



Governing Body

329th Session, Geneva, 9–24 March 2017

GB.329/PV

Minutes of the 329th Session of the Governing Body of the International Labour Office

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of the Governing Body of the
International Labour Office**

The 329th Session of the Governing Body of the International Labour Office was held in Geneva, from Thursday, 9 to Friday, 24 March 2017, under the chairmanship of Mr U. Seidenberger of Germany.

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

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Institutional Section

1. The Institutional Section met on Monday, 13 and Thursday, 16 March and from Monday 20 to Friday 24 March 2017. The Chairperson of the Governing Body, Mr U. Seidenberger (Government, Germany), 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 3.1, “Matters arising out of the work of the 105th Session (2016) of the International Labour Conference: Programme of work to give effect to the resolution on Advancing Social Justice through Decent Work”; and item 6, “Progress report on the implementation of the Enterprises Initiative”, where Ms R. Hornung-Draus was spokesperson; item 3.2, “Matters arising out of the work of the 105th Session (2016) of the International Labour Conference: Follow-up to the resolution concerning decent work in global supply chains: Roadmap for the programme of action”; item 4, “Review of annual reports under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work”; and item 9, “Progress report on the ratification and implementation of the Protocol of 2014 to the Forced Labour Convention, 1930”, where Mr E. Potter was spokesperson; item 7, “The ILO and the United Nations Development System”, where Ms G. Pineau was spokesperson; item 8, “Report of the 16th Asia and the Pacific Regional Meeting (Bali, 6–9 December 2016)”, where Ms H. Liu was spokesperson; and item 17, “Reports of the Committee on Freedom of Association”, where Mr A. Echavarría was spokesperson. Mr L. Cortebecq (Belgium) was spokesperson for the Workers, except in respect of items 3.1, 4 and 9, where Mr K. Ross was spokesperson; item 3.2, where Ms C. Passchier was spokesperson; item 8, where Mr F. Anthony was spokesperson; and item 17, where Mr J. Ohrt was spokesperson.
2. The following Governing Body members chaired the remaining Sections and Segments of the 329th Session:

Policy Development Section

Employment and Social Protection Segment

(Friday, 17 March 2017 and Monday, 20 March 2017)

Chairperson: Mr R. Behzad (Islamic Republic of Iran)

Employer spokespersons:

Item 1, Outcome 5: Decent work in the rural economy: Mr P. O’Reilly

Item 2, Outcome 6: Formalization of the informal economy: Mr A. Frimpong

Item 3, Addressing the impact of climate change on labour: Mr O. Diallo

Worker spokesperson: Mr P. Dimitrov

Social Dialogue Segment

(Wednesday, 15 March 2017)

Chairperson: Mr N. Masoka (Zimbabwe)

Employer spokesperson: Mr P. Woolford

Worker spokesperson: Mr B. Thibault

Development Cooperation Segment

(Wednesday, 15 March 2017)

Chairperson: Mr N. Masoka (Zimbabwe)

Employer spokesperson: Ms J. Mugo

Worker spokespersons:

Item 5, ILO Development Cooperation Strategy 2015–17: Report on progress:
Mr M. Guiro

Item 6, ILO cooperation with the tobacco industry in the pursuit of the Organization's
social mandate: Mr L. Cortebeek

Multinational Enterprises Segment

(Friday, 17 March 2017)

Chairperson: Mr P-J. Rozet (France)

Employer spokesperson: Mr E. Potter

Worker spokesperson: Ms A. Buntenschach

Legal Issues and International Labour Standards Section

Legal Issues Segment

(Thursday, 16 March 2017)

Chairperson: Mr A. Jater (Colombia)

Employer spokesperson: Ms L. Horvatic

Worker spokesperson: Ms C. Passchier

International Labour Standards and Human Rights Segment

(Thursday, 16 March and Monday, 20 March 2017)

Chairperson: Mr A. Jater (Colombia)

Employer spokespersons:

Item 2, The Standards Initiative: Initial evaluation of the functioning of the Standards
Review Mechanism Tripartite Working Group: Mr A. Echavarria

Item 3, Proposed forms for reports to be requested under article 22 of the Constitution
following the entry into force of the 2014 amendments to the Code of the Maritime
Labour Convention, 2006; and item 4, Proposed forms for reports to be requested under
article 22 of the Constitution following the adoption of amendments to the annexes
of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185):
Mr F. Yllanes Martínez

Worker spokespersons:

Item 2: Mr L. Cortebeeck

Items 3 and 4: Ms C. Passchier

Programme, Financial and Administrative Section

Programme, Financial and Administrative Segment

(Monday, 13 to Wednesday, 15 and Thursday, 23 March 2017)

Chairperson: Mr U. Seidenberger (Germany)

Employer spokesperson: Mr M. Mdwaba

Worker spokesperson: Mr S. Gurney

Audit and Oversight Segment

(Tuesday, 14 March and Wednesday, 15 March 2017)

Chairperson: Mr U. Seidenberger (Germany)

Employer spokesperson: Mr M. Mdwaba

Worker spokesperson: Mr S. Gurney

Personnel Segment

(Wednesday, 15 March 2017)

Chairperson: Mr U. Seidenberger (Germany)

Employer spokesperson: Mr P. Woolford

Worker spokesperson: Mr S. Gurney

High-Level Section

Working Party on the Social Dimension of Globalization

(Monday, 20 March 2017)

Chairperson: Mr U. Seidenberger (Germany)

Employer spokesperson: Mr J. Rønne

Worker spokesperson: Mr L. Cortebeeck

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

(Thursday, 16 March 2017)

Chairperson: Mr U. Seidenberger (Germany)

Employer spokespersons:

Item 1, Composition of the Governing Body; item 2, Improving the functioning of the International Labour Conference: Arrangements for the 106th Session (2017); and item 3, Review of the Standing Orders of the International Labour Conference: Mr J. Rønnest

Item 4, Review of the role and functioning of the Regional Meetings: Mr P. O'Reilly

Worker spokesperson: Mr L. Cortebeek

Committee on Freedom of Association

(Thursday, 9 to Saturday, 11 March 2017)

Chairperson: Mr P. van der Heijden (Netherlands)

Employer Vice-Chairperson: Mr A. Echavarría

Worker Vice-Chairperson: Mr Y. Veyrier ¹

First item on the agenda

Approval of the minutes of the 328th Session of the Governing Body

[\(GB.329/INS/1\)](#)

Decision

3. The Governing Body approved the minutes of its 328th Session as amended.

(GB.329/INS/1, paragraph 2.)

Second item on the agenda

Agenda of the International Labour Conference

[\(GB.329/INS/2\)](#)

4. The Employer spokesperson welcomed the strategic and coherent approach adopted by the Governing Body to the process of setting items for the agenda which would increase the impact of the discussions of the Governing Body on the agendas of future sessions. His group agreed with the suggestion to devote discussions at the 108th Session (2019) of the

¹ Substituting Mr L. Cortebeek.

International Labour Conference to the Future of Work Initiative, since that would drive the celebration of the centenary of the ILO and was an important issue that would ensure a relevant outcome and increased ILO impact. He suggested that three sub-items for the discussion should be identified on the basis of suggestions from the High-level Global Commission and any further guidance from constituents at coming Governing Body sessions, and then discussed in three separate technical committees as general discussions. The plenary could complement that discussion, while the discussions of the Committee on the Application of Standards would remain a separate item. In identifying and framing the items to be discussed in 2019, the Office should seek to provide balanced background input in consultations with constituents. Appropriate time should be allocated during the Governing Body meetings in November 2017 and March 2018 to properly identify and frame the sub-items to be discussed in 2019. It was too early to decide whether to prepare a Centenary Declaration. Such preparations must not distract from the discussions on the future of work. The group was open to finding other ways to create the needed visibility of the outcomes of the discussions on the future of work, but it was most important that a Centenary Declaration should be substantive and add value. Concerning the strategic approach beyond 2019 and the seven items for possible inclusion, there needed to be sufficient time to ensure adequate flexibility in the preparations. The remaining slot for the agenda of the 2020 session should only be decided on the basis of the outcome of the 2019 discussion on the future of work, during which constituents might identify a relevant and urgent item to be discussed the following year. That timing could be challenging, in terms of preparation, but was not impossible, and would strengthen the credibility of the ILO and its capacity to anticipate relevant and current needs. The group saw no added value in including the proposed standard-setting discussion on a just transition towards environmentally sustainable economies. With respect to the four items described as requiring further work and discussion, the speaker expressed particular support for developing the items concerning the fight against corruption in the public service. The discussion should be based on the mandate of the ILO in relation to workplace corruption and focus on how employers and workers could add value through effective policies. The Employers strongly objected to discussing non-standard forms of employment and noted that the resolution of individual labour disputes was an area in which many national specificities had to be taken into account. They agreed that the other items needed further elaboration and supported the draft decision.

5. *The Worker spokesperson* said that he considered it would be premature to decide how much of the 2019 Conference agenda to dedicate to the Future of Work Initiative in addition to the discussion of the Committee on the Application of Standards. The exact format of the Conference discussions would depend on the level of tripartite support for a Centenary Declaration or a text of equal ambition. The importance of the ILO Centenary justified a high-level political tripartite commitment, eventually in the form of a Declaration, but any resulting Declaration should not be less ambitious than those in the past and would have to be linked to effective implementation. While a plenary debate might not allow the level of in-depth discussion required to achieve consensus on a Declaration, the more focused discussions permitted by technical committees that could be shaped along the four conversations, around which most national dialogues relating to the future of work had been organized, presented the challenge of finding the time to reconcile the different positions into a single text. He looked forward to the Office providing further details on the possible format of the 2019 International Labour Conference at the November 2017 session of the Governing Body based also on the discussions in the High-level Global Commission on the Future of Work. If the Selection Committee met in 2018 to discuss the future of work in preparation for the 2019 session, it could hold a preliminary discussion on building blocks for the Declaration, should the decision be made to adopt one in 2019.
6. Turning to the agenda beyond 2019, he requested clarification from the Office on the suggestion in paragraph 22 that the Conference agenda could be influenced by the Governing

Body's discussion on the reform of Regional Meetings and the possible review of the formats and standing orders for sectoral and other technical meetings. In respect of the 2020 Conference agenda, noting that it already included a recurrent discussion on social security, he supported the inclusion of a second discussion of the standard-setting item on violence and harassment against women and men in the world of work. He noted that, if the 2019 centenary session adopted conclusions that would have an impact on the setting of the Conference agenda beyond 2020, they would need to be added in due course for consideration by the Governing Body. Turning to the three proposals mentioned in paragraph 26 as ripe for possible inclusion, he reiterated the group's support for a just transition towards environmentally sustainable economies and societies for all in the form of a Convention supplemented by a Recommendation. A new ILO instrument would provide guidance to ILO constituents on how to strengthen environmental protection by consolidating social and economic measures needed to ensure a just transition to a low-carbon economy. Building on the *Guidelines for a just transition towards environmentally sustainable economies and societies for all*, the instrument would further elaborate the policies needed to ensure that just transition arrangements were put in place in the world of work and identify international labour standards which could guide action on those different policies. Having such a discussion after 2019 would make it possible to build on lessons learned from the pilot implementation of the Guidelines at country level. Having two standard-setting items on the Conference agenda together would clearly demonstrate that the ILO was seeking consensual tripartite guidance on topical issues for its second centenary of existence. He also supported the adoption of an instrument on apprenticeship, following the decision taken by the Governing Body based on the recommendation of the Standards Review Mechanism Tripartite Working Group (SRM TWG), which had identified a regulatory gap resulting from the juridical replacement of Recommendations Nos 60 and 117 by subsequent instruments which did not address apprenticeship comprehensively. Apprenticeships were highly relevant in a world of high unemployment following the 2008 recession, especially for the young, and promoted decent work. The third proposed item, on inequalities, tied in with the ILO mandate on social justice and the SDGs. Its discussion after 2019 would be timely, given that the High-level Global Commission on the Future of Work was also expected to address it. Concerning the four subjects for further work and tripartite discussion, his group agreed to discuss the outcome of research on the resolution of individual labour disputes during the forthcoming recurrent discussion on fundamental principles and rights at work. It further agreed that the SRM TWG should address the existing standards under set 12 of its programme of work at a future meeting. Regarding non-standard forms of employment, resources were urgently required for the Meeting of Experts agreed to during the 2015 recurrent discussion on labour protection, so as to evaluate the need for additional labour standards to address temporary contracts, including fixed-term contracts, and discrimination based on employment status. Regarding the recommendation that decent work in the world of sport be discussed at a Global Dialogue Forum in the next biennium, the subject should be further developed and resubmitted as an item on the Conference agenda. The scope of the proposed item on the fight against corruption in the public service should also include the private sector. Since the sectoral advisory bodies had recommended that the Office undertake research on that matter over the next biennium, the proposed item would also have to be reviewed and resubmitted in the context of the Conference agenda.

7. *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of Japan said that the discussions on the setting of the Conference agenda beyond 2020 were extremely important to the ILO and tripartite constituents. Regarding the centenary session (2019) agenda, the group looked forward to contributing to the activities of the High-level Global Commission on the Future of Work on the basis of information provided by the Office as to its composition and function. ASPAG welcomed the possibility of a Centenary Declaration based on the report of the Commission. The group would like the Office to propose a draft Centenary Declaration in good time to allow thorough scrutiny by the

tripartite constituents, the International Labour Conference and the Governing Body. Concerning the Conference agenda beyond 2020 and, in particular, the three subjects considered ripe for inclusion on the agenda, it was premature to prioritize certain possible subjects while the direction of discussions on the centenary session was still uncertain. Those discussions should continue, on as flexible and wide-ranging a basis as possible having regard to the future discussions, including the centenary discussion.

8. *Speaking on behalf of the Africa group*, a Government representative of Kenya said that he welcomed the strategic and coherent approach adopted for the setting of the Conference agenda for the 2014–19 sessions and the regular provision of an updated procedural map on implementation, and noted the inclusion of a governance-integrated approach encompassing the Governance, End to Poverty, Standards and Future of Work Initiatives. His group continued to support the possibility of a Centenary Declaration, provided that it was of the same quality as previous ILO declarations. It further supported a discussion at a Conference session prior to 2019, preferably through the Report of the Director-General. The report of the High-level Global Commission on the Future of Work should be examined by a technical committee at the 2019 session. With respect to the agenda of the Conference beyond 2019, his group supported the use of March Governing Body sessions until 2019 as platforms for tripartite discussions on follow-up and review of the United Nations High-level Political Forum on Sustainable Development (HLPF) activities. Finally, the group endorsed the views expressed in paragraphs 24–27 concerning the subjects under consideration for possible future inclusion. In particular, it supported the discussions on a just transition of the world of work towards environmentally sustainable economies and societies for all for standards setting; the proposal for a possible standard-setting item on apprenticeships; and the proposed general discussion on inequalities and the world of work. The four subjects requiring further work and discussion should be further developed and considered in the context of the setting of the agenda of future sessions. He expressed support for 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 agreed that the 2019 session of the Conference should discuss only matters relating to the future of work in a format that allowed for fully interactive and inclusive debate. It was also necessary to take account of the form that the final outcome document would take when deciding on the format of discussions on that item. The group made a number of preliminary suggestions and outlined possible scenarios, proposing that the discussions of the High-level Global Commission's report could start in a plenary discussion for three to four days, followed by a drafting committee that could draft a resolution or declaration on the future of work on the basis of the plenary discussion. That draft could then be subject to an amendment process in a Committee of the Whole on Monday and Tuesday during the second week, and then be referred back to plenary for debate and adoption. Another option could be to have a short one- or two-day plenary discussion during the first week that could outline the general course of the High-level Commission's report. Work could then continue in four technical committees, each devoted to one of the four major areas, namely: work and society; decent jobs; the organization of work; and production and the governance of work. The outcome of those four discussions could then be projected into a resolution or declaration defining how the ILO would fulfil its mandate on social justice as it entered its next century. A decision could also be taken to set up a tripartite working group to discuss appropriate modalities and come back to the Governing Body with possible alternatives. Additional discussion and consideration could also take place at a session prior to 2019 through the Selection Committee or the Director-General's Report. The group looked forward to considering a full range of proposals from the Office. With respect to the Conference agenda beyond 2019, the group supported the continued implementation of the strategic and coherent approach to the setting of the Conference agenda. To that end, it was necessary to retain a large degree of flexibility. The group would look to the outcomes of the centenary session for guidance on

items for future inclusion. Further, it was necessary to anticipate a need for a space to follow up on the recommendations made by the SRM TWG. Refraining from taking firm decisions on the agenda of the Conference beyond 2019 would allow for inclusion of relevant items at a later stage. She therefore welcomed the Office's conclusion that there was sufficient time for the Governing Body to consider items for the post-2019 agenda as well as to provide the Office with relevant guidance. The group had no current preference between apprenticeships and inequalities and the world of work, but considered it inappropriate to pursue the proposal for a standard-setting item on a just transition of the world of work towards environmentally sustainable economies and societies for all, in view of the 2015 Guidelines and the existing ILO standards, which were broadly applicable. It was premature to take any position on the remaining four proposed items, which would need to be fully developed. She expressed support for the draft decision.

10. *A Government representative of France* said that the wide-ranging tripartite consultations conducted over the previous 15 months in France had identified the broad transformations of the world of work as well as several proposals to prepare the ILO to enter into its second century. In that context, there was unanimity with regard to the enduring relevance of the Declaration of Philadelphia. A new Declaration did not seem necessary. A more relevant way to celebrate the Organization's centenary might be for the 2019 International Labour Conference to devote itself to considering how best to implement the principles of that Declaration in order to address the challenges currently facing the world of work. To that end, France proposed that the 2019 session of the Conference should adopt an instrument aimed at ensuring the effective implementation of the Declaration of Philadelphia.
11. *A Government representative of India* said that she looked forward to considering the report of the High-level Global Commission on the Future of Work in technical committee discussions at the centenary session; the Future of Work Initiative provided an opportunity for thorough analysis of the impact of demographic changes, digitization and globalization. The inclusion of a general discussion on inequalities and the world of work on the agenda of the Conference in 2020 was of interest and should be addressed from a gender perspective. Other subjects proposed for discussion at future sessions were also interesting and relevant, including apprenticeships with a focus on informal apprenticeships, particularly for women and decent work in the world of sport, which was an emerging and sectoral topic. However, ample time remained to decide on agenda items for Conference sessions beyond 2020; the Governing Body should concentrate on the agenda of the centenary session.
12. *A Government representative of Cuba* said that while her delegation did not oppose the principle of the adoption of a Centenary Declaration at the 2019 session of the Conference, such a Declaration should not include a follow-up mechanism that would place additional obligations on governments.
13. *A Government representative of China* stressed the importance of the Future of Work Initiative and supported the inclusion in the agenda of the centenary session of a plenary discussion on the report of the High-level Global Commission on the Future of Work and the establishment of a technical committee to draft a Centenary Declaration. With regard to the agenda of the Conference beyond 2019, noting the importance of youth employment, he supported the proposed standard-setting item on apprenticeships. He encouraged the Office to undertake further work on the four subjects mentioned in paragraph 27.
14. *A representative of the Director-General* (Deputy Director-General for Management and Reform), in reply to the question from the Worker spokesperson regarding paragraph 22, referred to the elements set out in note 28. The Office had intended simply to recall the past discussion in the Working Party on the Functioning of the Governing Body and the International Labour Conference indicating that proposals for Conference agenda items should come in particular from the outcome of ILO tripartite meetings or other meetings

(regional, sectoral, meetings of experts). The guidance provided by the Governing Body with regard to the 2019 centenary session had been noted, including the possibility of preparation in 2018 and possible follow-up in 2020. Due note had also been taken of the comments in support of a Centenary Declaration, but also of those indicating the need for further clarification with regard to the potential of such a Declaration. A report on options for the agenda of the 2019 centenary session would be provided at the 331st Session of the Governing Body.

Decision

15. *The Governing Body provided guidance in relation to:*

- (a) *the agenda of the centenary session of the International Labour Conference (108th session, 2019);*
- (b) *the setting of the Conference agenda beyond 2019 both as regards the strategic approach and the seven subjects under consideration.*

(GB.329/INS/2, paragraph 29.)

Third item on the agenda

Matters arising out of the work of the 105th Session (2016) of the International Labour Conference

Programme of work to give effect to the resolution on Advancing Social Justice through Decent Work (GB.329/INS/3/1)

- 16. *The Employer spokesperson* said that she was pleased to note that the proposed programme of work fulfilled the intent of the resolution on Advancing Social Justice through Decent Work adopted by the International Labour Conference at its 105th Session (2016) (the resolution). The Employers' group took note of the ongoing work with regard to the Standards Initiative, recurrent discussions, progress indicators and partnerships. The comments made by the Employer spokesperson on the Standards Initiative during an earlier sitting of the current Governing Body session should be taken into consideration in the programme of work.
- 17. As called for in the resolution, Decent Work Country Programmes (DWCPs) should follow a bottom-up approach, to ensure that the ILO was responding to constituents' real needs and not imposing its own agenda. Systematic application of the Quality Assurance Mechanism and alignment with United Nations Development Assistance Frameworks (UNDAFs) were of value but should not prevent the Office from listening to member States' needs. That would encourage constituents' buy-in to and ownership of DWCPs and increase their impact. Such awareness of constituents' priorities would also help the ILO to tailor its support for capacity building, and she welcomed the proposal that the Office should draw up a strategy for developing institutional capacity to achieve the aims of the ILO Declaration on Social Justice for a Fair Globalization, 2008 (the Social Justice Declaration). That strategy should embody a coherent policy approach across the ILO's relevant departments and offices and should receive appropriate funding.

18. The proposal to draw up a knowledge strategy for 2018–21 was in line with the resolution; statistics and other indicators helped to track developments, facilitating a better response to countries' needs. However, not all aspects of decent work could be measured with quantitative data, and qualitative data should therefore be considered in areas such as industrial relations, social partnership, administration and legal systems. The decent work indicators developed by the Office had not yet been discussed or endorsed by the Governing Body. Considerable work needed to be done, with the involvement of all constituents, to establish an appropriate framework and methodology for such statistical indicators. Some of the indicators being considered by the Office with respect to workers' rights were intangible and difficult to capture in statistical data. Simple comparisons of countries using decent work indicators might mask differences between countries and could constrain their "space" to set their own national goals according to their urgent priorities, particularly given the impact of a country's ranking on its access to global markets or donor activities. The ILO should therefore focus on fact-based statistics, with countries measuring themselves over time against previous performance.
19. She asked the Office to clarify the status of the global indicator framework for monitoring progress towards achieving the Sustainable Development Goals (SDGs). The tripartite constituents should be involved in any input to that framework prior to its adoption in 2018. Updates in that regard should be shared with the Governing Body for information.
20. Finally, it was vital to avoid adding further layers of bureaucracy with every new project or programme, and to prevent the duplication of reporting and auditing within the ILO. The pillars of the Social Justice Declaration could offer an appropriate framework for establishing a simplified, streamlined reporting and monitoring system.
21. The Employers' group supported the draft decision.
22. *The Worker spokesperson* recalled that the purpose of setting a date for discussion of the current agenda item had been to enable the Office to develop a programme of work for immediate implementation. Regrettably, the majority of proposals contained in the document would require the future submission or adoption of reports, strategies, tools or workplans, and as such they would not be implemented before 2018.
23. He agreed that the ILO should further enhance its work on standards, notably through the Standards Initiative. Despite the ongoing nature of the Standards Review Mechanism and discussions on the supervisory system, the Office could have highlighted many topics that were part of the Standards Initiative and which could already be pursued, including the promotion of fundamental and priority Conventions, development of an effective communications strategy and strengthening of partnerships on labour standards.
24. The Workers' group acknowledged that the ILO's Strategic Plan for 2018–21 was based on the Social Justice Declaration and the resolution, but more needed to be done. The programme implementation report for 2016–17 would have to be used to show how the Office and constituents were giving effect to the Declaration and resolution, and those findings should then inform any future changes to the programme and budget results framework. The suggestion in paragraph 24 to integrate reporting on policy outcomes within the framework of the ILO's four strategic objectives was of interest, and more detailed proposals for piloting that initiative in the 2018–19 biennium would be welcome. It was to be hoped that the inclusion of all strategic objectives and cross-cutting issues in DWCPs would lead to a more coherent approach in the different countries.
25. Capacity-building efforts should take local realities into account and adapt training to target groups. He requested clarification concerning the country policy studies, possibly in the context of voluntary peer reviews, that were proposed in paragraph 32. Those studies

sounded similar to other initiatives such as the Decent Work Country Profiles on the ILO website or the ILO knowledge portal on country information. Furthermore, the idea of peer review had been launched at the ILO ten years previously and he expressed his hope that further progress would be made. He looked forward to receiving the proposal referred to in paragraph 34 on how the ILO would monitor decent work indicators as part of the SDG indicator framework; that proposal should include input from the 20th International Conference of Labour Statisticians. He welcomed the proposed plan to enhance Members' capacity to produce and use statistics on the four strategic objectives as well as gender and non-discrimination.

26. The proposed plans for partnerships and policy coherence in paragraph 35 lacked ambition and should not duplicate the collaboration already taking place through DWCPs and UNDAFs. Those plans should focus on encouraging regional and international economic and financial institutions to integrate a decent work perspective into their activities. He asked why the new development cooperation strategy was already geared towards public-private partnerships, given that the International Labour Conference had not yet discussed development cooperation in support of the SDGs. Rather, the Social Justice Declaration had urged active engagement with non-State actors, such as multinational corporations and trade unions operating at the global level, in order to pursue the goals of the Declaration. That could be done, for example, through an adequate plan of work linked to the revised Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration). He supported a midterm review of the proposed programme of work, to be submitted to the Governing Body in 2019.
27. The Workers' group supported the draft decision.
28. *Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)*, a Government representative of Panama said that the proposed programme of work would help to achieve the full potential of the Social Justice Declaration through dialogue and the promotion of decent work. Each initiative should form part of a coherent and complementary vision. Efforts to ensure the integrated promotion of decent work should be centred on the results-based framework and DWCPs. National programmes should be the basis of the ILO's work in the field; they should be fully aligned with UNDAFs in order to avoid duplication of work. An evaluation system to measure progress under DWCPs would ensure their effective implementation. Building the institutional and human resources capacity of the tripartite constituents would be crucial to guaranteeing that the ILO's work had a positive tangible impact. SDGs 17 and 8 and the Social Justice Declaration urged constituents to develop partnerships to promote decent work and sustainable growth. He expressed the hope that the strategy for promoting decent work through partnerships and coherence that was being developed by the Office would take that into account, and he reiterated the ILO's leadership role in all such partnerships for SDG 8 and other related goals in the 2030 Agenda for Sustainable Development. The flexibility of the proposed programme of work would allow for its future review or amendment on the basis of lessons learned. GRULAC therefore supported the draft decision.
29. *Speaking on behalf of IMEC*, a Government representative of Belgium said that he was pleased that follow-up to the resolution was on good track. However, he asked whether the proposed timeline for achievement of most of the proposed actions in the lead-up to the ILO's centenary in 2019 or by 2021 was sufficient, and whether plans would be made for new actions in the remaining two years of the recurrent discussion cycle. The indicators and targets outlined in the appendix could be more robust and clear, and no information was provided on how the success of the proposed actions would be measured. It would have been useful to give details of the specific SDGs and programme and budget outcomes that would benefit from each area of action. She asked whether the training programmes and learning modules cited as indicators and targets with regard to institutional capacity were the only

measures proposed to raise awareness of the Social Justice Declaration. Further information would also be appreciated on deadlines related to the development of decent work indicators. Lastly, she wished to know why the Office proposed postponing consideration of a decision on a high-level tripartite exchange on the role of decent work in the 2030 Agenda and the ILO's leadership on decent work-related goals. She supported the draft decision.

- 30.** *A Government representative of India* agreed that establishing actionable linkages between the standards-related components of the priority areas of action was key to ensuring that actions at the institutional and policy levels and action taken by member States were mutually reinforcing. ILO guidance on DWCPs should cover specific country needs. The Organization should continue to organize workshops and training and to increase rates of participation in them. While significant training was provided to constituents, participation of government members and policy-makers should also be encouraged. She expressed the hope that the knowledge strategy and the development cooperation strategy would help to promote the Decent Work Agenda. She looked forward to receiving the revised framework for effective functioning of future recurrent discussions.
- 31.** *A Government representative of Argentina* emphasized the importance of strengthening standards in order to address the profound changes in the world of work, which threatened to leave governments, social partners and the ILO behind. He supported the strengthening of the results-based framework and DWCPs, which would help to improve national labour systems and the quality of employment. Policy coordination at all levels should be enhanced. His Government focused on, for example, strengthening regional action in the Southern Common Market (MERCOSUR) and participation in tripartite settings. The evaluation process should highlight good practices at the national level and the impact of DWCPs on job quality. To that end, common criteria should be defined that reflected national and regional realities.
- 32.** *Speaking on behalf of the Africa group*, a Government representative of Ghana said that his group welcomed the proposed programme of work and commended the actions already taken by the Office in the six actionable areas of the Social Justice Declaration. Greater synergy should be achieved between the results-based framework and DWCPs. His group looked forward to receiving updates on the ongoing work of the supervisory system and the revised framework for effective functioning of future recurrent discussions, as well as the new knowledge strategy. Lastly, the Africa group endorsed the anticipated midterm review; it would be critical to take stock of the work of the Office and the constituents, in order to ensure that they were on course to meet their targets.
- 33.** *A representative of the Director-General* (Deputy Director-General for Management and Reform) emphasized that the programme of work was intended to provide a broad framework to fully integrate work on the Social Justice Declaration and the resolution into all Office activities. Therefore, document GB.329/INS/3/1 referred to a range of activities that incorporated the principles behind the Declaration. With regard to DWCPs, the need to ensure that they were constituent-led and took account of individual country circumstances and the tripartite constituents' needs was a central element of the programme of work, which also included all four of the Declaration's strategic objectives. Turning to the Employers' comment about streamlining reporting requirements, he said that that was an aspect of the Standards Initiative, for which the Declaration and the resolution provided a framework to ensure that activities were fully integrated, while avoiding duplication. Overall administration of the Office's work would be examined as part of the Business Process Review. As to the Workers' question regarding peer reviews, the plan of action had been left open for the Governing Body to decide how to conduct such reviews, keeping at the forefront the ability to conduct country assessments and share best practices. As to the SDG monitoring, the time frame of 2019 was considered realistic. For the discussion on the ILO's leadership role in SDGs related to decent work, the time frame had been established so as to

incorporate it into the series of discussions on the relationship between the outcomes of the ILO programme and budget and the achievement of the SDGs.

34. *A representative of the Director-General* (Director, Department of Statistics (STATISTICS)) said that the global monitoring system of the SDG process had recently been endorsed by the UN Statistical Commission and would be submitted to the UN Economic and Social Council (ECOSOC) for adoption and then to the UN General Assembly in September 2017. With regard to the global SDG indicators, the ILO was likely to be the custodian of 13 indicators, as decent work touched on several goals beyond Goal 8. The International Conference of Labour Statisticians had provided member States with much raw material for the indicators, which would be refined. The Office had been providing support to the national statistics offices of member States in relation to measuring decent work. Furthermore, the Office had actively incorporated indicators into its policy outcomes and was providing capacity building to member States to fill significant gaps in labour statistics, with a view to producing more complete data and more accurate benchmarks.

Decision

35. *The Governing Body requested the Director-General to implement the proposed programme of work to give effect to the evaluation of the impact of the Social Justice Declaration, which figures in document GB.329/INS/3/1, taking into account the guidance provided during the discussion at the 329th Session of the Governing Body.*

(GB.329/INS/3/1, paragraph 43.)

Follow-up to the resolution concerning decent work in global supply chains: Roadmap for the programme of action (GB.329/INS/3/2)

36. *The Employer spokesperson* recalled that at the previous session of the Governing Body, the Employers had clearly indicated: first, that it was of paramount importance to develop a programme of action that maintained and reinforced the tripartite consensus achieved at the discussion of global supply chains at the 2016 session of the International Labour Conference; second, that the Office approach to global supply chains should be in line with the United Nations Guiding Principles on Business and Human Rights (the UN Guiding Principles); and, third, that the Office should produce, not later than March 2017, a baseline report which outlined its existing work on and knowledge of global supply chains. The Workers' group had agreed explicitly with the second and third points, and implicitly with the first; there was also overall consensus within the Governing Body to proceed accordingly. However, the Office had disregarded that advice. Rather than one consolidated document, it had prepared two documents with various appendices, which were confusing and in some places did not reflect the consensus. In response to a request from the Employers for information on the current baseline on supply chains, the Office had recently provided the social partners with a working document entitled "Stock-taking exercise" – which it should share with the entire Governing Body – that showed that the ILO had carried out limited work on global supply chains and that a tremendous amount of work was anticipated. The question of how much such work would cost and how it would be paid for was not answered.

- 37.** The Employers had consistently requested the Office to take an approach to global supply chains that was in line with the UN Guiding Principles, in particular Principles 13 and 19, based on the fact that enterprises rarely had “control” over the practices of other enterprises and instead could merely use their “leverage” to effect change in the practices of their business partners. Indeed, the author of the UN Guiding Principles had explained in a letter to the Director-General that the term “control” was subject to misinterpretations.
- 38.** The Employers’ view was that the ILO programme of action must be in accordance with the “ILO action” section of the 2016 Conference conclusions. There were, however, substantive problems and structural issues with the Office proposal. As to the substance of the activity matrix 2017–21 and the workplan, under deliverable 1.5, reference to two Conventions (the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143)) had been added which the Employers considered to be outdated; the conclusions of other tripartite meetings had instead cited the ILO Multilateral Framework on Labour Migration. Under deliverable 2.2, the reference to “liability principles, rules relating to subcontracting and outsourcing and the application of collective agreements across supply chains” was not in line with the UN Guiding Principles or reflected in the “ILO action” section of the 2016 Conference conclusions. Under follow-up item 3, the language used suggested a larger, more formal role for the Office with respect to international framework agreements (IFAs) than either the Employers or the Workers had requested at the previous session of the Governing Body. Under deliverable 3.1, the Office incorrectly suggested that IFAs as part of “national and cross-border social dialogue institutions, processes, and mechanisms” could be used to close “governance gaps” within global supply chains. Additionally, the Employers understood that a project designed to conduct “research on the effectiveness and impact of cross-border social dialogue” was focusing solely on IFAs, which was not what had been requested in the 2016 Conference conclusions.
- 39.** Moreover, deliverable 4.4 implied that the Office was seeking to act as a paid consultant to “large corporates” and multinational enterprises by providing technical assistance and promoting decent work to firms “in their supply chains”; however, the Office’s mission was to promote decent work in all supply chains and not just those affecting specific companies. Under deliverable 5.4 of the activity matrix and the theory of change, there was a misleading and redundant reference to “the ad hoc working group’s recommendations on ILO mechanisms to address disputes” as no such dispute mechanism existed under the revised MNE Declaration. The wording should therefore be replaced by “put effect to the revised MNE Declaration, adopted this year, and its principles and operational tools”. Deliverable 6.4 of the activity matrix and the workplan contained a reference to “design and operations of emergency compensation funds”, which did not appear in the 2016 Conference conclusions; the Office should instead focus on ensuring functioning national systems on compensation as per the Vision Zero Fund. Deliverable 6.5 contained a reference to “lessons learned from the Rana Plaza Compensation Scheme”, which similarly did not appear in the 2016 Conference conclusions. Under deliverable 6.6, the reference to the capacities of enterprises to “apply” or “comply with” international fundamental labour standards was legally incorrect, as such standards applied foremost to the ILO member States which had ratified them to be implemented in national law. Under deliverable 7.1, the reference to an “action plan” on export processing zones (EPZs) prejudged the outcome of the meeting of experts on EPZs; instead, it should state that the Office would follow the outcome of that meeting. Lastly, the proposal in the workplan to convene a forum or conference on decent work in global supply chains was unnecessary and would create undue work for the Office and the tripartite members, as the annual UN Forum on Business and Human Rights already discussed global supply chains at a large majority of its sessions.

40. As to structural problems in the Office proposals, there were overlaps between the five areas of action, which would create duplicate work and have significant budget implications. Technical assistance was usually provided under capacity building, while policy advice would normally come under effective advocacy and might overlap with policy coherence. Furthermore, the Office stated that knowledge generation and dissemination and capacity building would be prioritized in 2017–18, whereas the roadmap suggested that all five areas would be implemented from 2017, without prioritization.
41. The format of the programme of action and the roadmap and the respective appendices made it difficult to understand the information they contained. They should therefore be consolidated into a single document that fully reflected the fact that the consensus of the 2016 Conference conclusions was coherent and followed a logical order. The programme of action should be the main document, which would be narrative text divided into the following sections: first, an introduction and executive summary, including relevant context, explaining the Office’s approach to global supply chains consistent with the UN Guiding Principles and how the “One ILO” approach would be applied to its work on global supply chains; second, a short summary of the purpose of the baseline report, an explanation of the areas of action, and an explanation of the roadmap and workplan, including the Office’s priorities for 2017–18 and 2019–21 and tripartite meetings; and third, information on the proposed budget and management of the work and other relevant information. It should have five appendices: a baseline report; a roadmap/workplan, consolidating the current activity matrix and workplan; the approach to global supply chains consistent with the UN Guiding Principles; the theory of change; and the 2016 Conference conclusions.
42. Lastly, in order to align the programme of action and related documents with the tripartite consensus achieved at the 2016 session of the Conference, the Employers’ group proposed amending the draft decision to read: “The Governing Body requests the Director-General to take account of its guidance and submit a revised and consolidated programme of action and roadmap on decent work in global supply chains during the period of 2017–21 to the 330th Session of the Governing Body for approval.”
43. *The Worker spokesperson* expressed satisfaction with the ambitious programme set out in the roadmap, and welcomed all of the action points, which reflected well the programme of action and the 2016 Conference conclusions. It would be useful to consolidate the various documents into one document, supplemented by the various appendices, for ease of reference, and to eliminate duplication and ensure consistency. That document would not require the Governing Body’s approval and should be submitted for information only. It would also be helpful to include in the consolidated document a list of the three meetings of experts to be held in 2017, 2018 and 2019.
44. She sought clarification on the time frame for the workplan, as it suggested that several items, such as work on cross-border social dialogue and on EPZs, would be carried out in 2017–18 only. However, her group expected work on both those areas to be undertaken as a result of the meetings of experts, and to extend beyond 2018. In relation to the specific steps of the roadmap for 2017–18, she asked whether all the criteria for country selection needed to apply at the same time, and sought clarification on how the Office intended to proceed and whether the social partners would be involved. It was important to the Workers that tripartism should be guaranteed throughout the activities and that the ratification and implementation of ILO standards should be a permanent element. Furthermore, in the light of the adoption of the revised MNE Declaration, the plan of action should take into account the operational tools that were adopted to give effect to the Declaration.
45. Responding to the Employer spokesperson’s comments, she said that both groups agreed that the issue of global supply chains was of major importance. The Workers shared the Employers’ view that the consensus reached at the Conference in June 2016 must be

maintained and reinforced in the Office's action. Furthermore, the Workers had already agreed in November 2016 that any discussion on global supply chains should be consistent with the UN Guiding Principles; that point could be clarified in the proposed consolidated document or in an appendix to it. The working document containing baseline information about existing knowledge and work in the ILO that had been shared with the social partners was a useful response to the Employers' request and it would be helpful to include it as part of the consolidated document. Regarding the costs of the programme of action, the Workers' group had full confidence that the Office had taken steps to ensure that the proposed activities had been included in the programme and budget, as the ambitious programme of action and its costs were the direct result of the 2016 Conference conclusions and the Governing Body's discussion in November 2016.

46. Concerning the points raised by the Employers' group as substantive problems, the Employer spokesperson had said that Conventions Nos 97 and 143 referred to under deliverable 1.5 of the activity matrix were outdated. However, they remained valid and in force; furthermore, the ILO Multilateral Framework on Labour Migration that the Employers had suggested as an alternative also contained references to those Conventions. Therefore, the inclusion of the Conventions in the matrix was warranted. Under deliverable 2.2 of the activity matrix, the reference to "liability principles" could be replaced by "responsibility down the chain", wording contained in the 2016 Conference conclusions.
47. The Workers' group had no objections to the content of follow-up item 3 and its deliverables on cross-border social dialogue, with particular reference to IFAs. The 2016 Conference conclusions referred to IFAs, and no greater role was envisaged for those agreements in the matrix beyond the one stated in the conclusions. Moreover, the Office would provide support if requested by the social partners. The wording of that item could be adjusted to ensure greater clarity. However, there may have been a misunderstanding within the Employers' group regarding the meaning of "social dialogue", which within the ILO was understood to include IFAs and collective bargaining. Such a reference was made in point 23(c) of the 2016 Conference conclusions. Moreover, IFAs were perhaps the only existing form of cross-border social dialogue. Therefore, she asked the Employers to specify which other forms of social dialogue should have been mentioned.
48. As to deliverable 4.4, the Employers' understanding that the ILO would act as a paid consultant to multinational enterprises had perhaps arisen from the mention of public-private partnerships, in which case that reference could be deleted. With regard to deliverable 5.4 on dispute mechanisms, she reiterated her earlier comments that the roadmap should be updated to take into account the revised MNE Declaration; the wording proposed by the Employers was acceptable to the Workers. Concerning deliverable 6.4 on the design and operations of emergency compensation funds, paragraph 23(i) of the 2016 Conference conclusions requested the ILO to carry out research and compile data on existing good practices, which included emergency compensation funds, as had been previously discussed. Additionally, it was important to learn lessons from the Rana Plaza Compensation Scheme, referred to in deliverable 6.5, which had addressed an urgent need in a serious situation. As to the Employers' concerns regarding the terms "apply", "comply with" or "respect" under other deliverables, the Office could amend the wording as long as no substantive changes were made.
49. The proposal under follow-up item 7 to develop an action plan to promote decent work in EPZs echoed the wording of paragraph 23(g) of the 2016 Conference conclusions. Furthermore, the Office would be preparing a report prior to the meeting of experts on EPZs, which would discuss an action plan and its potential content, and the Office would then follow up on the outcomes of that meeting. Regarding the concern expressed by the Employers that holding a forum on decent work in global supply chains under deliverable 5.1 would duplicate the work of other UN bodies, she recalled that the Governing Body had

requested the ILO to strengthen its leadership role in the discussion on global supply chains. Thus, a forum led by the ILO, working in cooperation with other UN organizations, was appropriate.

50. Turning to the points raised by the Employers' group as structural and process problems, the Workers' group did not see any overlap between the five areas of action. The Workers agreed on the usefulness of a consolidated document, and it was for the Office to determine whether to follow the structure and content proposed by the Employers. As to the Employers' proposal that the Office should submit a revised and consolidated programme of action and roadmap to the 330th Session of the Governing Body, the Workers saw no need, as the Governing Body had unanimously approved the programme of action at its previous session and had provided guidance at the current session. The Office should be allowed to continue the good work it had begun. The Workers' group supported the original draft decision.
51. *Speaking on behalf of ASPAG*, a Government representative of the Republic of Korea said that ASPAG supported an approach that addressed negative effects that undermined fundamental labour rights, while preserving the positive aspects of global supply chains. He commended the Office on its proactive efforts to address issues concerning working conditions and occupational safety in global supply chains, founded on the consensus-based 2016 Conference conclusions, and refined on the basis of the Governing Body's guidance in November 2016. The indicators of the programme of action were well aligned with the outcomes of the Programme and Budget proposals for 2018–19. However, it would be useful for the Office to display the indicators by area of action, in order to implement and monitor the action plans more effectively. Concerning the strategic review of the existing ILO development cooperation programmes in global supply chains, the Office should ensure region-specific exchanges to follow up on the findings of the review. Also on the area of knowledge generation and dissemination, the Office should enhance cooperation with national statistics agencies to collect more reliable data for future policy development. ASPAG supported the original draft decision.
52. *Speaking on behalf of the Africa group*, a Government representative of Kenya expressed appreciation for the incorporation of the four pillars of the Decent Work Agenda into the programme of action, and the focus on the five areas of action. The decision to implement the programme of action at the national and international levels was welcome, as it was essential to study how the different interventions would influence each other. He sought clarification on why certain key sectors such as information and communication technology, oil and mining, which were driven mainly by global supply chains and which had been identified as priority areas at the previous Governing Body session, had been omitted from the programme of action. The Africa group recognized that the programme of action was a highly important component of the 2030 Agenda and would contribute to the realization of a number of the Sustainable Development Goals. The Africa group supported the original draft decision, but could accept the Employers' proposed amendment or any other decision reached by consensus.
53. *Speaking on behalf of GRULAC*, a Government representative of Panama welcomed the revised programme of action and the proposed roadmap. The ILO could do even more to ensure that local producers and small and medium-sized enterprises, particularly in developing countries, were involved in global supply chains. Global supply chains played an essential role in promoting respect for the fundamental principles and rights at work, therefore integrated strategies were required to ensure that all levels of global supply chains shared responsibility for addressing any violations that occurred, particularly child labour and forced labour. The ratification of the relevant instruments should be increased as a matter of urgency, therefore he supported deliverable 1.1, which should be given priority during the first biennium of the programme of action. He also supported deliverables 1.2 on tripartite consultations, 1.3 on labour inspection and 1.4 on occupational safety and health. He

expressed the hope that the tripartite constituents would participate actively in the meeting of experts on EPZs in November 2017 to ensure a successful outcome. The future meetings on cross-border social dialogue and on global supply chains would be of paramount importance; the Governing Body should determine the format of those meetings at its 331st Session, to take account of the new standing orders for meetings. His group supported the original draft decision, as it was important to start implementing the roadmap as soon as possible, but would be flexible in the interest of consensus.

