Permanent Mission, Geneva.

accompanied by:

Mr A. VIERITA, Ambassador, Permanent Representative, Permanent Mission, Geneva.

**Royaume-Uni
United Kingdom
Reino Unido**

Mr M. FITCHES, EU and International Affairs Division, Department for Work and Pensions.

substitute(s):

Mr R. POURESHAGH, EU and International Affairs Division, Department for Work and Pensions.

Mr N. JOHNSTONE, Deputy Director, EU and International Affairs Division, Department for Work and Pensions.

Mr J. KENNEDY, EU and International Affairs Division, Department for Work and Pensions.

accompanied by:

Ms N. NOBLE, Deputy Head, Specialised Agencies Team, Permanent Mission, Geneva.

Ms I. SCOTT, Specialised Agencies Team, Permanent Mission, Geneva.

Mr J. BRAITHWAITE, Ambassador, Permanent Representative, Permanent Mission, Geneva.

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

Ms A. COLE, Specialised Agencies Team, Permanent Mission, Geneva.

Ms D. GOULDING, Specialised Agencies Team, Permanent Mission, Geneva.

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

Ms L. ELTSOVA, Deputy Minister of Labour and Social Protection, Representative of the Government of the Russian Federation to the Governing Body, Ministry of Labour and Social Protection.

substitute(s):

Mr A. CHERKASOV, Deputy Minister of Labour and Social Protection, Ministry of Labour and Social Protection.

Mr A. NIKIFOROV, Deputy Permanent Representative, Permanent Mission, Geneva.

Ms S. PRIVEZENCEVA, Director of the Financial Department, Ministry of Labour and Social Protection.

accompanied by:

Mr S. GORBARETS, Deputy Director, Department of Wage, Labour Relationship and Social Partnership, Ministry of Labour and Social Protection.

Mr G. GUBAREV, Deputy Director, Department of Employment, Ministry of Labour and Social Protection.

Mr A. PREOBRAZHENSKY, Deputy Head of Division, Legal and International Activity Department, Ministry of Labour and Social Protection.

Ms N. ORESHENKOVA, Senior Counsellor, Permanent Mission, Geneva.

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

Mr A. KUCHKOV, Second Secretary, Permanent Mission, Geneva.

Mr S. STEPANOV, Senior Counsellor, Legal and International Activity Department, Ministry of Labour and Social Protection.

Mr A. BOGATYREV, Third Secretary, Permanent Mission, Geneva.

Mr I. ZEMLIANSKIY, Consultant, legal and International Activity Department, Ministry of Labour and Social Protection.

Soudan Sudan Sudán

Mr A. NIHAR, Minister of Labour and Administrative Reform.

substitute(s):

Mr K. SALIH, Ambassador, chargé d'affaires a.i., Permanent Mission, Geneva.

Mr F. ALI, Ministry of Labour and Administrative Reform.

accompanied by:

Ms T. FARAH ELHAG, Director-General, International Relations, Ministry of Labour and Administrative Reform.

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

Mr M. AGEED ALI, Ministry of Labour and Administrative Reform.

Mr N. DRESA, Ministry of Labour and
Administrative Reform.
Mr A. ARZON.

Trinité-et-Tobago
Trinidad and Tobago
Trinidad y Tabago

Ms M. RAMPERSAD, Head, International
Affairs Unit, Ministry of Labour and Small
and Micro Enterprise Development.

substitute(s):

Ms A. ALI-RODRIGUEZ, chargé d'affaires
a.i., Permanent Mission, Geneva.

accompanied by:

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

Turquie Turkey Turquía

Mr E. BATUR, Deputy Under Secretary,
Ministry of Labour and Social Security.

substitute(s):

Mr Ö. KURAL, Counsellor, Permanent
Mission, Geneva.

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

accompanied by:

Mr N. KODAL, Expert, Ministry of Labour and
Social Security.

Mr F. ACAR, Expert, Permanent Mission,
Geneva.

Venezuela (Rép. bolivarienne du)
Venezuela (Bolivarian Rep. of)
Venezuela (Rep. bolivariana de)

Sr. J. RIVERO, Viceministro para el Sistema
Integrado de Inspección Laboral y de la
Seguridad Social.

suplente(s):

Sr. J. VALERO BRICEÑO, Embajador,
Representante Permanente, Misión
Permanente, Ginebra.

Sra. R. SÁNCHEZ, Embajadora, Representante
Permanente Adjunta, Misión Permanente,
Ginebra.

acompañado(s) de:

Sr. C. FLORES, Consejero Laboral, Misión
Permanente, Ginebra.

Sra. G. AGUIRRE, Directora de Relaciones
Internacionales, Ministerio del Poder
Popular para el Proceso Social de Trabajo.

Zimbabwe

Ms P. MUPFUMIRA, Minister of Public
Service, Labour and Social Welfare.

substitute(s):

Mr N. MASOKA, Permanent Secretary for
Public Service, Labour and Social Welfare,
Ministry of Public Service, Labour and
Social Welfare.

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

accompanied by:

Mr C. VUSANI, Director, Labour
Administration, Ministry of Public Service,
Labour and Social Welfare.

Mr L. NGORIMA, Chief Labour Officer,
Ministry of Public Service, Labour and
Social Welfare.

Mr S. KADZIMA, Principal Labour Officer,
Ministry of Public Service, Labour and
Social Welfare.

Mr S. DHLIWAYO, Personal Assistant to the
Minister, Ministry of Public Service, Labour
and Social Welfare.

Mr P. CHIGIJI, Minister Counsellor,
Permanent Mission, Geneva.

Ms N. NDONGWE, Counsellor, Permanent
Mission, Geneva.

Mr P. MUDYAWABIKWA, Minister
Counsellor, Permanent Mission, Geneva.

Membres gouvernementaux adjoints Deputy Government members
Miembros gubernamentales adjuntos

Albanie Albania

Ms F. KODRA, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr B. SALA, Adviser to the Minister, Ministry of Social Welfare and Youth.

accompanied by:

Ms B. ZOTO, Counsellor, Permanent Mission, Geneva.

Ms D. XHIXHO, Second Secretary, Permanent Mission, Geneva.

Mr H. GOGA, Minister Counsellor, Permanent Mission, Geneva.

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

Australie Australia

Ms J. PITT, Minister Counsellor (Employment), Department of Employment.

substitute(s):

Ms M. KIDD, Group Manager, People and Communication Group, Department of Employment.