- 54.** *Speaking on behalf of IMEC*, a Government representative of the Netherlands said that the ILO must assert itself and provide practical guidance on decent work in global supply chains, given its unique tripartite expertise on the issue. At its session in November 2016, the Governing Body had agreed on the sequencing of three technical meetings that would inform discussions to take place in 2019 covering the question of possible governance gaps in global supply chains. The Governing Body had also requested the Office to start implementing parts of the programme of action and to provide a roadmap for discussion at the current session. His group welcomed the comprehensive document under discussion and supported the roadmap presented.
- 55.** While noting with satisfaction the inclusion of gender-sensitive components in the capacity-building section of the workplan and the efforts focused on gender-disaggregated research and data collection, he called for gender dimensions to be included in all deliverables. The Office should embrace a One UN approach to delivering the programme of action. The conclusions of the planned meeting of experts on EPZs would contribute to a plan of action, and he asked the Office to clarify how it intended to define the importance or relevance of such zones in each country, and how expertise from countries hosting headquarters of multinational enterprises sourcing in those zones could be taken into account at the meeting. He also wished to know whether the Office had already identified the sectors in which experience of global supply chains would be gathered, and whether the constituents could be involved in their selection. The Office should build on the lessons learned in the garment sector and focus on sectors and countries in which the potential impact was high. Political commitment from governments and the business community should also be an important selection criterion.
- 56.** He asked when the forum on policy coherence on global supply chains proposed under deliverable 5.1 might take place, as it would be beneficial to hold it before the expert meeting planned for 2019. The reference to dispute settlement mechanisms in the theory of change set out in Appendix II of the document should be aligned with the revised MNE Declaration adopted by the Governing Body at its current session. He agreed with the proposal to present the results of the programme of action in the biennial Programme Implementation Report, but a clear distinction should be made between results attributable to a new activity as part of the programme and those linked to ongoing activities.
- 57.** There could be no delay in implementing the programme of action that had been approved in November 2016, and as such, IMEC supported the original version of the draft decision.
- 58.** *Speaking on behalf of the European Union (EU) and its Member States*, a Government representative of Bulgaria said that Turkey, Montenegro, Serbia, Bosnia and Herzegovina, the Republic of Moldova and Georgia aligned themselves with the statement. The roadmap would support the ILO's contribution to promotion of the inclusive and sustainable approaches agreed in the 2030 Agenda and to greater international cooperation on responsible business conduct. He welcomed the proposed deliverables under the five areas of action and the prioritization of knowledge generation and dissemination and of capacity building.

59. As for the selection of specific sectoral global supply chains and countries, priority should be given to those where forced and child labour were widespread. The proposed deliverables on advocacy were important because raising societies' awareness of the need for decent work could counter the negative impact of global supply chains and promote responsible business conduct. The roadmap was well designed in the areas of action concerning policy advice, technical assistance and partnerships. He welcomed the specific deliverables on the tripartite meetings on cross-border social dialogue and EPZs. It was vital to promote synergy and avoid duplication in international efforts to secure decent work in global supply chains, such as the G20 activities regarding sustainable supply chains and the Vision Zero Fund initiative to improve occupational safety and health. Focal points in the ILO regional offices could support partnerships and coordinate knowledge generation, capacity building and development activities and would offer enterprises easier access to labour-related information.
60. The capacity-building deliverables would help to make the revised MNE Declaration an active tool for constituents and stakeholders. The two-phase approach in the workplan was sensible. The Office should agree with the constituents on a list of indicators for assessing progress during the mid-term stocktaking. The EU and its Member States looked forward to swift implementation of the programme of action and supported the original version of the draft decision.
61. *A Government representative of France* said that in February 2017 France had adopted legislation that would oblige multinational enterprises over a certain size to adopt measures to identify and prevent serious human rights violations and the endangering of the health and safety of persons and the environment through their activities or those of their subsidiaries, subcontractors and suppliers. That innovative measure would help to secure decent work in all the supply chains of French companies, and he urged other countries to adopt similar measures.
62. *A Government representative of Argentina* said that the work of the social partners was essential for obtaining reliable data to back practical action against bad practices in global supply chains. Their active commitment was also required in order to generate knowledge and facilitate the development of standards and guidelines designed to improve the quality of work and the implementation of inspection and control activities. The failure of legislation to keep pace with rapid changes in the world of work was mainly to the detriment of workers. Multinational enterprises must therefore make a stronger commitment to ensuring that their supply chains respected the criteria of decent work. Up-to-date strategies were needed to contend with the decent work deficit caused by new forms of global production. The roadmap and its two priority areas of action for 2017–18 constituted a crucial step towards guaranteeing good quality, decent and productive work in all supply chains. His Government supported the original draft decision.
63. *A Government representative of Germany* said that the roadmap for the programme of action provided a good basis for securing decent work in global supply chains, because the measures it contained would help governments and the social partners to fulfil their responsibilities and help enterprises to manage supply chains sustainably. The proposals made earlier in the discussion, notably those regarding a better linkage of the roadmap and the programme of action, should be accepted and put into effect. The implementation of the programme of action should begin without delay. Germany therefore supported the original version of the draft decision.
64. *A Government representative of the United States* said that, while his Government generally supported the roadmap for the programme of action, it also supported the inclusion of the very reasonable points made by the Employers. He therefore suggested that consideration of

the draft decision should be postponed until later in the session, to enable the Employers and Workers to find mutually acceptable wording.

65. *A Government representative of the United Kingdom* said that his Government strongly supported the aims of the roadmap, because jobs that prevented children from attending school, employment conditions akin to slavery and jobs which exposed workers to health and safety risks exacerbated poverty. The time frame for the roadmap was too long, and he therefore called on the Office to deliver certain activities faster. The roadmap should also explicitly consider action to reduce the incidence of modern slavery, forced labour and child labour in global supply chains.
66. *A Government representative of Japan* considered that the roadmap could be revised and further elaborated. He supported the Employers' amendments.
67. *An Employer member from the United Kingdom* said that, given the importance of decent work in global supply chains, the revised programme of action must be formally approved, in order to ensure that it was in line with the 2016 Conference conclusions, before the approval of any roadmap for its implementation.
68. The deliverables under the activity matrix gave rise to a number of questions. In view of the age and ratification history of Conventions Nos 97 and 143 – referred to in deliverable 1.5 – he asked whether their relevance to decent work in global supply chains had been assessed. It would be useful to know whether any Government had, at the 2016 Conference, expressed a willingness to ratify and implement those Conventions on the basis that they were directly related to decent work in global supply chains. With respect to deliverable 2.2, it was not clear what “liability principles” were, how they would improve the rule of law, and how advice on innovative practices in their regard would facilitate the transition from the informal to the formal economy. Deliverable 3.2 included the establishment of a cross-office team to address possible requests related to IFAs: how much would that cost? It was unclear what was meant by deliverables 6.4 and 6.5, and how they would deliver follow-up to item 6; the 2016 Conference conclusions made no reference to emergency compensation funds or lessons learned from the Rana Plaza Compensation Scheme. He asked whether there was consensus on the use of that compensation scheme as a model.
69. All the deliverables should be clear and coherent, in order to avoid undermining confidence in the ILO and future investment in its activities. He could not support the draft decision. The deliverables should be reviewed and amended prior to approving a roadmap; it would be a grave error to approve the roadmap when the Employers were not in agreement. More time was needed to achieve tripartite consensus on the roadmap, as had been stated by the Employers' group.
70. *A representative of the Director-General (Deputy Director-General for Policy)* said that the programme of action was a coordinating framework cutting across all the departments in her portfolio. It provided an integrated way forward and, as called for, it was ambitious in that it attempted to place the ILO at the centre of activity and research on achieving decent work in global supply chains.
71. The document under consideration remained within the consensus reached at the 105th Session of the International Labour Conference, while at the same time responding to the request made at the 328th Session of the Governing Body for a more concrete and prioritized programme of action. The Office had taken all the individual activities presented in November 2016 and had turned them into much more coherent, streamlined and logical deliverables. That meant that some areas of action had been consolidated or rephrased and others had been added to fill gaps. Hence the roadmap and workplan did not correspond exactly to the revised programme of action. Preparatory work on the three other areas of

action would begin before activities related to knowledge generation and capacity building had been completed.

72. The Office had drawn up a baseline chart listing all the activities that were already in progress and those that were new. It would be easy to put that chart into a consolidated document, together with the programme of action and activity matrix, the roadmap and workplan, and a table of contents to guide the reader. Everyone had agreed that the programme of action had to respect the UN Guiding Principles. Although the Employers were concerned by the reference to “liability”, it was not a challenge to those principles. The Office was, however, quite prepared to delete that term from the deliverable in question and to make reference instead to “responsibility down the chain”. The language with regard to IFAs had been taken directly from paragraph 23(c) of the 2016 Conference conclusions. She explained that with respect to cross-border social dialogue, the roadmap went beyond merely IFAs but remained faithful to the 2016 Conference conclusions. The roadmap would be brought into line with the revised MNE Declaration. If the tripartite meeting of experts on EPZs in November 2017 decided that no action plan on that subject should be adopted, that idea could be dropped, but to be faithful to the Conclusions the Office suggested to keep the wording of “consider adopting an action plan”. Similarly, the Office was prepared to make language changes concerning the two migration Conventions if there really was consensus on doing so, but the Conventions were still relevant according to ILO supervisory bodies.
73. A forum on decent work in global supply chains would complement and not duplicate the UN Forum on Business and Human Rights and would embed the ILO’s unique contribution into the global dialogue on decent work in supply chains. The choice of sectors in which to focus the work in global supply chains would have to be based on evidence. The Office’s criteria reflected the interest and commitment of social partners and governments. In relation to the forthcoming meeting on EPZs, the Office’s standard formula had been used to choose the regional distribution of governments who would nominate experts to participate in the tripartite meeting, with individual countries proposed on the basis of evidence showing where global supply chains and EPZs were most prevalent.
74. *The Worker spokesperson* said that the Workers’ and Employers’ groups had held three extensive meetings to discuss all the concerns that the Employers’ spokesperson had raised in his initial statement, and she believed that they had reached agreement on many of his substantive points. However, her group did not agree with the Employers that the Office had moved beyond the conclusions adopted by consensus at the 2016 Conference, nor did it agree that the two Conventions on migration were outdated. The original draft decision had been supported by all Government representatives, although some had said they would be flexible in order to reach agreement. She would not be prepared to say that the Governing Body needed to take a different decision, to approve a programme of action that had already been discussed and unanimously supported at the previous session.
75. *The Employer spokesperson* reiterated that his group wished to see a programme of action that included, as a minimum, information about the baseline and reference to the UN Guiding Principles. Furthermore, in the decision taken at its previous session, the Governing Body had not adopted the programme of action but instead had requested the Office to revise and modify it taking into account the comments made. The Employers’ concerns about outsourcing and compensation plans had not been addressed. The purpose of the revised draft decision that he had proposed was to set a deadline for approval of the programme of action.
76. *The Worker spokesperson* said that it was her understanding that the Governing Body did not have to approve every activity, matrix, roadmap or workplan that the Office developed.

77. *The representative of the Director-General* (Deputy Director-General for Policy) agreed that the Office had indeed revised and modified the programme of action, as it had been requested to do by the Governing Body.
78. *The Chairperson* recalled that the Governing Body had requested the Office to start implementing the programme of action immediately after the 328th Session; there was thus no controversy about whether it was in force. In considering the way forward, members should bear in mind the fact that both the High-level Political Forum (HLPF) and the G20 summit meetings would take place in July 2017. Discussion of the agenda item would be resumed later in the afternoon.
79. *The Worker spokesperson* said that, following the request to find consensus, the Workers' and Employers' groups had engaged in a form of social dialogue. The result was a set of joint guidance points, agreed by the two groups, which they submitted for the consideration of the Governing Body.² That meant that the original decision could be retained formally, with the addition of a reference to the joint guidance points.
80. *The Employer spokesperson* said that it was important to reflect the consensus discussed earlier; most of the issues that had been raised in that discussion had been addressed in the joint guidance.
81. *Speaking on behalf of GRULAC*, a Government representative of Panama said that the new text referred to expert meetings, while his group had suggested that meetings should be held in any appropriate format but should maintain a 1:2:1 ratio of Employer, Government and Worker representatives. That matter was crucial to Latin American countries.
82. *The Worker spokesperson* said that once the guidance was available in all languages, flexibility would allow that and any minor outstanding issues to be resolved.
83. *A Government representative of Brazil* said that the joint guidance points were welcome and had paved the way for the adoption of the draft decision; however, tripartite consensus should normally be sought on such a key issue.

Decision

84. ***The Governing Body requested the Director-General to take account of its guidance, including the joint guidance points from the Employers' and Workers' groups, in implementing the roadmap for the programme of action on decent work in global supply chains during the period of 2017–21.***

(GB.329/INS/3/2, paragraph 16, as amended by the Governing Body.)

² Included in Appendix I.

Fourth item on the agenda

Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work (GB.329/INS/4(Rev.))

85. *The Employer spokesperson* reiterated that the 1998 Declaration concerned the fundamental principles of the Organization, and the report showed that even non-ratifying member States were committed to the realization of the fundamental principles and rights at work. Furthermore, the national legal and socio-economic circumstances of each State must not be overlooked. The Employers' group firmly believed that ratification and implementation of the fundamental Conventions must be a result of extensive tripartite consultation.
86. With regard to freedom of association and the effective recognition of the right to collective bargaining, the report showed that 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), currently had the lowest ratification rates among the fundamental Conventions, but that a number of governments intended to ratify them and many countries were addressing issues concerning freedom of association and collective bargaining in new or revised laws. As to the elimination of all forms of forced or compulsory labour, 11 member States had already ratified the Protocol of 2014 to the Forced Labour Convention, 1930, and a number of States had action plans, national policies and legislative provisions to suppress all forms of forced or compulsory labour and combat trafficking. With regard to the elimination of child labour, national employers' and workers' organizations were generally committed to the ratification of the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), and employers would continue to engage with governments and workers to address child labour, including through Alliance 8.7. Regarding the elimination of discrimination in respect of employment and occupation, a number of countries had cited inadequate legal provisions or a lack of awareness and understanding as reasons for not having ratified the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); however, a number of governments intended to ratify one or both or were considering doing so. Many employers' organizations had reported that they had carried out promotional activities such as campaigning, training and participating in social dialogue in order to address discrimination and ensure equality.
87. He expressed appreciation to the member States and social partners who had reported their efforts and challenges in addressing the fundamental principles and rights at work. It was important that the Office should provide technical support where requested, which would mean allocating the necessary resources to help countries achieve the objectives of the 1998 Declaration. He congratulated the Office on its efforts to raise the visibility of fundamental principles and rights at work, such as the "50 for Freedom" campaign, and encouraged it to continue to mainstream them across its work at headquarters, in field offices, at the Turin Centre and particularly in Decent Work Country Programmes (DWCPs), through tripartite consultations. More work was needed to build the capacity and strengthen the role of the social partners. Both the Bureau for Employers' Activities (ACT/EMP) and the Bureau for Workers' Activities (ACTRAV) should be sufficiently funded and involved in capacity building, and focus on the social partner approach should remain a priority for the Office. Finally, he commended the Office's strategy to promote fundamental principles and rights at work within Goal 8 of the 2030 Agenda for Sustainable Development. He supported the draft decision.

88. *The Worker spokesperson* expressed surprise and concern that, after five consecutive years of full government reporting under the Annual Review, the reporting rate had fallen to 70 per cent, and that the participation of workers' and employers' organizations had been lower than in previous years, recognizing, however, that this was an exceptional situation following the adoption of the 2014 Protocol. The Office should step up its assistance in order to return to a full reporting rate in 2018. The steady decline in new ratifications in the current cycle was extremely troubling, given that the objective of universal ratification of the fundamental Conventions by 2016 had not been met and a further 131 ratifications were still needed. Renewed efforts were required in the campaign for the ratification of the fundamental Conventions, including increased provision of ILO technical assistance to member States, and greater use of the DWCPs to promote ratification and implementation of those Conventions. Governments should continue their efforts to ensure respect for the fundamental principles and rights contained in the core Conventions, regardless of whether they had ratified them. The common issue of lack of social dialogue should be addressed by all member States and should be the focus of technical assistance by the Office.
89. He expressed disappointment that Conventions Nos 87 and 98 continued to be the least ratified of the core Conventions, and called on those governments who were members of the Governing Body to lead by example and ratify them. While the Office's activities to promote the ratification of those Conventions were welcome, further work was necessary. It was also concerning to hear member States reporting that they had no intention to ratify one or more core labour standards. Universal ratification of such standards was essential to ensure the ILO's future credibility. Those governments should make every effort to ratify all core labour standards without further delay, identify the ratification obstacles that they faced, and request the Office to provide relevant assistance.
90. It was of vital importance for the Office to assist member States to overcome the challenges experienced in eliminating child labour. There was a continued need for all governments and social partners to educate children, parents and employers about the dangers of child labour, and for governments to enhance social protection. He urged the Government of India to reconsider ratifying the Conventions on child labour, following the passage through Parliament of a child labour amendment bill. It was regrettable that there had been no new ratifications of the Abolition of Forced Labour Convention, 1957 (No. 105); however, the ratification of the Protocol of 2014 to the Forced Labour Convention, 1930, by 13 member States was welcome. He noted with interest that many member States had national policies and action plans to eliminate all forms of forced or compulsory labour and to combat trafficking in persons, and encouraged them to continue such action in line with the provisions of the Protocol. The general objective of poverty eradication would contribute to the elimination of all forms of forced or compulsory labour.
91. Overall, the Office should make better use of the information contained in the reports to assist member States in overcoming obstacles to the ratification of core labour standards. The recurrent discussion on fundamental principles and rights at work at the 2017 session of the International Labour Conference should be used to discuss how to revitalize the campaign for the universal ratification of the core Conventions in the lead-up to the ILO centenary. He supported the draft decision.
92. *The Worker Vice-Chairperson* said that as the UN Commission on the Status of Women was currently exploring the theme of women's economic empowerment in the changing world of work, it was of great concern to the Workers' group that certain governments had attempted to remove from the outcome document all references to ILO standards and to the role of the ILO in monitoring and following up on the agreed conclusions. Those same States had acceded to the eight fundamental Conventions by virtue of their membership of the ILO. Given that decent work was central to women's economic empowerment, the Workers' group called on all governments to support the retention of the references to specific ILO

Conventions and to the 1998 Declaration, and to support continued collaboration between UN Women and the ILO in the follow-up to the agreed conclusions.

93. *Speaking on behalf of the Africa group*, a Government representative of Ghana welcomed the fact that more member States were ratifying Conventions Nos 182 and 29 and the Protocol of 2014, which should accelerate the process of eliminating forced labour. The review also brought to the fore challenges faced by member States with regard to ratification and observance of the principle of freedom of association and the right to collective bargaining. His group therefore urged the Office to continue to provide the necessary technical assistance to enable member States to strengthen social dialogue and tripartism, which were the key to the realization of freedom of association and collective bargaining. With regard to the format of annual reports, the Africa group was of the view that a matrix format would improve the readability of reports and make it easier to compare country data, and therefore suggested that future reports could be submitted in that format. Moreover, the Office should shorten and simplify the questions in the questionnaire and avoid duplication, which would facilitate the submission of reports.

Decision

94. *The Governing Body took note of the information presented under the Annual Review of the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work for the period from October 2015 to 31 December 2016 and decided to:*

- (a) *invite the Director-General to further take into account its guidance on key issues and priorities;*
- (b) *reiterate its support for the mobilization of resources with regard to further assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work, through universal ratification and action, and in particular to combat the global scourge of forced labour including human trafficking;*
- (c) *hold the next review of the follow-up of the Declaration in March 2018.*

(GB.329/INS/4(Rev.), paragraph 362.)

Fifth item on the agenda

The Standards Initiative: Follow-up to 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

([GB.329/INS/5](#) and [GB.329/INS/5\(Add.\)\(Rev.\)](#))

95. *The Employer spokesperson* said that both the Employers and the Workers attached great importance to considering the functioning of the supervisory system as a whole and to improving understanding of its procedures and the linkages between them. Both groups had reaffirmed their commitment to the Joint Statement of the Workers' and Employers' groups

(23 February 2015), consolidating the results achieved. Notably, that included clarification of the mandate of the Committee of Experts on the Application of Conventions and Recommendations (CEACR), a meaningful and results-oriented tripartite dialogue in the Committee on the Application of Standards (CAS), and the establishment and first meetings of the Standards Review Mechanism Tripartite Working Group. As an outcome of intense consultations, the Employers and the Workers were pleased to be able to present a Joint Position of the Workers' and Employers' groups on the ILO Supervisory Mechanism (13 March 2017).³ It was intended as a platform to allow the ILO to move forward and to make the necessary changes to the supervisory system. Key points included: the presentation to the Governing Body of specific proposals by the Committee on Freedom of Association (CFA) on elements with repercussions on the whole supervisory system, including on the compendium of conclusions and recommendations; a commitment to use article 24 in a proper manner, involving further consultations; analysis of the article 24 procedure with a view to addressing existing weaknesses, including the promotion of recourse to national-level mechanisms in the first instance; efforts to avoid the duplication of cases under different supervisory procedures; a commitment from the Employers' and Workers' groups to use article 26 as a last resort only; and recognition of the need to secure tripartite governance in the conclusions and recommendations of the various supervisory mechanisms. The time frame included in document GB.329/INS/5 for the implementation of the changes proposed was another step towards improving the functioning of the supervisory system, which was a matter of urgency. Over the past century, the system had become increasingly complex, as it had adapted to changing needs, the expansion of ILO membership, the adoption of numerous new Conventions and the significant increase in the number of ratifications. Discussions on possible improvements to the supervisory system must be undertaken continuously to ensure that it remained effective, relevant and credible. Care, as well as courage and ambition, were needed in the process.

96. *The Worker spokesperson* also expressed pleasure that the Workers' and Employers' groups had achieved consensus on a Joint Position, and reaffirmed the February 2015 Joint Statement committing both groups to a functioning supervisory mechanism. The two groups concurred that the issues at stake lay at the heart of the Organization. As to document GB.329/INS/5, his group agreed that ratification and effective implementation of international labour standards, which must go hand in hand with a functioning supervisory system, were vital to the fulfilment of the ILO's constitutional mission to promote social justice, and welcomed the section on common principles guiding the strengthening of the supervisory system. With regard to focus area 1, his group supported the development of a user-friendly and clear guide for the supervisory system (proposal 1.1). The proposed regular conversation between the supervisory bodies (proposal 1.2) could be of interest, but required further consideration and therefore should not yet be included in the workplan. To enhance interaction between the supervisory bodies, the Joint Position of the Workers' and Employers' groups recommended that the Chairperson of the CFA could submit a report of activities to the CAS, after the report of the CEACR as of 2018; cases examined by the CAS in the previous year could be published in a separate part of the CEACR report, with further scrutiny of measures taken to respond to the conclusions; and mission reports concerning CAS conclusions should be published, in NORMLEX or elsewhere. In that framework, the mandate of the CEACR as defined in its 2015 and 2016 reports should be emphasized.
97. With regard to focus area 2, the Workers' group did not support the proposed discussion on codification of the article 26 complaint procedure (proposal 2.1), as codification would limit the methods used by the Governing Body to handle cases. Complaints under article 26 should be deemed receivable if they met the objective criteria set out in the ILO Constitution. Furthermore, the Workers' and Employers' groups were committed to using the article 26 procedure only as a last resort; in cases in which a commission of inquiry was not yet

³ The Joint Position is included in Appendix II.

established, it was necessary to balance the importance of attention against the need to avoid unnecessary duplication. In relation to the article 24 procedure (proposal 2.2), the group was prepared to examine the necessary conditions for the eventual creation of a standing committee to replace ad hoc committees with a view to greater coherence. Any additional receivability criteria, as indicated in the Joint Statement of February 2015, would reaffirm those set out in the Constitution and Standing Orders and could include an explanation of measures taken at the national level to resolve issues and the degree of success, but there should be no obligation to exhaust domestic remedies. The Officers of the Governing Body should continue to determine the receivability of representations based on article 2(2) of the Standing Orders concerning the article 24 procedure. Any postponement or dismissal of representations must be taken by consensus. The Workers committed to using the possibilities to submit article 24 representations in a proper manner. It was recommended that a tripartite-agreed, standard form for representations should be developed and made available for download from the ILO website, in which information could be required on the content and result of any national-level tripartite dialogue on the issue. The International Trade Union Confederation and the International Organisation of Employers should have the possibility to support their members in finding a national-level solution and resolving the case prior to its being discussed in the tripartite committee. The Workers' group believed that, barring extraordinary circumstances, governments should not be allowed to fail to respond to a representation for more than one Governing Body session. Further, it supported the enhancement of the follow-up to recommendations of tripartite committees, including through time-bound elements. Technical assistance from the Office in developing time-bound action plans for national-level implementation of the recommendations of ad hoc committees and commissions of inquiry, and also of the CAS and CFA, would be beneficial. With regard to legal certainty (proposal 2.3), in the light of the divergent views and disputes concerning the interpretation of Conventions, a tripartite exchange of views on the elements and conditions necessary for the operation of an independent body under article 37(2) of the ILO Constitution would be useful. Such an exchange should be included in the workplan, and the Governing Body should consider its modalities in November 2017.

98. With regard to focus area 3, the Workers' group supported the proposal to conduct a feasibility study on streamlining reporting (proposal 3.1), which would consider options for the full computerization of reporting. However, there was no need to further streamline the reports themselves and the information requested, as clear and detailed observations from the supervisory mechanisms were crucial for a better understanding of their recommendations. The proposal to continue the exchange of information between the Office and other international organizations (proposal 3.2) was welcomed.
99. As to focus area 4, the Workers' group reaffirmed the commitments made in the Joint Statement of February 2015. It was for the various committees to define their own rules to ensure action-oriented and clear recommendations. The CAS evaluated and adapted its procedures and working methods yearly, including informal tripartite consultations on its working methods. The CFA was currently holding such discussions and the Governing Body would consider specific proposals at its present session.⁴ It had already introduced a number of important changes to its working methods to enhance efficiency and transparency, as reported to the Governing Body in March 2016. With regard to systematized follow-up at the national level (proposal 4.2), updated information on technical assistance provided to member States to follow up on the comments of the supervisory bodies and ensure their integration into other ILO work and Decent Work Country Programmes should be posted under the country profiles on the ILO website. A consistent and transparent follow-up system at the level of the Organization as a whole was particularly important. Further, structured ILO interventions should increase compliance through detailed, time-bound memorandums of understanding or similar mechanisms, and the Office should report back to the Governing

⁴ [GB.329/INS/17\(Add.\)](#).

Body at its November 2017 session. Lastly, the Workers' group supported proposal 4.3 to prepare a working paper on the various uses made of article 19(5)(e) and 19(6)(d) thus far, which should lead to a plan for better implementation and ratification rates.

100. A Government representative of Mexico presented the views of the Government group. The full text of his statement is reproduced in Appendix II.
101. A Government representative of the Islamic Republic of Iran presented the views of ASPAG. The full text of his statement is reproduced in Appendix II.
102. A Government representative of Panama presented the views of GRULAC. The full text of his statement is reproduced in Appendix II.
103. A Government representative of Kenya presented the views of the Africa group. The full text of her statement is reproduced in Appendix II.
104. A Government representative of Canada presented the views of IMEC. The full text of his statement is reproduced in Appendix II.
105. *Speaking on behalf of the Association of Southeast Asian Nations (ASEAN)*, a Government representative of Cambodia said the review of the supervisory system must take into account the principles of transparency, consistency, impartiality, accountability and, most importantly, constructive engagement. The system should focus on capacity building and technical cooperation, with fact-finding missions being a last resort. Receivability criteria should be improved in order to avoid redundancy or duplication of actions, conserve ILO resources, strengthen credibility, clarify the basis for States' reporting obligations and enhance tripartite consultations. The criteria for selection of cases for consideration by the CAS should be clarified and improved, to ensure a balance of cases across regions and Conventions. Specific country context must be factored into the process. Options for non-judicial settlement at the country level should be explored prior to any involvement of the ILO supervisory system, and the ILO must recognize and respect the finality of judicial decisions, especially those handed down by the highest court of a member State.
106. *Speaking on behalf of the BRICS countries* (Brazil, Russian Federation, India, China and South Africa), a Government representative of China supported strengthening the supervisory system to enhance its transparency, visibility, coherence, efficiency and effectiveness, and to reduce member States' reporting obligations and overlap between procedures. Due process and procedural fairness should be guaranteed. The current consultation process could include tripartite exchanges. He supported the proposed annual meeting between the representatives of the supervisory bodies (proposal 1.2); an informal exchange would allow representatives to address unnecessary duplication between procedures. The role of governments in that process should be safeguarded. He looked forward to examining proposals on the format, budget and dates of a first meeting.
107. At the current time it would be premature to push forward the matter of interpretation of Conventions (proposal 2.3), and he did not support establishing a standing committee for the article 24 procedure (proposal 2.2). A feasibility study should be conducted on streamlining reporting and optimizing the use of technology (proposal 3.1), in line with constituents' needs. The ILO should provide technical assistance to facilitate the implementation of national and international labour standards (proposal 4.2), and ensure consultation with all recipients and due regard for local circumstances. Receivability criteria for the supervisory procedures should be reviewed to take national procedures into account. His group supported the draft decision.

108. A *Government representative of India* welcomed the proposed guide to understanding the supervisory system (proposal 1.1), regular interaction between supervisory bodies and governments (proposal 1.2), and technology-based reforms (proposal 3.1), as ease of compliance would take away the burden of compliance. Recommendations by the supervisory bodies should be clear (proposal 4.1), and, in addition, criteria for receivability, as well as closure of cases should be well defined. In relation to legal certainty (proposal 2.3), questions concerning the interpretation of Conventions should be brought before the Conference, perhaps through the General Surveys taking into account national frameworks, before considering any new forum.
109. A *Government representative of Japan*, referring to proposal 4.2 on systematized follow-up at national level, said that clear and practical recommendations by the supervisory bodies were not sufficient for them to be properly implemented in member States. The Office should integrate such recommendations into its technical assistance programmes. Coherent efforts in that regard would promote a virtuous circle of the ILO's normative function and technical assistance, yielding positive results.
110. A *Government representative of Spain* said that the Government of Switzerland supported his statement. The supervisory system was the heart of the ILO and composed of interrelated procedures that should function as an integrated whole to avoid unnecessary duplication. Responsibility for further strengthening the supervisory system lay with the tripartite constituents and, in particular, the governments, to which the comments of the supervisory bodies were primarily addressed; governments had an interest in ensuring that such measures were clear, practical and achievable, and in accordance with national contexts and legislation. The Joint Position of the Workers' and Employers' groups was a necessary step in the process, but insufficient without the guidance that only governments could provide to the Office on the legal and social contexts out of which complaints and representations were born, grew to maturity and, through consensus, were resolved.
111. The guide referred to in proposal 1.1 should include details of the receivability criteria and reach of each supervisory body. Concerning proposal 1.2, the conversation between the supervisory bodies should take place within the framework of the International Labour Conference. With regard to proposals 2.1 and 2.2, the preference for discussing the article 24 procedure before the article 26 procedure sought to guarantee coherence between those discussions, rather than pre-empting a final outcome. That was a good example of the principle that should govern all discussions: analysing possible improvements while maintaining an overview of the different bodies and the synergies between them. On proposal 2.3, he urged progress towards establishing a permanent tribunal under article 37(2) of the ILO Constitution, which should be non-bureaucratic in its functioning and flexible in its composition. Concerning proposal 3.1, better use should be made of new technologies for reporting, thereby reducing the burden on the Office and member States. With regard to proposal 4.1, any recommendations by supervisory bodies had to be clear and achievable, given their importance in supporting the implementation of Conventions.
112. A *Government representative of France* said that he welcomed the proposal to streamline reporting (proposal 3.1). France stood ready to contribute to the feasibility study that was envisaged following the present session of the Governing Body. That study should address the volume of reports, the seriousness or urgency of a situation, the link between experts' requests and questions and the contents of Conventions, and the emergence or not of new developments since the previous report, among other aspects. Legal certainty (proposal 2.3) was a particularly important issue for the Organization as it approached its centenary. Differences in interpretation among constituents could lead to a serious crisis or even paralysis in the functioning of the Organization. There was an urgent need to consider together a legitimate instrument to address those differences. France accordingly supported the recognition, as expressed in the Joint Position of the Workers' and Employers' groups,

that there could be value in a tripartite exchange of views on the elements and conditions necessary for the operation of an independent body under article 37(2) of the ILO Constitution.

- 113.** *A Government representative of China* said that annual briefings on the ILO supervisory system could be provided to staff of member States' permanent missions in Geneva. Further technical support should be provided to member States for the ratification and implementation of Conventions. In view of the CFA's growing case review workload, consideration of the receivability of complaints should be improved, in order to avoid duplication with other supervisory bodies. He supported the draft decision.
- 114.** *A Government representative of Cuba* said that it was important to continue to review the proposed changes to the working methods of the supervisory bodies. The proposals put forward still neither answered concerns regarding the transparency and impartiality of the mechanisms employed nor addressed the shortcomings whereby those mechanisms could be applied selectively or used for political manipulation. She did not support proposals calling for the establishment of new supervisory mechanisms but favoured the drafting of guidelines on the procedures to be followed by the supervisory bodies, as those remained unclear beyond the provisions of the ILO Constitution. Reviews by ad hoc committees established within the framework of the Governing Body should continue. The review process for admissibility criteria should aim to ensure that complaints could be filed only by organizations that were representative within the meaning of the ILO's basic texts. She requested more information on the application of the measures proposed, taking into account the Director-General's proposals for a zero real growth budget for the 2018–19 biennium. Cuba supported the draft decision.
- 115.** *A representative of the Director-General* (Director, International Labour Standards Department (NORMES)) said that the rich discussion had provided the Office with guidance on the proposals contained in the document. Given the wealth of suggestions made, and in view of the Joint Position of the Workers' and Employers' groups, she proposed that the workplan should be revised in the light of the discussion and the revised version presented to the Governing Body the following week for review and adoption.
- 116.** *The Worker spokesperson* said that he agreed with the proposal to consider the draft decision the following week. Experience had shown that a systemic view of the supervisory bodies should not be followed too strictly; the way in which cases were handled depended on their content. While the streamlining and computerizing of reports could be helpful, it should not be at the expense of the quality of the work of the ILO supervisory bodies. In relation to the proposal for an annual meeting between the representatives of the supervisory bodies, further thought was needed in relation to its concrete objective, role and terms of reference, as it could not be a forum for debates about the relevance of the supervisory system. Discussions on the operation of the article 24 procedure should start from the problems being faced, and consider what could be a good result. The establishment of a standing committee for the article 24 procedure could be such a solution. As it was unusual that an article of the Constitution was not executed, a tripartite discussion on the implementation of article 37(2) was justified. Criteria for the receivability of cases should be strengthened, but no concrete proposals to that end had yet been made; exhaustion of domestic remedies – albeit important – could not be the sole criterion, since the appropriate national bodies were not in place in all countries. With regard to the article 26 procedure, the Employers' and Workers' groups had committed to use it as a last resort, but at present commissions of inquiry were not being established and therefore it was difficult to suspend the examination of a case under the other supervisory procedures.

117. *The Employer spokesperson* supported the proposal to defer adoption of the decision. The complexity of the situation meant that it had been easier to identify problems than to propose solutions, but progress had been made and certain issues could be taken up again. The whole process of tripartite discussions, including informal consultations, had enabled more flexibility and openness to discuss solutions. It was nevertheless essential to move forward with urgency and ambition.
118. *The Government representative of Mexico* supported the proposal to postpone the draft decision and looked forward to considering the new workplan.
119. *A Government representative of Brazil* said that he would welcome a brief statement from the Office reflecting the discussion that had been held, particularly given the diverging views on some issues, including legal certainty. Governments would benefit from hearing the views of the Workers' and Employers' groups before coming to sessions of the Governing Body, and forthcoming consultations should therefore have a tripartite element.
120. *The representative of the Director-General* (Director, NORMES) said that she was hesitant to summarize on the spot the discussions as she was not in a position, given the wide range of responses and comments made, to do justice to the members' interventions. Her department would systematically review the comments and suggestions made and, on that basis, draw up a revised workplan. The revised workplan would be submitted to the Governing Body the following week for review and adoption.
121. When the discussion resumed, *the Employer spokesperson* said that, since the revised workplan and timetable fully reflected the discussion that had taken place, the Employers supported the revised draft decision.
122. *The Worker spokesperson* said that the revised workplan and timetable took full account of the discussions in the Governing Body and so the Workers agreed with the revised draft decision. He requested that the Joint Position of the Workers' and Employers' groups should be annexed to the official final document, as that position would guide both groups in discussions with the Office and governments in the different bodies of the supervisory system and during consultations on the supervisory system.
123. *Speaking on behalf of GRULAC*, a Government representative of Panama said that GRULAC welcomed the revision of the workplan to reflect the discussions that had taken place earlier in the session. GRULAC reiterated the issues that it had raised on that occasion and understood that the current exercise was not one that could be carried out in the short term. While some preliminary comments had been made during the current session, GRULAC would go into greater substantive detail on the specific proposals during the next round of consultations. Any decision taken on the item should clearly reflect that.
124. GRULAC considered that proposal 4.3 was not ready to be discussed nor decided upon in November 2017. The governments in the region continued to have doubts regarding the nature of the proposal and the implications of any decision. Proposal 4.3 would be better moved to the group of proposals requiring guidance on next steps. In November, additional information could be sought on the matter, so that the Governing Body could have in-depth discussions in the future.
125. On the other hand, GRULAC considered that specific elements related to proposal 1.2, on a regular conversation between the supervisory bodies, could be discussed in November 2017. Those elements would allow for a decision on the timing, composition and budget of, and tripartite involvement in, those meetings. In that regard, proposal 1.2 should be included in the group of proposals to be examined by the Governing Body in November 2017.

- 126.** Finally, GRULAC had appreciated the discussions on the supervisory bodies' methods of work, although it had expected more details, for example on the CFA. It would be useful if more information on developments with regard to those discussions could be provided during the consultations. Additionally, a document should be drawn up on that subject for November, in order to prepare for the broader discussion of the review of implementation of the Standards Initiative planned for March 2018. In the light of those comments, GRULAC had proposed an amendment to the draft decision. It had been circulated and was being considered by the various groups.
- 127.** The Governing Body was adopting a workplan that would guide the consultations to be held on the supervisory system. That workplan should be agreed by all tripartite constituents. For that reason, the workplan could not remain in an addendum that had been prepared by the Office, when the tripartite constituents had not had the opportunity to negotiate any of its terms. GRULAC was flexible in terms of the best way to achieve that. The elements of the workplan could be included in the draft decision, or the agreed workplan could remain in a revised addendum. The GRULAC proposal did not make any substantive change to the workplan; rather it provided clarity about what was being adopted. A clear workplan, agreed by all three parties, would be key to the successful development of the future consultations that were to be carried out on the matter.
- 128.** *Speaking on behalf of the Africa group*, a Government representative of Kenya said that the revised workplan took account of discussions in the Governing Body. Although his group therefore supported the revised draft decision, it could accept the consensus view on the amendment tabled by GRULAC.
- 129.** *Speaking on behalf of IMEC*, a Government representative of Canada said that IMEC took note of the revised workplan, which built on the Governing Body's discussion earlier in the session and on the Joint Position of the social partners, and which integrated some of its suggestions. Of the ten proposals in the revised workplan, four would be integrated into the Office's work and six would remain on the Governing Body's agenda; three of the latter would be the subject of deeper discussions at the session of the Governing Body in November 2017, while three remained for further guidance on next steps.
- 130.** In light of its continuing strong support for and confidence in the ILO supervisory machinery, and with a view to further strengthening it, IMEC was willing to contribute constructively to the debate on the remaining six proposals. It welcomed the good cooperation between the Workers' and Employers' groups and saw that as a positive and necessary component of a functioning supervisory system. At the same time, it insisted that consultations for improving the supervisory system needed also to include a tripartite exchange of views. It was therefore disappointed that paragraph 5 of document GB.329/INS/5(Add.) did not reflect that necessity, and it emphasized that the "broad and inclusive consultation process" must include opportunities for tripartite exchange of views.
- 131.** IMEC was flexible on whether the decision took the form of the revised draft version contained in paragraph 6 or the amendment from GRULAC. Regarding the proposal of the Workers and Employers to attach their Joint Position as an appendix, IMEC suggested that the statements made by the Government group and the regional groups on document GB.329/INS/5 should also be attached in an appendix.
- 132.** *A Government representative of Brazil* said that, while his region had strongly supported the whole process of reviewing the supervisory system, it had stated throughout the consultations that proposal 4.3 required clarification. It would be satisfied with a revision of the workplan, without any change to the draft decision, by incorporating proposal 4.3 in paragraph 4(b), so that it would be the subject of guidance from the Governing Body in November, and by moving proposal 1.2 to paragraph 4(a), so that it would be discussed by

the Governing Body in November. The only language change in the amendment proposed by GRULAC was the replacement of “taken” with “under consideration” in the second sentence of the subparagraph on proposal 1.2, to reflect the situation that the point had not yet been adopted but was still under review. He asked the social partners to allow GRULAC’s views to be reflected in the workplan; the region was committed to the supervisory system, to the notion of decent work and to defending the rights of workers. The discussions by the supervisory bodies of their working methods should feed into discussions of the review of the supervisory system. If that was understood, then GRULAC’s amendment in that regard could be abandoned.

- 133.** *The Worker spokesperson* said that, while he agreed to altering the phrase “actions taken” to read “actions under consideration”, he would prefer to keep the workplan as it stood. Proposal 4.3 on the potential of article 19 to extend the reach and implementation of standards was following up on a decision taken by the International Labour Conference, and so should be discussed in November. While proposal 1.2 was a priority for GRULAC, for the Workers it depended on the conditions and criteria for a good system of contact between the supervisory bodies, and accordingly required further tripartite discussions, before concrete decisions could be taken.
- 134.** *The Employer spokesperson* said that, while he agreed to amending the phrase “actions taken” to read “actions under consideration”, he was against opening a discussion on the structure of the addendum. It seemed incongruous to move proposal 4.3 to paragraph 4(b), which started with the words “Guidance on next steps will be sought”.
- 135.** *A Government representative of the United States* asked the Office what it meant for a proposal to be under paragraph 4(a) or (b) of the addendum, or in other words, what it meant for a proposal to be discussed in November 2017 rather than for the Governing Body to provide guidance in November 2017.
- 136.** *The Chairperson* asked whether the Office could provide assurances that the consultation process to which reference was made in paragraph 5 would include a tripartite exchange of views.
- 137.** *A representative of the Director-General* (Deputy Director-General for Management and Reform) said that in preparing the workplan the Office had tried to establish a balance among the diverse views and priorities identified by the constituents in the two comprehensive rounds of consultations held in January and February 2017. It had also considered the workload capacity of the International Labour Standards Department, as well as decisions of the Governing Body on implementing the programme of work to give effect to evaluation of the impact of the Social Justice Declaration and the agenda of the International Labour Conference.⁵ That was particularly relevant for proposal 4.3 which involved the modalities of the General Surveys and their contribution to recurrent discussions, which in turn played an important role in the setting of the Conference agenda. Those were important elements to ensure a cohesive and strategic approach between the corresponding discussions of the Governing Body and its consideration of reporting of policy outcomes. He further noted that the only difference between the workplan suggested by the Office and the amendment proposed by GRULAC was the order of dealing with proposals 1.2 and 4.3. There would be strategic value in retaining the order of tackling proposal 4.3 first because it was integral to other institutional priorities, while proposal 1.2 was less critical at the current stage.

⁵ GB.329/INS/3/1.

- 138.** Replying to the Chairperson's question, he confirmed that there would be various levels of consultation, including tripartite consultation. Replying to the representative of the United States, he explained that concrete action should be taken in November 2017 on the group of proposals in paragraph 4(a), and that guidance would be sought for a second round of consultations after November on the proposals in paragraph 4(b).
- 139.** *Speaking on behalf of GRULAC*, a Government representative of Panama said that his group had listened very attentively to the comments of the Employers and the Workers and the explanations given by the Deputy Director-General. The truth was that every time GRULAC made a statement, it was for the good of the Organization; every proposal was made from the viewpoint that they were governments responsible for ensuring entrepreneurial development combined with decent work, and for providing a framework where all that took place. They had an historic responsibility to agree on those matters with everyone round the table and to seek the common good, which was what the Organization was seeking in its fundamental principles.
- 140.** While GRULAC statements were listened to, agreed with and replied to, it often felt as though the resulting documents watered down their proposals or presented them in a weaker or more tenuous manner. They strongly believed in the Organization and that it could help to solve the problems of the world and tackle the future of work. All the important subjects that had been discussed, the explanations of the Deputy Director-General, and the Organization's and the Officers' intentions to find a solution must be recorded in clearly drafted minutes. As the centenary approached, the Organization's supervisory mechanism had to be improved, because the Organization had an important role to play in the future of humanity. GRULAC countries came not just to talk, they wanted to get things done and they wanted practical solutions to be found for all parties. They wanted the minutes to record their proposals, their statements and their amendments. For the sake of consensus, they could accept the small amendment of the word "taken" to "under consideration". They wanted everything that they had proposed to be taken into account.
- 141.** *A Government representative of Spain* said that often it seemed as if note was simply taken of substantive and significant statements, and that that created the impression that there was no improvement in the governance of the Organization. His Government supported the amendment and the inclusion in the minutes of all the statements not only of regional groups but also of national governments, in order to provide a complete and real picture of a lively debate.
- 142.** *Speaking on behalf of IMEC*, a Government representative of Canada recalled his group's request for the attachment of the statements made by the Government group and regional groups. With respect to the broad and inclusive consultation process, he underscored that that process must include opportunities for tripartite exchange of views.
- 143.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran said that ASPAG understood that the supervisory system was of particular importance for the constituents. He encouraged the Office to give due consideration to the points raised during the discussion, and took note of GRULAC's arguments.
- 144.** *The Government representative of Spain* repeated that he had requested the inclusion of governments' statements in the record.
- 145.** *A representative of the Director-General* (Deputy Director-General for Management and Reform) reminded the members of the Governing Body that all interventions were summarized and recorded in the minutes of the session, and that in past cases such as the item under consideration, formal group statements had also been appended when requested.