Ms K. LETTS, Director, International Labour Team, Participation and International Labour Branch, Department of Employment.

Ms R. DUNCAN, Assistant Director. International Labour Team, Participation and International Labour Branch, Department of Employment.

Mr J. QUINN, Ambassador, Permanent Representative, Permanent Mission, Geneva.

accompanied by:

Ms S. MHAR, Assistant to the Minister Counsellor (Employment).

Ms T. BENNETT, Deputy Permanent Representative, Permanent Mission, Geneva.

Ms G. ALBLAS, First Secretary, Permanent Mission, Geneva.

Mr G. BOWAN, Adviser, Permanent Mission, Geneva.

Ms S. O'DONNELL, Executive Officer (Migration), Permanent Mission, Geneva.

Ms R. NANAYAKKARA, Acting Minister Counsellor (Immigration), Permanent Mission, Geneva.

Bahreïn Bahrain Bahrein

Mr Y. BUCHEERI, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr F. ABDULLA, Director for Public and International Relations, Ministry of Labour.

accompanied by:

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

Ms N. ALMANSOORI, Secretary, Permanent Mission, Geneva.

Bangladesh

Mr M. HAQUE, Honourable 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.

accompanied by:

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

Mr A. BANIK, Deputy Secretary and PS to Honorable State Minister, Ministry of Labour and Employment.

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

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

Belgique Belgium B elgica

M. B. DE CROMBRUGGHE DE
PICQUENDAELE, ambassadeur,
repr esentant permanent, mission
permanente, Gen ve.

suppl ant(s):

M^{me} T. BOUTSEN, conseill re g n rale,
division des affaires internationales, service
public f d ral emploi, travail et concertation
sociale.

accompagn (s) de:

M. S. THIJS, conseiller, mission permanente,
Gen ve.

M. H. MONCEAU, haut-repr esentant de la
Wallonie et de la F d ration Wallonie-
Bruxelles pour les droits de l'homme, la
soci t  de l'information et l' conomie
num rique   Gen ve.

M. K. DIERCKX, conseiller, repr esentant du
gouvernement flamand   Gen ve.

M^{me} S. KEPPENS, attach e, direction g n rale
de la coop ration au d veloppement, service
public f d ral affaires  trang res, commerce
ext rieur et coop ration au d veloppement.

M^{me} A. MONCAREY, attach e, d l gation
Wallonie-Bruxelles   Gen ve.

Botswana

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

substitute(s):

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

accompanied by:

Mr T. RATSHOSA, Principal Industrial
Relations Officer, Ministry of Labour and
Home Affairs.

Ms S. SEEMULE, Labour Attach , Permanent
Mission, Geneva.

Brun i Darussalam Brunei Darussalam

Mr M. AIANI, Assistant Commissioner of
Labour, Department of Labour, Ministry of
Home Affairs.

substitute(s):

Mr P. PG KAMIS, Assistant Commissioner of
Labour, Department of Labour, Ministry of
Home Affairs.

Burkina Faso

M. P. SAWADOGO, ministre de la Fonction
publique, du Travail et de la S curit 
sociale, minist re de la Fonction publique,
du Travail et de la S curit  sociale.

suppl ant(s):

M^{me} E. ILBOUDO, ambassadeur, repr esentant
permanent adjoint, charg e d'affaires a.i.,
mission permanente, Gen ve.

M. T. NONGUIERMA, directeur g n ral du
travail, minist re de la Fonction publique,
du Travail et de la S curit  sociale.

M. W. SAWADOGO, directeur des relations et
normes internationales du Travail, minist re
de la Fonction publique, du Travail et de la
S curit  sociale.

accompagn (s) de:

M. A. OUEDRAOGO, deuxi me conseiller,
mission permanente, Gen ve.

M. Y. DABIRE, deuxi me secr taire, mission
permanente, Gen ve.

M. F. OUEDRAOGO, attach , mission
permanente, Gen ve.

Canada Canad 

Mr A. GILES, Assistant Deputy Minister,
Policy, Dispute Resolution and International
Affairs, Labour Program, Employment and
Social Development Canada.

substitute(s):

Ms R. MCCARNEY, Ambassador, Permanent
Representative, Permanent Mission,
Geneva.

Ms K. SANTOS-PEDRO, Director,
Multilateral Labour Affairs, Employment
and Social Development Canada.

Ms C. GODIN, Deputy Permanent
Representative, Permanent Mission,
Geneva.

accompanied by:

Mr K. LEWIS, Counsellor, Permanent Mission,
Geneva.

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

Mr S. GOUDREAULT, Deputy Director,
Multilateral Labour Affairs, Labour
Program, Employment and Social
Development Canada.

Ms L. FORREST, Junior Policy Officer,
Permanent Mission, Geneva.

Colombie Colombia

Sra. B. LONDOÑO, Embajadora,
Representante Permanente, Misión
Permanente, Ginebra.

suplente(s):

Sr. A. JATER, Ministro Plenipotenciario,
Misión Permanente, Ginebra.

acompañado(s) de:

Sra. M. MANTILLA, Misión Permanente,
Ginebra.

Cuba

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

suplente(s):

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

acompañado(s) de:

Sr. P. BERTI OLIVA, Primer Secretario,
Misión Permanente, Ginebra.

Sra. B. ROMEU ÁLVAREZ, Tercer Secretario,
Misión Permanente, Ginebra.

République dominicaine Dominican Republic República Dominicana

Sra. M. HERNÁNDEZ, Ministra de Trabajo,
Ministerio de Trabajo.

suplente(s):

Sra. A. MERCEDES, Encargada del
Departamento de Contactos de Tratados
Internacionales, Ministerio de Trabajo.

acompañado(s) de:

Sra. P. BAUTISTA DE LA CRUZ, Consejera,
Encargada de Negocios a.i., Misión
Permanente, Ginebra.

Sra. I. PADILLA ROMAN, Consejera, Misión
Permanente, Ginebra.

Espagne Spain España

Sra. A. MENÉNDEZ PÉREZ, Embajadora,
Representante Permanente, Misión
Permanente, Ginebra.

suplente(s):

Sr. V. REDONDO BALDRICH, Embajador,
Representante Permanente Adjunto, Misión
Permanente, Ginebra.