146. *A Government representative of Uruguay* asked for clarification regarding whether the Governing Body was considering adoption of the original or the revised draft decision, whether the addendum would be amended, whether the phrase “actions taken” would be replaced by “actions under consideration”, and which statements would be appended in full.
147. *A representative of the Director-General* (Deputy Director-General for Management and Reform) said that his understanding was that document GB.329/INS/5(Add.) would be revised so that “actions taken” was replaced by “actions under consideration”, and that a reference to “including tripartite consultations” was included in paragraph 5. In line with previous practice, the Joint Position of the Workers’ and Employers’ groups and statements by the Government group and regional coordinators would be appended to the minutes.

Decision

148. *The Governing Body:*

- (a) *approved the revised workplan for the strengthening of the supervisory system;*
- (b) *requested the Office to take the necessary steps to implement the revised workplan based on the guidance it provided and to report on progress made at its 331st Session (November 2017), following consultations with the tripartite constituents;*
- (c) *decided to review the revised workplan, as might be adjusted by the Governing Body during its 331st Session, in the context of its broader review of the Standards Initiative at its 332nd Session (March 2018).*

(GB.329/INS/5(Add.)(Rev.), paragraph 6.)

Sixth item on the agenda

Progress report on the implementation of the Enterprises Initiative ([GB.329/INS/6](#))

149. *The Employer spokesperson* noted that the ILO’s strategy to engage with the private sector was a priority for the Employers. The Office’s engagement with enterprises of all sizes and in all regions allowed it to better understand the challenges they faced and thereby develop a more practical approach to problem-solving at the policy level. It also facilitated a two-way exchange of specialized information, which could be leveraged to achieve the Office’s goals. The progress report listed an impressive number of activities in which the Office engaged with the private sector. The fact that small and medium-sized enterprises (SMEs) and cooperatives were included reflected the Organization’s recognition of the diversity within the sector.
150. The Employers strongly encouraged all departments of the Office to avail themselves of the Bureau for Employers’ Activities (ACT/EMP) as an entry point, as established in the revised methodology adopted by the Governing Body at its 321st Session (June 2014). ACT/EMP should also be the entry point for outreach to enterprises to ensure that they were fully informed about the motives behind requests for engagement and to enable ACT/EMP to

liaise with the International Organisation of Employers (IOE) and national employers' organizations.

- 151.** The recently developed ILO Register of Enterprises would be an important tool to ensure transparency and coordination across the Office; all departments of the Office should enter information on their engagement with enterprises to contribute to the usefulness of the repository.
- 152.** The Employers requested the Office to consider carefully and communicate which activities were no longer achieving the Organization's goals. Monitoring and reporting the value and impact of activities would enable the Office to learn lessons and streamline future activities. With regard to the Office follow-up on the Governing Body's recommendations, the Employers were pleased that the Office was developing evidence and examples of how engagement with enterprises had helped the ILO advance its objectives; however, it should be emphasized that it was the constituents, not private companies, who set the Organization's policies. As to improving external communication with enterprises, outreach should always involve employers' organizations to ensure coherence and coordination with their efforts. The Employers' group supported the draft decision.
- 153.** *The Worker spokesperson* observed that, despite the increased number of measures, most were focused on a specific issue without being integrated into the broader ILO agenda or its priorities. It was regrettable that there was little reference to trade union participation in the activities mentioned in the progress report, despite the fact that unions had been involved in several instances. Instead of being purely focused on employer activities, the aim of the Enterprises Initiative should be to strengthen social dialogue in areas of relevance to business and unions and to build up industrial relations in a specific company, sector or supply chain. The lack of outreach to trade unions and the continued work with companies that had no unions were therefore matters of concern, as it was necessary to ensure that participant companies adhered to ILO core Conventions and values.
- 154.** Following up on the points his group had made when it had approved the Enterprises Initiative, he asked why the Workers' group secretariat had not been informed about a number of the activities; whether engagement with trade unions been implemented and, if so, how; and whether efforts been made to build mature industrial relations and promote decent work. All three questions were important to the Workers.
- 155.** The focus of enterprise engagement should be on developing a roadmap, agreed with the social partners and companies, to improve working conditions and labour rights in supply chains. In the light of the 2016 Conclusions concerning decent work in global supply chains and the extensive workplan, the group had expected more work to be undertaken on supply chains. The Workers would also have appreciated more information in the progress report on the role of public sector enterprises and cooperatives in the Enterprises Initiative. With regard to employment opportunities for workers with disabilities, it was necessary to ensure that they were real opportunities. In relation to the Better Work programme, he asked how many of the participating companies had trade unions and respected collective bargaining and freedom of association. The Workers welcomed the adoption of the revised MNE Declaration; the Office should reach out to multinational enterprises to promote it. The strategy on collaboration with other international organizations should reposition the ILO in relation to the UN and other public and private initiatives to make sure that coherent advice was provided on issues related to international labour standards and the world of work and on the revised MNE Declaration, on which other public policy bodies could draw. Lastly, the Workers welcomed the ILO Register of Enterprises; wider access to it would supply trade unions with information on activities involving companies in their countries. The Workers supported the draft decision.

156. *Speaking on behalf of the Africa group*, a Government representative of Kenya commended the activities undertaken by the Office under the Enterprises Initiative, but encouraged it to adjust the activities in some countries to improve their uptake, with the active involvement of the tripartite constituents. Furthermore, it was crucial to share widely the knowledge about lessons learned, good practices and tools that had been developed. Member States should also be given access to the ILO Register of Enterprises, as they would like to have information on the companies in the network. The group welcomed the country exchange project whereby African cooperative leaders would visit Japan, and sought further information on it. Overall, a holistic approach to the Enterprises Initiative was required, which should take account of differing regional circumstances and of the need to build synergies with other existing initiatives. His group supported the draft decision.
157. *A Government representative of China* expressed appreciation for the preliminary achievements of the Office under the Enterprises Initiative and the effective work done on enterprise and supply chain policies and practices. Some Chinese enterprises had joined the global business network for social protection floors. It was to be hoped that the ILO would tap the potential for cooperation with the IOE to promote the healthy and sustainable development of SMEs in order to contribute to the realization of decent work for all. His Government supported the draft decision.
158. *A representative of the Director-General* (Deputy Director-General for Policy) responding to the points raised, said that the ILO Register of Enterprises was being tested and should be ready by the end of March 2017. She expressed appreciation for the recognition of the Office's independence, which must be protected; at the same time, interaction with companies supplied valuable information which helped to advance policies which the Governing Body had asked the Office to implement. She noted the message that continued work with SMEs was particularly important. On the question of social dialogue, the Office wished to ensure that both social partners were involved to the right extent and in the right way in all its initiatives, and would like to explore with the Workers and Employers how to embed social dialogue in the Enterprises Initiative as deeply and effectively as possible.
159. *A representative of the Director-General* (Director, Enterprises Department (ENTERPRISES)), said that the Office would discuss with the constituents ways in which it could improve its information sharing. Although the wealth of information on activities in the field was difficult to capture in a report to the Governing Body, the Office was examining ways of making that information available to constituents. As to the principles of social dialogue and tripartism, he acknowledged that it was necessary to report on the Workers' involvement in activities concerning engagement with enterprises. As for the ILO Register of Enterprises, it was necessary to see how effectively it could capture information from the regions and it was important that the Workers also set up a register for workers' engagement with enterprises as had been previously agreed upon in a Governing Body session in 2014. Lastly, information gleaned from the Enterprises Initiative would be used to improve, but not to create, policy.

Decision

160. *The Governing Body requested the Director-General to:*
- (a) *continue to implement the recommendations for improving ILO engagement with the private sector, taking into account the guidance provided by the Governing Body; and*
 - (b) *submit a report on the Enterprises Initiative at its 335th Session (March 2019).*

(GB.329/INS/6, paragraph 43.)

Seventh item on the agenda

The ILO and the United Nations Development System ([GB.329/INS/7](#))

- 161.** *The Employer spokesperson* expressed support for further cooperation between the ILO and the UN, particularly regarding access to extra-budgetary financing channelled through the UN. The emphasis placed on national capacity building in the Quadrennial Comprehensive Policy Review (QCPR) resolution was especially welcome. It was indeed essential for employers' and workers' representative organizations to build their capacity to fully contribute to sustainable development. The Office should ensure that it followed up on countries' requests for capacity-building support to implement the 2030 Agenda. The refocusing of DWCPs to ensure the participation of constituents in national sustainable development planning processes was coherent and timely, as the participation of the private sector was paramount. Such efforts should be increased, particularly in terms of the coordination of different stakeholders, at both national and regional level.
- 162.** Partnerships and alliances linked to Goal 8 and other decent-work-related Goals and targets should be pursued. It was important to maintain a simple governance structure to reduce bureaucracy and unnecessary costs, and to ensure the effective coordination of efforts to avoid the duplication of existing initiatives. She agreed with the ILO's intention to continue to monitor the UN Development System (UNDS) reform processes, and supported paragraph 27(a) of the draft decision. The ILO and the UN system as a whole should give priority to Goal 16 on the promotion of peaceful and inclusive societies and strong institutions, and work together to ensure that member States progressed towards its attainment. Regarding paragraph 27(b), she highlighted the need to strengthen ILO support to constituents for the implementation of the 2030 Agenda. The status update on priority actions provided in the report lacked substance. While the resource platform under preparation was welcome, it could only be a first step towards the effective capacity building of UN organizations to enable them to participate fully in national strategies on the SDGs. The Office's capacity-building efforts should focus first and foremost on the constituents.
- 163.** *The Worker spokesperson* referring to the enhancement of the Resident Coordinator system, said that it was extremely important for Resident Coordinators to understand and respect the tripartite and standard-setting nature of the ILO, and to engage with social partners. The Workers were concerned about the benefits for ILO constituents, particularly unions, of the ILO's participation in UNDS operational activities. On several occasions, unions had noted that Resident Coordinators were reluctant to recognize them or to engage in issues relating to rights violations. Regarding the future proposal on a "system-wide outline" of the functions and capacities of individual UN entities, it should be stressed that certain functions might vary in different UN agencies. The selection of countries in relation to the actions on the SDGs should involve workers' organizations and should be carried out in consultation with ACTRAV and the secretariat of the Workers' group. The ILO should provide integrated policy advice covering the four dimensions of the Decent Work Agenda. The work conducted on data collection and SDG monitoring and reporting systems, and the strengthening of national statistical offices, were welcome. He endorsed the draft decision.
- 164.** *Speaking on behalf of GRULAC*, a Government representative of Panama said that it was important to recognize that there was no universal approach to development, and that the UN Chief Executives Board for Coordination (CEB), the UNDS and the ILO should

demonstrate greater flexibility in operational activities and their alignment with national development strategies, and seek the best outcome for member States. Noting the prominence that the QCPR gave to national capacity development, he highlighted that the resolution on Advancing Social Justice through Decent Work also called on the Office to reinforce institutional capacity of ILO members. The promotion of principles such as gender equality, the empowerment of women and respect for human rights should form the basis for the improvement of coordination within the UNDS, with a view to strengthening the response to emerging needs. The ILO's support to countries to implement the 2030 Agenda was essential for the development of member States. He supported the draft decision.

- 165.** *Speaking on behalf of the Africa group*, a Government representative of Sudan noted with appreciation the recommendation for the ILO to develop and implement, in consultation with constituents, a new generation of DWCPs aligned with the 2030 Agenda, made at the Regional Meeting in December 2015. He endorsed the draft decision.
- 166.** *Speaking on behalf of IMEC*, a Government representative of Canada said that he welcomed the Office's commitment to coherence within the UNDS and the identification in the Programme and Budget proposals for 2018–19 of links between ILO outcomes and specific SDG targets. The Office should continue to work towards a more efficient UNDS through the QCPR and the harmonization of business practices with other UNDS entities, as appropriate. The progress made on follow-up to the QCPR recommendations should be included in forthcoming programme implementation reports. The Organization's work in areas of system-wide significance, such as women's empowerment and environmental sustainability, should be recognized. IMEC supported the "Delivering as One" approach, which was central to effective UN development reform and remained relevant to delivering the 2030 Agenda. IMEC noted favourably the Office's contributions to the cost of operating the Resident Coordinator system and urged the ILO to prioritize participation in UN Country Teams (UNCTs) and the development of joint UN planning processes. The Organization should engage with humanitarian and development actors to set up joint risk and needs assessments and multi-year financing frameworks where required to bridge humanitarian and development needs. IMEC supported the Organization's work on multi-stakeholder partnerships and urged the Office to continue seeking opportunities for partnership with the private sector, other international organizations and other relevant stakeholders, with a view to implementing the 2030 Agenda, within the Organization's competence and mandate. The ILO's development cooperation strategy must, in the future, be aligned with the direction provided by the QCPR and take into account the upcoming recommendations of the UN Secretary-General on wider UN reform. He supported the draft decision.
- 167.** *A Government representative of France* emphasized the need for coordinated action from international organizations and their agencies to support and achieve the SDGs, which should guide the ILO in its activities, particularly on the ground. The role of the ILO in the follow-up to the High-Level Commission on Health Employment and Economic Growth was welcome. The Commission's ten recommendations, which would be implemented through a plan of action, offered an example of the integrated approach encouraged by the 2030 Agenda. In light of discussions at the conference on "Protecting Children from War", organized by France and UNICEF, he urged the Office to promote recruitment prevention and reintegration programmes for child soldiers.
- 168.** *A representative of the Director-General* (Director, Multilateral Cooperation Department (MULTILATERALS)), noting the comments on the importance of a flexible country-level approach to the provision of support for ILO constituents, said that institutional capacity building was a key priority in the programme and budget proposals and the Office's current work. On policy coherence, it was important to underscore the clear synergies and links among the Office's current activities, and the implementation and follow-up on the ILO resolution on Advancing Social Justice through Decent Work. Concerning the support for

constituents to participate actively in the work on policy coherence, a discussion on a new development cooperation strategy relating to the SDGs would be held in 2018. With regard to indicators, statistical data was key to evaluating the implementation of the 2030 Agenda. The proposed global indicator framework for the SDGs had been adopted by the UN Statistical Commission earlier in the month, and would then be submitted to the UN Economic and Social Council (ECOSOC), and to the UN General Assembly. The Office's work on its resource platform had also involved ACTRAV and ACT/EMP and would provide significant support to tripartite constituents. The Office was examining the possibility of developing the new national-level approaches in a certain number of target countries in order to increase their impact and step up the ILO's efforts, particularly regarding the implementation of Goal 8.

- 169.** *A representative of the Director-General* (ILO Special Representative to the United Nations) said that the ILO's action with respect to the UN system had always been guided by the need to engage, collaborate and coordinate as much as possible, while preserving its identity. The QCPR resolution recognized that diversity was one of the core strengths of the UN system. He agreed that there was no "one-size-fits-all" solution, and that it was important to be able to adapt to different situations. The ILO's engagement in UNCTs was very strong, with membership in 83.6 per cent of countries with UNCTs. The Organization was also represented in 47.7 per cent of interagency groups in those countries. The aim of the mandate to work together with the UN was for all agencies to apply ILO instruments, and to provide a platform to bring on board constituents and enhance partnerships. The ILO was encouraging UNCTs to recognize the rules of trade unions and employers' associations.

Decision

170. *The Governing Body:*

- (a) took note of the QCPR resolution (United Nations General Assembly document A/RES/71/243) and requested the Director-General to take appropriate action towards its implementation within the ILO's mandate;*
- (b) requested the Director-General to take account of its guidance on further development of ILO support to tripartite constituents in the implementation of the 2030 Agenda and multi-stakeholder partnerships.*

(GB.329/INS/7, paragraph 27.)

Eighth item on the agenda

Report of the 16th Asia and the Pacific Regional Meeting (Bali, 6–9 December 2016) ([GB.329/INS/8](#))

- 171.** *The Employer spokesperson* said that the Bali Declaration, adopted at the 16th Asia and the Pacific Regional Meeting, would help to implement the 2030 Agenda for Sustainable Development in the Asia and the Pacific region. The Declaration spoke to the diversity and dynamism of the region, it was short, concise and action-oriented, and it would facilitate the implementation, monitoring and follow-up of activities. In particular, it recognized that economic growth and an enabling business environment were crucial to regional development. Engagement with the private sector was critical for a better understanding of

the development and needs of labour markets, and evidence-based research would help to frame national policy.

- 172.** Open and dynamic labour markets encouraged the free movement of labour and capital. In order to facilitate the growth of such markets, the competitiveness of the region needed to be boosted. The reference to the ILO *General principles and operational guidelines for fair recruitment* was of great relevance for the region, where migration was especially beneficial. Creating an enabling environment required being open to attracting the right resources, namely women, youth and migrants, to the region. The Director-General should draw the attention of constituents to the Bali Declaration as a basis for national efforts to achieve SDG 8 and should make it available to other international and non-governmental organizations.
- 173.** The Employers' group was satisfied with the list of ILO actions in the Bali Declaration, noting in particular the proposed development of an implementation plan to give effect to the Declaration, to be reviewed every two years. For the first time, a region had given the Office a clear message on how to track progress and follow-up action after a Regional Meeting. She endorsed the draft decision, particularly the request that the Director-General take the Bali Declaration into consideration when implementing current programmes and in developing future programme and budget proposals.
- 174.** *The Worker spokesperson* noted with appreciation that the Regional Meeting had agreed on a structure and timeline for implementation of the Bali Declaration, which would allow for better accountability and assessment, and that the Director-General had made a commitment to include the actions arising out of the Declaration in the ILO programme and budget. In light of the low ratification rates in the Asia and the Pacific region, the Office should launch a specific campaign for the ratification and implementation of the fundamental ILO Conventions, particularly Conventions Nos 87 and 98. ACTRAV and the social partners should be involved in the planning processes for incorporation of the priorities identified in the Bali Declaration into the DWCPs. In relation to paragraph 19 of the Declaration, reporting, in ILO publications, on difficulties faced by unions would exemplify ILO values and encourage unions in their actions. Further work should be undertaken to promote the right to organize and collective bargaining, and to encourage more robust industrial relations in the region.
- 175.** The focus on economic growth in discussions concerning the Asia and the Pacific and Arab regions overshadowed the growing problems of respect for human and trade union rights, poverty, inequality and climate change. His group therefore welcomed certain priorities identified in the Declaration, including the development of macroeconomic policy frameworks for inclusive growth and targeted efforts to promote decent work for traditionally disadvantaged categories.
- 176.** He expressed concern at the fact that women's participation in the Regional Meeting had not met the ILO target of 30 per cent. The absence of the Workers' and Employers' representatives on the delegations of Myanmar and Pakistan was also a matter of concern, which should be redressed at the Conference in June 2017. As input to the review of the role and functioning of Regional Meetings, he proposed that during the special plenary debates delegates should sit in their groups, in the same layout as for sessions of the Governing Body, which would help the moderator to identify speakers and ensure a balance of interventions from the three groups. His group supported the draft decision.
- 177.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran welcomed the high level of participation in the Regional Meeting, which signalled strong support for the Declaration, and the special event held in the margins of the Regional Meeting with a view to increasing women's participation in future meetings. New practices, such as use of the paper-smart model and the ILO mobile application, should continue at

Regional Meetings. He endorsed the draft decision and requested the Director-General to ensure that the Bali Declaration was taken into account in the ILO's programme and budget.

- 178.** *Speaking on behalf of ASEAN*, a Government representative of Cambodia said that the Regional Meeting had exemplified successful social dialogue at the regional level. The paper-smart policy and the ILO mobile application should be implemented at future Regional Meetings. The Bali Declaration would assist ILO constituents in the region in promoting full and productive employment, decent work and sustainable development, and its recommendations would help to address decent work challenges. His group supported the draft decision.
- 179.** *A Government representative of Japan* looked forward to the contribution of the ILO Regional Office for Asia and the Pacific to enhancing policy governance and delivery. In certain discussions, a lack of knowledge of terminology specific to the region had resulted in misunderstandings; he therefore called on the Office to assign resource persons who could ensure better knowledge of the region.
- 180.** *A Government representative of Indonesia* thanked all those who had contributed to the success of the 16th Regional Meeting. The Declaration provided guidance to the ILO and its constituents in the region on the need to further promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all. He stood ready to continue working with the Office and ILO constituents on the implementation of the Declaration and supported the draft decision.
- 181.** *The Regional Director for Asia and the Pacific* expressed her thanks for all the contributions to the Regional Meeting. Efforts would be made to continue to increase women's participation in future meetings. The Regional Meeting had been the culmination of two years of preparation in cooperation with the 47 member States in the two ILO regions. With a view to implementing the Bali Declaration, regional programme and budget priorities had been adjusted; a strategic planning meeting had been held with country directors and national coordinators; a meeting had been organized with the regional directors of certain United Nations agencies at which the Bali Declaration had been presented; and meetings had also been held with some groups to draw up an implementation plan. In the Asia and the Pacific region, implementation would largely be at the national level. Up to 25 member States were planning their DWCPs for 2017–18, and five countries would be renewing their DWCPs in 2018–19.
- 182.** Rather than creating a separate work stream, implementation and reporting of the Bali Declaration would be aligned with the biennial programme and budget, thereby ensuring integration of the Declaration's policy priorities into the ILO's work, enhanced efficiency and lower transaction costs. In order to make results visible and trackable, a simple, concise yet effective tool would be developed in consultation with the social partners. Resource allocation and mobilization would be guided by the clear linkages between the Bali Declaration and the ten ILO programme and budget outcomes. Ratification, mentioned by the Workers' group, would be linked to Outcome 2 and concerns raised by the Employers' group would be linked to Outcomes 1, 4 and 6. She looked forward to continued collaboration with the member States.
- 183.** *The Regional Director for Arab States* said that participation by women from the Arab States in the Regional Meeting had sharply increased to almost 20 per cent, and efforts would continue to reach the 30 per cent target. The priorities for the Regional Office for the Arab States had been aligned with the Bali Declaration and would be incorporated into the design of the Office's projects. Steps had been taken to develop an implementation plan in the two subregions, which included full engagement with four countries and territories in developing DWCPs that were in line with paragraph 15 of the Bali Declaration, their respective UN

Development Assistance Frameworks and the 2030 Agenda. In addition, the Regional Office for the Arab States had undertaken a strategic review exercise that had highlighted regional needs and proposed strategic directions in line with the Bali Declaration. An action plan had been drawn up for Arab States with specific interventions concerning, inter alia, the promotion of small and medium-sized enterprises and migration. Constituents' awareness of the Declaration would also be raised in the framework of the DWCPs.

- 184.** In response to the request to improve labour and employment policy-making, the Regional Office was organizing a high-level, regional tripartite meeting on the future of work, with a particular focus on women and young people. The active participation of the Arab States in those meetings would guide implementation of the Bali Declaration in the region. In line with paragraph 6 of the Declaration, the Office was promoting major employment-intensive projects in Jordan and Lebanon. The Regional Office would allocate funds for the design and implementation of the campaign to promote the ratification and implementation of fundamental labour standards in collaboration with ACTRAV, ACT/EMP and the social partners.

Decision

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

- (a) draw the attention of ILO constituents, in particular those of the Asia and the Pacific region, to the Bali Declaration by making the text of the Declaration available to:*
 - (i) the governments of all member States, requesting them to communicate the text to national employers' and workers' organizations;*
 - (ii) the official international organizations and non-governmental international organizations concerned;*
- (b) take the Bali Declaration into consideration when implementing current programmes and in developing future programme and budget proposals.*

(GB.329/INS/8, paragraph 261.)

Ninth item on the agenda

Progress report: Ratification and implementation of the Protocol of 2014 to the Forced Labour Convention, 1930 ([GB.329/INS/9](#))

- 186.** *The Employer spokesperson* said that the Protocol of 2014 to the Forced Labour Convention, 1930 and the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203), established a common framework, strategy and measures for the elimination of forced labour. He expressed surprise that only 11 of the 177 countries that had ratified the Forced Labour Convention, 1930 (No. 29), had also ratified the Protocol. The current level of ratification was inconsistent with the overwhelming support for the adoption of the Protocol and fell short of the Governing Body's goal of 25 ratifications by June 2017. Ratification was an act of political will; the Protocol created specific obligations to prevent forced labour,

protect victims and provide access to remedies, emphasizing the link between forced labour and human trafficking. As most countries had ratified anti-trafficking treaties, it was difficult to see the obstacles to the ratification of the Protocol. The Employers had always supported the swift and complete elimination of forced labour in all its forms; since the adoption of the Protocol, the international business community had initiated a number of programmes with the IOE to raise awareness, build capacity and establish fair recruitment guidelines. ACTRAV and ACT/EMP should be involved in developing the institutional capacity of ILO constituents to support more effective implementation of the Protocol, which was of crucial importance. He applauded the efforts on targeted capacity development projects and encouraged a continued focus on social partners. He welcomed the mobile application developed recently by the Office, which allowed businesses to obtain practical information to mitigate the risks of forced labour in their operations. He also commended the development of various dedicated business networks and supported the consideration of future business networks on forced labour. The efforts of the Office to promote the Protocol were commendable and had given it global visibility, including through the 50 for Freedom campaign in which the Employers remained dedicated partners. He welcomed the launch of Alliance 8.7 and the opportunity to generate innovative solutions for global cooperation towards the abolition of all forms of forced labour. Lastly, he commended the work carried out pursuant to the resolution concerning further work on statistics of forced labour adopted by the 19th International Conference of Labour Statisticians (ICLS) and the engagement of employers in that process. The Employers supported the draft decision.

- 187.** *The Worker spokesperson* said he agreed with the Employers that the efforts of the Office to promote the ratification of the Protocol were commendable but noted with regret the slow pace of ratification. Regional Meetings and events could be used to raise awareness of the Protocol and promote its ratification. Annual Reviews and General Surveys with respect to unratified instruments were valuable tools for the Office to identify obstacles to ratification and assist member States in overcoming them, including through technical assistance. Members of the Governing Body should lead by example by ratifying the Protocol. The goal of universal ratification of the Forced Labour Convention, 1930 (No. 29), could be achieved by the ILO centenary in 2019, with a mere eight further ratifications. However, the effective implementation of that Convention required ratification of the Protocol. The widespread ratification and effective implementation of both instruments should feature high on the agenda of the IV Global Conference on Child Labour in 2017. Alliance 8.7 and the IPEC+ Flagship Strategy should be used to promote the ratification of child labour and forced labour instruments, including the Protocol. Such efforts represented an opportunity to support the ratification 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), as enabling Conventions, in addition to the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). The newly adopted *General principles and operational guidelines for fair recruitment* could also play a role. The labour movement was highly committed to ratification of the Protocol and several unions were working at the national level towards that end. The International Trade Union Confederation (ITUC) had included broad ratification of the Protocol as one of its three overarching priorities, with a global campaign to promote ratification and specific targeted country campaigns in each region. He welcomed the Office's review of progress on implementation. Although some countries had adopted national action plans, enforcement remained a major challenge. Increased and targeted efforts were needed to reinforce labour institutions, tribunals and other measures engaging social partners. He hailed the work of the ICLS towards agreeing on a framework to measure forced labour as a critical tool for assessing progress on the SDGs. In conclusion, he emphasized that ratification of the Protocol, a historic instrument updating one of the fundamental Conventions, would be critical in the lead-up to the ILO centenary and essential to its credibility in the next century. He called on governments to fulfil their responsibility in that regard. The Workers' group supported the draft decision.

- 188.** *Speaking on behalf of GRULAC*, a Government representative of Panama noted with concern the high number of people still engaged in forced labour. The most abhorrent forms of labour exploitation were found in the informal economy and mainly affected rural and domestic workers. Forced labour could only be eliminated through tripartite cooperation; the Lima Declaration adopted at the 18th American Regional Meeting on 16 October 2014 identified policies that would guide the ILO's activities in the region. GRULAC's commitment to eradicating forced labour was clear: all of its member countries had ratified Convention No. 29 and the Abolition of Forced Labour Convention, 1957 (No. 105). The region was also committed to ratifying the Protocol, a process initiated by Panama. GRULAC encouraged the remaining eight ILO member States that had not ratified Convention No. 29 to do so without delay. The next step would be to aim for universal ratification of the Protocol, which, with Recommendation No. 203, provided answers to the challenges posed by forced labour in the modern world. States would require technical assistance from the Office to achieve universal ratification of both instruments, taking into account their diverse legal frameworks and the need for a follow-up strategy. GRULAC supported interregional training for trade unions on the promotion and implementation of the Protocol, and the consultations regarding the creation of an ILO business network on forced labour and human trafficking. Moreover, it supported the Argentinian proposal to widen the scope of the IV Global Conference on Child Labour to include forced labour. The Conference would provide the necessary platform for governments, employers and workers to make concrete commitments to achieving SDG 8.7 in a timely manner.
- 189.** *Speaking on behalf of the Africa group*, a Government representative of Ghana underscored the importance of the Protocol in light of the continuing rise in incidences of forced labour and other forms of modern slavery. The ILO's partnership and cooperation with national constituents and relevant international agencies and organizations, particularly the Walk Free Foundation, were commendable. The ILO should replicate the Integrated Programme on Fair Recruitment in other regions of Africa in the near future. He urged member States to ratify the Protocol, in order to strengthen the collective effort to combat forced labour and accelerate the attainment of the SDGs. The provision of technical cooperation by the ILO to individual member States remained indispensable to achieving ratification. The Africa group supported the 50 for Freedom campaign and hoped that the target would be met before the scheduled date of 2018. He endorsed the draft decision.
- 190.** *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said that the candidate countries Turkey, the former Yugoslav Republic of Macedonia, Montenegro and Serbia, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina and the EFTA country Norway aligned themselves with the statement. The Protocol's three components of prevention, protection of victims and access to remedy were all addressed by EU legislation and policies. The EU was committed to eliminating forced labour by 2030; concerned by the low number of ratifications of the Protocol to date, it welcomed the launch of the 50 for Freedom campaign and the monitoring measures listed in paragraphs 33 and 34 of the document. It also welcomed the technical assistance provided by the Office to enhance capacity at the national level and the steps taken by many ILO member States to adopt laws and regulations related to the Protocol. The EU would like to know more about the tools and methods the Office used to identify victims of forced labour and to secure prosecutions and convictions, given the frequent lack of financial and human resources on the ground, and to hear how the guidance note and mobile application had been received by target users. The speaker welcomed the preparations for an ILO business network on forced labour and human trafficking and the introduction of panel events designed to promote the Protocol. Turning to partnerships, he welcomed the collaboration carried out in the framework of the UN Inter-Agency Coordination Group against Trafficking in Persons (ICAT) and the launch of Alliance 8.7. He would like to see further cooperation with UN agencies and other organizations in order to enhance the ILO's impact and policy coherence in line with the

strategic approach submitted by the Office to the Governing Body in November 2014. He requested further information about the status of the detailed action plan with measurable targets and indicators and the Office's proposal to support the development of gender-sensitive national policies, both approved at that November session, which were not mentioned in the report under discussion. He also requested further information on groups particularly vulnerable to forced labour not mentioned in the report. The EU supported the draft decision in paragraph 35.

- 191.** *A Government representative of the United Kingdom* said that his Government was working to reduce modern slavery by helping countries of origin of trafficking in persons to combat such trafficking more effectively and providing assistance to countries with the highest prevalence of modern slavery. It was also working tirelessly at the multilateral level to influence norms, raise the level of global ambition and drive coordinated, coherent global action to eradicate modern slavery. His country had been the third to ratify the Protocol and supported ILO efforts to encourage other countries to do so, including the 50 for Freedom campaign. It complied with the Protocol through several legislative instruments, such as the Modern Slavery Act 2015, which empowered law enforcement to deter and stop the perpetrators of modern slavery, established tough new penalties, enhanced support and protection for victims and required commercial organizations operating in the United Kingdom with a turnover of £36 million or more to publish a statement on slavery and human trafficking each year. His Government continued to advocate a strengthened and unified UN approach to trafficking in persons, modern slavery and forced labour that made better use of existing structures, such as ICAT, to enhance their effectiveness. It also supported initiatives such as Alliance 8.7. When it came to tackling all forms of modern slavery, there could be no room for complacency.
- 192.** *A Government representative of Argentina* said that forced labour could be best combated through labour inspections and an obligation to guarantee quality employment. Specific, continuous and effective measures, tailored to national contexts but respecting the fundamental principles and international agreements, were crucial. Argentina had taken steps to prevent trafficking in persons and forced labour; grant immigrants and their families, even undocumented immigrants, the same rights as nationals, including the right to social protection; and regularize the situation of large numbers of migrants. The IV Global Conference on Child Labour would discuss the eradication of child labour and the elimination of forced labour and consider active social inclusion policies, better education systems, the transition to the world of work and the creation of quality employment for young people. During preparatory meetings for that Conference, Argentina and Panama had urged other countries to ratify the Protocol as a tool to combat forced labour and facilitate the development of strategies on migration, monitoring and inspection and on guaranteeing decent work in supply chains. The Protocol provided a novel approach to the design of policies on the prevention of forced labour and the protection and compensation of victims. Argentina had enacted a law to prevent and punish trafficking in persons and support victims of trafficking and established a corresponding Executive Committee, and a unit in the Office of the Public Prosecutor was working to combat the impunity of perpetrators. He supported the draft decision.
- 193.** *A Government representative of India* said that the references to trafficking in persons and sexual exploitation contained in the Protocol should only be understood in the context of forced labour. New terms that had not been defined in international negotiations must be used cautiously and should not replace conventional terms. Her Government had undertaken various measures in implementing Convention No. 29, including increasing financial assistance for the rehabilitation of victims of forced labour and drafting an anti-trafficking in persons act. The ILO should provide information on how countries that had ratified the Protocol were addressing issues relating to the informal economy. It would be helpful to

organize a knowledge-sharing workshop to raise awareness of the challenges that might arise in the implementation of the Protocol.

Decision

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

- (a) to continue promoting the ratification of the Protocol of 2014 to the Forced Labour Convention, 1930;*
- (b) to continue raising extra-budgetary funds for the promotion and implementation of the Protocol of 2014 to the Forced Labour Convention, 1930, and the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203); and*
- (c) to continue supporting member States in the implementation of the Protocol of 2014 to the Forced Labour Convention, 1930, and Recommendation No. 203.*

(GB.329/INS/9, paragraph 35.)

Tenth item on the agenda

Review and possible revision of formats and standing orders for meetings

Proposed standing orders for global tripartite meetings ([GB.329/INS/10](#))

- 195.** *A representative of the Director-General* (Deputy Director-General for Management and Reform) said that in the draft decision the word “revision” had been replaced with “preparation” as no standing orders for tripartite global meetings yet existed; furthermore, the words “and rules” had been deleted.
- 196.** *The Employer spokesperson* said that the complexity of the issue and the differing views among constituents meant that more consultations were necessary in order to achieve consensus by the November 2017 session of the Governing Body. A generic set of simple and flexible standing orders were needed for all global tripartite meetings, although some differentiation may be needed between the different types of meetings. The “Introductory note on the International Labour Organization” and the “General characteristics of the meetings” could be revised, if the Office deemed it necessary. Since the Governing Body must have the flexibility to adapt the arrangements for each meeting according to particular needs, its prerogative to suspend or modify the standing orders should be preserved.
- 197.** The Employers agreed on the proposed scope of the standing orders, and did not object to the expected results of a meeting being specified in the standing orders, as long as they were not restricted to conclusions or a code of practice. The composition of and admission to global tripartite meetings must preserve tripartism and a balance between the number of seats allocated to Governments, Workers and Employers. The presence of an unrestricted number

of Governments, even as observers, would make it difficult to make progress within a working group and to achieve a result based on consensus. Further measures to make each group's internal coordination more effective – a task which was more difficult among governments – would help the members to gain ownership and ensure that all viewpoints were taken on board. As the outcome of sectoral meetings depended on the membership of the meetings, it was crucial that governments appointed representatives with a deep understanding and knowledge of the subject matter. The Employers supported the draft decision.

- 198.** *The Worker spokesperson* welcomed the fact that consultations would be held before any standing orders were submitted to the November 2017 session of the Governing Body. It was important to maintain clarity about the different meeting formats and to distinguish between standing orders for sectoral meetings and those for other global meetings. The Workers saw no need to provide for derogations; instead, there should be a clear understanding of the different settings for different meeting formats, and whenever possible they should have common rules. The important principle of balance and equal representation of all three groups had to apply for all meetings, and also to any working groups established within them. Instead of including Global Dialogue Forums with the technical meetings, it might be preferable to consider them as a separate format and to discuss the specific standing orders that would apply to them.
- 199.** On the major changes and innovations, his group agreed with the proposal regarding the status of experts; however, separate rather than derogating provisions should be drafted to accommodate the specific composition and role of meetings of experts. With reference to the proposal for shorter technical meetings to discuss emerging issues, a two-day meeting might be insufficient for tripartite exchange leading to agreement; the format should be considered carefully, and a three-day duration would be better. Concerning the agenda of meetings, it should always specify what form the output of a meeting should take.
- 200.** As to composition, the Employers and the Workers had to maintain autonomy in selecting their representatives. The issue of representation must be addressed so as to avoid any weakening in the Workers' voice. Option (a) to allow all interested governments to participate was problematic, even if they were observers without speaking rights, as tripartite representation might be diluted. Option (b) therefore seemed to be the most appropriate solution, whereby the Office would invite governments that were particularly interested in terms of sectors, industries or issues, on the understanding that larger meetings would foresee greater participation of the social partners to ensure balance. His group also agreed to option (c) for meetings of experts. As experts did not represent a particular country, but served in a personal capacity, they must be selected on account of their expert knowledge, with a strong commitment to ensuring geographical and gender balance. It was up to each group to choose their experts.
- 201.** With regard to the officers of the meeting, the selection of the chairperson could continue to vary depending on the format of the meeting, as long as the procedure was clear. As to admission to meetings, he asked for clarification, as the Workers understood that ILO meetings were not generally open to the public. He agreed that the standing orders should outline the speaking and other participation rights of different sets of participants. In principle, speaking rights should be given to representatives but not to observers. For other groups, clear conditions should be provided for their right to speak. Furthermore, he stressed the need for sound management of procedures, such as time, number of experts, and preparatory meetings, and the need for participants to have a genuine interest in contributing to a positive outcome. It was also important that a specific budgetary allocation should be set aside for meetings, which could be re-established for emerging issues determined by the Governing Body or the International Labour Conference. The Workers agreed that the standing orders should include provisions on meeting procedures, subsidiary bodies,

languages and the record of proceedings. On the issue of consensus, it was important to reiterate that, in the context of the ILO, it did not mean unanimity but could be reached where there was a clear majority. The group also agreed on the proposed introductory note containing the typical composition of meetings, their typical length, and the typical length of the reports, provided there was enough flexibility to meet differing needs. The Workers supported the draft decision.

- 202.** *Speaking on behalf of the Government group*, a Government representative of Mexico said that it was regrettable that no set of standing orders was ready for adoption at the current session. Clearer rules would expedite proceedings and make for more informed participation by governments. A set of basic rules would enhance the transparency, predictability and effectiveness of tripartite meetings. All the elements mentioned in the document were relevant, and the Governments looked forward to dedicated tripartite discussions on the standing orders. The Governing Body should have the liberty to derogate at times from standard formats and standing orders in light of the circumstances. It was crucial to define expected results alongside the agenda because the goal would influence the type, composition and length of a meeting. The distinction between conclusions or other agreed statements and codes of practice or guidelines was sensible; however, a third standard format could be developed for ad hoc working groups established for a specific issue for which the Governing Body's agenda did not provide sufficient room. While the composition of some meetings would have to be restricted in order to achieve timely results, meetings would also benefit from the fair representation of governments from all regions and levels of development. Governments wished to discuss with the social partners the admission and active participation rights of observers. The establishment of meeting procedures would contribute significantly to more focused meetings in which all participants could take part on an equal footing. The typical composition and length of meetings should be incorporated in the standing orders themselves rather than the introductory note, with the possibility for the Governing Body to derogate from them. The Government group supported the draft decision, and urged the Office to convene tripartite consultations as soon as practicable, with a view to the adoption of standing orders in November 2017.
- 203.** *Speaking on behalf of ASPAG*, a Government representative of China said that his group was in favour of wide government participation, and requested that Government representatives should be accompanied by advisers and appointed substitutes. The governments attending a meeting should be selected by regional coordinators and a geographical balance maintained. Observers should be permitted to attend meetings, to speak at the introductory session and to have access to documents, but not to participate in the process of reaching consensus on the outcome document. Experts must serve in their individual capacity, not as representatives of governments or other interests, and be highly qualified; furthermore, their appointment should take account of geographical and gender balance. The Chairperson must be impartial and competent, and should be appointed either by the meeting participants or selected through the Government group. ASPAG supported the codification of the concept of decision-making by consensus in line with paragraph 46 of the Introductory Note to the Standing Orders of the Governing Body. The group endorsed the draft decision.
- 204.** *Speaking on behalf of the Africa group*, a Government representative of the Sudan said that the Governing Body should have the right to suspend or modify standing orders for global tripartite meetings to suit the situation. As more consultations on the standing orders were needed, his group supported the draft decision.
- 205.** *Speaking on behalf of GRULAC*, a Government representative of Panama stressed that sufficient time for consultations was necessary to reach tripartite consensus. Standing orders applying to all kinds of tripartite meetings would unify rules and practices and simplify proceedings; however, the rules applying to technical meetings should be sufficiently flexible to allow for adjustment to suit a wide variety of situations, while guaranteeing

transparency, inclusiveness and the equal sovereignty of States. The purpose of any revision of the note on “General characteristics of meetings” should not be to formally set out current practices regarding the most usual forms of tripartite meetings; the scope, agenda and expected results, composition, the right to take part in the work of a meeting and meeting procedure, among other aspects, should be covered in substantive provisions and not in an introductory note, in order to prevent duplication and confusion. There should be broad and inclusive consultations on the development of standing orders in order to achieve tripartite consensus.

- 206.** *A Government representative of China* said that drawing up clear standing orders was an urgent matter, especially in relation to meetings of experts as they had started to play an important role in preparing discussions of Conference Committees in recent years. Representatives at tripartite meetings should be accompanied by an equal number of advisers. Experts must be highly qualified and a balance must be maintained between regions. Interpretation in ILO working languages should be provided if the budget allowed.

Decision

- 207.** *The Governing Body requested the Director-General to take account of its guidance in the preparation of the Standing Orders for tripartite global meetings and the Introductory note, and to convene consultations with a view to presenting standing orders to the Governing Body for adoption at its 331st Session in November 2017.*

(GB.329/INS/10, paragraph 14, as amended by the Governing Body.)

Eleventh 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.329/INS/11](#))

- 208.** *A representative of the Director-General* (Deputy Director-General for Management and Reform) said that the Office had continued discussions with the Government of Myanmar but was yet to finalize agreement on the renewal of the Memorandum of Understanding between the two parties and on the associated Action Plan. The delays were due largely to issues related to engagement with the military to address forced labour. Discussions would continue to ensure agreement was reached as soon as possible.
- 209.** *The Chairperson* drew attention to some amendments to the draft decision contained in paragraph 19 of the document proposed by the Officers of the Governing Body.
- 210.** *A Government representative of Myanmar* said that while peace and national reconciliation were his Government’s highest priorities, it was giving full attention to the social welfare of workers. It had made multiple efforts to ensure national development through tripartite cooperation based on social justice, including the improvement of workplace safety and the provision of social protection and health care. Since 2012, 12 domestic laws had been amended or enacted and 11 outdated laws were currently under review. His Government had ratified the Maritime Labour Convention, 2006, which would enter into force in Myanmar

in May 2017. Although it was not possible to provide exact data for under-age recruitment within the time frame specified in the document, 810 under-age recruits had been discharged from the military and returned to their parents or guardians since 2012, and punitive actions had been taken against 421 military personnel. Between 2007 and December 2016, 753 complaints on under-age recruitment had been channelled through the complaint mechanism under the Supplementary Understanding, of which 318 had been settled, 416 referred back to the ILO for closure and 19 were pending. Further improvements to the mechanism were required, including greater consistency among documents regarding the number of complaints on under-age recruitment and the use of civilians as porters in conflict areas, as well as closer cooperation at the technical level.