Prof. D. CANO SOLER, Consejero de Empleo
y Seguridad Social ante la OIT, Misión
Permanente, Ginebra.

acompañado(s) de:

Sra. L. ORTIZ SANZ, Subdirectora General de
Relaciones Internacionales Sociolaborales,
Ministerio de Empleo y Seguridad Social.

Sr. M. REMÓN MIRANZO, Consejero, Misión
Permanente, Ginebra.

Sr. X. BELLMONT ROLDÁN, Consejero,
Misión Permanente, Ginebra.

Sra. R. ROMEO GARCÍA, Consejera
Económica y Comercial, Misión
Permanente, Ginebra.

Sra. E. ZÚÑIGA, Consejera Técnica,
Subdirección General de Relaciones
Internacionales Sociolaborales.

Sr. J. NÁCHER MARTOS, Jefe de Servicio
Consejería de Empleo y Seguridad Social,
Misión Permanente, Ginebra.

Sra. N. MARTÍ NIKLEWITZ, Asistente
Consejería de Empleo y Seguridad Social,
Misión Permanente, Ginebra.

Ethiopie Ethiopia Etiopía

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

substitute(s):

Mr N. BOTORA, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr A. ADEWO, Director, Employment Promotion, Ministry of Labour and Social Affairs.

accompanied by:

Ms E. WOLDETSADIK, Head, Ministers' Office of Labour and Social Affairs, Ministry of Labour and Social Affairs.

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

Indonésie Indonesia

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

substitute(s):

Mr R.M. Michael TENE, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.

Mr A. BANGKONA, Secretary General, Ministry of Manpower.

Ms I. PUTERI, Head of International Cooperation Bureau, Ministry of Manpower.

accompanied by:

Ms S. JUNAEDAH, Director, Ministry of Manpower.

Mr B. HARTAWAN, Director, Ministry of Manpower.

Mr D. ABDI, Counsellor, Permanent Mission, Geneva.

Ms E. TRISIANA, Head of Division for Multilateral Cooperation, Ministry of Manpower.

Mr M. YUSUF, Head of Division for Labour Law, Ministry of Manpower.

Ms R. SETYAWATI, First secretary, Permanent Mission, Geneva.

Mr M. AMRULLAH, Head of Section, Ministry of Manpower.

Ms B. SIDI, Head of Section, Ministry of Foreign Affairs.

Ms M. WULANDARI, Head of Section, Ministry of Manpower.

Mr G. INDRADI, Third Secretary, Permanent Mission, Geneva.

Mr E. MANGAJAYA, Second Secretary, Permanent Mission, Geneva.

Mr W. PRAMONO, Director, Ministry of Manpower.

Jordanie Jordan Jordania

Ms S. AL MAJALI, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr S. DAJANI, Special Counsellor (ILO Affairs), Permanent Mission, Geneva.

accompanied by:

Mr H. MA'AITAH, Second Secretary, Permanent Mission, Geneva.

Lesotho

Mr T. MAHLAKENG, Minister of Labour and Employment.

substitute(s):

Mr K. TLHOELI, Principal Secretary, Ministry of Labour and Employment.

accompanied by:

Mr N. MONYANE, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr N. JAFETA, Minister Counsellor, Permanent Mission, Geneva.

Ms P. MOKHOSI.

Ms I. PHANGO, Ministry of Labour and Employment.

Ms S. MOTIKOE, First Secretary, Permanent Mission, Geneva.

Lituanie Lithuania Lituania

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

Mali Malí

M^{me} D. TALLA, ministre du Travail, de la Fonction publique, chargée des relations avec les institutions.

suppléant(s):

M. B. MAHAMANE, ministre de l'Emploi, de la Formation professionnelle et de la Construction citoyenne.

M^{me} T. DIALLO, ambassadeur, représentant permanent, mission permanente, Genève.

M. M. KONATE, conseiller technique, ministère de la Fonction publique, chargé des relations avec les institutions.

M. S. SATAO, conseiller technique, ministère de l'Emploi, de la Formation professionnelle, de la Jeunesse et de la Construction citoyenne.

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

accompagné(s) de:

M. A. DIALLO, Conseiller technique, ministère de la Solidarité, de l'Action humanitaire et de la Reconstruction du Nord.

M. F. COULIBALY, directeur national du Travail, ministère de la Fonction publique, chargé des relations avec les institutions.

M. M. TRAORE, directeur national de la Protection sociale et de l'Economie solidaire.

M^{me} D. ABDOURHAMANE, directrice nationale de l'Emploi, ministère de la Fonction publique, chargée des relations avec les institutions.

M. D. TRAORE, conseiller, mission permanente, Genève.

Mauritanie Mauritania

M. S. ALI OULD MOHAMED KHOUNA, ministre de la Fonction publique, du Travail et de la Modernisation de l'administration.

suppléant(s):

M^{me} S. MINT YAMAR, ambassadeur, représentant permanent, mission permanente, Genève.

M. H. OULD T'FEIL BOWBE, directeur général du travail, ministère de la Fonction

publique, du Travail et de la Modernisation de l'administration.

accompagné(s) de:

M. H. TRAORÉ, premier conseiller, mission permanente, Genève.

M. J. INALLA, premier conseiller, mission permanente, Genève.

Norvège Norway Noruega

Mr S. KONGSTAD, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

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

Ms G. KVAM, Policy Director, Ministry of Labour and Social Affairs.

accompanied by:

Ms L. HASLE, Senior Adviser, Ministry of Foreign Affairs.

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

Ms C. ENGE, Permanent Mission, Geneva.

Pakistan Pakistán

Mr K. KHAN, Federal Secretary, Ministry of Overseas Pakistanis and Human Resource Development.

substitute(s):

Ms T. JANJUA, Ambassador and Permanent Representative, Permanent Mission, Geneva.

Mr A. QURESHI, Deputy Permanent Representative, Permanent Mission, Geneva.

accompanied by:

Ms A. RAFFAT, Joint Secretary (HRD), Ministry of Overseas Pakistanis and Human Resource Development.

Mr B. SHAH, First Secretary, Permanent Mission, Geneva.

Pays-Bas Netherlands
Países Bajos

Mr R. GANS, Director for International Affairs, Ministry of Social Affairs and Employment.

substitute(s):

Mr R. VAN SCHREVEN, Ambassador, Permanent Representative, Permanent Mission, Geneva.

accompanied by:

Ms E. AKKERMAN, Head of Economic Affairs, Minister Plenipotentiary, Permanent Mission, Geneva.

Mr W. VAN DIJK, First Secretary, Permanent Mission, Geneva.

Mr E. DRIESSEN, Economic Affairs Attaché, Permanent Mission, Geneva.

Ms L. NOUWEN, Assistant Economic Affairs Section, Permanent Mission, Geneva.

Mr A. BETTE, Head, International Affairs, Ministry of Social Affairs and Employment.

Mr A. WESTERINK, Deputy Head of International Affairs, Ministry of Social Affairs and Employment.

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

Mr T. KRAP, Policy Adviser, Ministry of Foreign Affairs.

Pologne Poland Polonia

Mr P. STACHÁNCZYK, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr J. BAURSKI, Deputy Permanent Representative, Permanent Mission, Geneva.

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

République-Unie de Tanzanie
United Republic of Tanzania
República Unida de Tanzania

Ms J. MHAGAMA, Minister of State, Prime Minister's Office for Policy, Parliamentary

Affairs, Labour, Youth, Employment and Persons with Disabilities.

substitute(s):

Mr E. SHITINDI, Permanent Secretary for Labour, Youth, Employment and Persons with Disabilities, Prime Minister's Office.

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

Mr A. MSAKI, Director of Employment, Prime Minister's Office for Policy, Parliamentary Affairs, Labour, Youth, Employment and Persons with Disabilities.

Mr R. KAHENDAGUZA, Deputy Permanent Representative, Permanent Mission, Geneva.

accompanied by:

Ms L. MAUKI, Director of Compliance and Registration, Social Security Regulatory Authority.

Mr D. KAGANDA, Minister Plenipotentiary, Permanent Mission, Geneva.

Mr M. AYUB, Senior Labour Officer, Prime Minister's Office for Policy, Parliamentary Affairs, Labour, Youth, Employment and Persons with Disabilities.

Tchad Chad

M. M. BAMANGA ABBAS, ambassadeur, représentant permanent, mission permanente, Genève.

suppléant(s):

M. D. MBAIBARDOUM, secrétaire général adjoint, ministère de la Fonction publique, du Travail et de l'Emploi.

accompagné(s) de:

M. A. MALLAYE, deuxième conseiller, mission permanente, Genève.

Thaïlande Thailand
Tailandia

Ms P. SMITI, Permanent Secretary, Ministry of Labour.

substitute(s):

Mr T. THONGPHAKDI, Ambassador
Extraordinary, Plenipotentiary, Permanent
Representative, Permanent Mission,
Geneva.

Mr K. ROEKCHAMNONG, Ambassador,
Deputy Permanent Representative,
Permanent Mission, Geneva.

Ms P. BHANDHUFALCK, Director, Bureau of
International Coordination, Ministry of
Labour.

accompanied by:

Mr N. NOPAKUN, Minister Counsellor,
Permanent Mission, Geneva.

Ms C. THONGTIP, Minister Counsellor
(Labour), Permanent Mission, Geneva.

Ms P. THITAYANUN, Foreign Relations
Officer, Senior Professional Level, Bureau
of International Coordination, Ministry of
Labour.

Mr P. SRISUKWATTANA, First Secretary,
Permanent Mission, Geneva.

Ms P. THONGSOMJIT, Skill Development
Technical Officer, Professional Level,
Ministry of Labour.

Uruguay

Sr. N. LOUSTAUNAU, Viceministro de
Trabajo y Seguridad Social, Ministerio de
Trabajo y Seguridad Social.

suplente(s):

Sr. R. GONZÁLEZ ARENAS, Embajador,
Representante Permanente, Misión
Permanente, Ginebra.

acompañado(s) de:

Sra. D. PI, Ministro Consejero, Misión
Permanente, Ginebra.

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

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

Sr. A. ECHAVARRÍA SALDARRIAGA (Colombia), Vicepresidente, Asuntos Jurídicos y Sociales, Asociación Nacional de Empresarios de Colombia.

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

Mr H. MATSUI (Japan), Senior Adviser, International Cooperation Bureau, Nippon-Keidanren /Japan Business Federation.

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

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

Ms J. MUGO (Kenya), Executive Director, Federation of Kenya Employers.

Mr P. O'REILLY (New Zealand), Chief Executive, Business New Zealand.

M^{me} G. PINEAU (France), directrice adjointe, affaires sociales, européennes et internationales, Mouvement des entreprises de France.

Mr E. POTTER (United States), Senior Counsel, United States Council for International Business.

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

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

Sr. A. URTECHO LÓPEZ (Honduras), Asesor Legal, Consejo Hondureño de la Empresa Privada.

Mr B. PANT, accompanying Mr Modi.

Mr K. SCHATTENBERG, accompanying Ms Hornung-Draus.

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

- Mr O. ALRAYES (Bahrain), Board Member, Bahrain Chamber of Commerce and Industry.
- M. J. BELAHRACH (Maroc), Confédération générale des entreprises du Maroc.
- Sr. M. CERETTI (Argentina), Director Ejecutivo, Cámara de Industriales de Productos Alimenticios.
- M. K. DE MEESTER (Belgique), premier conseiller, Fédération des entreprises de Belgique.
- M. O. DIALLO (Côte d'Ivoire), Confédération générale des entreprises de Côte d'Ivoire.
- Mr A. FRIMPONG (Ghana), Ghana Employers' Association.
- Sr. J. LACASA ASO (España), Secretario General, Confederación Española de Organizaciones Empresariales.
- Sr. A. LINERO (Panamá), Asesor y Miembro de la Comisión Laboral, Consejo Nacional de la Empresa Privada.
- Ms H. LIU (China), Deputy Director, China Enterprise Confederation.
- Sr. J. MAILHOS (Uruguay), Gerente, Asuntos Laborales, Cámara Nacional de Comercio y Servicios del Uruguay.
- Mr M. MDWABA (South Africa), Chairman, Tzoro.
- Ms M. MOSKVINA (Russian Federation), Russian Union of Industrialists and Entrepreneurs.
- Mr K. RAHMAN (Bangladesh), Adviser to the Executive Committee, Bangladesh Employers' Federation.
- Sr. J. ROIG (Venezuela (Rep. bolivariana de)), Federación de Cámaras y Asociaciones de Comercio y Producción de Venezuela.
- Ms S. ROMCHATTHONG (Thailand), Secretary General, Employers' Federation of Thailand.
- M. A. SAVANÉ (Guinée), secrétaire général, Conseil national du patronat guinéen.
- Sr. M. TERÁN (Ecuador), Coordinador IOE/OIT, Federación Nacional de Cámaras de Industrias del Ecuador.
- Mr A. WALCOTT (Barbados), Executive Director, Barbados Employers' Confederation.
- Mr P. WOOLFORD (Canada), Executive Director, Canadian Employers Council.