- 211.** Concerning land management, a central committee on confiscated farmland and other land had been established in 2016 and had since developed several policies, procedures and a workplan. By January 2017, over 240,000 acres of land had been returned by the Tatmadaw to their original owners. With regard to training and awareness raising on forced labour, 31 of a planned 112 billboards had been installed in 11 regions and 104 talks and training sessions had been held. Sixty-six billboards and 220 banners advocating the prevention of under-age recruitment had been put up in 286 townships. A mutual agreement on the Memorandum of Understanding and Action Plan would support the Government's commitment to the elimination of forced labour, through ILO assistance. A meeting had been held earlier that month, with the participation of the ILO, to reach an agreement with stakeholders in Myanmar on the activities under the Action Plan, with the aim of signing the Memorandum of Understanding before the 329th Session of the Governing Body. Although it had not been possible to do so in time, the Government expected that it would be signed shortly.
- 212.** *The Worker spokesperson* noted the extension of the Supplementary Understanding and urged the Government to work with the ILO to implement it. Although the number of victims of forced labour appeared to have decreased, the ILO had received 306 complaints of under-age recruitment under the Supplementary Understanding in a period of less than a year. It was a matter of concern that under-age recruits to the Navy were considered to be outside the purview of the country task force on monitoring and reporting, on the basis that the Navy was not specifically listed in Security Council resolution 1612 (2005). The Government should immediately extend the coverage of the country task force to include the Navy, since such cases clearly fell under the purview of the Supplementary Understanding. The Government and the ILO should ensure as a matter of priority, that the perpetrators of forced labour were handed dissuasive penalties. It was deplorable that none of the 61 cases submitted to the Government had led to prosecution. Prison labour continued to be used for commercial and military purposes, particularly in Kachin, Northern Shan and Rakhine States and Sagaing Region. Farmers continued to complain about the use of forced labour in connection with land acquisition. Despite the advocacy efforts set out in the draft Action Plan, more efforts were needed. Multinational enterprises should undertake due diligence on human rights, at least with regard to labour rights. The ILO should bring brands, companies, workers and the Government together to guarantee the development of decent work in key industries and to work towards the negotiation of sectoral collective agreements. Further information should be provided on the new High-Level Working Group, which appeared to consist solely of representatives of Government ministries and did not include social partners or affected communities, whose contribution to fighting forced labour was valuable. It was regrettable that the Government had not yet agreed a new Memorandum of Understanding, although it had expressed support for its renewal in September 2016. The Government was urged to speedily adopt the Action Plan and extend its duration beyond December 2017, to allow time for its effective implementation. The establishment of a Technical Working Group was welcome, although further information about measures to safeguard victims from retaliation was needed. The Government should provide information on the composition of the tripartite working group, the number of cases that it had received

and reviewed and the measures taken in response to complaints to the Governing Body. Detailed information on the prosecution and sentencing of perpetrators of forced labour was particularly important. The Workers viewed the apparent absence of trade unions from the tripartite working group and discussion on the development of the draft Action Plan as a major shortcoming. Mature industrial relations remained key to combating forced labour and achieving decent work for all; the ILO should find the resources to continue and strengthen work on the freedom of association project, which addressed that area and had been terminated in 2015. Further labour law reforms were urgently needed; it was disappointing that the document no longer elaborated on the labour reform process, which should address the Labour Organization Law and the Settlement of Labour Disputes Law in particular. The ILO should work with the Government to identify priority reforms. Since the majority of outstanding complaints to ILO supervisory mechanisms came from conflict-affected areas, the Action Plan should focus on those areas in particular. Armed conflict did not exonerate member States from their obligations to combat the use of forced labour. He supported the draft decision, as amended.

213. *The Employer spokesperson* said that he welcomed the information presented and appreciated progress made since the previous session of the Governing Body. There was clearly more to be done through continued cooperation between the Government of Myanmar and the ILO to implement the Supplementary Understanding. The Employers supported the renewal of the Memorandum of Understanding with an updated further phase of the Action Plan. He supported the draft decision, as amended.

214. *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran expressed the hope that the new political environment in Myanmar would create greater space for workers' rights. ASPAG commended the long-standing cooperation of the Government of Myanmar with the ILO and took note of the extension of the Supplementary Understanding. It was to be hoped that the Memorandum of Understanding, with an updated phase of the Action Plan, would be renewed. The ILO should continue to offer Myanmar technical cooperation on the elimination of forced labour and other areas, including decent work, freedom of association and job creation. ILO technical cooperation should comply with the Government's requirements on the promotion and protection of labour rights.

215. *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said that the EFTA country Norway, member of the European Economic Area, aligned itself with the statement. The EU attached great importance to human rights and the universal ratification and implementation of international labour standards. It therefore welcomed the progress on democratic transition in Myanmar and the new Government's steps to improve human rights. In June 2016, the EU had adopted a new strategy with that country, identifying fundamental human rights and economic engagement as key areas. Labour market reforms would lead to inclusive sustainable development and promote fundamental labour rights and practices. The joint Initiative to Promote Fundamental Labour Rights and Practices in Myanmar, involving the Governments of Myanmar, the United States, Japan, and Denmark as well as the European Union and the ILO, sought to encourage the Government of Myanmar to develop modern and cohesive labour legislation in line with international labour standards, ensuring dialogue between all relevant stakeholders. A gender action plan adopted to promote gender equality and the rights of women and girls in Myanmar included objectives to end violence against and trafficking in women and girls, increase women's participation in peace-building and political processes and ensure girls' right to education. Noting with concern the statistics on trafficking in persons, the speaker supported the ILO's efforts to strengthen capacity to combat that practice and called on the Government to protect the rights of persons belonging to minorities. Noting the renewal of the Supplementary Understanding in November 2016, he welcomed the continuing low level of incidences of forced labour. However, under-age recruitment, the use of civilians for portering or sentry duty, land and crop confiscation and prison labour remained areas of

concern, as noted by the UN Special Rapporteur on the situation of human rights in Myanmar in 2017. He urged the Government to continue to cooperate with the ILO under the Supplementary Understanding, and urged the Government to take action to renew the Memorandum of Understanding. The revised Action Plan should cover union, local and regional levels, including military and conflict-affected areas, in order to ensure that ethnic armed organizations were targeted. It should include an operational complaints mechanism, training for government personnel and an awareness campaign in order to work towards the elimination of forced labour. That Action Plan and a renewed Memorandum of Understanding would allow for a DWCP to be established in the future, contributing to coherence with other programmes in the country. The EU offered its continued support and supported the draft decision, as amended.

- 216.** *Speaking on behalf of ASEAN*, a Government representative of Cambodia took note of the positive developments in the promotion and protection of labour rights in Myanmar and commended the Government of that country on the extension of the Supplementary Understanding until December 2017. Since efforts to promote and protect workers' rights were producing results, the ILO should continue to provide technical cooperation to Myanmar, not only on the elimination of forced labour but also in areas such as freedom of association, DWCPs and the creation of a better environment for micro-, small and medium-sized enterprises.
- 217.** *A Government representative of the United States* said that while the Government of Myanmar had taken steps to address the Governing Body's requests, the commitments that it had made to the Governing Body in November 2016 remained to be satisfactorily met. The Government should promptly initiate regular meetings of the Technical Working Group to coordinate inter-ministerial follow-up on forced labour complaints and address all pending cases submitted over the previous year. She supported the full participation of the ILO in the UN country task force on monitoring and reporting, and the referral of cases of child soldiers to that body. Complaints of under-age recruitment and enforced naval service were within the remit of the Supplementary Understanding complaints mechanism. The Government should work with the ILO to address those complaints. Moreover, it should conclude the Memorandum of Understanding and associated Action Plan without further delay. The Action Plan must include activities to address forced labour in conflict-affected areas, in view of the high levels of forced labour in those areas. The extension of the Action Plan to the end of December 2017 was insufficient; a multi-year Action Plan would avoid the delays in implementation that occurred during periods of renewal. The civilian Government and the military bore responsibility for the elimination of forced labour. The military must renew and strengthen its engagement with the ILO to eliminate forced labour throughout the country. A stronger list of accomplishments was expected by the 331st Session of the Governing Body. She supported the draft decision, as amended.

Decision

218. *The Governing Body:*

- (a) *urged the continued cooperation between the Government of Myanmar and the ILO to implement the Supplementary Understanding;*
- (b) *requested the Government to agree, as a matter of urgency, to a renewed Memorandum of Understanding and Action Plan to enable the ILO to continue providing the full range of its technical support, training and awareness-raising activities in support of the Government's commitment to the elimination of forced labour, including increased efforts at the state and union levels and in disadvantaged and conflict-affected regions;*

- (c) *requested the Director-General to pursue discussions on the development of a Decent Work Country Programme (DWCP) in which the elimination of forced labour was included as a core component;*
- (d) *requested the Director-General to provide a comprehensive update on further progress to the 331st Session of the Governing Body in November 2017.*

(GB.329/INS/11, paragraph 19, as amended by the Governing Body.)

Twelfth item on the agenda

Complaint concerning non-observance by the Republic of Chile 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 Maternity Protection Convention (Revised), 1952 (No. 103), the Workers' Representatives Convention, 1971 (No. 135), and the Labour Relations (Public Service) Convention, 1978 (No. 151), made under article 26 of the ILO Constitution by a delegate to the 105th Session (2016) of the International Labour Conference ([GB.329/INS/12\(Rev.\)](#))

- 219.** *The Chairperson* informed the Governing Body that, in a communicated dated 16 March 2017, the Government of Chile had submitted additional, detailed information in relation to the comments of the CEACR concerning Convention No. 87.
- 220.** *The Worker spokesperson* noted the labour reform carried out in Chile, particularly the adoption of Act No. 20940 after the submission of the article 26 complaint. The Committee of Experts had noted with satisfaction that certain provisions of that Act had addressed a number of issues that were the subject of past comments, while others had yet to be addressed. His group requested the Government of Chile to continue its efforts to align its legislation and practice with Conventions Nos 87 and 98, based on the supervisory bodies' comments. He reiterated the joint position that standard ILO procedures should be adopted to seek compliance with ratified Conventions, and the article 26 procedure should only be used as a last resort, for serious violations and a persistent lack of compliance. In addition, the present complaint had been tabled by a delegate of Peru without the expected prior consultations with the Chilean workers' organizations concerned. He supported the draft decision.
- 221.** *The Employer spokesperson* supported the draft decision. He underscored the Worker spokesperson's statement that the article 26 procedure should be reserved for the most serious cases and as a last resort.
- 222.** *A Government representative of Chile* recalled that following the military dictatorship, the return to democracy in Chile since 1990 had provided an opportunity for the country to embark on various legislative reforms, including in relation to labour. During the reform processes, the Government had ratified the fundamental ILO Conventions, including Nos 87 and 98, and it was continuing progressively to align its legislation with ILO standards. The most recent labour reform, the adoption of Act No. 20940 of 8 September 2016, concerned trade union rights and collective bargaining, for which preparations had included wide

tripartite consultations at the national level and ILO support. The supervisory bodies' comments had been taken into account at all stages of the legislative processes.

- 223.** The article 26 complaint had been submitted shortly before the adoption of the new Act. The Chilean Government had always supported the ILO's supervisory system, and it was regrettable that the complaint procedure had been misused. The ILO Constitution implied that commissions of inquiry were established only for the most serious cases of repeated and widespread violations, which did not apply in the present complaint. The complaint contained unsubstantiated arguments of alleged violations of five Conventions. There were no arguments at all to support the allegations concerning Conventions Nos 103 and 151. The allegations concerning the remaining three Conventions had been addressed by the national labour reform. The CEACR had conducted an extensive analysis of Act No. 20940 and had noted with satisfaction the legislative amendments that had been introduced further to its comments. Act No. 20940 provided for matters such as: elimination of the exclusion of certain categories of workers from collective bargaining; recognition of inter-enterprise unions to bargain collectively; strengthening of unions' right to information; simplification of the collective bargaining process; expansion of the scope of bargaining; strengthening of anti-union protection; elimination of an employer's right to unilaterally extend benefits of a collective agreement to unaffiliated workers; and a prohibition on the replacement of striking workers. The Act also provided for the establishment of a Higher Labour Council, a new body for tripartite social dialogue. Furthermore, the Act incorporated the gender perspective in relation to union rights, by guaranteeing women's representation in trade union leadership and negotiating committees, promoting gender equity, and providing for agreements on balancing family responsibilities. Furthermore, it introduced a tool to address the gender wage gap in the context of collective bargaining. The Act therefore not only promoted progress in accordance with the supervisory bodies' recommendations concerning Conventions Nos 87 and 98, but also complied with other ILO Conventions. Chile had therefore more than demonstrated its commitment to international labour standards. The complaint and request for a commission of inquiry should therefore be dismissed.
- 224.** *Speaking on behalf of GRULAC*, a Government representative of Panama recalled that the complaint had been presented prior to the revision of the Labour Code in Chile. The CEACR had conducted a preliminary analysis and welcomed a large number of the reforms included in the revised Labour Code. GRULAC welcomed in particular the creation of a permanent mechanism for social dialogue, and gender-sensitive regulations to guarantee representation of Chilean women workers on negotiating committees and trade union executive bodies. As such, there was sufficient motive to close the complaint. It was regrettable that a commission of inquiry had been requested, as a prudent and progressive approach should be applied to the supervisory mechanisms, with article 26 procedures reserved for the most serious cases. The group supported the draft decision.
- 225.** *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said that the following countries aligned themselves with the statement: Turkey, Serbia, Albania, Bosnia and Herzegovina, Norway, Republic of Moldova and Switzerland. The Government of Chile had been working since 1990 to reform the Labour Code to ensure compliance with ILO Conventions, notably in the areas of collective bargaining and freedom of association. Following extensive tripartite dialogue and political debate, the new Labour Code had been prepared and would enter into force shortly. The complaint under discussion had been presented prior to the labour reform, and the new Labour Code addressed important allegations relating to freedom of association. In light of that information, the complaint was unfounded and constituted a misuse of article 26. Recognizing the central role of the supervisory system in implementing labour standards, he repeated the call for all constituents to ensure its proper use to guarantee its continued credibility and effectiveness. He supported the draft decision.

- 226.** *A Government representative of Spain* noted the successful transition from dictatorship to democracy in Chile and other Ibero-American States, and the subsequent forward-looking focus. That democratization was reflected in Chile's new labour legislation. The new legislation was in line with the ILO Conventions, therefore an article 26 procedure and any ongoing discussion of the matter were unwarranted. Furthermore, the supervisory system should not be used to discuss, at an international forum, national matters that had not received the requisite prior consideration. The Governing Body should therefore explicitly recognize the Chilean Government's compliance with its obligations under the Conventions and close the procedure.
- 227.** *A Government representative of the United States* said that the case should not be referred to a commission of inquiry nor should it be subject to further consideration under article 26. He agreed that that procedure should be reserved for only the most serious cases; the issues that required examination should be referred to the Committee of Experts. He supported the draft decision.
- 228.** *A Government representative of Uruguay* recognized the progress made in Chile to modernize labour relations, including the adoption of Act No. 20940. The conditions to close the article 26 procedure had been met, and as such he supported the draft decision. Finally, he called on all parties to use ILO's supervisory system in an appropriate and balanced manner, to ensure that it was not undermined.
- 229.** *A Government representative of Argentina* expressed his strong support for the draft decision and applauded the Government of Chile for the significant progress it had made.
- 230.** *The Chairperson* noted that the information from the Government of Chile dated 16 March 2017 would be communicated to the CEACR.

Decision

- 231.** *In light of the observations of the Government, in particular concerning the labour law reform recently adopted, and the comments thereon by the Committee of Experts on the Application of Conventions and Recommendations (CEACR), the Governing Body:*
- (a) invited the CEACR to continue its examination of any pending issues concerning the application of the Conventions concerned;*
 - (b) decided that the complaint not be referred to a commission of inquiry and that, as a result, the procedure under article 26 of the ILO Constitution be closed.*

(GB.329/INS/12(Rev.), paragraph 6.)

Thirteenth item on the agenda

Complaint concerning non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 101st Session (2012) of the International Labour Conference under article 26 of the ILO Constitution ([GB.329/INS/13\(Rev.\)](#))

- 232.** *The Special Representative of the Director-General in Guatemala* providing an update of his Office's activities since the 328th Session of the Governing Body, said that the Tripartite Committee on International Labour Affairs had adopted a schedule of meetings to assess progress in implementing the roadmap. With ILO support, all aspects of the complaint had been examined. The tripartite exchange of views on the roadmap's key indicators would continue in the coming months. He had attended a meeting at which the President of Guatemala had consulted the social partners and the relevant government departments concerning progress with regard to the complaint and he hoped that such consultations would continue. His Office would continue to support the Congressional Labour Committee's efforts to raise awareness of the fundamental principles and rights at work. His Office had also carried out awareness-raising activities on issues such as international labour standards, freedom of association, decent work and the ILO resolution concerning the promotion of sustainable enterprises among employers in the textile, garment and banana industries, opinion-makers and journalists. As a result, the private media had provided the public with information on the complaint and he hoped that the media would be able to work directly with the executive branch and, in particular, with the Ministry of Labour and Social Welfare, which had organized awareness-raising activities on freedom of association, the 2030 Agenda and SDG 8. Together with an ILO external consultant, his Office was working with the judiciary to draft regulations governing the labour and social security courts; regulations on the enforcement of sentences were also planned. The Supreme Court was beginning work on a code of labour procedure and the ILO might wish to provide assistance in that regard. He commended the efforts carried out by the employers and workers to reach bipartite agreements, of which the Government had been informed, on the content of the two bills presented to Congress for adoption. In this respect, he commended the adoption by Congress of Bill No. 5198 the final text of which incorporated the amendments jointly agreed by the social partners. However, the priority issues mentioned in paragraph 54 of the report must be addressed as a matter of urgency. In this respect, he emphasized the importance of extending the awareness-raising campaign on freedom of association and collective bargaining to the private media.
- 233.** *The Worker spokesperson* said he had been encouraged to learn that, with the support of the Director-General Special Representative, the trade unions and the employers had agreed on a set of draft amendments to Bill No. 5198 concerning the restoration of the authority of the labour inspectorate to impose penalties. The adoption by Congress of the Act as amended by the social partners was indeed a very encouraging development.
- 234.** Once again, however, the Government had failed to clarify the murders of trade unionists and to establish an institutional framework to protect them; only 11 of the 70 reported cases had led to convictions and even then, despite the views expressed by the Committee of Experts, the Committee on Freedom of Association (CFA) and the International Commission against Impunity in Guatemala (CICIG), the Public Prosecutor's Office and the courts had found no link between the victims' trade union activities and their deaths. Moreover, the

Government was still falling short in performing actions as basic as taking witnesses' statements and performing ballistic analyses. He regretted that the Protocol for the Implementation of Security Measures had not been published in the *Official Gazette*, apparently owing to a lack of funds, and hoped that funding for its implementation would be available. The Government had stated that 1,900 cases in which employers had refused to comply with reinstatement orders for victims of anti-union dismissals had been referred to the courts but had not indicated the outcome of those proceedings. The trade unions had not been consulted during the preparation of Bill No. 5199, seeking to bring legislation into conformity with Convention No. 87, which did not fully reflect the recommendations made by the Committee of Experts and purported to amend provisions of the Labour Code that had not been commented by the experts of ILO supervisory bodies. The Bill retained the option of imposing criminal penalties on peacefully-striking workers and did not extend the right to organize to some categories of public sector workers. He urged the Government to reconsider those provisions, request legal assistance from the ILO and hold consultations with the social partners before pursuing the Bill's adoption. His group had serious concerns about the recently introduced, overly complex and unnecessary procedures for the registration of trade unions. It also regretted the assault on the right to bargain collectively; the vicious attack on collective agreements, of which only seven had been concluded during the reporting period; and the allegation that workers were responsible for the budget crisis in health care and public services. He urged the Government to stop these attacks and, instead, to put into effect the awareness-raising campaign on freedom of association, the right to work and the right to organize as agreed in the roadmap. Lastly, he noted the constructive role played by the Special Representative of the Director-General in Guatemala and supported the draft decision.

- 235.** *The Employer spokesperson* said that the draft legislation restoring the labour inspectorate's authority to impose penalties was a breakthrough for tripartite dialogue in Guatemala; he called on the trade union representatives to engage constructively in the effort to develop a code of labour procedure. The complaint had been on the Governing Body's agenda for a number of years and there had been significant progress but, as the Worker spokesperson had said, further efforts were needed. He encouraged the Government to devote continued attention to implementation of the roadmap, acknowledged the support provided by the Special Representative of the Director-General and reiterated the importance of achieving a final resolution to the case at the next session of the Governing Body. His group supported the draft decision.
- 236.** *A Government representative of Guatemala* expressed her appreciation for the expressions of support received after the recent tragedy at a children's shelter in her country. An investigation was under way and her Government had undertaken to increase its efforts to promote decent work, the lack of which was one cause of children's vulnerability.
- 237.** The high-level delegation to the Governing Body of which she – the Minister of Labour and Social Welfare – was a member was proof of her Government's commitment to implementing the roadmap. The adoption of Bill No. 5198 would promote a culture of respect for labour rights in the country and had the support of the President of the Republic. To that end, the labour inspectorate was being strengthened through, among other things, the establishment of a Probity and Transparency Unit. Judgments had been handed down in 18 of the cases involving the murder of trade union members, arrest warrants had been issued in seven cases and two cases were subject to judicial debate. Public Prosecutor's Office General Directive No. 1-2015 was being implemented in cooperation with the Trade Union Technical Committee on Comprehensive Protection and the Special Investigation Unit for Crimes against Trade Unionists was being strengthened. The working group that included labour and social welfare magistrates and the Special Investigation Unit had begun its work, and the Protocol for the Implementation of Security Measures for trade union members, officers, activists and leaders, and labour rights activists had been published. At the workers'

and employers' request, Congress had allocated additional time to the discussion of Bill No. 5199; she urged the parties to address the pending issues quickly and responsibly so that the Bill could be adopted. Since the 328th Session of the Governing Body, 24 trade unions had been registered and six collective agreements approved, a national policy on decent employment had been developed through tripartite dialogue and there had been progress in preventing and eradicating child labour, promoting OSH and implementing Convention No. 169. She reiterated her Government's concern with regard to examination of the same allegations by multiple ILO supervisory bodies; such duplication of effort could undermine their functioning. Her Government requested that the case be closed and that no further consideration be given to setting up an unwarranted commission of inquiry that would result in a loss of market access and take jobs from the country's most vulnerable workers.

- 238.** *Another Government representative of Guatemala* said that the Congressional Labour Committee, which he chaired, had made the complaint one of its priorities. The historic Labour Code reform had been achieved through tripartite dialogue and was supported by the Ministry of Labour and Social Welfare. Congress was committed to implementation of the roadmap and, in particular, to the adoption of Bill No. 5199 by consensus through dialogue with the Government, the trade unions and employers with a view to the overall development of Guatemala.
- 239.** *Another Government representative of Guatemala* said that the Public Prosecutor's Office, which she represented, recognized the importance of fulfilling the commitments set out in the roadmap, particularly with regard to the investigation, prosecution and conviction of the perpetrators and instigators of the murders of trade unionists; respect for the principle of freedom of association; and application of the human rights Conventions ratified by Guatemala. To that end, it was implementing policies and guidelines and taking concrete action to protect the lives and safety of individuals and pursue a democratic, inclusive, preventive and effective policy in cooperation with the CICIG, the Ministry of the Interior and the trade unions. Round-table discussions had facilitated investigation of the murders, and prosecution and conviction of those responsible, thus protecting trade union members and leaders from threats and assaults on themselves, their families and their property. The Public Prosecutor's Office had requested security measures and risk assessments in response to complaints and had provided the Special Investigation Unit with additional staff. She thanked the ILO for its continuing support for her Government's efforts.
- 240.** *Another Government representative of Guatemala* said that of the 3,000 calls received on the hotline established under key indicator 3, only 19 had in fact been directly related to union members; showing that this phone number should be used in a responsible manner. Nevertheless, the Government maintained constant contact with all trade union leaders through an instant messaging application for smartphones, and was thus able to respond to emergencies in real time. Round tables had been held with trade union leaders regarding the Protocol for the Implementation of Security Measures; the Government was highly committed to that issue. When carrying out murder investigations it was important to clarify whether the murder was related to the victim's labour activities. No link had been proven in a number of recent cases. The Government remained committed to resolving the remaining cases; new cases were being dealt with far quicker than in the past.
- 241.** *Speaking on behalf of GRULAC*, a Government representative of Panama took note of the large number of high-level representatives present in the Guatemalan delegation. The various efforts to implement the roadmap were appreciated, including on the law to restore the authority of the labour inspectorate to impose penalties and the labour reform law, which should be adopted as soon as possible. Work to boost the awareness-raising campaign on the right to organize and collective bargaining was noted. He urged the Guatemalan Government to continue efforts to tackle threats and assassination attempts against trade union officials, unionized workers and others seeking to organize themselves in trade unions. All sectors

and groups should continue to work together to implement current and future agreed measures. Such measures should be agreed on a tripartite basis through constructive and participatory social dialogue to find lasting solutions that fully complied with Convention No. 87. The rights to collective bargaining and freedom of association were essential to ensuring decent work. GRULAC therefore welcomed the support provided by the ILO, through the Special Representative of the Director-General for Guatemala, and urged the continuation of technical cooperation to ensure full implementation of the roadmap. The simultaneous use of different ILO supervisory bodies and duplication of work was a cause of concern, since it could serve as a distraction and make it difficult for governments to improve a situation. He expressed the hope that the case could soon be closed. He supported the draft decision.

242. *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said that the candidate country Montenegro, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, and the EFTA countries Norway and Switzerland, members of the European Economic Area, as well as the Republic of Moldova aligned themselves with his statement. He welcomed the efforts of the Guatemalan Government to ensure respect for the rule of law and acknowledged its political commitment to increasing engagement with the ILO to implement the roadmap. Progress on Bill No. 5198 to restore the authority of the labour inspectorate to impose penalties was welcomed. It was regrettable, however, that there had been no agreement on a bill to ensure conformity with Convention No. 87; he urged the holding of consultations with a view to adopting a new law prior to the 331st Session of the Governing Body. The lack of progress on roadmap indicators was a cause of concern. With respect to murders of trade union officials and members, prevention and protection mechanisms should be strengthened and it was noted that the scope of the awareness-raising campaign was limited. The implementation of reinstatement orders following anti-union dismissals of workers should be ensured. Constructive social dialogue was essential in order to identify national solutions. Concrete, rapid and substantial progress was needed and the EU and its Member States stood ready to accompany Guatemala in its efforts to comply with ILO Conventions. The Guatemalan Government should present further progress in the legislative field and on the implementation of the roadmap at the following session of the Governing Body, and the decision on whether to establish a commission of inquiry should be postponed until that time. He supported the draft decision.

243. *A Government representative of the United States* expressed appreciation for the Guatemalan Government's efforts to meet its commitments under the roadmap. Legislation that would restore the labour inspectorate's authority to impose penalties should be implemented in a way that ensured penalties were imposed through an expedited administrative and judicial process that ensured effective remedies for underlying violations. Legislation addressing long-standing recommendations by the Committee of Experts relating to Convention No. 87 should receive tripartite support and be passed quickly. The Ministry of Labour should accelerate efforts to make the labour inspectorate more transparent, effective and self-sustaining, including by finalizing the legal instruments to establish an anti-corruption unit. The Government should provide the additional resources required by the labour inspectorate in all regions of the country. It should address the elements of the roadmap that still required action, in particular the fact that few of the instigators or perpetrators of violence against trade unionists had been prosecuted and that the majority responsible for the murders of trade unionists remained at large. Strengthened cooperation among public authorities should be more effective and more opportunities for collaboration with social partners in the investigation of those murders was to be encouraged. The Government should take measures to increase compliance with labour court orders, in particular with respect to reinstatement in cases of dismissals for union activities, by developing accountability and transparency procedures for judicial enforcement of such orders and expediting the Public Ministry's prosecution of non-compliance with labour court orders. It was critical to

effectively investigate anti-union discrimination and eliminate barriers to the registration of trade union organizations and granting of credentials to union leaders that led to delays, and to expedite the process for reviewing collective bargaining agreements. He supported the draft decision.

- 244.** *A Government representative of the Dominican Republic* acknowledged the determination and effort shown, and the progress achieved, by the Government of Guatemala in following up on its commitments under Convention No. 87 in respect of standards compliance, promotion of human rights, strengthening of dialogue and collective bargaining in the workplace. She expressed gratitude for the technical assistance provided to the countries of her region, adding that they trusted they could continue to rely on the Organization in the essential task of promoting decent work. Finally, she expressed concern at the simultaneous use and the duplication of control mechanisms within the ILO. She supported the draft decision.
- 245.** *A Government representative of Canada* said that the Guatemalan Government should continue making the required changes to the Labour Code and ensure their effective and timely enforcement. The Guatemalan Government should address violence against trade union leaders, including murder. She expressed concern about the slow pace of implementation of the roadmap and encouraged the Guatemalan Government to make every effort in that regard. Canada remained committed to supporting respect for human rights and labour rights in Guatemala and called for further progress in law and practice. Constructive and meaningful tripartite social dialogue and continued implementation of the Memorandum of Understanding and the roadmap should be achieved through tripartite cooperation. She supported the draft decision.

Decision

- 246.** *Taking into account the information communicated by the Government and workers' and employers' organizations of Guatemala in relation to the key indicators and the roadmap, and noting the efforts made to promote social dialogue, the Governing Body:*
- (a) encouraged the social partners and the Government to further engage in constructive social dialogue to achieve the full implementation of the roadmap;*
 - (b) requested the international organizations of employers and workers to support the strengthening of dialogue between the national social partners;*
 - (c) expressed again its expectation that it would be informed before the 331st Session (November 2017) of the passage into law of legislation that fully conformed with the conclusions and recommendations of the ILO supervisory system and with Convention No. 87;*
 - (d) invited the international community to facilitate the necessary resources to enable the office of the Representative of the Director-General in Guatemala to pursue its strong support for the tripartite constituents in implementing the Memorandum of Understanding and the roadmap; and*

(e) *deferred until its 331st Session (November 2017) the decision on the appointment of a commission of inquiry.*

(GB.329.INS/13/(Rev.), paragraph 55.)

Fourteenth 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.329/INS/14\(Rev.\)](#))

247. *The Worker spokesperson* said that the Qatari Government's claim that Law No. 21 of 2015 concerning the entry, exit and residence of migrant workers had abolished the *kafala* system was regrettable, when that law prevented workers from switching employers before the end of their contract or in the first five years of an indefinite contract. Although the ILO's supervisory bodies and the high-level tripartite visit had repeatedly requested the removal of all restrictions that prevented migrant workers from terminating their employment relationship or leaving employment on reasonable notice and although the steps Qatar needed to take to abolish the *kafala* system had been made clear, the Government appeared to ignore explanations and recommendations and presented the same deficient legislation to the Governing Body. The statistics provided on transfers to a new employer did not indicate the total number of transfer applications, the grounds on which transfer applications had been granted or denied or when the transfers had taken place. The Workers had been presented with cases where employers had changed fixed-term contracts to indefinite contracts without the knowledge and consent of workers in order to prevent them from changing employment for the following five years. The fact that workers needed an exit permit issued by the sponsor to leave the country had repeatedly been criticized by the ILO's supervisory bodies.
248. Although the Emir had announced that the exit permit would be retained with the employer, the Qatari Government suggested in its report that under Law No. 1 of 2017, workers had an intrinsic right to leave the country without an exit permit. However, that law continued to require workers to notify their employer of their exit from the country and maintained the employer's right to object, without identifying the grounds for doing so. Workers could appeal against an employer's objection but often lacked the means or were afraid to do so. The grounds for denial of an exit permit listed in the Government's report should be indicated clearly in the Law or in its implementing regulations. Other nations managed such matters without subjecting an entire population to constraints. In addition, workers were frequently accused by their employer of civil and criminal offences with no basis in fact, or of acts that should not be illegal – including collective action – in order to prevent them from leaving the country. Workers should only be charged with offences that met international norms and were supported by evidence.
249. No meaningful progress had been made with regard to recruitment fees. Legislation banning recruitment fees excluded any payment made outside Qatar and there was no evidence that penalties were imposed on recruitment agencies or employers for charging workers fees, nor was there any indication of the penalties applicable. The Government's report did not indicate how the agreements concluded with 36 countries tackled recruitment, or how their implementation was monitored. Despite the provisions of Law No. 21 of 2015 on the

- requirement for an approved contract to grant work visas, it was unclear how contract substitution was prevented on arrival.
- 250.** The provisions of Law No. 21 of 2015 on passport confiscation had been noted. The requirement to return passports had also previously existed under Law No. 4 of 2009. However, there was no evidence that the provisions prohibiting passport confiscation were meaningfully enforced; indeed, evidence from Amnesty International indicated that most workers had had their passports confiscated. The statistics provided by the Qatari Government indicated that few fines had been imposed, but did not indicate their amount. Although the Council of Ministers of Qatar had agreed to promulgate a law on migrant domestic workers, no such law had been decreed or promulgated. The Government had made no progress on the matter, despite its claims to the contrary.
- 251.** The hiring of additional labour inspectors, including female inspectors, was a welcome development. The dearth of interpreters, however, would make it difficult to conduct competent inspections involving a migrant workforce. The report did not indicate whether reported violations had been addressed, remedies obtained or penalties imposed. Infringement reports had been issued in less than 10 per cent of cases where infringements had been found; the penalties imposed as a result of those reports were unclear.
- 252.** Government claims concerning occupational safety and health could not be verified since the Government no longer published morbidity and mortality statistics on migrant workers. The number of migrant worker injuries and deaths reported in 2016 was far lower than general statistics on emergency room treatment would suggest. Furthermore, the Government's report did not refer to occupational disease, in spite of a recommendation to that effect issued in a 2014 report commissioned by the Government of Qatar itself. The injury statistics confirmed the presence of workers from the Democratic People's Republic of Korea in Qatar in 2016; their employment had been described by the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea as amounting to forced labour.
- 253.** The information provided by the Government did not address the concerns raised regarding access to justice. The ten of a promised 90 electronic kiosks set up for workers to submit complaints had functioned suboptimally when inspected in 2016. Although the Government had indicated that workers' dispute resolution committees would be established, the necessary amendments to the Labour Code had not been adopted. He encouraged the Government to inform the Governing Body of the latest developments and to clarify whether the dispute resolution mechanisms would encompass collective labour disputes.
- 254.** The Government had not provided the requested information on judicial proceedings instigated and penalties applied to employers who imposed forced labour, nor indicated whether workers in settled cases had received a full remedy. In light of the overwhelming evidence to the contrary, it was impossible to establish that substantive progress had been made in relation to forced labour and labour inspection.
- 255.** While the adoption of the Wage Protection System was a welcome development, it was impossible to assess coverage without information on the total number of companies in the country. Moreover, electronic transfer payment systems did not guarantee that workers were paid the right amount. A mere 26 of 692 cases involving failure to pay due wages had been referred to public prosecution. There was no evidence to demonstrate that workers received their wages in arrears, or that employers were fined in a dissuasive manner.
- 256.** Without genuine labour laws that allowed for the representation of workers, there could be no effective safety or grievances processes in the workforce and employers would continue to have total control over employees. The Workers encouraged the Government to allow the ILO

an office in Doha to receive monetary complaints, provide technical assistance and report progress to the Governing Body.

- 257.** The case of Nepalese migrant worker Ujjwol Bk, known as Basanta illustrated that the *kafala* system continued to be operational. Despite Government assurances that no worker would face retaliation for speaking to the high-level tripartite delegation in Qatar, Basanta had been dismissed after doing so. Furthermore, instead of returning his passport to him, his former employer had sent it to his new employer in exchange for 4,650 Qatari rials, deducted from Basanta's salary. His was the situation of many workers.
- 258.** With regard to the draft decision submitted by the Government of the Sudan, the request in subparagraph (b), to provide copies of the legislation concerned, would not be sufficient to assess whether that legislation was being applied in a manner consistent with Conventions Nos 29 and 81. Furthermore, the changes to subparagraph (c) removed many details relating to technical assistance and the need to develop an integrated approach; such vague reference to technical assistance would fail to ensure that the areas of concern underlying the complaint would be addressed. The removal from subparagraph (d) of the reference to deferring consideration of the appointment of a commission of inquiry to November 2017 wrongly suggested that Qatar had complied with the issues that gave rise to the article 26 procedure. It would also undermine the credibility, values and supervisory mechanism of the ILO and betray the many migrant workers in Qatar who were living in conditions of slavery in the twenty-first century. The Governing Body had just agreed to defer to November the consideration of the appointment of a commission of inquiry for Guatemala given that that country had signed but not yet complied with a roadmap. The Governing Body should not treat Qatar in a different way from Guatemala; one of the guiding principles of the supervisory system was fairness. The Workers supported the original draft decision formulated by the Officers of the Governing Body, which was balanced.
- 259.** *The Employer spokesperson* acknowledged the significant progress made by the Government of Qatar in its follow-up to the high-level tripartite visit. Given the variety and extent of the reforms introduced over a short period, it was easy to understand the disappointment and frustration felt by many Government and Employer representatives from the region at the fact that the case remained on the Governing Body agenda. Nonetheless, it was true that some issues had not been addressed or addressed fully. The Qatari Government must provide information on measures to effectively abolish the *kafala* system. It was hoped and expected that the entry into force of Law No. 21 of 2015 would contribute effectively to its abolition. The Government must ensure protection for domestic workers; the draft law on that issue had not yet been made public. Moreover, it should continue to engage with the ILO on the elaboration of a technical cooperation programme to support an integrated approach to the abolition of the *kafala* system, the improvement of labour inspection and occupational safety and health systems and giving a voice to workers. If those three objectives were achieved by November 2017, he saw no reason why the complaint against Qatar should not be closed. The Qatari Government, the ILO and others were encouraged to work towards that goal. The Employers' group supported the original draft decision.
- 260.** *An Employer member from the United Arab Emirates* said that the Government of Qatar had reaffirmed its commitment to taking the necessary measures to support decent work, workers' rights and conditions, in light of its agreement to implement all international labour Conventions effectively. Its report indicated that Qatar had fully cooperated with and fully responded to all the requests made by the Governing Body in October 2016. He called on the Governing Body to set a date for the closure of the complaint in November 2017. He supported the amended draft decision submitted by the Government of the Sudan, especially subparagraph (d).

- 261.** *A Government representative of Qatar* said that his Government had shown full commitment to cooperating with the ILO since the original article 26 complaint had been filed. Since the entry into force of Law No. 21 of 2015, the number of workers who had transferred to work for other employers without the agreement of the previous employer had more than doubled. He reiterated his Government's readiness to make use of the technical assistance programme of the ILO through the proposed technical assistance project, which included all the items raised in the complaint. One year after the implementation of the Wage Protection System established by Ministerial Order No. 4 of 2015, more than 2 million workers were covered by the system and it was expected that the number of incoming workers who were not registered would quickly fall. His Government had paid particular attention to the inclusion of small and medium-sized enterprises (SMEs) in that system. Since it was essential to have a mechanism to implement the new labour legislation, efforts had been made to strengthen labour inspection and the number of labour inspectors had more than doubled since the complaint was first filed. His Government had entered into partnerships with regional and international organizations to develop capacity-building programmes for labour inspectors.
- 262.** Moreover, it had signed 36 bilateral agreements with labour-sending countries and drafted a list of employment offices authorized to provide migrant worker recruitment services. The Ministry of the Interior was establishing means of communication between labour-sending countries and enterprises to provide greater protection to workers before employment and to better control employment practices. A Ministry of Labour office had been created in the State courts to provide information and legal assistance to workers wishing to file complaints. The approach adopted by his Government to meet its international commitments was based on five key pillars: prevention; protection; increased provision of remedies; awareness raising; and implementation. The Ministry of Labour had conducted over 150 field visits to major enterprises and organized 100 workshops and lectures for workers in order to inform them of their rights under national legislation. A national committee to combat human trafficking had been established, in line with the Protocol of 2014 to the Forced Labour Convention, 1930. The Law on Domestic Workers had been approved by the Council of Ministers in early February 2017 and would be promulgated shortly.
- 263.** His Government had reached an agreement in principle with the ILO during the visit to Doha by an ILO technical delegation in February 2017, which had provided advice and observations on the technical cooperation agreement. The ILO would carry out a review of workers' committees, in accordance with article 13 of the Labour Code, in consultation with employers and workers and would develop projects to guarantee that workers had a voice. Qatar had clearly demonstrated its commitment and willingness to ensure a productive and participatory environment that was useful to all parties, with legal guarantees based on international labour standards and human rights Conventions.
- 264.** Regarding the case of Basanta, a court ruling had been issued and the dispute settled. The worker had received the payments due to him, his passport had been returned and he was working for a new employer of his choice. Qatar would submit the recent documentation on that case to the Office after the session.
- 265.** *The Chairperson* asked the Office to clarify the reference made by the Government representative of Qatar to the signing of a technical cooperation agreement, as there appeared to have been a misunderstanding.
- 266.** *A representative of the Director-General* (Director, NORMES) said that the main aim of the February 2017 mission to Qatar had been to provide technical advice on a draft technical cooperation programme prepared by the Ministry of Administrative Development, Labour and Social Affairs to support an integrated approach to the annulment of the sponsorship system, the improvement of labour inspection and occupational safety and health systems, and giving a voice to workers. The visit had resulted in a constructive ongoing dialogue on technical

cooperation between the Ministry and the Office and this constructive dialogue was what was referred to as an agreement in principle by the Government representative of Qatar.

- 267.** *A Government representative of the Sudan* commended the Government of Qatar on the positive steps taken to ensure workers' rights, including the implementation of the Wage Protection System, which 160,000 SMEs had joined, and the entry into force of Law No. 21 of 2015, which had benefited over 5,000 workers. Qatar had spared no effort to address all of the issues highlighted in the complaint, had cooperated fully with the ILO and had implemented the recommendations of the high-level tripartite delegation, the Committee of Experts on the Application of Conventions and Recommendations and the Conference committees. The Governing Body should adopt a decision which meets the expectations of all and takes into account the compliance of Qatar with the recommendations issued; on that basis, the Government of the Sudan had submitted a proposal for amendments to the draft decision to the Office.
- 268.** *A Government representative of the United Arab Emirates* expressed support for the statement made by the Government representative of the Sudan and his proposed amendments to the draft decision.
- 269.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran praised the Qatari Government's efforts to address the issues raised in the complaint and to ensure constructive dialogue, including the implementation of Law No. 1 of 2017, and the measures to limit contract substitution. ASPAG encouraged the Qatari Government to continue to engage productively with the ILO in the development and implementation of a technical cooperation programme. It was hoped that the final decision adopted by the 329th Session of the Governing Body would reflect a consensus.
- 270.** *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said that the European Free Trade Association country Norway, member of the European Economic Area and Switzerland aligned themselves with her statement. She welcomed the detailed report provided by the Qatari Government and the measures taken, including the adoption of the Law on Domestic Workers and the establishment of the Grievances Committee. Law No. 21 of 2015 had shown a promising start in the first three months since its entry into force. However, the new measures would make a genuine difference only if that law were properly implemented. Further action was required to ensure the full abolition of the *kafala* system, including: the elimination of recruitment fees paid by workers, even in their country of origin; the enforcement and follow-up of the legislation prohibiting passport confiscation; and the facilitation of access to complaint mechanisms. Workers should not be deprived of the right to change jobs. The Government should ensure that the new Law on Domestic Workers entered into force without delay and was implemented in full conformity with the ILO Conventions. Dispute settlement committees for workers needed to be established and easily accessible. Furthermore, the Government should agree with the ILO on a technical cooperation programme to support decent work. All stakeholders in Qatar should support actions initiated by enterprises and international trade unions to promote best practices. She endorsed the original draft decision.
- 271.** *Speaking on behalf of the Gulf Cooperation Council*, a Government representative of Bahrain said that the report of the Government of Qatar demonstrated its willingness and efforts to improve the situation of its workforce; the radical changes that had been introduced were only a few examples of a large package of structural reforms that had been carried out. Concerning the technical cooperation programme, he encouraged further collaboration between the ILO and the Qatari Government. The Gulf Cooperation Council was confident that the Government's measures would result in full compliance with the Forced Labour Convention, 1930 (No. 29) and the recommendations of the high-level tripartite delegation. The Governing Body should take into account the progress achieved and encourage Qatar to continue moving

towards the objective of social justice for all workers. He supported the amended draft decision and expressed the hope that the complaint would be settled during the 331st Session of the Governing Body.

- 272.** A *Government representative of Mauritania* commended the serious commitment demonstrated by the Government of Qatar in addressing the issues outlined in the complaint. He welcomed the steps taken to improve workers' conditions, noting in particular the introduction of bank accounts allowing them to receive remittances directly and the high number of companies registered under the new Wage Protection System. Law No. 21 of 2015 and the strengthening of the labour inspection system under Convention No. 81 were major steps forward. He supported the amended draft decision.
- 273.** A *Government representative of the United States* welcomed the entry into force of Law No. 21 of 2015 and the introduction of the grievance mechanism. He encouraged the Qatari Government to continue with the Wage Protection System registration campaign and to increase enforcement efforts to ensure that all enterprises were covered and that all workers received the correct wages. He looked forward to the signing by the Emir of the pending legislation that would provide domestic workers with enforceable rights and to its full implementation. However, further measures and continued implementation were necessary in order to achieve compliance with the Conventions in question. The fact that workers were required to obtain their employer's permission before leaving the country even under Law No. 1 of 2017 suggested that, as under the *kafala* system, they did not yet have full freedom of movement. Similarly, the Government had not yet removed all legal restrictions preventing migrant workers from terminating their employment relationship in the event of abuse or prior to the completion of a fixed-term contract. The Government should implement the critical measures still in the planning stages without delay. He looked forward to the completion and implementation of the planned national strategy for inspection, as well as the submission of additional detailed statistics regarding enforcement and the effective application of dissuasive penalties. He also looked forward to the signature of a finalized technical cooperation agreement and the initiation of technical cooperation activities before the Governing Body's November 2017 Session. The Government required additional time to address issues of non-compliance with Conventions Nos 29 and 81 by satisfying the recommendations of the high-level tripartite mission. He supported the original draft decision.
- 274.** A *Government representative of the Bolivarian Republic of Venezuela* said he welcomed the information provided by the Government of Qatar on the measures it had taken and saw no need to nominate a commission of inquiry, given the level of compliance and commitment made by the Government with regard to Conventions Nos 29 and 81. He also welcomed that workers' rights were being enforced. He was confident that the Government would continue to make progress and that the complaint could be closed. He supported the amended draft decision.
- 275.** A *Government representative of Thailand* said that the Government of Qatar had made numerous positive efforts to improve the lives of its expatriate workers over the past two years. The measures taken demonstrated its commitment to engaging with the ILO in order to comply with Conventions Nos 29 and 81. Additional time should be accorded to the Government to implement the recommendations.
- 276.** A *Government representative of China* noted the positive progress made by the Government of Qatar in implementing the Governing Body's recommendations, which demonstrated that it had the political will to resolve the compliance issues. He supported Qatar's call for recognition of its efforts. Strengthened technical cooperation between the Qatari Government and the ILO would help resolve the remaining issues.