Mr N. AL-MEER, accompanying Mr Alrayes.

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

Mr B. PIRLER (Turkey), Secretary General, Turkish Confederation of Employer Associations.

Autres personnes assistant à la session:
Other persons attending the session:
Otras personas presentes en la reunión:

P. ROBINSON (United-States).

Membres travailleurs titulaires Titular Worker members Miembros trabajadores titulares	
Vice-président du Conseil d'administration: Vice-Chairperson of the Governing Body: Vicepresidente del Consejo de Administración:	M. L. CORTEBEECK (Belgique)
Secrétaire du groupe des travailleurs: Secretary of the Workers' group: Secretario del Grupo de los Trabajadores:	Sra. R. GONZÁLEZ (ITUC)
Secrétaire adjoint du groupe des travailleurs: Deputy Secretary of the Workers' group: Secretario adjunto del Grupo de los Trabajadores:	Ms E. BUSSEER (ITUC)

Mr F. ANTHONY (Fiji), National Secretary, Fiji Trade Union Congress.

Mr K. ASAMOAH (Ghana), Secretary General, Ghana Trade Union Congress.

Mr F. ATWOLI (Kenya), General Secretary, Central Organization of Trade Unions.

Ms A. BUNTENBACH (Germany), Deutscher Gewerkschaftsbund.

M. L. CORTEBEECK (Belgique), Vice-président du Conseil d'administration du BIT, Président d'honneur, Confédération des syndicats chrétiens de Belgique.

Sra. M. FRANCISCO (Angola), Secretaria para Relaciones Internacionales, Unión Nacional de los Trabajadores de Angola, Confederación Sindical.

Mr S. GURNEY (United Kingdom), Labour Standards and World Trade, Trade Union Congress.

Ms H. KELLY (New Zealand).

Sr. G. MARTINEZ (Argentina), Secretario internacional, Confederación General del Trabajo.

Mr K. ROSS (United States), Deputy Policy Director, American Federation of Labor and Congress of Industrial Organizations.

Mr T. SAKURADA (Japan), Takashimaya Labour Union.

Mr M. SHMAKOV (Russian Federation), President, Federation of Independent Trade Unions of Russia.

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

M. P. COUTAZ, accompagnant M. Thibault.

Ms M. HAYASHIBALA, accompanying Mr Sakurada.

Ms A. MARTENS, accompanying Ms Buntenbach.

M^{me} V. ROUSSEAU, accompagnant M^{me} Cortebeeck.

Mr F. ZACH, accompanying Mr Buntenbach.

Mr A. ZHARKOV, accompanying Mr Shmakov.

**Membres travailleurs adjoints Deputy Worker members
Miembros trabajadores adjuntos**

Mr M. AL MAAYTAH (Jordan), President, General Federation of Jordanian Trade Unions.

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

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

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

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

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

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

M^{me} A. EL AMRI (Maroc), Union marocaine du Travail.

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

Mr S. IQBAL (Indonesia), President, Konfederasi Serikat Pekerja Indonesia.

Ms M. LIEW KIAH ENG (Singapore), SMOU General Secretary.

M. E. MANZI (Rwanda), secrétaire général, Centrale des syndicats des travailleurs du Rwanda.

Mr B. NTSHALINTSHALI (South Africa), Deputy General Secretary, Congress of South African Trade Unions.

Mr J. OHRT (Denmark), International Adviser, Landsorganisationen i Danmark.

Ms B. PANDEY (Nepal), General Federation of Nepalese Trade Unions.

Ms C. PASSCHIER (Netherlands), Vice President, Federatie Nederlandse Vakbeweging.

Ms S. SIWELA (Zimbabwe), First Vice-President, Zimbabwe Congress of Trade Unions.

Sra. M. TRIANA ALVIS (Colombia), Secretaria General, Confederación General del Trabajo.

Ms S. CHOO, accompanying Ms Liew Kiah Eng.

Mr F. HO, accompanying Mr Liew Kiah Eng.

Ms A. VAN WEZEL, accompanying Ms Passchier.

Membres suppléants assistant à la session:

Substitute members attending the session:

Miembros suplentes presentes en la reunión:

M. Y. VEYRIER (France), secrétaire confédéral, Confédération générale du travail - Force ouvrière.

Autres personnes assistant à la session:

Other persons attending the session:

Otras personas presentes en la reunión:

Mr C. DAORONG (China).

Sr. J. LEJE (Venezuela (Rep. bolivariana de)).

Sr. C. LOPEZ (Venezuela (Rep. bolivariana de)).

Sra. M. MÁSPERO (Venezuela (Rep. bolivariana de)).

Sr. R. PALACIOS (Venezuela (Rep. bolivariana de)).

Ms R. RASMUSSEN (Norway).

M^{me} C. SCHLACTHER (France).

Mr N. SUZUKI (Japan).

Mr Z. ZHENGWEI (China).

**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, Deputy Minister of Labour, Ministry of Labour.
Mr T. LAMATI, Director General, Ministry of Labour.
Mr S. NDEBELE, Chief Director, International Relations, Ministry of Labour.
Mr M. SKHOSANA, Labour Attaché, Permanent Mission, Geneva.
Mr K. LETOABA, Acting Director, Bilateral Relations, Ministry of Labour.
Ms N. YAKO, PA to the Deputy Minister, Ministry of Labour.
Ms N. NOTUTELA, Deputy Permanent Representative, Permanent Mission, Geneva.

Autriche Austria

Ms I. DEMBSHER, Head of the International Social Policy Unit, Federal Ministry of Labour, Social Affairs and Consumer Protection.
Mr T. HAJNOCZI, Ambassador, Permanent Representative, Permanent Mission, Geneva.
Mr G. THALLINGER, Counsellor, Permanent Mission, Geneva.
Ms M. HELLEIS, Adviser, Permanent Mission, Geneva.
Ms L. SCHNETZER, Adviser, Permanent Mission, Geneva.

**Azerbaïdjan Azerbaijan
Azerbaiján**

Mr H. HUSEYNOV, First Secretary, Permanent Mission, Geneva.