- 277.** *A Government representative of Turkey* said that the measures taken by the Government were an indication of its willingness and commitment to continue its efforts to address the issues raised in the complaint. Time was needed for the new measures and regulations introduced to improve working conditions to become effective and obtain visible results. He encouraged the Government to step up its efforts and to continue working closely with the ILO. He looked forward to a compromise being reached between the wording of the original and the amended draft decision.
- 278.** *A Government representative of Jordan* said that the comprehensive information provided in document GB.329/INS/14(Rev.) was evidence of the Qatari Government's transparency and reflected its goodwill and cooperation with the ILO and its efforts to take positive action to improve working conditions. He commended Qatar's commitment to sign and immediately implement a technical cooperation agreement with the ILO. He looked forward to further progress that would enable the case to be closed as soon as possible. He supported the amended draft decision.
- 279.** *A Government representative of Pakistan* noted with appreciation the legislative and other measures taken by the Qatari Government, which reflected its commitment to improving working conditions in line with international standards. Sufficient time should be allowed for the measures taken to show results and for their effectiveness to be assessed. He welcomed Qatar's readiness to avail itself of the ILO's technical cooperation. He endorsed Qatar's call for recognition of its endeavours and supported the amended draft decision.
- 280.** *A Government representative of Cuba* welcomed the measures taken by the Qatari Government and its efforts to strengthen social dialogue and negotiation. She wished to place on record that her Government was in favour of measures and programmes that promoted technical assistance and left room for governments to take action to resolve issues in an atmosphere of cooperation and exchange. She supported the amended draft decision.
- 281.** *A Government representative of Canada* strongly encouraged Qatar to work expeditiously in implementing the necessary reforms to ensure that they led to positive and substantive changes in the living and working conditions of all migrant workers. In particular, enhancing worker freedoms and mobility and ensuring health and safety at work were essential. She welcomed the preliminary advances towards technical cooperation between Qatar and the ILO and urged the Government to finalize an agreement as soon as possible. She also urged Qatar to finalize the approval and implementation of the proposed draft Law on Domestic Workers as quickly as possible. Her Government was prepared to work with Qatar in its efforts to meet international labour standards through appropriate training and capacity building. She supported the original draft decision.
- 282.** *A Government representative of Algeria* welcomed the efforts of Qatar to bring national legislation on migrant labour into line with ILO standards and to implement the Governing Body's recommendations, which clearly reflected the Government's political will and commitment. He encouraged it to continue those efforts and the collaboration it had begun with the ILO to initiate technical cooperation to develop its labour standards. He aligned himself with the member States supporting the amended draft decision.
- 283.** *A Government representative of the Islamic Republic of Iran* said that the Government of Qatar had demonstrated its willingness to enhance the working conditions of workers and emphasized that the ongoing reforms required ample time to become institutionalized. He called on the Office to provide the Government with the necessary assistance to enable it to better meet its commitments with regard to the promotion and protection of workers' rights. He expressed the hope that the Governing Body would be able to reach a consensus on the language of the draft decision.

284. *The Chairperson* invited the regional groups and member States that had not yet expressed their preference for either the original draft decision proposed by the Office or the amended draft decision proposed by the Government of the Sudan to take the floor to do so. Opinions expressed thus far had diverged, with the Workers' and Employers' groups supporting the original draft decision and the Government group supporting the amended draft decision. Recalling the recent words of the Director-General when presenting the Programme and Budget for 2018–19 on the need to transmit the message that tripartism worked well, he encouraged members to find a solution to unite all three groups.
285. *The Employer spokesperson* reiterated that his group supported the original draft decision.
286. *The Worker spokesperson* also reiterated that his group supported the original draft decision.
287. *The Chairperson* said that, nevertheless, the question was whether there could be some form of encouragement for the Government of Qatar, which had taken measures and made apparent progress. He suggested a possible compromise by amending the formulation of the preambular paragraph of the original draft decision to begin "Noting with interest", deleting "for its consideration; and" from the end of subparagraph (c), and deleting any mention of a commission of inquiry.
288. *A Government representative of the Sudan* said that, given that the amendment proposed by his Government did not go into the substance but simply sought to encourage the Qatari Government to achieve positive results, and out of concern to reach a consensus decision, he agreed to the Chairperson's suggestion.
289. *A Government representative of Bahrain* endorsing the comments made by the representative of the Government of the Sudan, supported the Chairperson's suggestion.
290. *A Government representative of Qatar* said that it was his Government's wish for a consensus to be reached by all constituents and therefore agreed to the Chairperson's suggestion, which reflected the positive steps taken by his Government. Moreover, the progress made thus far ruled out the need to establish a commission of inquiry.
291. *The Chairperson* said that there was a clear majority in favour of adopting the original draft decision.

Decision

292. *Recalling the decisions adopted in its 325th Session (November 2015) and 328th Session (November 2016) and noting the recent measures taken by the Government to implement Law No. 21 of 2015 relating to the entry, exit and residence of migrant workers as well as to further follow-up on the high-level tripartite delegation's assessment, the Governing Body decided to:*
- (a) *request the Government of Qatar to continue to provide information to the Governing Body at its 331st Session (November 2017) on further measures to effectively implement Law No. 21 of 2015 relating to the entry, exit and residence of migrant workers; and to further follow-up on the high-level tripartite delegation's assessment;*
- (b) *request the Government of Qatar to provide information to the Governing Body at its 331st Session (November 2017) on measures taken to effectively implement Law No. 1 of 4 January 2017 relating to the entry, exit and*

residence of migrant workers, the Law on Domestic Workers of 8 February 2017 as well as the Law establishing Workers' Dispute Resolution Committees of 19 October 2016 upon their entry into force and to provide official copies of these three laws to the Committee of Experts on the Application of Conventions and Recommendations at its forthcoming session (22 November–9 December 2017);

- (c) request the Government of Qatar to continue engaging with the ILO in the elaboration of a technical cooperation programme to support an integrated approach to the annulment of the sponsorship system, the improvement of labour inspection and occupational safety and health systems, and giving a voice to workers and to provide information on such programme to the Governing Body at its 331st Session (November 2017) for its consideration;*
- (d) defer further consideration on the appointment of a commission of inquiry until its 331st Session (November 2017).*

(GB.329/INS/14(Rev.), paragraph 3.)

Fifteenth 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), made under article 26 of the ILO Constitution by several delegates to the 104th Session (2015) of the International Labour Conference ([GB.329/INS/15\(Rev.\)](#))

293. *The Employer spokesperson* said that the complaint concerned long-standing, serious and urgent allegations of stigmatization and intimidation directed against the Federation of Chambers and Associations of Commerce and Production of Venezuela (FEDECAMARAS) and its members and affiliates and serious deficiencies in social dialogue. The tripartite high-level mission conducted in January 2014 had highlighted the need to establish structured bodies for tripartite social dialogue and, noting that no tangible progress had been made in that regard, had called for immediate action to build a climate of trust based on respect for employers' and trade unions' organizations with a view to promoting solid and stable industrial relations. It had requested then the Venezuelan Government to devise a plan of action that provided for, among other things, the establishment of a round table to deal with the recovery of estates and the expropriation of enterprises and a tripartite dialogue round table to deal with matters relating to industrial relations, including consultations to bring new legislation on labour, social or economic matters into line with the Conventions on freedom of association and collective bargaining; both round tables were to include the ILO in their work. However, despite numerous promises, the Government had yet to develop such a plan of action and, since November 2015, decisions had increasingly been taken

without consultation and private companies harassed on the pretext of an economic emergency that had suspended constitutional and economic guarantees. In December 2016, the Government had arrested two toy company executives, seized almost 4 million toys and handed them out to poor children as Christmas gifts in a clear violation of economic and civil liberties and labour rights; such measures had a direct impact on employment, the sustainability of enterprises and decent work. In January 2017, the Government had invited the FEDECAMARAS to two formal meetings in the Ministry of Labour but had also increased by 50 per cent the minimum wage for public and private employees by presidential decree, without consultation, in violation of Conventions Nos 26 and 144. The Employers were demanding an end to the threats and harassment and the institutionalization of genuine social dialogue through the establishment of a tripartite round table with the presence of a high-level ILO representative, who would visit the Bolivarian Republic of Venezuela on a regular basis to ensure that the round table was operational and that the recommendations of the supervisory bodies were being implemented. Unless the Venezuelan Government was prepared to make a clear, immediate and concrete commitment, reflected in a plan of action, his group would call for the establishment of a commission of inquiry at the 331st Session of the Governing Body. The draft decision should be amended to read: “The Governing Body decides: (A) to urge the Government to implement as soon as possible the following actions: (a) to immediately cease all acts of interference, aggression and stigmatization against FEDECAMARAS, its affiliated organizations and their leaders; (b) to institutionalize a tripartite round table, with the presence of a high-level representative of the ILO Director-General, to foster social dialogue and to implement the decision and recommendations of the high-level mission of January 2014, and to ensure that FEDECAMARAS and its member organizations, leaders and affiliated companies, as well as trade unions, can freely carry out their legitimate activities in line with the decisions of the ILO supervisory bodies relating to Conventions Nos 87, 144 and 26; (B) to request the Director-General to instruct a high-level representative to undertake regular missions to the country in order to assess directly the follow up of the present decision and to submit a report at its next session; (C) to postpone the decision to establish a commission of inquiry until its 331st Session (November 2017)”.

294. *An Employer member from Colombia*, speaking also on behalf of Latin American employers in the Governing Body, said that the Employers’ group did not normally make use of article 26 of the ILO Constitution, preferring to cooperate with governments on issues such as freedom of association, tripartite consultation and fixing of the minimum wage; the fact that 31 Employer members had submitted the present complaint was proof that they had seen no other way to address the extremely serious allegations made therein. The new Minister of Labour’s efforts to change the Government’s attitude towards the FEDECAMARAS and its affiliates, while welcome, had been fruitless. The Employers sought dialogue not only with the Government, but also with workers. The continuing harassment, intimidation and attacks on freedom of association were having an impact on the economy, which had deteriorated further in 2016. Of particular concern were the Government’s recent public policy decisions, which, while lawful, sought to undermine employers’ and workers’ organizations. When the Governing Body examined serious situations affecting workers, it typically provided for closer verification and the Employers had supported such decisions in the past. He called on the Workers to support the amendments to the draft decision that his group had proposed, prompted by the need not only to establish a tripartite round table but also to request the Director-General to consider sending a high-level representative in order to observe the situation in the country, ensure the safety of the FEDECAMARAS and its members, demonstrate the Office’s support for their complaints and bring an immediate end to the interference, aggression and stigmatization directed against them.

295. *The Worker spokesperson* said that his group recognized the problems faced by employers in the Bolivarian Republic of Venezuela and the failure to implement the recommendations of the tripartite high-level mission. The question was how to proceed; the draft decision had

been agreed by the three groups and reflected the Governing Body's practice of taking a series of steps before deciding whether to set up a commission of inquiry. He would prefer to hear the Government's views before commenting on the amendments proposed by the Employers' group.

- 296.** *A Government representative of the Bolivarian Republic of Venezuela* said that his delegation had listened carefully to the statements made by the Employer and Worker spokespersons. His Government had already replied to all the questions relating to the complaint in a timely manner and had reported all recent progress in document GB.329/INS/15(Rev.). He wished to reiterate in plenary that the Government of the Bolivarian Republic of Venezuela had encouraged social dialogue and was continuing to strengthen it and that his delegation would keep the Organization informed of such matters as it had done in the past. It should be borne in mind that, as his delegation had stated in plenary at the previous session of the Governing Body, President Nicolás Maduro Moros had publicly appealed to all of the country's employers to commit to overcoming the current economic situation and had continually stressed that the Government stood ready to cooperate fully as needed.
- 297.** In January 2017, immediately upon taking up his duties as Minister of Labour, he had invited the employers' organization, FEDECAMARAS, to official meetings held on 11 and 31 January 2017, at which the issues raised in the complaint – which, as the Governing Body knew, were the same allegations as those made in Case No. 2254, currently before the Committee on Freedom of Association – had been addressed in a cordial, respectful manner. His Government had expressed its appreciation for these meetings and, moreover, the President of the FEDECAMARAS had explicitly and publicly welcomed and expressed his appreciation for them. His Ministry had also exchanged written communications with the FEDECAMARAS on issues such as the concept of outsourcing in the employment relationship and consultation on the country's minimum wage. At those meetings and in those communications, the issue of compliance with ILO Conventions Nos 87, 26 and 144, which his country had ratified, had been addressed. It was worth noting that, that dialogue had taken place even though his country was feeling the impact of a complex economic situation. Within the framework of the Governing Body and as a sign of his delegation's willingness to enter into dialogue, it had met with representatives of the Employers' group, the IOE and the FEDECAMARAS and had stressed the importance of strengthening the dialogue process.
- 298.** For all of those reasons, his Government considered it inappropriate to set up a commission of inquiry; to do so would be counterproductive since the groundwork for continued strengthening of social dialogue in his country had been laid and the Government was certain that it would be productive. He reaffirmed his Government's complete and sincere desire to continue to implement in full the ILO Conventions ratified by his country; it would continue to make every effort to pursue and strengthen social dialogue in accordance with the Constitution and legislation of the Bolivarian Republic of Venezuela. His delegation supported paragraph 5(a), (b) and (c) of the report under the agenda item since it would be inappropriate to set up a commission of inquiry.
- 299.** Lastly, on behalf of his Government, he wished to thank the Director-General of the ILO, Mr Ryder, who had been playing his role in an extraordinary manner by promoting the best outcome of the complaint that could be achieved through social dialogue.
- 300.** *Speaking on behalf of GRULAC*, a Government representative of Panama said that tripartite dialogue was an essential tool to ensure social stability, overcome the economic crisis and promote recovery in the Bolivarian Republic of Venezuela. It was hoped that the technical assistance provided by the ILO would contribute to strengthening tripartite dialogue and the climate of trust. With the late submission of the proposed amendments by the Employers,

his group had not had time to examine and discuss them in detail. He supported the draft decision.

- 301.** *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said that the candidate country Albania, the country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, the EFTA country Norway, member of the European Economic Area, as well as the Republic of Moldova and Switzerland aligned themselves with his statement. He acknowledged that the Bolivarian Republic of Venezuela was experiencing serious political, social and economic challenges. The two meetings held in January 2017 between the Government and the FEDECAMARAS were an encouraging first step. However, further work was needed to ensure that such consultations translated into action and that all social partners, including the FEDECAMARAS, were able to carry out their activities. To that end, the Government should set up a tripartite round table, with the presence of the ILO, and elaborate a solid plan of action for social dialogue. The continued attacks and acts of discrimination and intimidation against the FEDECAMARAS and its leaders, reported by the Employers, were deeply regrettable. It was the Government's responsibility to take the lead in easing tensions and building trust among parties. He expressed support for the original draft decision, but could be flexible if the social partners reached a consensus among themselves.
- 302.** *A Government representative of the Russian Federation* noted the continuing constructive cooperation between the Venezuelan Government, the ILO and social partners on the implementation of freedom of association and other rights provided for in ILO Conventions. Social dialogue was beginning to bear fruit and the Government had provided answers to questions raised by the Organization. Measures were being taken to promote tripartite dialogue, which included the FEDECAMARAS. He reiterated his concern that the same complaints were addressed through several procedures, as already discussed by the Governing Body. He was against the establishment of a commission of inquiry.
- 303.** *A Government representative of the United States* expressed deep concern regarding the serious allegations of non-compliance with international labour standards, with particular regard to freedom of association; notably, acts of intimidation, harassment and stigmatization by the Venezuelan Government against the FEDECAMARAS and a lack of genuine social dialogue. He urged the Government to implement the recommendations made by the CEACR. He recalled that the Government had agreed to include the FEDECAMARAS in socio-economic round tables, and urged the Government to take steps to create an environment for social dialogue, free from intimidation and harassment. While the participation of the FEDECAMARAS in consultations to discuss, inter alia, the minimum wage, tripartite consultations and the CFA Case No. 2254 was a step forward, he expressed concern about allegations of interference, aggression and stigmatization at those meetings. Additionally, no concrete plan had resulted from those consultations. The Government's indication that dialogue would continue through the National Council on the Productive Economy was a concern, as that was not a substitute for genuine social dialogue. The Government had had time to demonstrate meaningful progress, in particular by implementing the plan of action for social dialogue. He supported the amended decision and urged the Government to address the issues raised in the complaint in a meaningful manner.
- 304.** *A Government representative of Algeria* welcomed efforts by the Government to engage in dialogue and consultation with social partners, including the FEDECAMARAS, notably through two meetings between the FEDECAMARAS and the Ministry of Labour. The economic and social situation in the country, resulting from the decrease in oil prices, had meant that it had not been possible to formalize a dialogue process in line with the recommendations of the high-level tripartite mission. However, the Venezuelan Government was working constantly to establish a peaceful environment for dialogue and had requested proposals from the FEDECAMARAS regarding an increase in the minimum wage. The

Government had thus demonstrated its commitment to progress and to tackling the country's social and economic problems. He encouraged the Government to persevere in that regard, and supported the original draft decision.

- 305.** *A Government representative of the Dominican Republic* said that she commended the Venezuelan Government on the action it had taken regarding the complaint and trusted that it would continue to demonstrate political will and promote social dialogue to ensure compliance with the relevant Conventions. She supported the original draft decision.
- 306.** *A Government representative of the Islamic Republic of Iran* said that he applauded the willingness demonstrated by the Government and the FEDECAMARAS to reach an agreement regarding the complaint. While there was no need to appoint a commission of inquiry, the Government should continue its efforts to meet the commitments that it had made, and the Office should provide assistance to that end. He endorsed the original draft decision.
- 307.** *A Government representative of Pakistan* expressed appreciation for the significant measures taken and continued commitment demonstrated by the Government to ensure social dialogue with the FEDECAMARAS. It was not necessary to forward the complaint to a commission of inquiry, given that the Government was being requested to avail itself of ILO assistance. He supported the original draft decision.
- 308.** *A Government representative of Cuba* said that the supervisory bodies were not addressing the real needs of GRULAC countries, and they should guarantee transparency and impartiality in their work. The current methods employed by the supervisory bodies left them open to selective application and political manipulation, as was being witnessed in the case of the Bolivarian Republic of Venezuela. She firmly opposed the proposed establishment of a commission of inquiry, which was again being used to threaten the Venezuelan Government by retaining the item on the agenda of the Governing Body. The duplication of procedures should be avoided and emphasis placed on promoting social dialogue, rather than judging countries that were working in a spirit of cooperation. She expressed support for the original draft decision.
- 309.** *The Chairperson* presented a reformulated draft decision, following in-depth consultations.
- 310.** *A Government representative of the Bolivarian Republic of Venezuela* said that it was regrettable that his Government's concerns had not been taken into account during the consultations and that the consensus demonstrated on the original draft decision had not been sufficiently recognized. He favoured the adoption of the original draft decision.
- 311.** *The Chairperson* said that more time could be afforded to the consideration of the reformulated draft decision, if necessary. Many of the concerns raised by the Venezuelan Government had been taken on board during the consultations. He therefore recommended that it reconsider its position.
- 312.** *The Employer spokesperson* highlighted that draft decisions on complaints made under article 26 of the ILO Constitution were not negotiated with the Government of the country in question. The concerns of the Government involved were indeed taken into account, but priority was given to the considerations of the Employers and Workers and other Governments. He supported the new draft decision, as it reflected the best effort to find a consensus that addressed the views of the different constituents and accommodated the concerns of the Venezuelan Government. He was disappointed with the Government's reaction to the proposal.

- 313.** *The Worker spokesperson* said that the points raised by the Venezuelan Government had been taken into account to the extent possible, but that, ultimately, it was up to the Governing Body to make a decision on complaints made under article 26. He supported the new draft decision.
- 314.** *A Government representative of the Bolivarian Republic of Venezuela* expressed disappointment that the major efforts made to reach consensus on the original draft decision had not been taken into account and insisted that his Government would continue to ensure the promotion of dialogue.
- 315.** *Speaking on behalf of GRULAC*, a Government representative of Panama reiterated his support for the original draft decision, which was similar to the reformulated version.
- 316.** *A Government representative of Cuba* asked the Office to explain the differences between the original draft decision and the new one. She remained in favour of the original proposal.
- 317.** *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria expressed support for the new draft decision.
- 318.** *A Government representative of the Russian Federation* said that while he endorsed the original draft decision, there remained opportunities to make the text more balanced and achieve some middle ground.
- 319.** *A Government representative of the United States* said that he accepted the text agreed upon by the social partners.
- 320.** *A Government representative of the Dominican Republic* said that her delegation supported the original draft decision, which differed only slightly from the amended version.
- 321.** *A Government representative of Algeria* said that she remained in favour of the first draft decision. She proposed that adoption of the decision should be postponed until the following day, to allow further time for consideration.
- 322.** *A Government representative of Zimbabwe* said that while he appreciated the efforts made to produce a compromise text, he supported the original draft.
- 323.** *Speaking on behalf of GRULAC*, a Government representative of Panama said that the issue should be resolved at the current sitting and not postponed.
- 324.** *A Government representative of the Islamic Republic of Iran* reiterated his support for the original draft.
- 325.** *A Government representative of Cuba* requested clarification regarding the reference in the new version to making available “all necessary support” and allowing the ILO to carry out “periodic visits” to the country. Did that refer to a follow-up mechanism, or to something else? That reference did not appear in the original version of the draft decision and its meaning was unclear.
- 326.** *The Chairperson* said that “to make available all necessary support” was indeed a new element. However, the original draft decision requested the Government to “avail itself of technical assistance”. He saw a clear majority in favour of adopting the text that he and his fellow Officers had drafted with a view to finding consensus.

Decision

327. *Noting that two meetings took place between the Ministry of Labour and FEDECAMARAS, but regretting the lack of progress concerning the establishment of a social dialogue table and action plan referred to in the past by the Governing Body;*

Recalling the recommendations made by the High-level Tripartite Mission which visited the Bolivarian Republic of Venezuela in January 2014, which have not yet been implemented, the Governing Body decided:

(1) to urge the Government to implement as soon as possible the following actions:

(a) take measures to ensure that there were no acts of interference, aggression and stigmatization against FEDECAMARAS, its affiliated organizations and their leaders and to ensure that FEDECAMARAS and its member organizations, leaders and affiliated companies, as well as trade unions, could freely carry out their legitimate activities in line with the decisions of the ILO supervisory bodies relating to Conventions Nos 87, 144 and 26;

(b) institutionalize without delay a tripartite round table, with the presence of the ILO, to foster social dialogue for the resolution of all pending issues;

(2) to urge the Government to avail itself without delay of ILO technical assistance to these ends;

(3) to request the Director-General of the ILO to make available all necessary support in this regard and to provide for periodic visits to the country by the ILO;

(4) to defer the decision on the appointment of a Commission of Inquiry until its 331st Session (November 2017).

(GB.329/INS/15(Rev.), paragraph 5, as amended by the Governing Body.)

328. *A Government representative of the Bolivarian Republic of Venezuela said he wished to note expressly for the record that the decision had been adopted without tripartite consensus. Under paragraph 46 of the Introductory note to the Compendium of Rules applicable to the Governing Body of the International Labour Office, consensus was “characterized by the absence of any objection presented by a Governing Body member as an impediment to the adoption of the decision in question”. During the discussion, his Government had presented solid arguments rooted in the social dialogue that was currently being moved forward and strengthened in his country. On that basis, he did not support the amendment presented by the Employers’ group to paragraph 5 of the document. Furthermore, GRULAC States and numerous other governments had taken the same position, stating that they only supported the original text of paragraph 5. Nevertheless, the amended draft decision had been adopted without taking into consideration the broad support for the original draft decision. Only a minority supported the amendment presented by the Employers’ group. He requested the Chairperson and all members of the Governing Body to take note that the amended text of paragraph 5 had clearly been adopted without due tripartite consensus. His Government did not accept the decision, which lacked tripartite consensus.*

Sixteenth item on the agenda

Complaint concerning non-observance by the Bolivarian Republic of Venezuela of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Protection of Wages Convention, 1949 (No. 95), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 26 of the ILO Constitution by several delegates to the 105th Session (2016) of the International Labour Conference ([GB.329/INS/16\(Rev.\)](#))

- 329.** *The Worker spokesperson* expressed concern at the lack of respect for workers' rights in the Bolivarian Republic of Venezuela. During the high-level tripartite mission to the country in 2014 to examine matters pending, concerning the employers' allegations, meetings had also been held with trade union officials, at which testimonies had been heard regarding, inter alia, anti-union dismissals and persecution, obstacles to collective bargaining, and attacks and killing of trade unionists in the construction sector. The participating trade unions had expressed their willingness to engage in social dialogue with the Government and Employers. The mission report had included a recommendation to establish a tripartite round table, with the participation of the ILO, to deal with all matters relating to industrial relations, a matter reiterated in the decision under the separate article 26 complaint. While problems clearly persisted in the country, a commission of inquiry was not the most effective means with which to address them. His group suggested that in the decision, the Government should be urged to take concrete steps to deal with the issues raised in the Workers' complaint as well as that of the Employers, and to urgently resume tripartite social dialogue with a view to rapidly ensuring progress. Furthermore, he called on the Government to grant without delay the request for registration made by the Independent Trade Union Alliance (ASI) more than one year previously. He supported the draft decision
- 330.** *The Employer spokesperson* supported the draft decision.
- 331.** *A Government representative of the Bolivarian Republic of Venezuela* reaffirmed his country's commitment to the Conventions it had ratified, especially Conventions Nos 87, 95 and 111. At the previous session, his country had presented its arguments against the receivability of the complaint. The Governing Body should review the inappropriate practice of automatically considering article 26 complaints receivable. He welcomed the fact that his country's arguments concerning a duplication of procedures in relation to the allegations had been taken into account in the consideration of the complaint. Given the lack of grounds for the establishment of a commission of inquiry, the complaint should indeed be closed. He supported the draft decision.
- 332.** *Speaking on behalf of GRULAC*, a Government representative of Panama reiterated that at the 328th Session of the Governing Body, arguments had been presented in favour of an approach that would avoid duplication of procedures relating to the same case before different supervisory bodies. He supported the draft decision.
- 333.** *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said that the following countries aligned themselves with the statement: Albania, Bosnia and Herzegovina, Norway, Republic of Moldova and Switzerland. On the basis of

the information before the Governing Body, it was difficult to conduct a proper assessment of the allegations. He nevertheless noted that the Committee on Freedom of Association (CFA) had continually called on the Venezuelan Government to respect trade union rights and to protect union leaders from retaliation. In the light of the fact that some allegations raised in the complaint were being examined by the CFA and that others were within the remit of the Committee of Experts on the Application of Conventions and Recommendations (CEACR), both of which would report back to the Governing Body, he supported the draft decision.

- 334.** *A Government representative of Pakistan* supported the draft decision.
- 335.** *A Government representative of the United States* expressed deep concern over the allegations of violations of international labour standards, especially freedom of association. Noting that certain issues relating to Convention No. 87 had been the subject of repeated recommendations by the CEACR and the CFA, he urged the Government to act on them. As Conventions Nos 95 and 111 had not been examined by the CEACR recently, he supported the draft decision to have those aspects of the allegations examined by that Committee.
- 336.** *A Government representative of the Russian Federation* supported the draft decision, and fully endorsed the closure of the complaint. He expressed concern that the work of the ILO was being politicized through the submission of complaints against the Bolivarian Republic of Venezuela, which made every effort to observe international labour standards.
- 337.** *A Government representative of the Dominican Republic* welcomed the efforts undertaken by the Venezuelan Government and the social partners to obtain the consensus which had facilitated the positive outcome of the current case, thereby contributing to observance of international labour standards. The supervisory mechanisms served to ensure respect of ILO principles, provided that they were employed on the basis of transparency, objectivity and legal certainty. She supported the draft decision.
- 338.** *A Government representative of the Islamic Republic of Iran* said that, in the light of the submissions of the Government of the Bolivarian Republic of Venezuela, there was no need to appoint a commission of inquiry for the present case. He supported the draft decision.
- 339.** *A Government representative of Algeria* commended the Venezuelan Government's engagement in social dialogue processes, and urged it to continue to do so, in line with the recommendations of the supervisory bodies. In the light of such efforts, coupled with the fact that the same allegations were being examined by other ILO supervisory bodies, it would be inappropriate to establish a commission of inquiry. The Government should be given time to allow the social dialogue process to produce concrete results and to enable the country to overcome its economic and social difficulties. He supported the draft decision.

Decision

340. *The Governing Body decided:*

- (a) to transmit all allegations of the complaint concerning Convention No. 87 to the Committee on Freedom of Association for their examination;*
- (b) given that all aspects of the complaint relating to Conventions Nos 95 and 111 had not been recently examined by the Committee of Experts on the Application of Conventions and Recommendations (CEACR), to transmit these allegations to the CEACR for their full examination;*

- (c) *that the complaint not be referred to a commission of inquiry and that, as a result, the procedure under article 26 of the ILO Constitution be closed.*

(GB.329/INS/16(Rev.), paragraph 7.)

Seventeenth item on the agenda

Reports of the Committee on Freedom of Association

381st Report of the Committee on Freedom of Association

([GB.329/INS/17](#))

- 341.** *The Chairperson of the Committee on Freedom of Association* said that the Committee on Freedom of Association (CFA) had taken note of 169 pending cases, of which 24 had been examined on their merits. It had issued urgent appeals in Cases Nos 2949 (Swaziland), 3018 (Pakistan), 3095 (Tunisia), 3185 (Philippines), 3189 (Plurinational State of Bolivia), 3202 (Liberia) and 3203 (Bangladesh); the Governments concerned should transmit their observations by 8 May 2017 so they could be taken into account in the Committee's next examination of the cases. The Committee had been obliged to examine Cases Nos 3076 (Republic of the Maldives) and 3183 (Burundi) without the benefit of information that could have been provided by the Governments in question. It postponed its decision to have recourse to paragraph 69 of its procedures in Case No. 3067 (Democratic Republic of the Congo), inviting the Government of that country to come before it at its June 2017 meeting.
- 342.** There had been significant progress in seven of the 11 cases in which the Governments had informed the Committee of measures taken to give effect to its recommendations leading to the Committee's decision to conclude its examination of Cases Nos 2547 (United States), 2788 (Argentina), 3002 (Plurinational State of Bolivia), 3013 (El Salvador), 3052 (Mauritius), 3063 (Colombia) and 3070 (Benin). He was particularly pleased to report that two Colombian companies and one Salvadorean company had signed collective agreements with trade unions and that the United States National Labour Relations Board (NLRB) had broadened its interpretation of the National Labour Relations Act to include student teaching assistants at private colleges and universities, thus enabling them to exercise their freedom of association rights.
- 343.** The Committee drew the Governing Body's attention to the serious and urgent nature of three cases. In Case No. 3191 (Chile), two investigations of the death of a worker during a strike action were under way and the National Human Rights Institute had filed a criminal complaint. The CFA had urged the Government to keep it duly informed of the findings of the investigations and to ensure that the perpetrators were brought to justice. In Case No. 2923 (El Salvador), although over seven years had elapsed since the murder of the General Secretary of the Union of Municipal Workers of Santa Ana (SITRAMSA), neither the perpetrators nor any accomplices had been brought to justice. The Committee had once again urged the Government and the competent authorities to take all possible steps to identify the perpetrators without delay and to ensure that the alleged anti-union motives were thoroughly investigated. In Case No. 2445 (Guatemala), more than 12 years after the murder of the Secretary-General of the Trade Union Federation of Informal Workers, a suspect had been identified but the investigations had not led to the prosecution and punishment of those responsible. The CFA had emphasized that it was essential, in combating impunity, for those who had planned and carried out the murder and the motives of the crime to be clarified once

and for all and for the perpetrators to be prosecuted and punished by the courts. Regarding the allegations of death threats against members of the Itinerant Vendors' Trade Union in 2005, the Committee had urged the Government to ensure that, in future, any reports of anti-union violence against, threats to or harassment of members of the trade union movement triggered immediate and effective investigations by the competent public authorities and the implementation of adequate protection measures.

344. *The Employer spokesperson* stressed that there had been progress in the discussion of working methods with a view to improvement in the Committee's operations, trustworthiness and tripartite governance, all of which were important to its credibility and to the impact of its efforts. The Employers welcomed the progress achieved thus far and remained committed to participating actively in the discussion in order to further improve the Committee's operations and the impact of its work. Several achievements were particularly noteworthy.
345. First and foremost, **the subcommittee's functioning** had made it possible to: (1) set the agenda of the Committee's meetings in a tripartite manner; (2) identify priority cases for examination; and (3) improve the handling of and response to cases in follow-up. Those functions, which were still subject to the Committee's decision in plenary, were an improvement from the point of view of transparency and tripartite governance. The Employers requested that the Governing Body take note of the positive impact of the subcommittee's establishment and operations and that it be permitted to meet at all future sessions with a view to continued improvement in the Committee's work. They would also continue to suggest ways to increase awareness of the cases that the Committee planned to examine at its next session in order to give governments a better idea of the additional reports that they might submit to the Committee for consideration.
346. One issue that had been hotly discussed was the updating of the compilation of conclusions and recommendations, most recently carried out by the Office in 2006. The Employers had always supported that updating, but they would have preferred for it to have been carried out not by the Office alone but through a methodology involving all members of the CFA. They considered it appropriate, and even necessary, for the publication's title to reflect what it actually contained; it was a compilation not of the Committee's decisions and principles, but of its conclusions and recommendations. Its title misled readers and decision-makers at the national level, and even the Turin Centre since some instructors in the standards courses were attributing to it a scope different from that intended by the Committee. He therefore drew attention to the decision, at the most recent session, to allow more time for the Employers' group and other groups to make proposals regarding the inclusion of additional conclusions and recommendations and, above all, of changes in the text of the introduction. The Employers planned to propose the inclusion of a section of the introduction stating what the Committee was and was not and specifying the scope of its conclusions and recommendations.
347. As the Governing Body knew, the reports on cases did not contain binding conclusions or recommendations, set precedents or constitute judicial decisions or principles. The CFA was a body that provided support to governments and was called upon to examine specific complaints relating to the exercise of freedom of association and collective bargaining made against States by workers and employers. As seen from paragraph 7 of document GB.329/INS/17(Add.), the objectives of the Committee were to assist governments through its recommendations in order to ensure the application of the principles of freedom of association and collective bargaining arising from the ILO Constitution and the Declaration of Philadelphia. He drew attention to the decision that the references included in the new edition would clearly indicate countries and case numbers, which would make it easier to place a given reference in the proper context.

348. With regard to the electronic version of the new publication, mentioned in paragraph 9 of the Office's report, he noted with concern that such a useful instrument as an online **database** was not adequately reflected in the document as his group had requested. The Employers attached great importance to having a tool that provided easy access to cases so that complaints could be searched by subjects and keywords and would like to have something along the lines of the International Labour Conference's Credentials Committee so that they could read and understand the issues with which the Committee was dealing and the type of recommendations made on the various issues that it addressed.
349. With respect to the **naming of enterprises** in CFA reports, he emphasized the importance of the change agreed at the most recent session, whereby they would henceforth be named only once in the section on allegations. Clearly, complaints submitted to the CFA were prompted by the complainants' concerns regarding **governments'** failure to ensure respect for the principles of freedom of association and collective bargaining. While complaints referred to specific issues, the procedure concerned only ILO member States, not social entities such as enterprises.
350. One pending issue arising from the joint statements made in February 2015 and March 2017 was that of the Committee's mandate. As stated in paragraph 2 of document GB.329/INS/17(Add.), the CFA was committed to pursuing discussions in order to clarify its procedures and mandate, its interface with other ILO supervisory bodies and ways to improve follow-up to its recommendations. It would submit a report on pending issues to the Governing Body in March 2018. The Employers were ready and willing to address that issue without delay.
351. The number of cases before the CFA was still growing, having risen from an average of about 150 active cases in recent years to 169 at present. There were also more than 150 cases in follow-up for which the Committee was awaiting additional information from governments, although it would not re-examine the issues on the merits. In particular, the Employers wished to point out that, as stated in paragraph 12 of the report, 20 new cases, including 14 from Latin American countries, had been submitted to the CFA since the previous meeting (in November 2016). In order to promote a geographical balance in the complaints – of which about 60 per cent were from Latin America – the Employers supported, among other things, the committees for the settlement of disputes before the ILO that had been established as a temporary mechanism by some countries in the region. Within the CFA, they were also considering other ways to improve that situation. He wished to point out that in the 24 cases examined at the previous session, the Committee had issued nine definitive reports closing the case, eight reports on which it would follow up and seven sets of interim conclusions that would be examined on the merits at future sessions. He also noted that, as mentioned in paragraph 14 of the report, 11 cases had been examined in follow-up and of those, seven had been closed. He emphasized that **three of the cases** that had warranted concern at the most recent session were **serious and urgent**: Chile (No. 3191), Guatemala (No. 2445) and El Salvador (No. 2923). The Committee was awaiting replies from the Governments of those countries and hoped for rapid solutions.
352. Lastly, he drew attention to the two cases involving the Bolivarian Republic of Venezuela (Nos 3172 and 3178), which addressed the same issue from different perspectives: that of a trade union and an employers' organization, respectively. Both cases involved complaints of Government interference in the outcome of voluntary collective bargaining between the trade union and an enterprise member of FEDECAMARAS. The other allegations included: (1) illegal imposition of compulsory arbitration and illegal extension of the resulting award; and (2) acts of violence against and intimidation and harassment of the enterprise, its corporate group, its chairman and FEDECAMARAS. Consequently, the Committee had expressed deep concern at the current situation in paragraph 674(a) and (b).

353. *The Worker spokesperson* said that his group condemned the murder of trade union leaders and workers in Cases Nos 2445 (Guatemala), 2923 (El Salvador) and 3191 (Chile); the right to life was a fundamental prerequisite for the exercise of freedom of association and failure to convict the perpetrators led to a situation of impunity that encouraged violence and insecurity and was extremely damaging to the exercise of trade union rights. With regard to Cases Nos 3061 (Colombia) and 3148 (Ecuador), the right to establish and join trade unions implied the freedom to determine their structure and to decide whether to establish, at the primary level, a workers' union or another type of organization, such as an industry union; those principles also applied to workers in the supply chain. In Case No. 3047 (Republic of Korea), the "no-union corporate policy" established by the world's largest information technology firm clearly violated the right of workers to freedom of association. The legislative developments in the two cases involving Canada (Nos 3143 and 3151) were extremely important and he expected the Government to bring its legislation into line with the principles of freedom of association.
354. The Worker spokesperson emphasized the importance of the ongoing reflections, which had led to important changes to the working methods and to the decision to trial a CFA subcommittee. The Committee was crucial to the application in law and practice of freedom of association and should therefore be afforded the greatest attention. The Committee was increasingly consulted due to: a rise in the number of ILO member States, more awareness of the principles of freedom of association and more infringements of freedom of association at a time of economic crisis. It had an irreplaceable and effective role in protecting men and women discriminated against in connection with their trade union activities and in supporting governments in restoring union and collective bargaining rights. The new provisions introduced in its reports to aid understanding of its procedures should lead to greater government accountability with respect to their obligations and greater accountability of workers' and employers' organizations with respect to procedures. The Workers supported the establishment of a subcommittee and welcomed the preparation of a CFA annual report for submission in 2018. He also welcomed the updating of the 2006 *Digest* and called for its prompt publication. By responding to the latest developments in labour relations in the current social and economic context, the *Digest* would improve the Committee's procedures and, as an essential initiative on standards, bolster the authority of the ILO on its centenary. He recognized that the Committee had improved its working methods and functioning, as requested by the Governing Body, and was ready to respond to the challenges of the future. That included respecting the February 2015 joint declaration and position of the Employers' and Workers' groups; agreements reached could not be called into question every time.
355. *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 took stock of the highs and lows of the past three years. Achievements included successful tripartism, managing to report to every session of the Committee despite obstacles, the establishment of a subcommittee to select cases for subsequent meetings, the approval of the *Digest*, and the provision of a dedicated meeting room, time slot and interpreters to facilitate Committee meetings. The main challenge had been the fact that the Committee's June 2015 report had been approved by the Governing Body without reading it. Every effort should be made to encourage the Governing Body to monitor and endorse the Committee's work, in line with the values of tripartism, governance, transparency and clarity. Another challenge had been to encourage the Governments and social partners to actively communicate with the Committee. The lack of response from some Governments showed that the consensual value of the Committee's recommendations was still not fully understood, and steps should be taken to ensure that the recommendations were clear, useful and achievable. The final challenge had been to encourage the Governments and social partners to settle their disputes at the national level

first, where possible, before bringing them before the Committee. The Committee should not substitute national dialogue, but encourage and promote it.

Decision

356. *The Governing Body took note of the introduction to the Report of the Committee, contained in paragraphs 1–75, and adopted the recommendations made in paragraphs: 98 (Case No. 3186: South Africa); 112 (Case No. 3104: Algeria); 124 (Case No. 2997: Argentina); 139 (Case No. 3183: Burundi); 172 (Case No. 3003: Canada); 219 (Case No. 3143 and 3151: Canada); 254 (Case No. 3191: Chile); 308 (Case No. 3061: Colombia); 321 (Case No. 3092: Colombia); 365 (Case No. 3047: Republic of Korea); 385 (Case No. 3068: Dominican Republic); 398 (Case No. 2923: El Salvador); 419 (Case No. 3007: El Salvador); 442 (Case No. 3148: Ecuador); 463 (Case No. 2445: Guatemala); 474 (Case No. 2811: Guatemala); 495 (Case No. 2927: Guatemala); 504 (Case No. 3076: Republic of Maldives); 515 (Case No. 2902: Pakistan); 548 (Case No. 3019: Paraguay); 582 (Case No. 3180: Thailand); 623 (Case No. 3172: Bolivarian Republic of Venezuela); 674 (Case No. 3178: Bolivarian Republic of Venezuela); and adopted the 381st Report of its Committee on Freedom of Association as a whole.*

(GB.329/INS/17.)

Reporting back to the Governing Body: Appreciation of progress on working methods and ongoing reflections ([GB.329/INS/17\(Add.\)](#))

357. *Speaking on behalf of GRULAC, a Government representative of Panama encouraged the continuance of the CFA subcommittee in accordance with its original mandate. In order to continue to improve the Committee's working methods and to ensure transparency and objectivity when examining cases, it was important for efforts to focus on the clear and objective criteria of receivability, without undermining the labour rights already guaranteed for workers. Clear criteria should be established that allowed both the Committee and the constituents to study cases and send replies, thus avoiding repetition of past instances where the Committee had discontinued examination of a case because of a lack of information from either the Government or complainant. The Committee should also be informed of and take into account existing good practices at the national level, especially those relating to dispute settlement in tripartite bodies. Tripartism and social dialogue in those mechanisms had proved to be effective and had brought important results at the national level. There should also be consistency regarding the classification and status of cases, since there was still ambiguity in that area and uncertainty as to the length of time for which Governments must continue to report before a case was deemed to be closed. Constituents must be clearly informed of whether cases were dormant, whether shelved or closed cases could be further examined or whether, on receiving information related to a shelved case, the Committee was required to open a new case or simply to take note of that information and inform the submitting party that the case had been shelved or closed and was no longer being examined. Governments often faced difficulty in cases where there was a lack of timely, complete and appropriate information on the facts presented. If information required by the Committee had not been received from the complainants within a reasonable period of time, the case should be closed on grounds of lack of interest by the complainant. His group had proposed*

an amendment to the original draft decision to reflect support for the work of the subcommittee and the need to be kept informed about the discussion on the working methods so as to have an opportunity to explore options for their improvement.

- 358.** *Speaking on behalf of the Africa group*, a Government representative of Kenya said that the modernization of case management and internal working methods, further integrating transparency and accountability into the system, were important building blocks. The proposed updating of the 2006 *Digest*, the follow-up to recommendations and the preparation of an electronic version of the *Digest* were welcome developments. His group looked forward to receiving further regular reports on progress made, including the CFA annual report to be issued in 2018. The Africa group supported the amendment to the draft decision proposed by GRULAC, provided a consensus on that proposal was reached by the Governing Body.
- 359.** *A Government representative of Argentina* said that the measures to optimize and make transparent the functioning and governance of the supervisory body should be supported. Welcoming the implementation of the measures noted in paragraphs 1, 4, 5 and 6 of the document, she looked forward to receiving the CFA annual report in 2018, which would give member States an opportunity to evaluate the other issues under consideration by the Committee. Highlighting the positive impact of the establishment of a subcommittee, she supported its continuance. She emphasized the importance of updating the 2006 *Digest*, which had acquired great authority and recognition internationally and nationally, not least for establishing criteria for interpreting and applying principles in the area of trade union organizations and collective bargaining. She supported the amendment proposed by GRULAC.
- 360.** *A Government representative of Panama* said that, if the Committee wished to maintain its role as an important contributor to restoring freedom of association and thereby respect for that fundamental human right, democracy and social justice, it must improve its working methods. It was therefore important to have a single committee to examine cases initially in order to ensure a better regional balance and the identification of priority cases for examination by the Committee. The subcommittee should have precise parameters and guidelines on its functioning and consideration should be given to the possibility of rotating members of the subcommittee to guarantee a regional balance. There should be a link between the Committee's work and that of national tripartite dispute settlement mechanisms. He therefore urged the Committee to consider improving not only its normal interactions with member States subject to a complaint, but also to include them in its formal communications with the national authorities involved in the cases being dealt with by those mechanisms. That would ensure that all the facts were available when deciding on whether to postpone the receivability or examination of a complaint or to shelve it. He supported the proposed improvements to the CFA working methods.
- 361.** *The Worker spokesperson* supported the amendment to the draft decision proposed by GRULAC, but proposed adding the word "Committee" before "of the work" in subparagraph (d), which would be more logical, given that the Governing Body had a relationship with the Committee.
- 362.** *The Employer spokesperson* supported the amendment to the draft decision as proposed by GRULAC.

Decision

363. *The Governing Body:*

- (a) *took note of the report contained in document GB.329/INS/17(Add.);*
- (b) *took note of the positive outcome of the establishment of the subcommittee and expected it to continue its work;*
- (c) *took note of the results of the discussion on CFA working methods;*
- (d) *requested to be kept informed regularly by the Committee of the work of the subcommittee and the discussion on CFA working methods, including any points for decision.*

(GB.329/INS/17(Add.), paragraph 11, as amended by the Governing Body.)

Eighteenth item on the agenda

Report of the Working Party on the Functioning of the Governing Body and the International Labour Conference ([GB.329/INS/18](#))

Composition of the Governing Body

364. *A Government representative of Lesotho supported the draft decision.*

365. *A Government representative of Algeria said that the 1986 Instrument for the Amendment of the ILO Constitution would uphold the principle of sovereign equality of States, allowing all Governments to be genuinely involved in decision-making. The Africa group's call for countries to ratify it was not only a reaction to the region's lack of representation in permanent, non-elective Governing Body seats, but also a matter of equality and inclusiveness. She supported the draft decision.*

Decision

366. *The Governing Body:*

- (a) *invited Members which had not yet done so to ratify the 1986 Instrument for the Amendment of the ILO Constitution;*
- (b) *requested the Director-General actively to pursue promotional efforts for the ratification of the instrument of amendment, including through direct contacts with Members, and to report at the 331st Session (November 2017) on the results obtained and the feedback from Members concerned on the reasons which prevent or delay such ratification.*

(GB.329/INS/18, paragraph 3.)

Arrangements for the 106th Session of the International Labour Conference (ILC) (2017) and review of the Standing Orders of the Conference – First set of amendments for the effective functioning of the ILC in its reduced two-week format

- 367.** *Speaking on behalf of ASPAG*, a Government representative of Australia said that the two-week format of the Conference had been a success and the improvements had greatly assisted members who had travelled long distances to attend. ASPAG continued to support time limits for committees to help ensure that they were run as efficiently and effectively as possible. Night sittings should be avoided as much as possible, and when they must be held, delegates should be fully supported by the Office. ASPAG encouraged groups to identify their preferred chairpersons for Conference committees by the end of the current session of the Governing Body, and looked forward to the discussion and development of further Conference reforms and amendments to the Standing Orders. ASPAG supported the draft decision.
- 368.** *Speaking on behalf of IMEC*, a Government representative of Canada asked when the next session of the Working Party would take place at which further information would be provided, including on the proposals to reduce the scope of the *Provisional Records*.
- 369.** *A representative of the Director-General* (Deputy Director-General for Management and Reform) said that it was expected that the new Governing Body would re-establish the Working Party, which would meet in October/November 2017.

Decision

370. *The Governing Body:*

- (a) *decided to propose to the Conference that it implement the arrangements contained in document GB.329/INS/18 and the tentative plan of work for the 106th Session (June 2017) of the Conference in its Appendix I;*
- (b) *took note of the first set of amendments to the Standing Orders of the Conference in Appendix II to be trialled at the 106th Session of the International Labour Conference through suspending the relevant provisions as set out in Appendix III;*
- (c) *decided to review this trial at its 331st Session (November 2017);*
- (d) *requested the Office to prepare additional amendments for simplification and modernization of the Standing Orders for its consideration at its 331st Session.*

(GB.329/INS/18, paragraph 10.)

Review of the role and functioning of the Regional Meetings

- 371.** *Speaking on behalf of ASPAG*, a Government representative of Australia welcomed the Office's proposals regarding Regional Meetings and looked forward to action on the potential areas for improvement identified at the 16th Asia and the Pacific Regional Meeting.

He encouraged the Governing Body to reach a common position on the proposals of the review that had yet to meet with consensus. ASPAG supported the draft decision.

- 372.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe said that the review of the Rules for Regional Meetings was a priority matter that required immediate resolution. The Africa group wished to hold its Regional Meetings without undue interference from full members of other regions, some of which did not support reform of the Governing Body under the 1986 Instrument of Amendment. He recalled the disorder at the 13th African Regional Meeting owing to the current rules permitting the attendance of some non-African countries as full members. As a matter of principle, the Africa group would not yield to the continuation of an unjust system that harked back to colonial times. The group could not envisage convening the next African Regional Meeting unless the rules were amended to ensure that the right of African member States to conduct their affairs in full freedom without undue interference was preserved and protected. Continuing with the current rules was contrary to the *raison d'être* of the ILO to pursue social justice. If a member State encountered challenges with regard to its national Constitution, there were means to resolve them at the national level. The group proposed, as a compromise, amending option (d) of the Office proposals in the document considered by the Working Party concerning participation,⁶ to read “adopting the principle that each member State would be invited as full member to only one Regional Meeting, with the Governing Body having the discretion of inviting on a case-by-case basis any member State and territory, as either a full member or observer to any Regional Meeting”. If the matter of participation was not finalized urgently, the Africa group’s future attendance at Regional Meetings as currently constituted could not be guaranteed.
- 373.** *A Government representative of Algeria* recalled that a request for review of the rules governing the Regional Meetings had been made at the 13th African Regional Meeting in 2015 and reiterated at the 328th Session of the Governing Body (November 2016). Algeria was not opposed to allowing countries that had territories in another geographical region to participate as observers in meetings for that region.
- 374.** *A Government representative of Angola* said that countries with territorial interests could not be considered a member State of a region other than the region in which they were geographically located. Angola fully agreed with the principle that member States should be invited as full members to only one Regional Meeting and that they could participate as observers in meetings for another region only at the invitation of the Governing Body.
- 375.** *A Government representative of the United Republic of Tanzania* noted that the general purpose of Regional Meetings was to serve as a regional platform to discuss strategies for promoting decent work in the era of globalization. Therefore, member States from a particular geographical region should have the unconditional right to participate in that platform; member States not located into that region could be invited as observers, at the discretion of the Governing Body. She looked forward to the Governing Body taking immediate action to resolve the matter.
- 376.** *A Government representative of Kenya* said that governance issues, especially relating to historical injustices, must be progressively addressed. The drafting of regulations that were fair to all member States and the social partners would position the ILO strategically in the multilateral system and strengthen tripartism and social dialogue globally. It was therefore necessary to carefully accommodate global, regional, subregional and country interests

⁶ GB.329/WP/GBC/4(Rev.), para. 15.

through rules and procedures that promoted fairness, equality and equity for the benefit of all humankind.

- 377.** *A Government representative of Lesotho* re-emphasized the importance of reviewing the composition of the Regional Meetings as a matter of urgency. He fully supported the Africa group's proposed amendment to option (d).
- 378.** *A Government representative of Botswana* reiterated that the review of the rules governing the holding of Regional Meetings must be addressed urgently. Africa should be able to hold its ILO Regional Meetings without the full participation of member States from other regions. Experiences in the respective regions were best understood by the regions themselves, and if the rules did not facilitate regional dialogue, they should be changed. She firmly supported the amendment to option (d) proposed by the Africa group.
- 379.** *A Government representative of Ghana* said that the amendment to option (d) proposed by the Africa group should be adopted in the spirit of reform so that the ILO could live up to its mandate of social justice.
- 380.** *A Government representative of Ethiopia* supported the statement made on behalf of the Africa group.
- 381.** *A Government representative of Panama* said that he understood and supported the views expressed by the Africa group, because Latin America had a similar situation with extraterritorial regions, and Panama would be hosting the next American Regional Meeting.

Decision

382. *The Governing Body decided:*

- (a) to pursue its review of the role and functioning of Regional Meetings;*
- (b) to request the Office to prepare, for its consideration at the 331st Session (November 2017), further proposals, taking into account the views expressed and the guidance provided during the discussion.*

(GB.329/INS/18, paragraph 13.)

Statement by the Workers' group concerning the Tenth European Regional Meeting of the ILO (2–5 October 2017, Istanbul, Turkey)

- 383.** *The Worker spokesperson* expressed concern regarding the extremely disturbing recent events in Turkey. Since 2015, there had been a large number of deaths and injuries resulting from attacks in public places. In July 2016, the failed coup had led to some 260 deaths and 2,000 injured persons. Political oppression and the derogation of human rights had followed. The Government was legislating without any control by Parliament or the Constitutional Court, passing permanent measures beyond a state of emergency. At least 125,000 public servants had been dismissed by emergency decree, and a significant number of non-governmental organizations and foundations had been shut down. Freedom of association had been undermined through arrests and imprisonment of union members taking part in protests. Trade unionists had been subject to dismissals, house raids and even armed attacks. Widespread torture and ill treatment had been identified in the wake of the failed coup. A report prepared by the Office of the UN High Commissioner for Human

Rights had revealed that security operations in south-east Turkey had resulted in the displacement of up to half a million people between July 2015 and December 2016, and had documented accounts of torture, enforced disappearances, incitement to hatred, prevention of access to emergency medical care, food, water and livelihoods, violence against women and the expropriation of land. In light of that situation, the ITUC and the European Trade Union Confederation had proposed that the ILO's Tenth European Regional Meeting, scheduled to take place in Istanbul in October 2017, should be postponed. The Workers' group would consult the relevant European trade unions to decide whether the Workers would participate.

384. *A Government representative of Turkey* expressed regret that the Workers' group had not requested information from the Government before making its statement. Serious measures had been taken in Turkey in the aftermath of the 2016 coup d'état, including the dismissal of some military and public employees who had posed a threat to national security. However, more than 30,000 of those dismissed or suspended had been reappointed following completion of the assessment process. An appeals mechanism had also been established. Social dialogue was working effectively in Turkey and the Government was committed to enhancing the dialogue process. A social dialogue project was being coordinated by the Ministry of Labour and the ILO. Government representatives were also visiting Turkish cities and holding tripartite meetings in order to listen to requests and complaints, and provide information about available services. Recent events had shown that terrorist attacks could happen anywhere. Turkey was preparing to extend a warm welcome to all participants of the ILO European Regional Meeting in October 2017.

Nineteenth item on the agenda

Report of the Working Party on the Social Dimension of Globalization ([GB.329/INS/19](#))

Outcome

385. *The Governing Body took note of the report (document GB.329/INS/19).*

(GB.329/INS/19.)

Twentieth item on the agenda

Report of the Director-General ([GB.329/INS/20\(Rev.\)](#))

Outcome

386. *The Governing Body took note of the report contained in document GB.329/INS/20(Rev.).*

(GB.329/INS/20(Rev.).)

**First Supplementary Report: Documents
submitted for information only**
([GB.329/INS/20/1](#))

Outcome

387. The Governing Body took note of the information contained in the documents listed in the appendix to document GB.329/INS/20/1.

(GB.329/INS/20/1, paragraph 4.)

**Second Supplementary Report: Report of the
Committee set up to examine the
representation alleging non-observance by
Ukraine of the Protection of Wages Convention,
1949 (No. 95), made under article 24 of the ILO
Constitution by the Federation of Trade Unions
of Ukraine, the Federation of Transport
Workers' Trade Unions, the Association of
All-Ukrainian Autonomous Trade Unions, the
Association of All Ukrainian Trade Unions and
Trade Union Associations "Iednist", the
Confederation of Free Trade Unions of Ukraine
and the Federation of Trade Unions of Small
and Medium Business' Workers of Ukraine**
([GB.329/INS/20/2](#))

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

Decision

388. In the light of the conclusions set out in paragraphs 24 to 35 of the report (document GB.329/INS/20/2), the Governing Body:

- (a) approved the report;*
- (b) requested the Government to pursue its efforts and adopt without delay all necessary measures aimed at the full implementation of the Convention, including implementation of the decisions adopted by the Labour Arbitration and Conciliation Commission as well as ensuring effective monitoring by labour inspection services and sufficiently effective and dissuasive sanctions to prevent and punish infringements;*
- (c) requested the Government to ensure that workers affected by wage arrears would receive appropriate compensation for the losses incurred by the delayed payment;*

- (d) *encouraged the Government to fully involve social partners in the search for solutions to the problem of wage arrears;*
- (e) *reminded the Government that it could avail itself of ILO technical assistance, including the possibility of inviting an ILO mission that could examine the situation on the ground and contribute to the full implementation of the Convention;*
- (f) *requested the Government to supply detailed information to the Committee of Experts on the Application of Conventions and Recommendations in its next report under article 22 of the Constitution of the ILO on the application of Convention No. 95;*
- (g) *made the report public and closed the representation procedure.*

(GB.329/INS/20/2, paragraph 36.)

Third Supplementary Report: Withdrawal of the representation alleging non-observance by the Republic of Poland of the Social Security (Minimum Standards) Convention, 1952 (No. 102), made under article 24 of the ILO Constitution by the Independent and Self-Governing Trade Union “Solidarnosc” (NSZZ “Solidarnosc”)
[\(GB.329/INS/20/3\)](#)

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

Decision

389. *In the light of the information contained in the report (document GB.329/INS/20/3), the Governing Body declared the representation closed.*

(GB.329/INS/20/3, paragraph 6.)

Fourth Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by Spain of the Minimum Wage Fixing Convention, 1970 (No. 131), submitted under article 24 of the ILO Constitution by the Trade Union Confederation of Workers’ Committees (CCOO) and the General Union of Workers (UGT)
[\(GB.329/INS/20/4\)](#)

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

Decision

390. *The Governing Body:*

- (a) approved the report (document GB.329/INS/20/4);*
- (b) requested the Government, in the context of the application of Convention No. 131, to take into account the observations made in paragraphs 39, 40 and 46 of the Committee's conclusions;*
- (c) invited the Government to provide information in this respect for examination by the Committee of Experts on the Application of Conventions and Recommendations;*
- (d) made the report publicly available and closed the representation procedure.*

(GB.329/INS/20/4, paragraph 47.)

Fifth Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by Peru of the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105), under article 24 of the ILO Constitution, by the General Confederation of Workers of Peru (CGTP)
([GB.329/INS/20/5](#))

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

Decision

391. *In light of the conclusions concerning the issues raised in the representation, set out in paragraphs 21–32 of the report (document GB.329/INS/20/5), the Governing Body:*

- (a) approved the report;*
- (b) invited the Government to ensure that the competent authorities held discussions with the University to examine the content of and the terms and conditions for the implementation of the model contracts signed between the University and the contractual lecturers with a view to ensuring that the performance of the contracts did not restrict the freedom of workers to terminate their contractual relationship, while taking into account the points raised in paragraphs 28–31 of the report;*
- (c) invited the Government to provide information in this regard to the Office;*
- (d) made the report publicly available and closed the procedure initiated by the representation.*

(GB.329/INS/20/5, paragraph 33.)

Sixth Supplementary Report: Report of the Committee set up to examine the 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.329/INS/20/6](#))

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

Decision

392. *In light of the conclusions concerning the issues raised in the representation, set out in paragraphs 52–77 of the report (document GB.329/INS/20/6), the Governing Body:*

- (a) approved the report;*
- (b) welcomed the recent legislative measures taken by the Government as a significant step towards the protection of workers in the fishing sector, and encouraged the Government to continue to take proactive action, particularly with regard to migrant workers;*
- (c) requested the Government, in order to ensure that fisher workers enjoyed the protection provided for in the Convention, to take into account the action requested in paragraphs 60, 61, 62, 64, 65, 66, 67, 68, 71, 74, 76 and 77 of the report;*
- (d) invited the Government to communicate information in its report submitted by virtue of article 22 of the ILO Constitution on the measures taken to give effect to the recommendations of the Committee, and in particular to the paragraphs referred to in (c) above;*
- (e) invited the Government to continue to avail itself of 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.329/INS/20/6, paragraph 78.)

Twenty-first item on the agenda

Reports of the Officers of the Governing Body

First report: Action to be taken regarding the establishment of the High-level Global Commission on the Future of Work

([GB.329/INS/21/1](#))

- 393.** *Speaking on behalf of the Africa group*, a Government representative of Ghana welcomed the fact that regional and gender balance and tripartism would be considered in the constitution of the Future of Work Commission, and looked forward to receiving additional information at the 331st Session of the Governing Body (November 2017). She supported the draft decision.
- 394.** *Speaking on behalf of IMEC*, a Government representative of Canada said that he agreed that the Director-General should have the discretion to constitute the Commission in the best way possible to achieve its stated aims. Without prejudice to its ambitions, which must be reflected in the quality of its membership, it was crucial for the interests of the ILO's tripartite constituency to be represented in the Commission. That criterion must therefore be stated in an affirmative, rather than conditional, manner.
- 395.** *A Government representative of Trinidad and Tobago* reported that in 2016, his country had hosted a national forum on the future of work, in collaboration with the ILO Decent Work Technical Support Team and Country Office for the Caribbean Countries. Furthermore, the Caribbean Future of Work Forum hosted by the Government of Jamaica had presented an opportunity for high-level dialogue among tripartite constituents on the challenges the region faced in relation to the current and future world of work. That discussion, as well as the 10th ILO Meeting of Caribbean Ministers of Labour, also hosted by the Government of Jamaica, would foster the continued commitment in the region to achieving the goal of decent work for all.
- 396.** *A Government representative of Belgium* said that, in times of great uncertainty, the Future of Work Initiative was timely and remarkable in that it placed labour at its centre, and served as a valuable reminder that both work itself and labour relations were undergoing rapid change. In the first phase of the initiative, Belgium had been the first country to organize a national tripartite and academic dialogue. In the second phase, particular attention must be paid to ensuring tripartite representation, as well as gender balance and multidisciplinary perspectives and knowledge in the establishment of the High-level Global Commission on the Future of Work. The Commission should incorporate the contributions made by the constituents in the first phase of the initiative, and the Office should keep the Governing Body updated on progress.
- 397.** *The Director-General* said that the support expressed for the draft decision would enable him to act expeditiously in forming the High-level Global Commission as a matter of priority. Tripartite participation on the Commission was indeed intended very much in the affirmative. He agreed that the Office should provide the Governing Body with regular updates on the work of the Commission.

Decision

398. *On the recommendation of its Officers, the Governing Body authorized the Director-General to finalize the composition of the High-level Global Commission on the Future of Work on the basis of the criteria outlined in document GB.329/INS/21/1 and engaging in consultations as appropriate.*

(GB.329/INS/21/1, paragraph 9.)

Second report: Representation alleging non-observance by France 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), and the Termination of Employment Convention, 1982 (No. 158), made under article 24 of the ILO Constitution by the General Confederation of Labour-Force Ouvrière (CGT-FO) and the General Confederation of Labour (CGT)
(GB.329/INS/21/2)

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

Decision

399. *In the light of the information contained in the report (document GB.329/INS/21/2), and on the recommendation of its Officers, the Governing Body decided that:*

- (a) the representation was receivable and set up a tripartite committee to examine the allegations that related to Convention No. 158;*
- (b) by virtue of article 3(2) of the Standing Orders, the allegations that related to Conventions dealing with trade union rights be referred to the Committee on Freedom of Association for examination in accordance with articles 24 and 25 of the Constitution.*

(GB.329/INS/21/2, paragraph 5.)

Third report: 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.329/INS/21/3)

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

Decision

400. *In the light of the information contained in the report (document GB.329/INS/21/3) and on the recommendation of its Officers, the Governing Body:*

- (a) declared the representation receivable;*
- (b) invited the CEACR to examine the allegations contained in the latest communication from the College of Teachers, in the context of the follow-up given to the recommendations relating to the previous representation submitted by the College of Teachers, at its November–December 2017 session;*
- (c) postponed the decision to appoint a tripartite committee to examine the new representation.*

(GB.329/INS/21/3, paragraph 7.)

Twenty-second item on the agenda

Composition and agenda of standing bodies and meetings [\(GB.329/INS/22\)](#)

Decisions

Committee of Experts on the Application of Conventions and Recommendations

New appointment

401. *On the recommendation of its Officers, the Governing Body appointed Mr Alain Lacabarats (France) as a member of the Committee for a period of three years.*

(GB.329/INS/22, paragraph 1.)

106th Session of the International Labour Conference
(Geneva, 5–17 June 2017)

Invitation of international non-governmental organizations

402. *On the recommendation of its Officers, the Governing Body authorized the Director-General to invite the following international non-governmental organizations to be represented at the 106th Session of the International Labour Conference as observers:*

■ *Employers' organizations*

- *International Christian Union of Business Executives*
- *World Employment Confederation*

■ *Workers' organizations*

- *African Organization of Mines, Metal, Energy, Chemical and Allied Trade Unions*
- *Building and Wood Workers' International*
- *Confederación de Trabajadores y Trabajadoras de las Universidades de las Américas*
- *Confederación Latinoamericana y del Caribe de Trabajadores Estatales*
- *Education International*
- *European Centre for Workers' Questions*
- *European Confederation of Independent Trade Unions*
- *European Trade Union Confederation*
- *General Confederation of Trade Unions*
- *IndustriALL Global Union*
- *International Confederation of Executive Staff*
- *International Transport Workers' Federation*
- *International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations*
- *Latin American Union of Municipal Workers*
- *Public Services International*
- *Southern Africa Trade Union Coordination Council*

- *Trade Union Advisory Committee to the Organisation for Economic Co-operation and Development*
- *Trade Union Confederation of Arab Maghreb Workers*
- *Trade Union International of Metal and Mining*
- *Trade Unions International of Transport Workers*
- *Trade Unions International of Workers of the Building, Wood and Building Materials Industries*
- *UNI Global Union*
- *Unión Internacional de Sindicatos de Pensionistas y Jubilados*
- *Unión Latinoamericana de Trabajadores de Organismos de Control*
- *World Federation of Teachers' Unions*
- *World Organization of Workers*
- *Other organizations*
 - *African Commission of Health and Human Rights Promoters*
 - *Anti-Slavery International*
 - *Association of Volunteers for International Service*
 - *Caritas Internationalis*
 - *Clean Clothes Campaign*
 - *Exchange and Cooperation Centre for Latin America*
 - *Fairtrade International*
 - *Graduate Women International*
 - *International Alliance of Women*
 - *International Association for Educational and Vocational Guidance*
 - *International Association of Free Thought*
 - *International Association of Labour Inspection*
 - *International Catholic Migration Commission*
 - *International Centre for Trade Union Rights*
 - *International Commission on Occupational Health*

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- *International Coordination of Young Christian Workers*
 - *International Council of Nurses*
 - *International Council on Social Welfare*
 - *International Federation for Human Rights*
 - *International Federation of Business and Professional Women*
 - *International Federation of Women in Legal Careers*
 - *International Federation Terre des Hommes*
 - *International Kolping Society*
 - *International Movement of Catholic Agricultural and Rural Youth*
 - *International Secretariat for Catholic Engineers, Agronomists and Industry Officials*
 - *International Young Christian Workers*
 - *Make Mothers Matter*
 - *Migrant Forum in Asia*
 - *Organización de Entidades Mutuales de las Américas*
 - *SOLIDAR*
 - *Soroptimist International*
 - *Union Africaine de la Mutualité*
 - *Union of International Associations*
 - *Women in Informal Employment: Globalizing and Organizing*
 - *World Alliance of Young Men's Christian Associations*
 - *World Assembly of Youth*
 - *World Federation for Mental Health*
 - *World Medical Association*
 - *World Movement of Christian Workers*
 - *World Union of Professions*
 - *Zonta International*

(GB.329/INS/22, noted by the Governing Body as presented by the Chairperson.)

Tripartite Meeting on Issues relating to Migrant Fishers
(Geneva, 18–22 September 2017)

Invitation of international non-governmental organizations

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

- *International Collective in Support of Fishworkers (ICSF);*
- *International Christian Maritime Association (ICMA);*
- *International Seafarers' Welfare and Assistance Network (ISWAN);*
- *International Transport Workers' Federation (ITF);*
- *The International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF).*

(GB.329/INS/22, paragraph 8.)

Meeting of Experts on Safety and Health in Open-cast Mines
(Geneva, 16–20 October 2017)

Invitation of international non-governmental organizations

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

- *IndustriALL Global Union;*
- *International Council on Mining and Metals (ICMM);*
- *International Occupational Hygiene Association (IOHA);*
- *International Social Security Association (ISSA);*
- *International Association of Labour Inspection (IALI).*

(GB.329/INS/22, paragraph 11.)

Meeting of Experts to promote Decent Work and Protection of Fundamental Principles and Rights at Work for Workers in Export Processing Zones (EPZs)
(Geneva, 21–23 November 2017)

Agenda

405. *On the recommendation of its Officers, the Governing Body approved the following agenda for the Meeting of Experts:*

- *to discuss possible action to promote decent work and fundamental principles and rights at work for workers in export processing zones (EPZs);*
- *to adopt conclusions which will provide guidance on the content and modalities for an action plan on EPZs as called for in the 2016 ILC conclusions on decent work in global supply chains.*

(GB.329/INS/22, paragraph 15.)

Appointment of Governing Body representatives on various bodies

Tripartite Meeting on Issues relating to Migrant Fishers
(Geneva, 18–22 September 2017)

406. *The Government group said that it would supply the name of the person appointed as the representative of the Governing Body and Chairperson of the Meeting in due course.*

(GB.329/INS/22, paragraph 16.)

Other business

407. *Speaking on behalf of the Governing Body, the Chairperson extended sincere condolences and sympathy to the people of the United Kingdom, following the terrorist attack in London on 22 March 2017.*

Tribute to the Employer and Worker Vice-Chairpersons

408. *The Chairperson paid tribute to his fellow Officers, both of whom would be standing down after the current session of the Governing Body. Mr Rønneest, Employer Vice-Chairperson, and Mr Cortebeeck, Worker Vice-Chairperson, both had not only extensive professional experience and expertise, but also the necessary personal qualities to give a constructive voice to a group vision. They saw themselves as partners approaching the same problem from different angles, in pursuit of social justice and the mission of the ILO.*

409. *The Director-General* said that the departure of both Vice-Chairpersons represented a significant loss to the Organization. Each had skilfully managed to reconcile differing opinions, not only between groups but also within his own group, and sometimes under considerable pressure. They had demonstrated a strong commitment to the greater purpose of the ILO to advance social justice through tripartite cooperation.
410. *Speaking on behalf of the Government group*, a Government representative of Mexico said that both Vice-Chairpersons' profound knowledge of the various subjects that had been discussed over the years had raised the level of the debates and the quality of the outcomes. They left behind a legacy of thoughts, experience and expertise that had enlightened the house, for which the Organization was thankful.

Employment and Social Protection Segment

First item on the agenda

Outcome 5: Decent work in the rural economy

([GB.329/POL/1](#))

- 411.** *The Employer spokesperson* said that the 2008 International Labour Conference (ILC) conclusions on the promotion of rural employment for poverty reduction still clearly reflected the Employers' focus on unleashing the potential of rural areas through strengthening entrepreneurship, building leadership capability and capacity, and promoting sustainable rural enterprises.
- 412.** Turning first to the positive elements of the document, he welcomed the three interrelated areas of expected change listed in paragraph 5, emphasizing the importance of the third area, on an enhanced knowledge base and strengthened analytical capacity. He supported the Office using the 2008 ILC conclusions as a basis for its further work and the development focus outlined in paragraph 11, particularly the integration of decent work principles into national development policies and frameworks covering rural areas, as that was an important way of moving forward. Many of the country interventions described in the document could have wider implications. The overview of ILO tools and methodologies on the rural economy referred to in paragraph 19 would be useful, as long as it was simple and effective to use at country level. The national sector-specific programmes referred to in paragraph 21 could also have wider relevance. The Training for Rural Economic Empowerment (TREE) programme, and the use of its methodology to empower women, was of note. Lastly, the capacity-building activities at the International Training Centre of the ILO, Turin (ITC-ILO) remained an important part of establishing and maintaining an enabling environment.
- 413.** However, he asked for more information on the Office's efforts to support the Enabling Environment for Sustainable Enterprises (EESE) programme, and for clarification of the meaning of promoting employment-intensive investments in infrastructure; it would be better to create infrastructure efficiently and then invest in creating entrepreneurs and enterprises as a result of the provision of that infrastructure.
- 414.** Section D of the document, on building constituents' capacity and strengthening social dialogue, was notably weak. The ILO should focus on building the voices of rural employers' and workers' organizations. With regard to section E, more mention should be made of the importance of partnerships between the ILO and the private sector: bringing people out of rural poverty could not be done without private sector engagement.
- 415.** Concerning the draft policy guidelines for the promotion of sustainable rural livelihoods targeting the agro-food sector, he recalled the lack of consensus on those draft guidelines at the Meeting of Experts in September 2016. The draft guidelines were too long, repetitive and confusing, and they failed to consider family farms and small farms. The Office should rethink its policy advice to be more responsive to the industry and to consider varying types of farms. Any future discussion should be based on a new set of guidelines.
- 416.** Better statistics on decent work would be useful, but the Office should focus on obtaining fact-based labour market statistics in the rural economy. Finally, the ILO should harness its worldwide private sector network to nurture the creation of sustainable enterprises in rural areas, thus reducing poverty. The Employers' group supported the draft decision.

- 417.** *The Worker spokesperson* recalled the importance of this outcome due to the large numbers of people employed as well as the serious decent work deficits in the sector. He also stressed the importance of including the rural economy in global supply chains, but noted that not all forms of integration into supply chains were beneficial to workers and employers in developing countries. Collective bargaining would be key to promote sustainable, inclusive and thriving rural economies.
- 418.** Outcome 5 was very wide-ranging, so activities should be focused on wage employment in the rural economy, and not just broadly on rural communities. The aim should not be to take people out of wage employment and into self-employment, as paragraph 1 of the document seemed to suggest. Industrialization and production in higher, value-added segments of the market would facilitate poverty reduction, as would the promotion of decent work in the rural economy. There was a need to move away from reliance on agriculture towards industrialization, an approach that was to be discussed under the High-Level Section of the session the following week.
- 419.** The Workers' group agreed with the strategy outlined in Part III of the document and emphasized the importance of a rights-based approach to rural development, with particular regard to trade union rights and collective bargaining. These should be the basis for all interventions in the rural economy. Further ratification of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), was also recommended. The International Union of Food Workers and relevant national trade union centres should be consulted on and included in all interventions concerning the rural economy, and notably on capacity-building initiatives. Currently this is insufficiently the case. Noting that constituents from 27 target countries had requested technical assistance, he asked the Office to specify whether the constituents in question were employers' or workers' organizations, or governments. More efforts were needed to address the challenges posed by plantations, and he requested the Office to step up that work.
- 420.** It was regrettable that agreement had not been reached on the draft policy guidelines for the promotion of sustainable rural livelihoods targeting the agro-food sectors; those guidelines were extremely important to improve the rights of workers in the rural economy.
- 421.** Institutional capacity building of constituents, in particular social partners, was vital. The capacity-building activities mentioned in section D were too limited and did not focus on areas that were of importance for the Workers' group. International labour standards and social dialogue should be promoted in all partnerships with other organizations, and the added value of social partners' participation in partnerships should be emphasized.
- 422.** In conclusion, some of the activities referred to in the document did not seem to be related to the rural economy. Occupational safety and health (OSH) and violence at work in rural areas should be better addressed in light of the decent work deficits in agriculture. The Workers' group supported the draft decision.
- 423.** *Speaking on behalf of the Africa group*, a Government representative of Lesotho said that the 2008 ILC resolution and conclusions on promoting rural employment for poverty reduction had helped countries in Africa to unlock the potential of rural economies, create decent and productive jobs, and contribute to sustainable development and growth. As reflected in the Millennium Development Goals and the Sustainable Development Goals (SDGs), rural development had a role to play in poverty reduction and food security, which required a cross-cutting response across the Decent Work Agenda. Regional initiatives reflected Africa's commitment to transform the rural economy and thus create employment and growth. However, progress on the ground had not been effective, as Africa faced many challenges, including the impact of climate change and low productivity in the agricultural sector worsened by a lack of consistent policies and integration of decent work principles.

The knowledge base and analytical capacity to make better use of information in policy development remained insufficient. The Africa group therefore supported the continuing provision of adequate resources for rural development to constituents, noting the increased number of target countries requesting the Office's technical assistance.

- 424.** Decent work in the rural economy cut across all of the programme and budget outcomes, and the synergies highlighted in paragraph 11 were welcome. He urged the Office to increase technical support to member States for: integrating decent work principles and objectives into national development policies and frameworks covering rural areas; reviewing Decent Work Country Programmes (DWCPs); conducting analytical studies on the rural economy; and building the capacity of constituents to develop and implement targeted sector-specific programmes. Furthermore, the Office should coordinate with other organizations to develop statistical indicators and definitions, to make national and international reporting more consistent. Finally, he called on the Office to facilitate the sharing of best practices on collecting and disseminating statistical information on decent work in rural areas and on developing and implementing effective rural economic development programmes. He supported the draft decision.
- 425.** *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of Pakistan said that her group was encouraged by the increase in budgetary allocations to outcome 5 for the biennium 2018–19 but noted that the increase would not offset the estimated reduction in extra-budgetary expenditure. The Office had to seek ways to bridge that shortfall. As rural economies were increasingly affected by climate change and devastation caused by both sudden and slow-onset natural disasters, the Office should design policy guidance on mitigating the impact of such phenomena, enhancing resilience and generating alternative employment. The Office should also continue to support cooperatives, which played an important role in rural economies. ASPAG encouraged the ILO to continue providing courses on strengthening decent work in rural economies through its International Training Centre and to strengthen its partnerships with the Food and Agriculture Organization of the United Nations (FAO) and the World Bank.
- 426.** *Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)*, a Government representative of Panama drew attention to the high levels of poverty in rural areas of Latin America and the Caribbean as reported in the thematic labour overview *Working in rural areas in the 21st century*, issued by the Regional Office for Latin America and the Caribbean. Seasonal employment in agriculture was often informal, of low quality and involved child labour or forced labour. The SDGs on ending poverty and hunger could only be attained through the promotion of decent work and economic growth. In that context, his group supported the adoption of an integrated approach, with multi-dimensional policies based on rights, as well as collaboration with international organizations and partners such as the G20 Development Working Group, so as to improve the mobilization of resources and the harmonization of policies. Within the framework of Argentina's presidency of the G20 the following year, the promotion of decent work for youth in rural areas would be further elaborated and strengthened by the Development Working Group.
- 427.** GRULAC welcomed the technical assistance provided by the Office to the design and implementation of specific sectoral and macro-level programmes in a number of countries (including Bolivia, Chile, Colombia, Ecuador and Paraguay). It urged the Office to mobilize resources for the development and implementation of national action plans to improve working conditions in plantations in the region. It should also provide technical assistance for the development of public policies that enhanced employability through training. In addition, the work plan for outcome 5 should include the development of policies aimed at combating child labour in rural areas and ensuring observance of the minimum wage in rural areas.

428. *Speaking of behalf of the European Union (EU) and its Member States*, a Government representative of Bulgaria said that Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina, Norway, the Republic of Moldova and Georgia aligned themselves with the statement. The 2008 ILC resolution and conclusions remained relevant, and the current Office strategy for outcome 5, underpinned by three interrelated areas of expected change, provided a balanced approach. He welcomed the establishment of synergies between the strategy and other ILO programme and budget outcomes. In order to design adequate policies, it was important to consider the population structure of rural areas. The high prevalence of child labour in such areas called for quality education and skills development. Furthermore, private sector investment had to be leveraged in order to guarantee decent work opportunities and appropriate infrastructures for current and future generations. Decent work could not be isolated from solid social protection systems, which would ensure that vulnerable workers and their families had access to basic services. Moreover, in the light of the high percentage of women living and working in rural areas, women's rights relating to land ownership and financial services must be protected.
429. He supported efforts to align outcome 5 with the relevant SDGs and suggested that the Office draw inspiration from the Organisation for Economic Co-operation and Development (OECD)–FAO *Guidance for responsible agricultural supply chains*. He welcomed the ILO initiative to issue the *Portfolio of policy guidance notes on the promotion of decent work in the rural economy* and expressed interest in receiving feedback on the new agriculture insurance training package that would be implemented in 2017. The collection and dissemination of disaggregated data on decent work in rural areas was important and should be done in association with other key actors such as the FAO and the World Bank. It was critical to improve the organization and representation of rural stakeholders, to ensure youth participation in decision-making processes, and to give effect to the 2015 General Survey concerning the right of association and rural workers' organizations instruments. He supported the draft decision.
430. *A Government representative of Indonesia* commended the ILO's work on outcome 5 and encouraged the Office to enhance its technical assistance to constituents to better promote productive employment and decent work in the rural economy in accordance with national development policies. With a high proportion of its population depending on farming for a living, Indonesia saw agricultural and rural development as the key to eradicating poverty. It particularly appreciated the ILO's pilot project on sustainable rural development and food security in East Nusa Tenggara and was looking forward to further such cooperation in other national rural development programmes.
431. *A Government representative of India* emphasized the importance of establishing a robust macroeconomic policy and legislative framework in order to integrate the many linkages involved in achieving decent work in the rural economy. The strongly cross-cutting nature of outcome 5 allowed for optimal sharing of resources and, given the strong correlation between outcomes 5 and 6, India looked forward to the latter benefiting from such linkage as it had suffered a cut in resources. India had learned from implementing the Mahatma Gandhi National Rural Employment Guarantee Act of 2005 that public employment programmes could be very effective in addressing underemployment and seasonal employment, provided they benefited from well integrated financial inclusion and asset/infrastructure creation. The positive results included wage and income increases, enhanced rural market capacity, halting of distress migration and greater workforce participation by women. The development of agro-based industry and the promotion of decent work therein performed a vital role in developing the rural economy, by removing an excess of population from the agriculture sector, and thus making it more competitive. He thanked the ILO's Delhi Office for its support in providing reliable and timely statistics on rural labour markets and expressed support for the draft decision.

- 432.** *A Government representative of Brazil* said that, despite the great changes in society and in production methods over recent decades, the rural sector still accounted for one of the largest groups in the national labour market. Brazil had committed itself unconditionally to sustainable rural development, the promotion of decent work and the eradication of rural poverty in the framework of the 2030 Agenda for Sustainable Development (2030 Agenda). In recent years, tripartite agreements, certification and greater inspection had brought a reduction in informal work, while increased union membership had reduced child labour and forced labour. However, labour conditions were still precarious in the rural sector owing to its seasonal nature, organizational problems and crop rotation, and the struggle against informal work and rural poverty faced new challenges from reduced land occupation and changing means of production. Cooperatives and economic solidarity could play an important role in raising qualifications, strengthening social dialogue, improving organization and providing greater financial and administrative support throughout the rural production chain. She expressed support for the draft decision.
- 433.** *A Government representative of Bangladesh* said that, as poverty in his country was predominantly rural, its seventh five-year plan was well aligned with the UN SDGs and the 2030 Agenda, and his Government attached great importance to outcome 5. It had taken a number of poverty alleviation initiatives, including the “one house one farm” project for vulnerable groups and smallholders, and was taking other steps to generate employment, increase micro- and small enterprise productivity and improve employability with a view to achieving greater formalization. Improved market promotion would lead to greater access by women to the labour market and improved product pricing. Improved and innovative technologies had an important role to play in the diversification of rural enterprises, and information and communications technology skills in particular offered great potential for achieving decent employment among young rural men and women. Support for rural human resource development and technological innovation was crucial to the promotion of decent work in the rural economy through appropriate strategic planning that took full account of national contexts. Bangladesh supported the draft decision.
- 434.** *A Government representative of Argentina* said that, as the host country for the G20 summit in 2018, Argentina was committed to ensuring that the topic of decent work for young people in rural areas remained on the international agenda.
- 435.** *A Government representative of Colombia*, after commending the work of the ILO Cooperatives Unit and Regional Office, said that in rural areas, cooperatives assured a range of services for improving quality of life and well-being in a number of sectors and played a vital role in promoting agro-industrial enterprise, small business development and job creation. Those virtues had been specifically recognized by the Havana peace accords, under which a national development plan (PANFLES) had been developed, covering the legal, organizational, cultural and practical aspects of a solidarity- and cooperative-based programme intended to further socio-economic recovery at all levels.
- 436.** *A representative of the Director-General (Deputy Director-General for Policy (DDG/P))*, responding to interventions made, noted the general recognition of the crucial role of the rural economy in poverty reduction and sustainability, and the general satisfaction that had been expressed with the ILO’s work on outcome 5, in particular the integration of decent work principles in national rural development policies and strategies. At country level, the Office was striving to respond to the Employers’ requests for a greater focus on jobs for young people, combined with the promotion of an enabling environment for sustainable enterprises, while also responding to the Workers’ requests for greater attention to wage employment and plantation workers. The latest research indicated that the poorest rural households derived most income from wage employment.

437. The secretariat would do its best to respond, over the following biennium, to Governments' requests for more technical assistance on the complementary areas of the informal economy (outcome 6), rural cooperatives (outcome 4) and skills development (outcome 1). The additional regular budget resources earmarked for outcome 5 showed the importance that the ILO attached to the promotion of decent work in the rural economy as a means to reduce poverty. Concerning decent work in plantations, she noted that a number of interventions were already in place. The Office was also making efforts to generate more statistics in that area and was leveraging its resources and work across the Office on youth employment, social protection, jobs for peace and resilience, environmental sustainability and child labour. In response to a question from the Employers' group on employment-intensive infrastructure projects (EIIP), she said they constituted an important pillar of the Office's work on the rural economy and were a component of the flagship programme on jobs for peace and resilience (JPR). The EIIP approach included training workers for transferable skills in a context of decent working conditions. The Office would respond to requests to more proactively seek public-private and multilateral partnerships to develop EIIP further. Finally, the Office was committed, as part of its work on the rural economy, to finding common ground on the sectoral meeting mentioned by a number of speakers.
438. *The Worker spokesperson* expressed appreciation for the position of GRULAC concerning the importance of an integrated approach and multidimensional, rights-based policy for economic development based on a rural economy, and added that it was now time to focus also on evaluating industrialization and structural transformation. He endorsed the Africa group's position on the need for specific focus on empowering women and ending child labour in rural areas, the Government group's comments on the importance of rural workers being represented not only at national but also at international level, and the EU's comments about the ILO making use of the recently adopted OECD-FAO guidelines on responsible agricultural supply chains.

Decision

439. *The Governing Body provided the Director-General with guidance in further implementing the strategy for outcome 5 of the Programme and Budget for the biennium 2016-17 on decent work in the rural economy.*

(GB.329/POL/1, paragraph 37.)

Second item on the agenda

Outcome 6: Formalization of the informal economy (GB.329/POL/2)

440. *The Worker spokesperson* said that informal employment was the result of countries' inability to create formal jobs; despite the many decent work deficits it entailed, informal employment remained pervasive in many developing and emerging economies since people could not afford to remain unemployed. The growing trend towards the informalization of formal jobs was identified as an added challenge. He welcomed the renewed ILO focus on formalization, which made an important contribution towards achieving SDG 8, and also its integrated strategy promoting policy coherence, institutional coordination and social dialogue in line with the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), together with its focus on strengthening constituents' capacity to formulate integrated strategies for transition from the informal to the formal

economy. It would be important to ensure that formalization policies based on the Recommendation were included DWCPs. He welcomed the promotion of Recommendation No. 204 at forums such as the G20 and BRICS (Brazil, Russian Federation, India, China and South Africa) meetings, adding that, while social dialogue should be central to the strategic approach for outcome 6, it could only be effective if underpinned by realization of the rights enshrined in the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). The progress of legal reforms promoting formalization remained weak, and the Office would need to step up its assistance to Members in that regard. Recommendation No. 204 and the Promotion of Cooperatives Recommendation, 2002 (No. 193), recognized the crucial role played by cooperatives in formalization.