Bélarus Belarus Belarús

Mr Y. AMBRAZEVICH, Ambassador, Permanent Representative, Permanent Mission, Geneva.
Mr V. BOGOMAZ, Counsellor, Permanent Mission, Geneva.

Bénin Benin

M. E. LAOUROU, ambassadeur, représentant permanent, mission permanente, Genève.
M. J. AGONGBONON, premier secrétaire, mission permanente, Genève.

Burundi

M. P. MINANI, deuxième conseiller, mission permanente, Genève.

Chili Chile

Sra. M. MAURÁS PÉREZ, Embajadora, Representante Permanente, Misión Permanente, Ginebra.
Sr. C. STREETER NEBEL, Ministro Consejero, Misión Permanente, Ginebra.
Sr. P. LAZO GRANDI, Agregado Laboral, Misión Permanente, Ginebra.

Chypre Cyprus Chipre

Mr A. IGNATIOU, Ambassador, Permanent Representative, Permanent Mission, Geneva.
Mr D. SAMUEL, Deputy Permanent Representative, Permanent Mission, Geneva.
Ms N. ANDREOU PANAYIOTOU, Administrative Officer, Ministry of Labour and Social Insurance.
Ms M. AVANI, Second Secretary, Permanent Mission, Geneva.

Ms M. SOLOGIANNI, Adviser, Permanent Mission, Geneva.

Costa Rica

Sra. E. WHYTE, Embajadora, Representante Permanente, Misión Permanente, Ginebra.
 Sr. M. VARELA-ERASHEVA, Embajador, Representante Permanente Alterno, Misión Permanente, Ginebra.
 Sr. N. LIZANO, Ministro Consejero, Misión Permanente, Ginebra.
 Sra. R. TINOCO, Consejera, Misión Permanente, Ginebra.

Côte d'Ivoire

M. K. ADJOUANI, ambassadeur, représentant permanent, mission permanente, Genève.
 M. T. MORIKO, conseiller, mission permanente, Genève.
 M. A. EBAKOUÉ, premier secrétaire, mission permanente, Genève.

Croatie Croatia Croacia

Ms V. BATISTIC KOS, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Ms Z. PENIC IVANCO, Counsellor, Permanent Mission, Geneva.

Danemark Denmark Dinamarca

Ms H. EKMANN JENSEN, Senior Adviser, Ministry of Employment.
 Mr T. LORENTZEN, Special Adviser, Ministry of Employment.

Egypte Egypt Egipto

Mr A. RAMADAN, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr A. FADEL, Labour Counsellor, Permanent Mission, Geneva.

Mr H. ELSAEED, Second Secretary, Permanent Mission, Geneva.

El Salvador

Sr. J. MAZA MARTELLI, Embajador, Representante Permanente, Misión Permanente, Ginebra.
 Sra. R. MENÉNDEZ ESPINOZA, Ministro Consejero, Misión Permanente, Ginebra.

Fidji Fiji

Ms S. DAUNABUNA, Acting Permanent Secretary, Ministry of Employment, Productivity and Industrial Relations.
 Ms N. SHAMEEM, Permanent Representative, Permanent Mission, Geneva.
 Ms N. KHATRI, Counsellor and Deputy Permanent Representative, Permanent Mission, Geneva.
 Mr A. PRATAP, First Secretary, Permanent Mission, Geneva.

Finlande Finland Finlandia

Ms P. KAIRAMO, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Mr R. KLINGE, Minister, Deputy Permanent Representative, Permanent Mission, Geneva.
 Ms L. HEINONEN, Government Counsellor, Ministry of Employment and the Economy.
 Ms P. KANTANEN, Ministerial Adviser, Ministry of Employment and the Economy.
 Ms H. LEPPÄNEN, Special Adviser, Permanent Mission, Geneva.

Gabon Gabón

M^{me} M. BIBALOU BOUNDA, ambassadeur, représentant permanent, mission permanente, Genève.
 M^{me} E. KOUMBY MISSAMBO, premier conseiller, mission permanente, Genève.

Mr. F. MANGONGO, conseiller chargé des questions sociales et des relations avec l'OIT, mission permanente, Genève.

Grèce Greece Grecia

Mr A. ALEXANDRIS, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Mr I. MICHELOGIANNAKIS, First Counsellor, Permanent Mission, Geneva.
 Ms S. LASKARIDOU, Official, Directorate of International Relations, Ministry of Labour, Social Security and Welfare.
 Mr M. MEXI, Research Fellow, UNIGE.

Guatemala

Sra. A. TELEGUARIO SINICAL, Ministra de Trabajo y Previsión Social.
 Sr. C. MORALES MOSCOSO, Ministro de Relaciones Exteriores.
 Sr. J. GÁNDARA ESPINO, Viceministro de Trabajo y Previsión Social.
 Sra. C. RODRÍGUEZ MANCIA, Embajadora, Representante Permanente, Misión Permanente, Ginebra.
 Sra. M. BOLAÑOS PÉREZ, Embajadora, Representante Permanente Alterna, Misión Permanente, Ginebra.
 Sr. G. ORELLANA ZABALZA, Consejero, Misión Permanente, Ginebra.
 Sra. C. CÁCERES VALDÉZ, Primer Secretario, Misión Permanente, Ginebra.

Honduras

Sr. G. RIZZO-ALVARADO, Embajador, Representante Permanente, Misión Permanente, Ginebra.
 Sra. G. GÓMEZ GUIFARRO, Primer Secretario, Misión Permanente, Ginebra.
 Sra. K. SHIU, Misión Permanente, Ginebra.

Hongrie Hungary Hungría

Ms Z. HORVÁTH, Ambassador Extraordinary and Plenipotentiary, Permanent

Representative, Permanent Mission, Geneva.

Ms A. SZARVAS, Senior Adviser, Ministry of National Economy.

Ms Z. TVARUSKÓ, Third Secretary, Permanent Mission, Geneva.

Iraq

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

Irlande Ireland Irlanda

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

Israël Israel

Mr E. MANOR, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Ms J. GALILEE-METZGER, Counsellor, Permanent Mission, Geneva.
 Ms Y. FUGAL, Adviser, Permanent Mission, Geneva.

Lettonie Latvia Letonia

Mr J. KARKLINS, Ambassador Extraordinary and Plenipotentiary, Permanent Mission, Geneva.
 Ms K. KOSA-AMMARI, Counsellor, Permanent Mission, Geneva.