- 441.** Although section IV of the report described many interventions that gave valuable effect to Recommendation No. 204, their presentation might give the impression of a piecemeal approach. While it was important to take into account country specificities, it was important to avoid countries adopting a few elements of the Recommendation while disregarding others. With regard to formalization strategies, the group welcomed the mainstreaming of gender equality in all activities and work to facilitate the transition to formal employment for domestic workers, migrant workers and indigenous people, and looked forward to further reporting on progress made in extending social security coverage, especially to domestic workers. Further priorities for the group were strategies to prevent the informalization of formal jobs. The group welcomed the specific actions described in the document on compliance including the strengthening of labour inspectors, prevention of occupational accidents and disease, and promotion of fundamental principles and rights at work. The group would like the ILO to continue to further strengthen, at country level, its sector-based approach to formalization of domestic work in line with Recommendation No. 204, and also to receive more information on how the Office intended to promote integrated formalization in line with that Recommendation and assist countries to achieve their targets as part of its contribution to the 2030 Agenda. Finally, he welcomed the development of a biennial plan of action and requested the Office to ensure that the plan included the promotion of ratification and application of standards listed in Recommendation No. 204, with the involvement of the Bureau for Workers' Activities (ACTRAV) and the Bureau for Employers' Activities (ACT/EMP).
- 442.** *The Employer spokesperson* said that formalization of the informal economy was a key priority, which should not be considered as a single event but as a concerted effort of dialogue in which the national context represented the foundation for action. The Employers supported the ILO strategy and its implementation. Formalization required incentives in which the benefits of formalizing outweighed the costs of remaining informal. They included accessibility to microfinance, improvements to labour standards and legislation, security of property rights and stronger industrial associations through capacity building. More innovative ways needed to be found in private and public education and skills development to aid transition at the meso- and micro levels. It was unfortunate that policy-makers in many transitional and developing countries saw formalization, at least in the short term, as a means to increase income by taxing and licensing small start-ups. Greater efforts should be made to improve the environment for them and thus enhance their interest in remaining in the formal sector.
- 443.** The group supported the key pillars of the ILO strategy for promoting transition to the formal economy, namely: raising awareness for widespread implementation of Recommendation No. 204; building the capacity of governments, employers and workers, taking into account national circumstances; supporting national dialogue processes; and promoting cooperation and partnerships with relevant international organizations. Specific attention should be paid to: establishing an inclusive growth strategy that promotes national policy coherence in the context of implementing SDG 8; promoting a conducive business and investment

environment; promoting access to land and property rights; harnessing the entrepreneurial spirit of informal operators, especially women and young people; dismantling tax, registration and compliance barriers; incentivizing micro-, small and medium-sized enterprises; promoting access to education, lifelong learning and skills; and facilitating access to property rights, financial services, business development services, markets and infrastructure, and technology. Other important areas were promoting social dialogue to identify needs at country level, integrating that work into DWCPs, strengthening internal delivery capacity, a sectoral approach to formalization, and strengthening the capacity of national statistics offices.

444. *Speaking on behalf of the Africa group*, a Government representative of Lesotho said that the situation in Africa was grim, with 80 per cent of workers in the informal economy and 30 per cent of informal employment in the formal economy. The Africa group acknowledged the progress made by the Office in supporting member States to promote transition from the informal economy to the formal economy. He agreed that the transition to the formal economy could best be facilitated through integrated strategies, policy coherence, institutional coordination and social dialogue. He called on the Office to support the sharing of experiences by setting up a database of relevant projects and providing technical support to member States in assessing policy gaps and building their capacities to collect and analyse statistics on informality, as well as disseminating national statistics on the informal economy through the ILOSTAT database and other publications. He also called on the Office to continue to offer courses on integrated policies through the ITC–ILO and to extend its training activities to national and regional institutions. He noted that promoting social dialogue was at the heart of the outcome 6 approach and requested the Office to strengthen the capacities of social partners to be able to participate effectively in policy formulation and implementation and to organize national and regional workshops to raise awareness for the implementation of Recommendation No. 204. The formalization of the informal economy must be a priority in implementing the Programme and Budget for 2018–19 in the Africa region. He welcomed the advocacy work and joint initiatives undertaken with regional and international organizations. He supported the draft decision.

445. *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said that the following countries aligned themselves with the statement: Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina, Norway, the Republic of Moldova and Georgia. His group supported the statement to be made by the representative of Bulgaria on behalf of the group of industrialized market economy countries (IMEC). He welcomed the strategy for action that built on a shared understanding that the transition to the formal economy could best be facilitated through an integrated strategy, policy coherence, institutional coordination and social dialogue. The transition to formality and achieving decent work for all must be stimulated by integrated approaches and realistic objectives to make a real impact and support member States in addressing the avoidance of social contributions, labour law and regulations. He welcomed the publication of the report *Formalizing Domestic Work* and the Office's approach to integrating, mainstreaming and strengthening the formalization objective through the DWCPs and the training provided at the ITC–ILO on measuring and monitoring informality. He also welcomed efforts to raise awareness, drive advocacy and develop knowledge dissemination among the tripartite constituents and specific groups of workers and economic units. The proposed online platform to raise awareness of Recommendation No. 204 was particularly welcome in that regard. He looked forward to receiving an update from the Office on the progress of the diagnostic assessment and monitoring mechanism. He welcomed the Office's engagement with regional and international organizations, including through the European Platform Tackling Undeclared Work, G20, BRICS employment working groups, and the OECD. Recommendation No. 204, together with social protection floors, were critical in the delivery of the SDGs. He

welcomed the ILO's efforts to integrate the economic and social inclusion of workers in the informal economy into the indicators and targets used to monitor progress across the SDGs.

- 446.** *Speaking on behalf of GRULAC*, a Government representative of Panama reiterated his group's commitment to the formalization of the informal economy and to the implementation of Recommendation No. 204 to address decent work deficits. Addressing the high rates of informality in the world, including in his region, called for sustained action and innovative alliances. He welcomed the reference to the national programmes of the countries of his region and the links between those programmes as action plans and roadmaps and the Organization's efforts to implement the strategy. It was essential to give priority to raising awareness about the informal economy; without adequate understanding of the reality on the ground, neither the ILO nor the constituents could come up with the solutions needed. He supported capacity-building efforts and activities of the ITC–ILO to formalize enterprises and improve social dialogue, including the participation of vulnerable workers and domestic and migrant workers. He agreed on the importance of Recommendation No. 204 in achieving the SDGs. He supported the draft decision.
- 447.** *Speaking on behalf of IMEC*, a Government representative of Turkey indicated that the strategy appropriately addressed the various components of Recommendation No. 204. He highlighted that it was a cross-cutting issue with links to various programmes/activities such as safer workplaces, elimination of child labour or gender mainstreaming, and urged the Office to adopt a systematic and comprehensive approach to integrating programmes and activities to create interlinkages and synergies. Moreover, there should be a methodical approach to selecting the countries and regions for interventions and he requested the Office to report on the selection methods used. He also requested the Office to share in future reports of the results of the analyses it had carried out on the processes that generated and/or maintained informality and on the guidance to address specific regional and sectoral differences. Welcoming the Office's collaboration with other international organizations in raising awareness and promoting partnerships and cross-collaboration, and recognizing the pivotal role of social dialogue in achieving formalization, he supported efforts to advocate for the common understanding that buy-in from employers and workers was required for formalization to occur. He invited the Office to share information on the impact of implementation and on any adverse effects and complications encountered. He urged the Office to further encourage cooperatives and other social economy units. He looked forward to the ILO web page dedicated to Recommendation No. 204 and its implementation becoming fully operational and updated. As it was a long strategy which extended until 2021, he suggested to present it in tabular form, annexed to the report and showing its key features, indicators and outcomes. He supported the draft decision.
- 448.** *A Government representative of India* said that it was essential to create a conducive environment for businesses to grow and investment to take place in sectors that could sustain the large young population entering the labour market. It was also important to improve compliance through reforms in labour legislation to bring it in line with the changing work environment and mechanisms to encourage industry to follow decent work practices. He encouraged the Office to increase its activities in the Asia and the Pacific region that had a high incidence of informality through interventions rooted in the local context. He further noted that the ITC–ILO training programmes should be held at the country level and customized to the local context. The ILO could also help promote social dialogue by encouraging the involvement of trade unions and employers. He supported the draft decision.
- 449.** *A Government representative of Thailand* supported ILO efforts to promote the implementation of Recommendation No. 204 and the strategy for action (2016–21), particularly those aimed at improving legal and policy frameworks, raising awareness among the constituents and building their capacities, promoting gender equality and addressing the needs of rural workers. Special attention should be paid to promoting social dialogue to

ensure that the voices of workers and other stakeholders in the different sectors of the economy were heard. She noted that the transition to the formal economy was instrumental in achieving SDG 8 and urged the Office to ensure that the needs and circumstances of the constituents were taken into consideration in implementing outcome 6 and in formulating the ILO's programme and budget for the coming biennium. She supported the draft decision.

- 450.** *A Government representative of Brazil* supported the statement made by GRULAC and said that formalizing the informal economy meant generating more decent work and promoting social justice and sustainable development. There was therefore a clear link between Recommendation No. 204 and the SDGs, particularly SDG 8. The ILO must be involved in international alliances to mobilize resources and raise awareness among stakeholders. In recent years, Brazil had implemented public policies to facilitate the transition to the formal economy, had simplified taxation, had acted to enhance the social protection for workers, and had promoted social dialogue. She supported the draft decision.
- 451.** *A Government representative of Mauritania* drew attention to a high-level tripartite symposium organized by his Government in February 2017 on implementing Recommendation No. 204. During the discussions, the incidence of decent work deficits had emerged, including the lack of social security coverage for workers in the informal economy, lack of job security, the absence of employment contracts and labour inspection, and child labour. As a result, the Government had set up a follow-up tripartite committee to use the findings of the symposium to draft a roadmap to implement Recommendation No. 204. His Government acknowledged the engagement of the social partners and thanked the Office for its support in helping Mauritania towards achieving that goal.
- 452.** *A Government representative of China* said that his Government was actively cooperating with the ILO in promoting the implementation of Recommendation No. 204, not least by advocating for the inclusion of the formalization of the informal economy as an agenda item for the G20 summit, which had gained the extensive support of member States. Member States were taking steps to include the transition to formality in national economic development, including enhancing protection for vulnerable groups, promoting the formalization of enterprises and extending social security coverage. The ILO could assist further by helping economic entities to grow and speed up economic development and by supporting the active labour market economy in developing new initiatives to eradicate poverty and improve employability. He supported the draft decision.
- 453.** *A Government representative of Colombia* said that Colombia, with a high level of informality, had focused its efforts on policies to promote economic and social development and decent work and to reduce the informal economy. Those efforts had led to a fall in unemployment, the creation of over 3 million jobs, 72 per cent of which were in the formal economy, and an increase in social security coverage. Efforts had also been focused on strengthening labour inspection and increasing the number of labour contracts. The Government shared the view that promoting social dialogue was a key element in the transition to the formal economy, together with extending social security coverage to workers in the informal economy and supporting the growth of cooperatives and social economy enterprises. The ILO could make a significant contribution in that area. He supported the draft decision.
- 454.** *A representative of the Director-General (DDG/P)* said that the key components for transition were included in the strategy for outcome 6 set out in the document. Recommendation No. 204, social dialogue and social protection had been stressed, alongside an integrated approach and coherent policy as was evident in paragraph 5. Since some of the challenges of moving from informality to formality were outside the traditional labour framework, the Office was working with other ministries. Statistics were important and had been emphasized in the strategy. The Office would continue to rely on the ITC–ILO with a

focus on country-specific strategies. With respect to the Africa group's suggestion to develop a platform on good practices, a website was being developed with the ITC–ILO that would support work on transition and encompass the guiding principles and policy guidelines of Recommendation No. 204. The website would help develop integrated approaches and coordinate the strategy's different components. Regional and national data on informal employment and good practices would be made available. Additional time and data were needed before evaluating the impact of work on the strategy for outcome 6.

- 455.** *The Worker spokesperson* welcomed the work achieved to date on Recommendation No. 204 and called for a greater focus on the role of cooperatives in formalization. The majority of people in the informal economy were women, who should be empowered and respected. Particular attention should be paid to social protection for women in domestic work.
- 456.** *The Employer spokesperson* said that the statements made during discussions would enrich the implementation of Recommendation No. 204. The Employers stood ready to provide support to ensure its effective implementation.

Decision

- 457.** *The Governing Body provided the Director-General with guidance in further implementing the strategy for outcome 6 of the Programme and Budget for the biennium 2016–17 on formalization of the informal economy.*

(GB.329/POL/2, paragraph 29.)

Third item on the agenda

Addressing the impact of climate change on labour

([GB.329/POL/3](#))

- 458.** *The Employer spokesperson* said that the transition to environmentally sustainable and low-carbon economies and societies should create jobs and encourage economic growth as well as sustainable development. The potential risks of economic losses, harm to occupational health and security, and therefore to productivity, and to the labour market must also be addressed. As jobs were replaced and redefined, job requirements and skills would change. Predicted net employment gains of millions of jobs were encouraging, although such estimates were based on a perfect labour market with the required mobility and adequate available labour with the right skills. That vision emphasized the need for policies on labour mobility and the development of skills in line with market needs, among other issues. Efforts to combat climate change under the 2030 Agenda and the Paris Agreement on Climate Change implied structural change; the success of those efforts would depend on the development and implementation – through social dialogue – of measures to ensure a transition that promoted economic prosperity and sustainable businesses that created jobs, and on a favourable environment for those businesses. In light of the ILO *Guidelines for a just transition towards environmentally sustainable economies and societies for all*, countries should take into account model policies, in particular on growth, business and skills development. Feedback on the implementation of the *Guidelines* in the Philippines and Uruguay would indicate their feasibility. The focus on labour issues in climate change negotiations was welcome, including efforts by the Office and the United Nations Framework Convention on Climate Change (UNFCCC) secretariat to draft a technical

document on a just transition. The International Organisation of Employers had also worked on the document, to ensure that it reflected the voice of business. Discussions on the Improved Forum on Response Measures and the participation of the Office in the work of the expert group responsible for guiding the negotiations were of particular interest. More information on the contents of the Memorandum of Understanding between the Office and the UNFCCC secretariat would have been useful. The discussion should continue and should be linked with the Green Initiative, which would establish new activities for the Organization. With respect to subparagraph (c) of the draft decision, feedback from the pilot projects should be obtained before promoting the ratification of international labour standards and reflecting on possible gaps in the *Guidelines*. Gaps identified should not necessarily be addressed through a normative approach, which should be limited to implementing the decisions made under the Standards Review Mechanism, by updating standards to integrate the environmental aspect rather than inventing new ones. Capacity building for constituents would be the most practical means of addressing the impact of climate change.

459. *The Worker spokesperson* said that without action to limit global temperature increases, the challenges of climate change would become barriers to achieving decent work for all. Workers were at the frontline of impacts. The Organization and its constituents should be more vocal about the impacts of climate change and promote solutions. With respect to subparagraph (a) of the draft decision, the 2018 World Employment and Social Outlook report should be used to assess the environmental implications of ILO recommendations. It was critical to build a future-proof world of work that encompassed multiple needs, including the protection of the planet for future generations; that report should make the case for just transition strategies as a tool for managing the labour dimension of climate change and other environmental challenges. The pilot application of the *Guidelines* should be extended, as a package, to more countries. The Green Climate Fund should be used at national level by constituents to finance that work. Countries should report how a just transition had been considered and how social partners had been involved in managing the social impacts of climate policies when setting out their nationally determined contributions under the Paris Agreement. Such information would prove valuable to a future ILO instrument that would elaborate on the policies needed to ensure that just transition arrangements were implemented in the world of work. It would be important to promote the ratification and implementation of the international labour standards and resolutions listed in Annex 1 to the *Guidelines*. It would be useful to identify areas that would require further regulation as a result of climate change, as well as policies to prevent it and to develop new green jobs. Environmental and climate issues should be taken into account under the Standards Review Mechanism, since doing so would further discussion on a new standard on just transition. In that light, he submitted an amended version of the draft decision. Further work to promote the *Guidelines* and decent work should focus on the national and international levels. In light of the introduction of environmental sustainability as a cross-cutting policy driver, new DWCPs should include the transition towards environmentally sustainable economies and societies for all and the *Guidelines* should serve as a starting point for that work. The Organization should provide training to workers on climate change and just transition. Collaboration with the relevant international institutions was welcome, notably the signing of a Memorandum of Understanding with the UNFCCC secretariat. The Organization should focus on its comparative advantage in developing activities and programmes with other institutions, starting with social dialogue and the involvement of social partners. Workers and employers must be involved in ensuring decent working conditions in the transition to a greener economy.

460. *Speaking on behalf of the Government group*, a Government representative of Mexico said that he took note of the potential positive and negative impacts on labour of climate change. The Future of Work Initiative could address the associated challenges by proposing alternatives, promoting sustainable employment and supporting capacity building to adapt

policies to mitigate job losses. The Office's commitment and contributions to global and regional meetings on climate change were welcome. The Director-General should follow up and promote the Organization's collaboration with relevant institutions and stakeholders to address climate change and achieve decent work and just transition, and report back to the Governing Body on the results. The Director-General should provide more information on the Memorandum of Understanding with the UNFCCC secretariat. The attention to environmental sustainability as a cross-cutting issue in the Programme and Budget proposals for 2018–19 was appreciated. Given that the *Guidelines* were a practical tool to carry out the 2030 Agenda, details should be provided on the outcome of follow-up work in member States. He expressed support for ILO training to help officials and constituents respond to the impacts of climate change on decent work.

- 461.** *Speaking on behalf of the Africa group*, a Government representative of Lesotho said that the information provided in the document on the impact of climate change on labour markets was enlightening and the analysis called for policy integration, in the context of the implementation of the Paris Agreement steered by the *Guidelines*. The Office should further explain the ILO's role in the follow-up to the Marrakech Action Proclamation for Our Climate and Sustainable Development. While his group supported the creation of the Initiative for the Adaptation of African Agriculture to Climate Change, a link needed to be established with the ILO Green Initiative. The ILO's contribution to the Technical Expert Group regarding the Improved Forum on Response Measures was welcome. The Africa group would appreciate further information and updates on the Memorandum of Understanding to enhance collaboration with the UNFCCC. The Office should raise awareness of the *Guidelines* and the Paris Agreement among constituents and advocate the ratification of the international labour standards most relevant to the just transition. It should also extend capacity building for the integration of climate change in sectoral programmes, national development strategies and policies, in line with the 2030 Agenda and the Agenda 2063. He supported the draft decision as set out in the document.
- 462.** *Speaking on behalf of GRULAC*, a Government representative of Panama said that it was clear that the transition towards a green economy required firm commitment from member States and other concerned parties to modernize economies and update programmes on climate change mitigation and adaptation. He supported the original draft decision. However, GRULAC had not had time to review the Workers' proposal. His group was already having to address the impact of climate change on labour in the wake of intense rains and flooding in Peru.
- 463.** *Speaking on behalf of IMEC*, a Government representative of Canada said that IMEC looked forward to learning about the results of the pilot project implementing the *Guidelines* in a number of member States. He observed that whereas paragraph 17 of the report stated that the *Guidelines* had been adopted by the Governing Body, it had in fact taken note of them. In the interest of ensuring technical accuracy and of limiting the work of the ILO to its mandate and expertise, subparagraph (c) of the draft decision should be amended to read “promote the ratification of those international labour Conventions and the implementation of those Conventions, Recommendations and resolutions most relevant to the just transition framework towards environmentally sustainable economies and societies for all as listed in the appendix to the ILO *Guidelines*, and identify and address possible gaps related to the policy areas in the *Guidelines* within the ILO's current mandate”. With those amendments, he supported the draft decision
- 464.** *Speaking on behalf of ASPAG*, a Government representative of India requested additional information on the positive labour market outcomes of transitions to a low-carbon economy that specified where net employment gains had been achieved and where the benefits were most evident. Since the Asia and the Pacific region was prone to natural disasters and catastrophes that could aggravate labour migration, the Office should pay special attention

to the most affected areas and endeavour to mitigate the consequences, carry out further country-specific research into the problem, and disseminate the findings effectively. ASPAG endorsed the *Guidelines*, welcomed the Office's contribution to climate change negotiations and collaboration with the UNFCCC secretariat, encouraged it to further its cooperation with the relevant international bodies and institutions and highlighted the role of the Turin Centre in building constituent capacity on matters relating to decent work and climate change. The draft decision should be brought into line with the Paris Agreement by adding, in subparagraph (a) after "climate change" and before "for the world of work", a comma and the words "particularly on indigenous people, local communities, migrants, children, persons with disabilities and people in vulnerable situations, bearing in mind gender equality, empowerment of women and intergenerational equity", and by adding, in subparagraph (c), the words "creation of decent work and quality jobs, in accordance with nationally defined development priorities and the principles of UNFCCC, including common but differentiated responsibilities" before "and identify".

465. *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said that candidate countries Montenegro and Serbia, Stabilisation and Association Process and potential candidate Bosnia and Herzegovina as well as the Republic of Moldova and Georgia aligned themselves with her statement. Since the first ILO discussion on work and the environment, in 1972, it had been recognized that the Organization's responsibilities encompassed the relationship between the environment and the world of work and that it had the unique advantage of bringing together Government, Employer and Worker representatives to discuss that issue. Climate change and other environmental issues should be mainstreamed into programmes, policies and strategies in order to contribute to implementation of the Paris Agreement and the transition to low-carbon sustainable development, the promotion of decent work and implementation of the 2030 Agenda, including through the *Guidelines* and the Green Initiative. The EU supported the action by the Office to engage at the international level and scale up its knowledge, policy advice, capacity building and tools for a just transition. Since national priorities must be taken into account, lessons learned from the pilot project on a just transition would be instrumental to implementation of the *Guidelines* and social dialogue would be important at every stage of that process. Particular attention should be paid to gender equality and vulnerable groups. The EU attached great importance to the ratification and implementation of the relevant international labour standards and to cooperation between international institutions and initiatives such as the Global Covenant of Mayors for Climate and Energy. It stood ready to support ILO efforts to address the implications of climate change for the world of work, develop mitigation and adaptation measures and implement the Green Initiative, good practices and new initiatives. She supported the draft decision with the amendments proposed by IMEC; as a compromise, however, she suggested that subparagraph (a) should be reworded to read: "through the Green Initiative, promote further discussion, knowledge and understanding of the implications of climate change for the world of work, particularly on those most affected"; and subparagraph (c) to read: "promote the ratification of those international labour Conventions and the implementation of those Conventions, Recommendations and resolutions most relevant to the just transition framework towards environmentally sustainable economies and societies for all (as listed in the appendix to the ILO *Guidelines*), and take into account environmental aspects when elaborating or reviewing standards". A new subparagraph (d) should be inserted, reading: "promote the creation of decent work and quality jobs through nationally defined development priorities", such that current subparagraph (d) would become new subparagraph (e).

466. *A Government representative of India* said that implementation of the *Guidelines* should reflect the UNFCCC framework and the principles of common but differentiated responsibilities and nationally determined contributions with a view to national ownership of the just transition to an environmentally sustainable world of work. Because the primary economic sectors were most affected by climate change, its impact would be significant and

the affected population large; in developing responses, the limitations of member States must be borne in mind and their strengths must not be compromised.

- 467.** *A Government representative of Indonesia* encouraged cooperation in addressing the impact of climate change on labour in the spirit of the Paris Agreement, which his national Parliament had ratified in October 2016, and welcomed the role of the Turin Centre in providing capacity building on green jobs. As part of its nationally determined contributions, Indonesia planned to increase the share of new and renewable energy from 17 to 23 per cent of its total energy consumption by 2025, and to 29 per cent by 2030. It therefore welcomed the implementation of the Green Jobs Programme in Indonesia, including the Indonesian Green Entrepreneurship Programme and the Strategic Plan for Sustainable Tourism and Green Jobs for Indonesia.
- 468.** *A Government representative of the United States* said that her delegation had noted with interest the ways in which climate change was likely to affect employment and the growing evidence that the job creation potential of the shift to low-carbon economies and societies outweighed the risks of job losses. The ILO's role should be to help governments, employers and workers to face changing employment and production landscapes as a result of shifts to new energy sources and more efficient technologies, policies and processes, including by providing training and capacity building so that workers could take advantage of new opportunities and by helping businesses and workers to identify and address changing OSH and other workplace issues in traditional and emerging industries and changing workplaces.
- 469.** *A Government representative of Ethiopia* encouraged the Office to widen the scope of the partnership on climate change to include innovators, financiers, regional administrations and advocacy groups in the spirit of SDG 17, including by scaling up collaboration with the International Solar Alliance and other renewable energy initiatives with a view to creating jobs and diversifying rural employment in Ethiopia and other African countries. As current Chair of the Climate Vulnerable Forum, Ethiopia noted the successful collaborative study of the impact of heat on labour productivity and called for further collaboration in order to ensure that climate change negotiations took the labour and employment impact of climate change into account. Since two important sources of employment in sub-Saharan countries, agriculture and tourism, were affected by rising temperatures, flooding, drought and poor rainfall, it was important to address the impact of climate change on the rural economy and to explore cooperation with the New Partnership for Africa's Development Climate Smart Agriculture initiative. The Office should consider the impact of climate change on small and medium-sized mining enterprises in the rural economy and enhance support for climate-change-vulnerable countries through development cooperation and technical assistance programmes, taking national priorities and common but differentiated responsibilities into account. Ethiopia welcomed the Office's input on the implementation of the *Guidelines* and expressed interest in the pilot project on a just transition. Adaptation to climate change was a priority in rural areas and a variety of approaches to skills development and employment diversification were needed. In particular, the ILO should equip farmers with innovative schemes such as climate change insurance. Ethiopia had submitted its intended nationally determined contributions and encouraged the social partners to work towards ratification of the Paris Agreement. His delegation supported the draft decision.
- 470.** *A representative of the Director-General (DDG/P)* said that the Office needed to communicate with constituents, including through policy briefs and information on pilot projects, on the dynamic issue of climate change. Pursuant to the new Memorandum of Understanding, the ILO and the UNFCCC secretariat would be conducting joint research on the linkages between climate and decent work and providing collaborative policy advice on implementation of the *Guidelines* and capacity building on climate issues. The Office was aware of the need to focus on gender issues and vulnerable communities and sectors and

realized that social dialogue was crucial to a just transition to a more sustainable economy. Lastly, she encouraged constituents to take advantage of the Turin Centre's new course on climate change and decent work in the context of a just transition.

471. *The Employer spokesperson* said that his group had no objection to the amendments proposed by the Worker spokesperson.
472. *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria suggested a compromise text combining the different amendments proposed.
473. *The Worker spokesperson* said that his group endorsed the compromise text proposed by the EU.
474. *A Government representative of the United States* said that her delegation had concerns about the language proposed by the Workers' group. The proposed amendment to subparagraph (c) appeared either to invite the adoption of a new standard – an issue that should be discussed in the context of the discussion on the agenda of the ILC (GB.329/INS/2) – or the integration of environmental concerns into all ILO standards, which would require highly sophisticated technical and scientific capacity; such an endeavour would have cost implications, on which further information would be required. Moreover, since ILO standards were broadly applicable to all workers, such a review would be unnecessary.
475. *Speaking on behalf of GRULAC*, a Government representative of Panama said that his delegation needed more time to consider the proposed amendments and suggested that the discussion should be continued at a future meeting.
476. *Speaking on behalf of ASPAG*, a Government representative of India said that the amendments proposed by ASPAG were based on the intergovernmental Paris Agreement, which, with the UNFCCC, was mentioned frequently in the report. Moreover, paragraph 4 identified the areas that would be most affected by climate change; it was important to understand which specific sectors of the labour force would require more focused intervention. Consequently, ASPAG could not accept the proposed compromise text.
477. *Speaking on behalf of IMEC*, a Government representative of Canada requested clarification concerning the amended text. While he appreciated the efforts to achieve consensus, he was not in a position to adopt the draft decision at the current meeting.
478. *Speaking as a Government representative of Canada*, he recalled from a procedural perspective that in adopting its decisions, the Governing Body had tended not to import language from other bodies but had remained focused on labour, employment and the world of work. He asked constituents to bear past practice in mind and take a simple labour approach to the issue.
479. *A Government representative of Panama* said that he would also prefer to postpone a decision on the proposed amendments.
480. *The Chairperson* invited the Governing Body to consider the following amended draft decision following consultations on the compromise text proposed by the EU in which the Workers' group, ASPAG and IMEC took part:

The Governing Body takes note of the information provided by the Office and requests the Director-General to:

- (a) through the Green Initiative, promote further discussion, knowledge and understanding of the implications of climate change for the world of work, particularly those most affected;

- (b) continue with the pilot country application of the *Guidelines* for a just transition towards environmentally sustainable economies and societies for all with a focus on assisting governments and employers' and workers' organizations in developing policies, through social dialogue, to implement their climate change commitments;
 - (c) promote the ratification of those international labour Conventions and the implementation of those Conventions, Recommendations and resolutions most relevant to the just transition framework towards environmentally sustainable economies and societies for all (as listed in the appendix to the ILO *Guidelines*), and take into account environmental aspects when elaborating or reviewing standards;
 - (d) promote the creation of decent work and quality jobs through nationally defined development priorities; and
 - (e) promote collaboration among the ILO and relevant international institutions addressing climate change, with a view to advancing decent work and a just transition for all.
- 481.** *The Employer spokesperson*, referring to subparagraph (d), said that the Employers wished to replace the word “quality” with the word “productive”, since the term “productive jobs” reflected the language used in SDG 8.
- 482.** *The Worker spokesperson* said that while he supported that proposal, the resulting phrase “decent work and productive jobs” was better shortened to “decent and productive jobs”.
- 483.** *Speaking on behalf of GRULAC*, a Government representative of Panama expressed satisfaction with the text as amended by the Employers.
- 484.** *Speaking on behalf of ASPAG*, a Government representative of India proposed that the words “and vulnerable” should be added to the end of subparagraph (a) and that the words “in accordance with the principles of the UNFCCC” should be added after the word “priorities” at the end of subparagraph (d). With regard to the wording proposed by the Employers’ group, it would be preferable to retain the words “decent” and “quality” since jobs were expected to be productive.
- 485.** *A Government representative of Argentina* proposed either “quality and productive” or “decent and productive”, since the notion of productiveness was not implicit either in the word “quality” or the word “decent” alone.
- 486.** *Speaking on behalf of GRULAC*, a Government representative of Panama observed that “quality” was a subjective idea, whereas “productive” implied an objective and measurable concept. He requested clarification from the Office.
- 487.** *A representative of the Director-General (DDG/P)* said that the terms “quality” and “quality jobs” were not generally used by the Office. By contrast, “productive work” and “productive jobs” were terms in common use in the ILO.
- 488.** *Speaking on behalf of IMEC*, a Government representative of Canada asked the Office to comment on the possible implications of separating the words “decent” and “work”.
- 489.** *A Government representative of the United States* reiterated that she would prefer not to refer to the UNFCCC in subparagraph (d), as the implications of such a reference to external documents or agreements for the work of the ILO remained unclear.
- 490.** *Speaking on behalf of the Africa group*, a Government representative of Lesotho said that the word “promote” in subparagraph (d) should be replaced by the word “support”, which better reflected the terms of the ILO’s mandate.

491. *A representative of the Director-General (DDG/P) said that the term “decent work”, pioneered by the ILO, was widely accepted and implied more than simply jobs; it reflected an environment that encompassed jobs, freedom of association and collective bargaining.*
492. *A Government representative of Belgium, referring to subparagraph (d), proposed using the words “productive jobs and decent work”, since those were used in the ILO Declaration on Social Justice for a Fair Globalization (Social Justice Declaration) on which part of the proposed draft decision was based.*
493. *A representative of the Director-General (DDG/P) said she considered it more appropriate to say “decent work, including productive jobs”.*
494. *A Government representative of the United States, referring to subparagraph (c), proposed replacing the word “reviewing” with the word “revising”, which better reflected concerns raised previously by her delegation as well as the language of the Social Justice Declaration.*
495. *Speaking on behalf of ASPAG, a Government representative of India said that his group was content to delete the reference to the UNFCCC that it had proposed should be included at the end of subparagraph (d).*
496. *The Worker spokesperson said that he agreed with the ASPAG proposal to add the words “and vulnerable” to subparagraph (a) and the United States’ proposal to replace the word “reviewing” with the word “revising” in subparagraph (c). In addition, he proposed that the words “decent work, including productive jobs” should be replaced with the words “full and productive employment and decent work”, which was the actual wording contained in Part I(A) of the Social Justice Declaration.*

Decision

497. *The Governing Body took note of the information provided by the Office and requested the Director-General to:*
- (a) through the Green Initiative, promote further discussion, knowledge and understanding of the implications of climate change for the world of work, particularly those most affected and vulnerable;*
 - (b) continue with the pilot country application of the Guidelines for a just transition towards environmentally sustainable economies and societies for all with a focus on assisting governments and employers’ and workers’ organizations in developing policies, through social dialogue, to implement their climate change commitments;*
 - (c) promote the ratification of those international labour conventions and the implementation of those Conventions, Recommendations and resolutions most relevant to the just transition framework towards environmentally sustainable economies and societies for all (as listed in the appendix to the ILO Guidelines), and take into account environmental aspects when elaborating or revising standards;*
 - (d) support the creation of full and productive employment and decent work through nationally defined development priorities; and*

- (e) *promote collaboration among the ILO and relevant international institutions addressing climate change, with a view to advancing decent work and a just transition for all.*

(GB.329/POL/3, paragraph 33, as amended.)

Social Dialogue Segment

Fourth item on the agenda

Sectoral meetings held in 2016 and proposals for sectoral work in 2017 and 2018–19

(GB.329/POL/4)

498. *The Employer spokesperson* said that his group endorsed points (a), (b), (c) and (d) of the draft decision. It also endorsed points (f) and (g). The proposals in Appendix II had been the product of a very successful and positive discussion in the advisory bodies. It had been agreed by consensus during those discussions to save a ninth slot for an important issue that might need to be discussed at short notice. That represented a positive and progressive step forward; it was thus important to keep that slot open. The Meeting of Experts to Adopt Policy Guidelines for the Promotion of Sustainable Rural Livelihoods Targeting the Agro-Food Sectors held in September 2016 had failed to adopt guidelines, owing, in part, to the fact that the draft prepared by the Office contained a number of elements that the Employers' group could not accept, as they were not relevant to the situation of single farms, family farms or farms employing one or two people. Although the Office and the Workers' group contended that several paragraphs of the document had been agreed, the Employers' group took the view that the discussion had resulted in no outcome. It was consequently important that any further work on the subject should be based on a new Office draft, substantially and substantively different from the previous one. Although it was tempting to arrange a renewed discussion in the so-called "emergency" ninth slot, the Employers' group considered that it should either wait for the next biennium or preferably replace one of the eight topics already agreed. In relation to paragraph 20, while his group recognized that the Office had a fundamental mission to promote the ratification of Conventions adopted by the ILC, it reiterated its opposition to sectoral Conventions in general and the Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172), in particular.
499. *The Worker spokesperson* expressed satisfaction with the organization and results of the Global Dialogue Forum on the Challenges and Opportunities of Teleworking for Workers and Employers in the Information and Communications Technology Services (ICTS) and the Financial Services Sectors, and the Meeting of Experts to adopt a revised Code of Practice on Safety and Health in Ports. He requested the Office to promote the results of those meetings. It was regrettable that the Meeting of Experts to Adopt Policy Guidelines for the Promotion of Sustainable Rural Livelihoods Targeting the Agro-Food Sectors had not been able to conclude its work. Poverty and lack of decent work were serious problems in rural areas, where workers were counting on ILO intervention. His group supported the proposal to hold another Meeting of Experts to complete the work initiated in September 2016. Participants should be committed to preserving the spirit of the initial document, which included finalizing the review of the chapter on plantations. The Workers' group supported the recommendations by the sectoral advisory bodies for global sectoral meetings for 2018–19, contained in Appendix II, which had been agreed following active participation from Employers, Workers and Governments. Recurrent sectoral work for 2018–19 should prioritize the promotion of sectoral Conventions and Recommendations and sectoral guidance. It should ensure the implementation of conclusions and points of

consensus adopted in sectoral meetings and forums. For that to be effective, better monitoring and supervision mechanisms must be put in place, and the budget of the Sectoral Policies Department (SECTOR) should primarily be used for sectoral work recommended by the advisory bodies. The sectoral activities discussed in the advisory bodies and classified as recurrent by the Office should also be implemented and included in the more detailed version of the programme of work. Further details on the subjects to be included on the sector-specific research agenda would be welcome, as sectoral research on the future of work was of strategic importance. The advisory bodies were working well – the recently introduced operational changes had been successful.

- 500.** *Speaking on behalf of the Government group*, a Government representative of Mexico noted with regret that the Meeting of Experts to Adopt Policy Guidelines for the Promotion of Sustainable Rural Livelihoods Targeting the Agro-Food Sectors had not been able to conclude its work. He supported the proposal to finalize the policy guidelines in another Meeting of Experts to take place during the 2018–19 biennium on the understanding that the reserve slot would be used to avoid additional costs. He stressed the need for a clear tripartite commitment to achieve a positive outcome and accomplish the mandate of the Governing Body. As the list of proposals for global sectoral meetings in the upcoming biennium presented in Appendix II was pivotal to the document, he encouraged the Office to present the information in the main text of the report itself in the future. It would be useful for the rationale of each proposed meeting to be briefly described. Having been conducted in line with the proposals made during the review of SECTOR, the advisory bodies had been shorter than in previous years and at the same time allowed for substantive and open discussions. Governments had thus actively participated in the production of Appendix II, reducing the long list to a short list of recommended meetings, some of which would directly provide input into the work of the Future of Work Initiative. In doing so, the Government group had repeatedly reminded the advisory bodies that the ultimate decision of whether to endorse those recommendations, either fully or partially, lay with the Governing Body.
- 501.** *Speaking on behalf of GRULAC*, a Government representative of Panama said that GRULAC supported the statement made for the Government group and added that, in light of the importance of sustainable rural livelihoods for Latin America and the Caribbean, GRULAC deeply regretted that the Meeting of Experts had been unable to conclude its work; he trusted, however, that the obstacles to consensus could be overcome in the future. The experts from Brazil and Colombia who had participated in the meeting had made every effort to contribute and find a compromise. While the draft guidelines presented could have been more succinct, they embodied fundamental principles that had been generally accepted by the ILO and contained relevant public policy proposals for the agro-food sectors. Since many rural regions had decent work deficits, guidelines were urgently needed. GRULAC endorsed paragraph (e) of the draft decision, and was convinced that a second meeting of experts based on a tripartite commitment to achieving results would succeed.
- 502.** *Speaking on behalf of the Africa group*, a Government representative of Mali urged the Office to ensure follow-up to the recommendations made at 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 a Revised Code of Practice on Safety and Health in Ports, and supported the proposal to include in the programme of meetings for 2018–19 a Meeting of Experts to Adopt Policy Guidelines for the Promotion of Sustainable Rural Livelihoods Targeting the Agro-food Sectors, as well as the proposed meetings mentioned in Appendices I and II. He endorsed the sectoral approach and hoped that the proposed ILO activities would be relevant, results-oriented and in line with the strategic guidelines. His group recalled its proposal for 2017 regarding the holding of a tripartite sub-Saharan regional workshop on OSH in the oil and gas industry.

- 503.** *Speaking on behalf of IMEC*, a Government representative of the Netherlands said that his group supported the Government group statement. If it was decided to hold another meeting on sustainable rural livelihoods targeting the agro-food sectors, other relevant organizations, including the Food and Agriculture Organization of the United Nations, should be invited to contribute to the development of guidelines. Such a meeting would require full tripartite commitment, yet the social partners' positions appeared to conflict; it would be useful to hear their reaction to the statements made by governments.
- 504.** *The Employer spokesperson* said that there was a profound misunderstanding: the previous Meeting of Experts had produced no outcome that could be used as a basis for further discussion, yet some had spoken of the need to finalize, conclude or continue its work. Any future meeting must be based on a new working paper that was fundamentally different from the one provided to the experts at the previous meeting. His group was committed to tripartism and consensus and feared that a failure to lay the necessary groundwork would lead to a second unsuccessful attempt. He was also concerned by the notion that every tripartite discussion must result in consensus. His group could not undertake to send delegates to a future meeting in order to agree on a text that they had not yet seen; to claim otherwise was improper and showed a lack of respect for the roles of the parties. The Employers always entered into discussions in good faith, but some ILO meetings dealt with difficult and complex issues. The outcome of that meeting was not characteristic for sectoral meetings. It should also be borne in mind that in the advisory bodies, agreement had been reached on eight of the nine proposed topics for future meetings. The Employers attached great importance to sectoral discussions and hoped that the failure to reach agreement in one meeting would not cause problems in the future.
- 505.** *The Worker spokesperson* expressed surprise at the Employer spokesperson's statement that his group was opposed to Convention No. 172, as he could not recall that that reservation had been voiced before in the Governing Body. Like other ILO Conventions, it had been duly adopted and must be promoted and implemented. The policy guidelines for the agro-food sectors were of great importance, as a significant portion of the world's population lived in rural regions and it was urgent to promote sustainable rural livelihoods. While no guidelines had been adopted at the meeting, it could not be said that the five days of discussion had produced no outcome that could provide a basis for future efforts. The Employer spokesperson had also challenged the relevance of trade unions to rural workers, yet it was particularly difficult to monitor implementation of the fundamental ILO Conventions in rural areas. The rights of rural workers, including the right to organize, were often opposed and he wondered whether that opposition was at the heart of the Employers' position regarding the proposed future meeting and whether they considered that the fundamental principles of the ILO did not apply to rural workers. Too much time had already been lost but without a clear understanding on that issue, there could be no basis for further discussion.
- 506.** *A representative of the Director-General (DDG/P)* said that there appeared to be general agreement on the desirability of holding another meeting on the promotion of sustainable rural livelihoods targeting the agro-food sectors. However, in the absence of tripartite agreement on the basis for such a meeting, further groundwork by the Office was required. She suggested that consultations should be held in the hope that a decision on the issue could be taken at the 331st Session of the Governing Body.
- 507.** *The Employer spokesperson* reiterated that the Employers were not opposed to a second attempt to reach consensus; however, the issue needed to be defined in such a way that the discussion would have a positive outcome. He therefore endorsed the approach proposed by the Office and stood ready to discuss scheduling and methodologies of a future meeting.
- 508.** *The Worker spokesperson* said he regretted that the Employer spokesperson had not clarified his group's views regarding the nature of the work to be done at the future meeting; unless the parties agreed on the need to accelerate implementation of the fundamental Conventions, it would be difficult to achieve consensus. While it was true that rural workers faced specific issues, no occupation should, by definition, be exempt from application of the international labour

standards. One of the principles of negotiation was not to prejudge the outcome thereof, but it would be hypocritical to discuss schedules and methodologies while ignoring the substantive issues that had led to the current stalemate.

- 509.** *A representative of the Director-General (DDG/P) suggested that paragraph (e) of the draft decision be reworded in order to reflect the Office's proposal.*
- 510.** *A Government representative of Brazil said that his delegation had been involved in the Meeting of Experts and supported the approach proposed by the Office with a view to the holding of a second meeting. However, tripartite involvement in future consultations would be needed in order to find adequate terms of reference and a clear mandate. The issue was of paramount importance to all governments and to the world of work; decent work deficits in rural areas must be addressed and updated guidelines on the agro-food sector were needed.*
- 511.** *The Worker spokesperson said that he was prepared to support the Office's proposal, provided that a fixed time period for the discussions was agreed and that the Governing Body, at its 331st Session, could have a clear idea of the feasibility of and methodology for a future meeting.*

Decision

512. The Governing Body:

- (a) *took note of the reports of the meetings in section I of document GB.329/POL/4;*
- (b) *authorized the Director-General to publish the Code of Practice on Safety and Health in Ports;*
- (c) *authorized the Director-General to communicate the report of the Global Dialogue Forum on the Challenges and Opportunities of Teleworking for Workers and Employers in the Information and Communications Technology Services (ICTS) and Financial Services Sectors (document GDFTWEFS/2016/9) 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 Global Dialogue Forum on the Challenges and Opportunities of Teleworking for Workers and Employers in the Information and Communications Technology Services (ICTS) and Financial Services Sectors;*
- (e) *requested the Director-General to engage tripartite consultations with a view to identifying the conditions for the inclusion of a meeting of experts to adopt policy guidelines for the promotion of sustainable rural livelihoods targeting the agro-food sectors in the programme of meetings for 2018–19 for consideration by the Governing Body in November 2017;*
- (f) *endorsed the proposals contained in Appendix I of GB.329/POL/4 relating to the dates, duration, official title, purpose and composition of the meetings listed therein;*

- (g) *endorsed the proposed programme of global technical sectoral meetings for 2018–19 contained in Appendix II of GB.329/POL/4, subject to approval by the 106th Session of the International Labour Conference in June 2017 of the corresponding allocations in the Programme and Budget for 2018–19.*

(GB.329/POL/4, paragraph 28, as amended by the Governing Body.)

513. *The Employer spokesperson* said that he could not leave the meeting without expressing his dismay at the implication that the Employers had a hidden agenda; nothing could be further from the truth. Disagreements occurred and failure to agree was not a sign of bad faith.