Liban Lebanon Líbano

M^{me} N. ASSAKER, ambassadeur, représentant permanent, mission permanente, Genève.
 M. A. ARAFA, conseiller, mission permanente, Genève.
 M^{me} R. EL KHOURY, premier secrétaire, mission permanente, Genève.
 M. H. CHAAR, conseiller, mission permanente, Genève.

Libye Libya Libia

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

Luxembourg Luxemburgo

M. J. HOSCHEIT, ambassadeur, représentant permanent, mission permanente, Genève.
 M. D. DA CRUZ, représentant permanent adjoint, mission permanente, Genève.
 M. P. WEALER, attaché, mission permanente, Genève.

Malaisie Malaysia Malasia

Mr U. BIN ABDULLAH, Labour Attaché, Permanent Mission, Geneva.

Maroc Morocco Marruecos

M. M. AUAJJAR, ambassadeur, représentant permanent, mission permanente, Genève.
 M. H. BOUKILI, représentant permanent adjoint, mission permanente, Genève.
 M. H. EL MEKHENTER, ministre plénipotentiaire, mission permanente, Genève.
 M. K. ATLASSI, ministre plénipotentiaire, mission permanente, Genève.

Mozambique

M. C. SILIYA, Labour Counsellor, Permanent Mission, Geneva.

Myanmar

Mr M. WAI, Ambassador Extraordinary and Plenipotentiary, Permanent Representative, Permanent Mission, Geneva.
 Mr M. SOE, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.
 Mr W. TUN, Minister Counsellor, Permanent Mission, Geneva.
 Mr K. NYEIN, Minister Counsellor, Permanent Mission, Geneva.
 Ms S. WIN, Counsellor, Permanent Mission, Geneva.
 Ms N. SWE, First Secretary, Permanent Mission, Geneva.
 Mr T. NAING, First Secretary, Permanent Mission, Geneva.
 Ms T. TUN, First Secretary, Permanent Mission, Geneva.
 Mr M. AUNG, Chief of Chancery, Permanent Mission, Geneva.
 Mr T. WAI, Chief of Chancery, Permanent Mission, Geneva.
 Ms M. SWE, Chief of Chancery, Permanent Mission, Geneva.
 Ms M. MAN, Attaché, Permanent Mission, Geneva.

Népal Nepal

Mr L. KHANAL, Second Secretary, Permanent Mission, Geneva.
 Ms R. DAHAL, Second Secretary, Permanent Mission, Geneva.

Nicaragua

Sr. H. ESTRADA ROMÁN, Embajador, Representante Permanente, Misión Permanente, Ginebra.
 Sr. L. VARGAS ROJAS, Representante Permanente Alterno, Misión Permanente, Ginebra.

Nigéria Nigeria

Mr J. OCHOLI, Minister of State, Federal Ministry of Labour and Productivity.

Mr O. ILLOH, Permanent Secretary, Federal Ministry of Labour and Productivity.

Ms T. BRAIMAH, Director, Productivity Measurement and Labour Standards, Federal Ministry of Labour and Productivity.

Ms M. LOMA, ACLO (PM&LS) Secretariat, Federal Ministry of Labour and Productivity.

Mr E. IKPONG, SA to Hon. Minister of State, Federal Ministry of Labour and Productivity.

Mr K. AKOR, Director-General (NPC), Federal Ministry of Labour and Productivity.

Mr H. USMAN, Chief Registrar (IAP), Federal Ministry of Labour and Productivity.

Mr O. OBAYAN, Ag. Director-General (NDE), Federal Ministry of Labour and Productivity.

Mr I. AGAKA, Ag. Managing Director (NSITF), Federal Ministry of Labour and Productivity.

Mr L. TAHIR, Director (F&A) NSITF, Federal Ministry of Labour and Productivity.

Mr A. SALIU, Ag. Director-General (MINILS), Federal Ministry of Labour and Productivity.

Mr A. ESSAH, Resident Labour Attaché, Permanent Mission, Geneva.

Nouvelle-Zélande
New Zealand
Nueva Zelandia

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

Pérou Peru Perú

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, Primera Secretaria, Misión Permanente, Ginebra.

Philippines Filipinas

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

Portugal

M. P. PARDAL, conseiller, mission permanente, Genève.

Qatar

Mr E. AL-NAIMI, Minister of Administrative Development, Labour and Social Affairs.

Mr F. AL-HENZAB, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr A. AL-HAMMADI, Deputy Permanent Representative, Permanent Mission, Geneva.

Mr M. AL-SIDDIQI, Representative of the Ministry of Administrative Development, Labour and Social Affairs, Permanent Mission, Geneva.

Mr S. AL-MARRI, Director of the International Labour Relations Department, Ministry of Administrative Development, Labour and Social Affairs.

Mr M. AL-QAHTANI, Director of Department of International Organizations and Conferences, Ministry of Foreign Affairs.

Mr M. AL-MEER, Director of Labour Inspection Department, Ministry of Administrative Development, Labour and Social.

Mr K. AL-SULAITI, Counsellor, Ministry of Administrative Development, Labour and Social Affairs.

Mr Y. LARAM, Assistant Director, Department of International Organisations and Conferences, Ministry of Foreign Affairs.

Ms M. AL-RUMAIHI, Researcher in International Relations, Ministry of Foreign Affairs.

Mr A. AL-SADA, Minister's Office Director, Ministry of Administrative Development, Labour and Social Affairs.

Mr A. ABDULLA, Ministry of Administrative Development, Labour and Social Affairs.

Mr M. AL-OBAIDILY, Minister's Office, Ministry of Justice.

Mr A. ALMOHANNADI, Director of the Department of Human Rights, Ministry of Interior.

Mr J. AL-THANI, Ministry of Administrative Development, Labour and Social Affairs.

Ms L. KHALED, Research Officer, Permanent Mission, Geneva.

Rwanda

M. J. NGANGO, premier conseiller, mission permanente, Genève.

Singapour Singapore Singapur

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.

Ms L. TAI, Senior Assistant Director, International Relations Unit, Workplace Policy and Strategy Division, Ministry of Manpower.

Ms D. HOE, Assistant Manager, International Relations Unit, Workplace Policy and Strategy Division, Ministry of Manpower.

Mr G. HARIDAS, Assistant Commissioner, Legal Services Division, Ministry of Manpower.

Slovénie Slovenia Eslovenia

Ms J. TRAVNIK, Deputy Permanent Representative, Permanent Mission, Geneva.

Soudan du Sud South Sudan Sudán del Sur

Ms G. LOMODONG, Counsellor, Permanent Mission, Geneva.

Suède Sweden Suecia

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

Mr T. JANSON, Deputy Director, Ministry of Employment.

Ms M. GÄRTNER NORD, Counsellor, Permanent Mission, Geneva.

Mr O. EKÉUS, Counsellor, Permanent Mission, Geneva.

Ms E. NORDLUND, First Secretary, Permanent Mission, Geneva.

Ms N. ABBAS, Permanent Mission, Geneva.

Suisse Switzerland Suiza

M. J. ELMIGER, ambassadeur, secrétariat d'Etat à l'économie (SECO), affaires internationales du travail.

M. Y. EGGER, SECO, affaires internationales du travail.

M. A. MEIER, SECO, affaires internationales du travail.

M. L. KARRER, mission permanente, Genève.

M^{me} N. STEGMANN, mission permanente, Genève.

République tchèque Czech Republic República Checa

Mr J. KÁRA, Ambassador, Permanent Representative, Permanent Mission, Geneva.

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

Ms V. BAJGAROVÁ, Deputy Director, Multilateral Economic Relations Department, Ministry of Foreign Affairs.

Tunisie Tunisia Túnez

M. W. DOUDECH, ambassadeur, représentant permanent, mission permanente, Genève.

M^{me} C. KOCHLEF, conseiller, mission permanente, Genève.

Viet Nam

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

Zambie Zambia

Ms E. CHISHIBA SINJELA, Ambassador and Permanent Representative, Permanent Mission, Geneva.

Ms M. LUNGU KAEMBA, Minister Counsellor, Permanent Mission, Geneva.

Mr S. LUNGO, First Secretary, Permanent Mission, Geneva.

Ms V. LUBANGA, First Secretary, Permanent Mission, Geneva.

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

Bhoutan Bhutan Bután

Mr K. SINGYE, Ambassador, Permanent
Representative, Permanent Mission,
Geneva.

Mr T. DUKPA, Minister, Permanent Mission,
Geneva.

Ms T. PELDON, First Secretary, Permanent
Mission, Geneva.

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

M^{gr} 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**

**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

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

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

**Nations Unies
United Nations
Naciones Unidas**

Mr P. DUMITRIU, Inspector and Coordinator, Joint Inspection Unit.

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

Mr F. AL-MUTAIRI, Director-General.

Mr R. GUISSOUMA, Head, Permanent Delegation in Geneva.

Ms D. SAEED, Chief of Cabinet.

Ms Z. KASBAOUI, Permanent Delegation in Geneva.

**Union européenne
European Union
Unión Europea**

Mr P. SØRENSEN, Ambassador, Head of the Permanent Delegation in Geneva.

Mr D. PORTER, Minister Counsellor, Deputy Head of the Permanent Delegation in Geneva.

Mr E. MARTEIL, First Counsellor, Permanent Delegation in Geneva.

Ms M. GKOUVA, Administrator in charge of ILO, Permanent Delegation in Geneva.

Mr T. BENDER, Head of International Unit, DG Employment, Social Affairs and Inclusion, European Commission.

Ms E. PICHOT, Team Leader, Directorate General for Employment, Social Affairs and Inclusion, European Commission.

Ms J. BLAHAK, Permanent Delegation in Geneva.

European Public Law Organization

Mr G. PAPADATOS, Head of Delegation and Permanent Observer to the ILO in Geneva.

**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**

Ms A. VAN DER ELSTRAETEN, Social Development Consultant, Liaison Office in Geneva.

Ms S. AVILES, Officer-in-Charge, Senior Adviser, Programme Development and Humanitarian Affairs, Liaison Office in Geneva.

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

Organisation internationale pour les migrations
International Organization for Migration
Organización Internacional para los Migraciones

Mr T. PASHA, Senior Specialist, Labour Mobility and Human Development.

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

Mr A. ALHAJRY, Director-General.
Mr A. ALSERVEDDEEQI, Acting Labour Director.

Union africaine
The African Union
Unión Africana

Mr J. EHOZOU, Permanent Observer, Permanent Delegation in Geneva.
Ms B. NAIDOO, Social Affairs Officer, Permanent Delegation in Geneva.

La Banque mondiale
The World Bank
El Banco Mundial

Ms L. HADJI.

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

Ms M. SILVA, Director, Office in Geneva.
Ms L. BERNAL, Policy Specialist, Trade and Sustainable Development, Office in Geneva.
Ms G. BOYER, Policy Specialist, Reintegration and Livelihoods, Office in Geneva.
Ms P. JÄRVINEN, Gender and Knowledge Management Consultant, Office in Geneva.

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

Mr S. CORLISS, Director, Division of Programme Support and Management.
Ms B. LIPPMAN, Chief, Operations Solutions and Transitions Section, Division of Programme Support and Management.
Mr Z. AYOUBI, Senior Livelihood Officer, Operations Solutions and Transitions Section, Division of Programme Support and Management.

World Economic Forum

Mr A. KIRN, Community Lead, International Organizations and Government Affairs, Global Leadership Fellow.

Organisation mondiale du commerce
World Trade Organization
Organización Mundial del Comercio

Mr S. MATHUR, Counsellor, Trade and Environment Division.

**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**

Business Africa

Ms J. MUGO, Secretary-General.

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

Ms L. KROMJONG, Secretary-General.
Mr R. SUAREZ SANTOS, Deputy Secretary-General.

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

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

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

Ms S. BURROW, General Secretary.
Mr W. CHIBEBE, Deputy General Secretary.
Mr J. WIENEN, Deputy General Secretary.
Ms R. GONZALEZ, Director, Geneva Office.
Ms E. BUSSER, Assistant Director, Geneva Office.
Mr M. DIALLO, Director HTUR Department.
Ms C. KING, Director Equality Department.
Mr T. NOONAN, Director Cam-Com.
Ms M. SAHAN, Legal Unit.

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

Mr A. MEZHOUD, Secretary General.
Mr A. DIALLO, Permanent Representative to the ILO and UN Office in Geneva.
Mr E. BENMOUHOU.

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

Mr N. GHIOKAS.
Mr E. MUNOZ.

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

Palestine Palestina

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

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