Development Cooperation Segment

Fifth item on the agenda

ILO Development Cooperation Strategy 2015–17: Report on progress

([GB.329/POL/5](#))

514. *The Representative of the Director-General* (Partnerships and Field Support Department), having given an audiovisual presentation on the updated ILO Development Cooperation Dashboard, invited members of the Governing Body to explore the application and convey their comments to the Office.
515. *The Employer spokesperson* said that, in the past, her group had stressed the need to develop DWCPs through a more consultative process and ensure that they were needs-based and better resourced. The increased focus at the national level, especially with regard to UN Development Assistance Frameworks (UNDAFs) and the SDGs, was welcome. Tools and resources should be tailored to support the participation of social partners in the national SDG process. Greater resource integration and enhanced constituent involvement through national tripartite decent work committees would promote ownership. She reiterated her group's concern about the limited number of flagship programmes where certain priority needs were not addressed and expressed the hope that flagship programmes would follow the principles of the Development Cooperation Strategy 2015–17 and include capacity development components for social partners. Development cooperation should be holistic and integrate technical, organizational and institutional competence. Staff development would promote effectiveness, particularly with respect to constituents' needs and priorities in project design. The International Training Centre of the ILO in Turin should offer a training component on each of the ILO's ten outcomes. Developing constituents' capacity was a prerequisite for their adequate participation in the national policy and target-setting process. The Office should be mindful of the original roles, mandates and functions of employer organizations in representing the interests of their members. Further details should be provided on how capacity had been built under the capacity development building block of the strategy. Greater focus on resource mobilization for constituents was needed. The lack of extra-budgetary resources for the employer constituency should be addressed when evaluating the implementation of the strategy. Resource mobilization should continue to be aligned with the Addis Ababa Action Agenda to ensure more diverse funding, including public–private partnerships, domestic resource mobilization and multi-stakeholder partnerships. The Employers supported the draft decision.
516. *The Worker spokesperson* said, with respect to focus, that the Organization must ensure its priorities were strategically aligned with the 2030 Agenda and highlight the key role of international labour standards. The Organization should better distribute resources among

its strategic objectives and with respect to partnerships and UNDAFs. Social dialogue and international labour standards should be further promoted. The Office should improve the participation of social partners in the global flagship programmes; each programme should include a specific element on strengthening workers' and employers' capacities and bipartite and tripartite cooperation to facilitate social dialogue. Additional information on the advisory committees to be established for each programme would be welcome. The Office should continue to establish national tripartite committees on decent work to give social partners better oversight over the effectiveness of development cooperation activities. With regard to effectiveness, development cooperation projects must be managed in an integrated manner that took into account national and regional dimensions and support from headquarters and the Turin Centre. The Centre's training programmes on development cooperation should continue. With respect to capacity development, the decisions of the Governing Body should have been implemented more systematically through bipartite and tripartite capacity-building plans for each constituent. Consideration could have been given to cooperation with trade union training centres in different countries and regions. The training activities provided by the Turin Centre were appreciated. The Workers' group encouraged the Office to improve the delivery rate of development cooperation financed by extra-budgetary development cooperation (XBTC). International labour standards, social dialogue and ILO values should be promoted through the Organization's partnership with the World Bank. Public-private partnerships must strengthen the work and strategic visibility of the ILO. It was crucial to retain a method for selecting private entities with the secretariats of the Workers' and Employers' groups, although the Workers' group was not convinced that that was a good method of mobilizing resources.

517. With regard to development cooperation programmes in the regions, his group requested further information on the dearth of workers' organizations in Egyptian export industries. The Office should endeavour to guarantee the right to freedom of association in Bangladesh, which remained problematic. The challenges faced in the Gulf States were linked to a lack of respect for trade union rights, which should be more systematically addressed. Paragraph 26 of the document should have referred to the development cooperation programme in the occupied Arab territories. His group underscored the importance of the rights of indigenous peoples in Colombia. Following the Asia and the Pacific Regional Meeting in Bali, greater attention should be given to cooperation on building capacity for trade unions, tripartism in the reform of labour laws and development of employment policies and labour rights, and violations in export processing zones. The inclusion of the ILO in the 2030 Agenda must boost its visibility and role within the UN system and place decent work and the future of work at the heart of the multilateral system. With regard to focus and capacity development, the Workers supported the promotion of the Decent Work Agenda through a standards-based approach and the opportunity to better target social partners through the global flagship programmes. The Office should reflect on how best to include the social partners in the 2030 Agenda. The Turin Centre's efforts to build constituents' capacities should be supported. Innovative programmes should be further promoted. With respect to resource mobilization, the Workers supported the Office's efforts to mobilize the resources needed for development cooperation and would identify specific themes for which that was needed. The allocation of resources under a strategic framework that achieved better balance between regions was crucial. The Office should use the Regular Budget Supplementary Account (RBSA) to support the strategic objectives in a more balanced manner. The Workers supported the draft decision.

518. *Speaking on behalf of the Africa group*, a Government representative of the United Republic of Tanzania said that he took note of progress on the four building blocks of the strategy. With regard to the preference for central management of projects, he urged the Director-General to ensure that field offices had the technical and financial capacity to effectively serve constituents, in accordance with the plan of action for reform in the area of human resources management. With respect to resource mobilization, the Office should

continue to strengthen global partnerships and collaboration with a view to assisting member States on all matters within its mandate. The Africa group accepted the proposals and reasons set forth in paragraphs 30 and 31 and approved the draft decision.

- 519.** *Speaking on behalf of GRULAC*, a Government representative of Panama said that the Office's efforts to harmonize development cooperation should continue, and reiterated the importance of training which would ensure that constituents were equipped to develop policies, gather statistics and mobilize diversified resources. Cooperation that was led by constituents' needs would be more efficient. The idea of expanding capacity development activities was welcome. It was hoped that the targets on the share of projects managed by field offices would be met in 2018. The Office and tripartite constituents should continue to work together to mobilize resources to achieve the desired results on decent work. Difficulties with respect to international public funding, such as official development assistance, faced by countries classified recently as medium- or high-income countries should be taken into account and their specific development needs addressed. GRULAC supported South-South and triangular cooperation projects as a means of promoting tailored solutions for the developing world, and drew attention to the South-South and Triangular Cooperation Academy that had taken place in Turin in July 2016. Updated information on cooperation in the regions was welcome, as was the progress made in subnational programmes to promote decent work. In particular, the programmes implemented in Colombia should be expanded. Since it would be premature to set out a new development strategy in 2017, GRULAC supported the draft decision. Nonetheless, a specific discussion on South-South and triangular cooperation should be discussed in March 2018. Such a discussion would enrich debate at the ILC and offer initial guidance on the new development cooperation strategy.
- 520.** *Speaking on behalf of IMEC*, a Government representative of Canada said that, given the importance of being able to evaluate the Organization's performance and assess value for money, the lack of data on the effectiveness of projects gave cause for concern. In addition, the theory of change should be improved and the models and resources used should be linked with the results achieved. Preparedness and flexibility, including the time needed to start projects, should be improved to make development cooperation responsive to needs in countries facing fragility and special situations. Implementation of IRIS might boost the efficiency of processes. Country-level projects required sufficient long-term resources to ensure their sustainability, which remained a challenge. The creation of new posts in the regions would contribute to more sustainable field operations. Better coordination, cooperation and cost-effectiveness would be essential in that regard. Given the significant variation in the yearly sources and volume of contributions, IMEC recommended that the process of establishing a new development cooperation strategy should include a clear resource mobilization strategy and dialogue with donors, with a view to promoting greater efficiency, sustainability, predictability and flexibility. He supported the draft decision.
- 521.** *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria supported the statement by IMEC. Montenegro and Serbia as candidate countries, and Bosnia and Herzegovina as a potential candidate country under the Western Balkan Stabilisation and Association Process, aligned themselves with his statement. He welcomed the progress achieved to date on all four building blocks and commended the diversity and geographical reach of the projects implemented. With regard to focus, he noted with interest the pilot oversight function designed to improve constituents' involvement through national tripartite decent work committees. While emergency relief did not constitute part of the ILO's core mandate, development cooperation should focus on allocating funds and resources, together with other UN agencies under the One UN framework, to areas of greatest need where the consequences of not doing so were the most severe.

- 522.** With regard to effectiveness, clearer links could be forged in the report between the resources allocated to development cooperation outcomes and the results, in order to better measure success and failure. With regard to capacity development, the EU continued to favour that based on training and effective institution building, as exemplified by the approach taken in the ready-made garment sector in Bangladesh to improve health and safety, and welcomed the multi-stakeholder approach being implemented by the ILO and others in that country and in Myanmar. Resource mobilization, while stable, showed insufficient diversity: the European Commission together with EU Member States contributed more than half of the extra-budgetary funding for projects. While the recent increase in flexible funding sources was welcome, it was to be hoped that full development of the resource mobilization strategies in the regions would result in greater diversification of funding sources, including from national contributions and from public–private partnerships in middle-income countries. The EU agreed that it would be premature to approve a new development cooperation strategy in view of the number of relevant discussions to be held over the next year and consequently supported the extension of the strategy to 2018.
- 523.** *A Government representative of Brazil* said that her country regarded development cooperation as a key activity for implementing the SDGs and therefore welcomed the ILO's efforts in the context of UNDAFs, in which consistency of approach and consultations with national governments ensured that demands were realistic and aligned with local needs. Brazil supported the actions taken on South–South and triangular cooperation, and was pleased to see them included as a benchmark activity under the programme and budget, and mentioned specifically in the operational budget. Brazil was ready to contribute its experience to and continue strengthening those projects through international partnerships. The focus of its contributions over the previous decade had been on the fight against child labour, but it was ready to collaborate in other sectors. Brazil was actively seeking innovative ways to mobilize resources and welcomed the Office's continued strengthening of cooperation with the Community of Portuguese Language Countries (CPLC), the BRICS countries (Brazil, Russia, India, China and South Africa), the IBSA countries (Brazil, India and South Africa) and the Southern Common Market (MERCOSUR). Since time was insufficient to prepare a new development cooperation strategy in time for discussion at the 107th Session (2018) of the ILC, she proposed holding initial tripartite discussions focused on ensuring that South–South and triangular cooperation featured in a document for discussion by the Conference that would subsequently, as GRULAC had proposed, be discussed by the Governing Body in March 2018. The results would then provide guidance for discussions on the new strategy over the period 2019–21. Brazil supported the draft decision.
- 524.** *A Government representative of the Islamic Republic of Iran* expressed his appreciation for the contribution of the ILO and the Turin Centre to the promotion of decent work and the attainment of the SDGs globally, and in the Asia and the Pacific region in particular. His country believed in tailoring development cooperation services to country needs while seeking to include all constituents, and encouraged the Office to develop additional development cooperation agreements with emerging economies and developing countries in the context of South–South and triangular cooperation. His country stood ready to assist the Office in such efforts with neighbouring countries and in other regions. He expressed support for the draft decision.
- 525.** *A Government representative of Colombia* expressed appreciation for the ILO's efforts to enhance its development cooperation programme and to integrate resources through more ambitious projects. Colombia, having ended 50 years of internal armed conflict with the Revolutionary Armed Forces of Colombia (FARC), was seeking to move forward as one nation. In that context, the further development of ILO projects in areas such as work in rural economies, the formalization of the informal economy, social protection, industrial alliances and support for the victims of armed conflict would be especially helpful. The Memorandum

of Understanding signed with the ILO in 2015 promoting decent work in rural areas had been complemented by a wider series of initiatives under the National Development Plan for 2014–18 in favour of an integrated approach to rural employment, respect for fundamental principles and rights at work and the promotion of an economic environment conducive to sustainable local businesses, inter alia, as essential factors in building peace and social stability. The involvement of local actors was key to initiatives in rural areas and the ILO's involvement would remain vital in strengthening capacities at both the national and local level. Future projects conducted with the ILO to promote decent work in rural areas would need to focus on reversing the effects of 30 years of development strategies which had brought limited productivity, inequality and extreme poverty. Colombia supported the draft decision.

526. *A Government representative of Ghana* welcomed the proposal to extend the Development Cooperation Strategy by another year and the Governing Body's request for regular reporting, which would improve efficiency and ensure the judicious use of resources. Referring to paragraph 25, she noted that her country's use of its domestic budget to fund ILO development cooperation focused specifically on employment, under a project intended to strengthen the employment aspect of Ghanaian policies and programmes related to international trade by improving analysis and policy-making and boosting job creation. It was further expected to help Ghana leverage the competitiveness of industries in international trade, leading to greater opportunity for achieving decent and productive work within the country. Ghana would share its experience with the ILO once the project was complete, with a view to replication in other constituencies. In order to demonstrate its commitment to the project and better analyse job creation processes, her Government was currently introducing mandatory job assessment across all public-sector projects and initiatives, whether implemented by the public or the private sector. She expressed support for the draft decision.

527. *A Government representative of China* said that his country had noted the ILO's active partnership building with relevant development institutions, the importance it attached to domestic financial resources and the capacity development of member States and its exploration of new means to mobilize resources. As a long-time beneficiary and donor of ILO development cooperation, China was appreciative of the Organization's contribution to decent employment promotion, the expansion of social security coverage and the improvement of industrial relations in numerous developing countries. Within China, the tripartite constituents and other stakeholders still needed ILO technical support to achieve decent work in many areas. While it stood ready to share its experience with other developing countries, China hoped that the ILO Country Office for China and Mongolia could be further strengthened, and wished also to see flagship projects aligned more closely with China's specific needs. Its experience over many years of South–South and triangular cooperation with fellow Association of Southeast Asian Nations (ASEAN) and African countries had shown that development cooperation, combined with accurate designation of priorities in the recipient countries, was the main vehicle for the ILO to achieve widespread decent work. China looked forward to the ILO playing a key role in South–South cooperation by facilitating the sharing of successful experience and hoped to be able to step up investment in manpower and human resources in the region so as to further develop decent work. He expressed support for the draft decision.

528. *A representative of the Director-General* (Officer in charge, Field Operations and Partnerships Portfolio) said in reply to questions raised that the Office would give close attention to the matter of increasing financial contributions from new, particularly middle-income, countries, in its preparations for the general discussion at the ILC in 2018. Concerning resource mobilization, the Office strategy focused on five areas, namely: (i) developing partnerships in high-income countries, from where most extra-budgetary resources came; (ii) drawing a roadmap for middle-income and emerging countries, with

particular reference to South–South and triangular cooperation; (iii) fostering public–private partnerships under the five flagship ILO programmes; (iv) strengthening employers’ and workers’ capacities and roles in the flagship programmes and in a more general sense – both ACTRAV and ACT/EMP were actively engaged in establishing a roadmap and seeking funding for such activities; and (v) continuing and strengthening activities with the UN system. The Office was closely examining the issue of data collection in relation to obtaining value for money, especially in the difficult context of development aid. Lastly, the 2030 Agenda and the implementation of SDGs at the national level were a priority for the Office and would be discussed under item 7 on the agenda of the Institutional Section. The objective of the Office was to assist tripartite constituents at the national level to promote the Decent Work Agenda and engage as efficiently as possible in the development of national sustainable development strategies.

529. *A representative of the Director-General (Officer in Charge, Partnerships and Field Support Department) said that the Office aimed to decentralize 80 per cent of projects by the end of 2017. Certain long-standing projects that were partly centralized would change within two to three years; other projects that currently lacked human or technical means for their implementation would be provided with the resources needed. Furthermore, the Office was using new instruments – such as the Development Cooperation Dashboard, presented earlier – coming out of the Business Process Review and new methodologies for measuring results and impacts. That matter would also be a key point under the Multilateral Organization Performance Assessment Network (MOPAN) review. Concerning the diversification of funds, while it was true that multi-bilateral funds had decreased, domestic funding had increased from US\$4 million to US\$10.7 million, and public–private partnerships were set to surpass the previous year’s level.*

530. *A representative of the Director-General (DDG/P) said, in reply to a question raised by the Workers, that the secretariat had discussed the terms of reference for flagship programme advisory committees in order to establish a regular formal channel for consultations with the social partners that was cost-efficient. The right structure was now in place. With reference to paragraph 30 of the report, the secretariat had taken note of the numerous requests made for capacity building to be factored into the flagship programmes.*

Decision

531. *The Governing Body:*

- (a) requested the Office to take into account its guidance in its continued implementation of the Development Cooperation Strategy 2015–17; and*
- (b) approved the extension of the Development Cooperation Strategy 2015–17 until the end of 2018.*

(GB.329/POL/5, paragraph 33.)

Sixth item on the agenda

ILO cooperation with the tobacco industry in the pursuit of the Organization's social mandate

(GB.329/POL/6)

532. *Speaking on behalf of the Government group*, a Government representative of Mexico said that the issue was complex and deserved thorough analysis and sufficient time for tripartite consultation. He noted that the Office had raised the issue as a matter of urgency and was looking for guidance from its tripartite constituents; he asked the Governing Body to defer the issue until its 331st Session and, in the interim, to conduct informal consultations and provide additional information. To that effect, the group proposed that the draft decision should be amended to read:

The Governing Body:

- (a) takes note of the report;
- (b) decides to defer the issue to its 331st Session (November 2017);
- (c) requests the Director-General to provide, in the context of the ILO mandate and constitutional obligations, additional information on:
 - (i) the impact of the existing public–private partnerships with the tobacco industry;
 - (ii) potential alternative sources of funding;
 - (iii) potential obligations under the UN model policy;
 - (iv) the ILO's cooperation with the agencies of the UN Interagency Task Force on the Prevention and Control of Non-communicable Diseases, particularly those that work on alternative livelihoods in tobacco-growing communities.

533. *The Worker spokesperson* said that his group supported the amended draft decision proposed by the Government group. It was important to hold consultations to obtain guidance on a difficult situation and discussion.

534. *The Employer spokesperson* said that the Employers supported the deferral of the issue to the Governing Body's 331st Session in November 2017. They supported subparagraphs (a) and (b) of the amended draft decision proposed by the Government group, but not subparagraph (c). The issues raised in subparagraph (c), together with any other issues that the groups might raise, could be discussed during the consultative process to prepare a paper for submission to the November session of the Governing Body.

535. *The Director-General* said that there was a clear consensus to defer substantive considerations and decision-making on the agenda item. There was, however, a divergence of views on subparagraph (c) of the amended draft decision proposed by the Government group. Since the Employers' group was not in favour of retaining subparagraph (c) on the grounds that other issues might arise, he suggested that the Governing Body might proceed on the basis of subparagraphs (a) and (b) and request the Director-General to provide additional information to its November session, in the context of the ILO mandate and constitutional obligations. Alternatively, he could simply undertake to include all of the relevant issues in an updated document to be tabled in November, including those that Mexico had raised on behalf of the Government group.

536. *Speaking on behalf of the Government group*, a Government representative of Mexico said that he welcomed the Director-General's proposal; the more information, the better. His group had highlighted some of the most relevant issues to be considered in making an

informed decision, and those elements should still be included in the consultative process to draw up a paper for the November session.

- 537.** *The Employer spokesperson* said that she could not support the proposal. The Employers had agreed that the matter should be deferred to the November session without going into detailed discussions or specifying which elements could be included in the paper.
- 538.** *The Worker spokesperson* supported the proposal; it was important to have those elements clearly included in the draft decision. Their inclusion did not mean that the Governing Body was going into the substance of the matter.
- 539.** *The Employer spokesperson* said that in the Employers' view, that would be going into the substance of matters the Governing Body had decided to defer. They had no objection to factoring all the points raised into the Office's informal discussions in preparation for the November session. However, given that the proposed amendments had been submitted at a late stage, there had been no time to discuss them and decide on a position. Specifying what needed to go into the paper was in a way opening up the discussion, which her group could not support.
- 540.** *Speaking on behalf of the Government group*, a Government representative of Mexico said that it was merely making transparent information that had to be transmitted to the constituents in any case. They were not going into the substance yet; that would come after receiving all the information. He could not understand why the Governing Body would want to hide anything from the Governments.
- 541.** *The Employer spokesperson* said that the Employers had no wish to hide anything from the Governments; it was simply that the Governing Body had agreed to defer the matter. As a compromise, her group would be willing to support the Director-General's proposal that he undertake to provide additional information to the November session, in the context of the ILO's mandate and constitutional obligations, factoring into the consultations some of the issues raised by the Governments. However, her group could not support going into details of what should be included in the paper and confining it to the four issues raised. She requested that there be no further inputs or speakers on the item at the current stage.
- 542.** *The Worker spokesperson* said that it was important to give some guidance and the issues raised had to be included in the draft decision. Otherwise, there would have to be a discussion on the substance at the current stage.
- 543.** *The Director-General* read out the revised proposed amended draft decision, which was to retain subparagraphs (a) and (b) as previously drafted and for subparagraph (c) simply to request the Director-General to provide additional information to the 331st Session, taking full account of the issues raised in the Governing Body in the context of the ILO mandate and constitutional obligations. On that basis, the Governing Body might be able to agree to delete bullet points (i)–(iv) in subparagraph (c) of the previous draft.
- 544.** *Speaking on behalf of the Government group*, a Government representative of Mexico thanked the Director-General for his proposal. Although the Governments were not very happy with the idea of withdrawing their amendment, which had received the majority support of the Governing Body and which they deemed to be reasonable and in line with the principle of transparency, they were prepared to support the Office's proposal on the understanding that the bullet points being deleted would form part of the report of the session.
- 545.** *The Employer spokesperson* expressed appreciation for the efforts made to reach an agreement. The Employers supported the proposed amendment as a way forward.

546. *The Worker spokesperson* said that he, like the Government representative of Mexico, was confident that the issues raised in the deleted bullet points would be included in the documents to be prepared for the next meeting.

Decision

547. *The Governing Body:*

- (a) *took note of the report contained in document GB.329/POL/6;*
- (b) *decided to defer consideration of this issue until its 331st Session (November 2017);*
- (c) *requested the Director-General to provide additional information to that session, taking full account of the issues raised in the Governing Body, in the context of the ILO mandate and constitutional obligations.*

(GB.329/POL/6, paragraph 39, as redrafted by the Governing Body.)

548. *A Government representative of Colombia* expressed full support for the decision that had just been adopted and the remarks made in the name of the Government group. The World Health Organization Framework Convention on Tobacco Control constituted a major achievement in protecting people from the harmful effects not only of tobacco use, but also of tobacco cultivation and production. The ILO's work to reduce and ultimately eradicate child labour was particularly laudable. However, when working towards that objective, it was important to ensure that no recourse was made, under any circumstances, to the resources of the tobacco industry. To do so would be patently contradictory, since the industry undeniably jeopardized the health and well-being of millions of young and vulnerable people, particularly in developing countries, where child labour was more prevalent than elsewhere. She urged all governments, workers and employers to remain mindful of the health issues at stake and to fully support the Convention, to which 180 States were party. It would be inconsistent for a United Nations organization such as the ILO to refuse to do so. She hoped that the discussions in November would lead to a decision which would enable the fulfilment of the ILO's mandate as well as of the obligations of all States under the 2030 Agenda.

Multinational Enterprises Segment

Seventh item on the agenda

Recommendations of the tripartite ad hoc working group concerning the review of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy text, annex and addenda and the interpretation procedure ([GB.329/POL/7](#))

549. *Speaking in his capacity as Chairperson of the tripartite ad hoc working group*, a Government representative of Chile said that the working group had proceeded according to the mandate given to it by the Governing Body as well as by the ILC in its conclusions on

decent work in global supply chains adopted at its 105th Session. The two meetings in Geneva between the Employer, Worker and Government members of the ad hoc working group had been frank, with all the constituents championing their viewpoints and interests. Moreover, the many consultations among the government groups had made the review process efficient, transparent and legitimate. The first meeting had focused on reviewing developments relevant for the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) within and outside of the ILO; on the basis of those discussions, the second meeting had reviewed the draft revised text prepared by the Office.

- 550.** The revised text emanated from long and intense, but fruitful, discussions, and a consensual tripartite process had provided invaluable guidance for governments, social partners and multinational enterprises on subjects bearing on the legitimacy of labour practices, at a time when the international community had set historic goals related to decent work and the reduction of poverty and inequality to be achieved by 2030. The incorporation of new developments such as the UN *Guiding Principles on Business and Human Rights* and their concept of due diligence in the MNE Declaration constituted a big step forward. The revised MNE Declaration again recognized the role of multinational enterprises in economic and social development and sought ways of reducing or avoiding potential conflicts in the global production process, especially in the world of work. It offered responses based on values shared within the ILO to the questions raised by the dramatic economic, social and political changes that were taking place as the ILO approached its centenary. He thanked the members of the tripartite ad hoc working group for their extraordinary efforts and good faith during the negotiations and the Office for the support throughout the process. He submitted the report to the Governing Body for approval.
- 551.** *The Employer spokesperson* said that he considered the review process of the MNE Declaration to be one of the most positive moments in his ILO career. He was pleased to jointly present a revised MNE Declaration to the Governing Body in time for the 40th anniversary. He expressed the Employers' strong commitment to and support of the MNE Declaration, which was an important tripartite instrument for securing decent work, human rights, corporate social responsibility and responsible business conduct, as it addressed not only enterprises but also the social partners and governments, unlike other texts in that area.
- 552.** Although the Office had provided the working group with much support, between the two meetings it had unfortunately included a number of issues on which there had been no consensus at the first session. That had made the updating process more difficult. One example was the inclusion of a reference to the conclusions on decent work in global supply chains, implying a significant link between the two texts, whereas the ad hoc working group had decided after in-depth discussions to remove explicit references to global supply chains from the substantive provisions of the revised MNE Declaration. Moreover, the working group had decided by consensus not to include any language on dispute mechanisms in the revised Declaration. Yet those points showed up again in the Office paper introducing the recommendations of the ad hoc working group.
- 553.** The update of the MNE Declaration had been the most extensive one since the Declaration was negotiated in 1977. The working group had ensured that the revision had achieved the important aims of bringing the MNE Declaration in line with other internationally recognized standards and developments, deleting provisions that were no longer relevant, and rendering the text more readable. The working group had achieved consensus in a relatively short timeframe because, first, the members had recognized that the review process was not intended to trigger lengthy discussions of matters on which there was no consensus; second, the working group had agreed not to change the nature of the Declaration; third, the new MNE Declaration was consistent with the carefully constructed language of the UN

Guiding Principles on Business and Human Rights; fourth, the inclusion of the two annexes made the document more readable; and fifth, the revised MNE Declaration reflected its voluntary, promotional and guidance-serving nature. It did not establish a new mediation and dispute resolution mechanism, as that would have created confusion and conflict with those set up under other instruments and a potential for “forum shopping”. The phrase “national focal point” in Annex II was in lower case to avoid confusion with the National Contact Points of the OECD, and to instead denote a tool to be appointed on a tripartite basis to promote the MNE Declaration at the national level. Lastly, Annex II explicitly guaranteed strict confidentiality of company–union dialogue. The Employers thanked all those involved in the review process and commended the revised MNE Declaration for the Governing Body’s approval.

- 554.** *The Worker spokesperson* paid tribute to the constructive efforts of the working group to reach consensual positions in rethinking a document that had the potential to become a central piece of work for the ILO in its second century. Discussions had not been easy because a balance had to be sought not only among tripartite constituents but also among developed and developing countries. In the introductory part of the revised MNE Declaration, outdated language had been removed and references to new instruments and developments included, such as the Social Justice Declaration, the UN *Guiding Principles on Business and Human Rights* and the Conference conclusions on decent work in global supply chains. In paragraph 10, extensive reference to the UN Protect, Respect and Remedy Framework had been included, and the application of the *Guiding Principles* to all States and enterprises was stated, as was enterprises’ responsibility to respect human rights and undertake due diligence. For the purposes of the MNE Declaration, such due diligence should entail meaningful consultation with workers’ organizations and should take account of the central role of freedom of association and collective bargaining and of industrial relations and social dialogue as an ongoing process. There is a commitment therefore to implement rights at work not only through national legislation but also through collective bargaining. For the Workers, it had been important to maintain a strong section on industrial relations, which was as relevant as when the original MNE Declaration had been negotiated. Other important achievements included the addition of provisions on the elimination of forced and compulsory labour, pay equity, social security and social protection floors and the informal economy. The language regarding wages had been taken from the Minimum Wage Fixing Convention, 1970 (No. 131). The subsection on grievances called on governments to ensure access to effective remedies and on multinationals to use their leverage to encourage their business partners to do likewise.
- 555.** It was regrettable that the working group had been unable to agree on what was expected from enterprises and governments with regard to non-standard forms of employment and that it had not been possible to further strengthen employment security in the revised text. No agreement had been reached on the inclusion in Annex I of a number of important relevant labour standards, such as the Employment Relationship Recommendation, 2006 (No. 198), and the Minimum Wage Fixing Convention, 1970 (No. 131). Further, it had not been possible to amend provisions that applied only to employees or persons in a direct employment relationship; it would have been preferable to adapt the text to cover all workers, as recognized in the UN *Guiding Principles* and which are now the basis. It had also proved impossible to include a much stronger follow-up mechanism to deal with violations of the principles of the MNE Declaration. For the Workers, this was a missed opportunity for the ILO as a tripartite organization. The Workers also considered that a clearer position should have been adopted on the responsibilities of multinational enterprises and governments in regard to supply chains.
- 556.** Her group was, however, pleased to see the references to tripartism and the labour inspection Conventions. The updated list of ILO Conventions and Recommendations, links to further reference documents and a list of tools to give effect to the Declaration were an

improvement. The tools listed in Annex II were now part of a coherent set of measures to ensure a better implementation of the principles of the Declaration. The Workers were looking forward to promoting the revised Declaration, including, but not only, through the Helpdesk for Business on International Standards. It would be advisable to include multinational enterprises and global unions in the ILO Regional Meetings mentioned in Annex II and to hold a global dialogue at headquarters at the end of each cycle. It was to be hoped that active use would be made of company–union dialogue to promote respect for the principles of the Declaration and promote change, thus giving life to the section on industrial relations. The ILO should examine how technical cooperation initiatives involving companies could be used for advocacy of the revised MNE Declaration and better interaction with trade unions. The Office should prepare proposals for the national focal points and invite constituents to reflect on how to implement that promotional tool. The Workers expressed the hope that all members would embrace the revision and help make it a living document, and asked for a celebration of the 40th anniversary of the Declaration at the November session of the Governing Body.

557. *Speaking on behalf of the Government group*, a Government representative of Mexico said that he was pleased to note that the ad hoc working group in which governments of all regions were represented had succeeded, by consensus, in revising and updating the MNE Declaration. Several policy developments within and outside the ILO had warranted the revision. The updated Declaration would enable the ILO to continue to play an important role in encouraging businesses' respect for and contribution to decent work. The translation of the notion of due diligence to the domain of the ILO was vital in that respect. The improved readability of the text would make it a useful tool for providing guidance to the tripartite constituents and businesses. It would be up to all the constituents to use the operational tools listed in Annex II to further the implementation of the principles contained in the Declaration. To that end, the Office should collaborate with other relevant organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the OECD, in order to seek synergies and prevent duplication of effort. He stated that the tripartite character and ownership of the instrument had been reconfirmed during the negotiations and thanked the working group for having achieved a balance between the various interests and arriving at a text that was fit for purpose in the current times.

558. *Speaking on behalf of GRULAC*, a Government representative of Panama said that it was remarkable that the ad hoc working group had achieved a tripartite consensus over such sensitive issues. The fact that the text was approved in a tripartite way and drafted with the participation of Governments of countries of different sizes, from various regions and at different stages of development lent great force to the ideas embodied in the revised MNE Declaration. It was the most comprehensive revision of the instrument, leading to a more readable and up-to-date text which would facilitate its application. It was commendable that the review process took place just before the 40th anniversary and the ILO's centenary, also taking due account of the conclusions on decent work in global supply chains. The subject matter of the Declaration was interrelated with instruments developed by various UN agencies and other international organizations, stimulating a greater business respect for human rights, including labour rights. In that connection, it was significant that the revised Declaration had incorporated the notion of due diligence from the UN *Guiding Principles on Business and Human Rights*.

559. It was also gratifying to note the references in the revised text to the 2030 Agenda, the ILO Social Justice Declaration and to development cooperation, as well as its renewed emphasis on the elimination of child labour and forced labour. The revised MNE Declaration was extremely relevant, especially in view of its scope, including dialogue and interpretation procedures. He paid special tribute to the Chairperson of the ad hoc working group.

GRULAC unreservedly supported the revised text and all of the proposals contained in the draft decision.

560. *Speaking on behalf of IMEC*, a Government representative of Germany said that the updated Declaration complemented the UN *Guiding Principles* and the *OECD Guidelines for Multinational Enterprises*, while at the same time avoiding duplication, especially between the OECD National Contact Points and the national focal points mentioned in Annex II. The updated Declaration would enable the ILO to continue to play an important role in promoting business respect for and contribution to decent work. She welcomed the references to the SDGs and the Conference conclusions on decent work in global supply chains. IMEC also supported the references in the Declaration to costs of living and living standards, lifelong learning and access to remedy, as well as an acknowledgement that multinational enterprises often operated through relationships with other enterprises and could use their leverage in pursuit of decent work. She noted that the ad hoc working group had already addressed implementation issues, and encouraged the Office to work with other relevant organizations on the implementation of the principles enshrined in the Declaration to avoid duplication. IMEC generally supported the draft decision, but to make it consistent with the provisions in Annex II, proposed an amendment to subparagraph (c)(ii), to read:

...

- (ii) to support the appointment and functioning of the national focal points to promote the use of the MNE Declaration and its principles, whenever appropriate and meaningful in the national context;
- (iii) to operationalize the company–union dialogue facilitation service of the Office; and

...

561. *Speaking on behalf of the Africa group*, a Government representative of Ethiopia restated that the group attached great importance to the Declaration as it was instrumental for realizing corporate social responsibility. Therefore, the Africa group supported the revised text, which was timely, relevant and fit for purpose. He added that the Declaration must complement, not replace, other instruments addressing problems related to multinational enterprises. Multinational enterprises should respect the sovereign rights of States, comply with national laws, consider local practices, and abide by international labour standards, including labour inspection systems, in home countries while outsourcing their activities. The ILO should continue to provide technical assistance at both the regional and national levels to promote the Declaration, ensure its effective application, follow-up and review, and share good practices within and among regions. His group encouraged the Office to increase cooperation with other relevant organizations to harmonize implementation of the Declaration and similar instruments. He expressed concern over the inclusion of company–union dialogue facilitation among the operational tools, as the establishment of such a service might conflict with existing national mechanisms and require additional resources; he sought clarification on the level of its inclusion in the Declaration. The Africa group supported the draft decision, as amended by IMEC.

562. *Speaking on behalf of ASPAG*, a Government representative of the Republic of Korea expressed appreciation for the commitment and remarkable work of the working group members in addressing many key challenges as well as the support of the Office during the review process. He said that the MNE Declaration was the ILO framework aiming to maximize positive impacts of multinational enterprises and resolve possible negative impacts. The review of the Declaration had aligned the text with the changing global economy and incorporated references to recent developments. The outcome of the review process was a great achievement and ASPAG welcomed the consensus reached in the most comprehensive and significant review of the instrument. The text had been streamlined, key issues based on tripartite consensus taken into account, the list of relevant ILO instruments updated, and tools for the promotion and application defined. The revised Declaration

underscored the importance of fundamental rights at work and the urgent need to eliminate the worst forms of child labour and forced labour, as well as the role of multinational enterprises in preventing and remedying human rights abuses in their operations through due diligence processes and their business relationships, including in global supply chains. The structure of the Declaration had been significantly improved, and the Annexes provided practical guidance for its application. ASPAG supported the draft decision as amended by IMEC, as separating the national focal points and company–union dialogue enhanced clarity.

- 563.** *A Government representative of France*, commending the numerous proposed updates to the Declaration, said that it was essential to establish the same rules for all on a global scale to ensure that working conditions were not used to gain a competitive edge. It was regrettable that the national focal points were not given the possibility to mediate, which seemed the most legitimate and effective means of securing consistent application of the principles of the Declaration, thereby providing a level playing field. Her Government would therefore closely follow evaluations and possible adjustments.
- 564.** *A Government representative of the Netherlands* said that the update of the Declaration had been necessary to bring it in line with discussions in other global forums on the contribution of multinational enterprises to sustainable development. The inclusion of due diligence was particularly welcomed, translating the concept into the ILO domain. The updated, user-friendly Declaration would help to further strengthen the relevance of the Organization for multinational enterprises and its cooperation with them. The text built on the outcome of the discussion on decent work in global supply chains and would contribute to the operationalization of the corresponding action plan. As the revised Declaration was an important tool to promote the positive contribution businesses could make to decent work worldwide, he fully recommended its adoption.
- 565.** *A Government representative of Japan* emphasized the importance of strengthening governance in host countries, especially developing countries, as conducting due diligence was costly and could hinder much-needed foreign direct investment. Moreover, as multinational enterprises from developing countries had progressively expanded into other developing countries, it was essential to ensure the effective functioning of the national focal points to promote the application of the Declaration in those areas. Furthermore, small and medium-sized enterprises were increasingly operating internationally, but they often failed to perform due diligence owing to limited capacities and resources. The Office should be aware of those issues and provide support to developing countries and enterprises.
- 566.** *A Government representative of China* welcomed the revised Declaration and stressed the need to promote the instrument in the light of the contribution of multinational enterprises to the global economy. The ILO should cooperate closely with employers to support the growing role of multinational enterprises in addressing the unemployment crisis, building workers' skills, broadening social protection and establishing harmonious industrial relations. He supported the draft decision and the proposed amendment.
- 567.** *A Government representative of Brazil* said that the revised Declaration would contribute to addressing challenges in promoting social justice and a fair globalization. He particularly welcomed the references to due diligence and the 2030 Agenda, the emphasis on the eradication of child and forced labour and combating workplace violence, as well as the translation of the UN *Guiding Principles on Business and Human Rights* in the world of work. The revised text had renewed the spirit of the original Declaration regarding economic fairness and would enable businesses to contribute to the promotion of decent work. He supported the draft decision.

- 568.** *A representative of the Director-General (DDG/P), responding to the request for clarification from the Africa group, said that the form of company–union dialogue proposed in the MNE Declaration would not conflict with or duplicate national frameworks. Furthermore, the Office would continue to use a range of means for social dialogue that would not result in unnecessary costs.*
- 569.** *The Employer spokesperson expressed appreciation for the Governments’ insight on the revised document and the clear consensus to approve it. He proposed amending IMEC’s proposed amendment to subparagraph (c)(iii), to add “in line with point 2 in Annex II”, for the sake of clarity.*
- 570.** *The Worker spokesperson also expressed her thanks for the constructive contributions from the Governments. However, she expressed reservations as to IMEC’s proposed amendment, as it was important to promote national focal points and company–union dialogue everywhere, not just in certain circumstances; however, in the interests of consensus, the Workers could accept it. As the subamendment proposed by the Employers brought extra clarity without establishing any hierarchy among the options, the Workers supported it.*
- 571.** *Speaking on behalf of IMEC, the Government representative of Germany endorsed the subamendment proposed by the Employers’ group, as it was in keeping with IMEC’s intention.*
- 572.** *The Employer spokesperson noted that the adoption of the revised MNE Declaration was not an ordinary decision that the Governing Body was making and suggested a standing ovation to mark that.*

Decision

573. The Governing Body:

- (a)** *took note of the report of the ad hoc working group figuring in the Appendix to document GB.329/POL/7, and approved the revised Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) and its revised Introduction contained in the Annex of the report;*
- (b)** *requested the Director-General to communicate the revised MNE Declaration and its revised Introduction:*
- (i)** *to governments, requesting them to communicate them to employers’ and workers’ organizations with a view to further transmission to multinational enterprises and workers’ representatives concerned;*
- (ii)** *to the international employers’ and workers’ organizations concerned; and*
- (iii)** *to the other international organizations concerned;*

- (c) *requested the Director-General:*
- (i) *to put in place a communication strategy to give visibility to the revised MNE Declaration including a strategy for translation into the languages in which the previous editions were available;*
 - (ii) *to support the appointment and functioning of the national focal points to promote the use of the MNE Declaration and its principles, whenever appropriate and meaningful in the national context;*
 - (iii) *to operationalize the company–union dialogue facilitation service of the Office in line with point 2 in Annex II; and*
 - (iv) *to organize and/or support appropriate tripartite event(s) for the 40th anniversary of the MNE Declaration starting in November 2017; and*
- (d) *requested the Director-General to make available, to the extent possible within existing resource levels, the necessary resources to implement the actions under paragraph (c) above or to facilitate resource mobilization efforts to that effect.*

(GB.329/POL/7, paragraph 5, as amended by the Governing Body.)

Legal Issues Segment

First item on the agenda

Evaluation of the identification document for Employer and Worker members of the Governing Body ([GB.329/LILS/1](#))

574. *The Worker spokesperson* agreed that the identification document served a useful purpose and could be retained. She expressed support for the issuance of a single card for Employer and Worker members of the Governing Body that confirmed their status as such and permitted them uninterrupted access to the ILO headquarters building.
575. *The Employer spokesperson* proposed that, as part of any future evaluation, the Office ask Employer and Worker members of the Governing Body for feedback on the identification document, such as the situations in which it had proven useful and how it might be improved. She endorsed the draft decision.
576. *Speaking on behalf of the Africa group*, a Government representative of Angola agreed that the identification document should be retained and supported the draft decision.
577. *Speaking on behalf of industrialized market economy countries (IMEC)*, a Government representative of Canada noted that the identification document had been in use during the last six sessions of the Governing Body and wondered whether the Office could provide additional information on how the identification document had been helpful for Workers and Employers in their official capacity as Governing Body members outside Geneva. He supported the draft decision.
578. *Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)*, a Government representative of Panama noted with appreciation that the proposed single card would save costs, and endorsed the draft decision.

Decision

579. *The Governing Body requested the Director-General to continue to issue an identification document for Employer and Worker members of the Governing Body in the form previously agreed upon and to ensure that such an identification document be integrated into the ILO headquarters' electronic badge entry system.*

(GB.329/LILS/1, paragraph 5.)

International Labour Standards and Human Rights Segment

Second item on the agenda

The Standards Initiative: Initial evaluation of the functioning of the Standards Review Mechanism Tripartite Working Group ([GB.329/LILS/2](#))

- 580.** *The Chairperson of the Standards Review Mechanism Tripartite Working Group (SRM TWG)* introduced the report of the Officers of the SRM TWG, and outlined the results of the Working Group's first two meetings in 2016, which were carried out in accordance with its terms of reference and resulted in consensual recommendations. At its third meeting in September 2017, the Working Group would examine 19 instruments concerning occupational safety and health (general provisions and specific risks), and continue the strategic and systematic follow-up to its recommendations to ensure their full and effective implementation.
- 581.** *The Worker spokesperson* noted with satisfaction that decisions in the two meetings of the SRM TWG had resulted in consensual recommendations being transmitted to the ILO Governing Body for decision and follow-up action. The second meeting of the SRM TWG had shown that the ratification of technical Conventions was dangerously low, threatening the credibility of the ILO's standard-setting and governance functions. The ILO should carry out promotional campaigns for the up-to-date Conventions that had replaced outdated Conventions. Although achieving ratification by those member States still bound by the outdated instruments was a priority, the campaigns should target all member States. It was important to allow States time to ratify up-to-date Conventions before older Conventions were abrogated, to avoid gaps in coverage. It would be contrary to the SRM's overall objective to eliminate outdated standards, some of which had a significant number of ratifications, before new instruments were ratified. The SRM TWG had already identified gaps in relation to apprenticeship and shift work. At the same time, other mechanisms for identifying new standards should continue to be used, such as Office proposals further to suggestions by technical departments, recurrent discussions, General Surveys, meetings of experts and constituents' proposals. He recalled that all instruments remained legally valid until such time as they were reclassified by the Governing Body and/or withdrawn or abrogated by the Conference. He supported the draft decision.
- 582.** *The Employer spokesperson* appreciated the constructive atmosphere of the discussions held by the SRM TWG. Although its progress had been slower than anticipated and its decisions rather conservative, the Working Group was fulfilling a fundamental role in the consolidation and modernization of the ILO standards system. Given the complexity and impact of the analysis of standards, the Employers would have liked the report of the October 2016 meeting of the SRM TWG to contain the main points of view presented by the members in the examination of the 63 outdated instruments. As the reports of the Group's meetings must serve not only governments and social partners but also academics, the judiciary and the legislature, they should detail the arguments that led to the adoption of consensual recommendations. He trusted that that issue could be resolved at the next meeting of the SRM TWG, and that the report of that meeting would include such detail. The minutes of future meetings, as was the case for the Cartier Working Party, should also summarize the discussions leading to the adoption of individual recommendations. He hoped that the SRM TWG would finally adopt a methodology and categories for the classification of

standards in its September 2017 meeting, as that was essential to the transparency and predictability of its work and would help to avoid tensions in the future. The Employers supported the draft decision.

- 583.** *Speaking on behalf of GRULAC*, a Government representative of Panama expressed support for the draft decision. In relation to paragraph 2 of the appendix to document GB.329/LILS/2, he recalled that the Working Group's terms of reference allowed for the possibility of more than one meeting a year. Both the frequency and duration of its meetings were subject to the decisions of the Governing Body, which could also amend the terms of reference, if necessary, "in light of experience".
- 584.** *Speaking on behalf of the Association of Southeast Asian Nations (ASEAN)*, a Government representative of Cambodia welcomed the fact that the SRM TWG operated in a tripartite manner, with decisions taken by consensus. He also recognized the participation of technical advisers at its second meeting to provide support to the Governments, enabling more informed participation and greater inclusion. His group agreed on the need for strategic and systematic follow-up, with the Office's support, to ensure the full and effective implementation of the SRM TWG's recommendations. It also welcomed the forthcoming review of the 19 instruments on occupational safety and health, which should be based on the reality of the implementation of those instruments by member States. He supported the draft decision.
- 585.** *Speaking on behalf of the Africa group*, a Government representative of Burkina Faso said that he was pleased that the SRM TWG's two meetings had taken place in accordance with its terms of reference and that it had always been mindful of its mission to contribute to the implementation of ILO standards policy. He hoped that at its third meeting as well, the SRM TWG would be provided with all that was necessary to continue its programme of work. His group supported the draft decision.
- 586.** *Speaking on behalf of IMEC*, a Government representative of Canada agreed that the SRM TWG's meetings had been carried out according to its terms of reference. It had contributed to the overall objective of the Standards Review Mechanism and had carried out its mandate in a constructive atmosphere of mutual trust and cooperation between the three constituent groups and the Office. He emphasized the importance of ensuring a fully tripartite approach. Taking into account the late publication of the report on the second meeting of the Working Group (GB.328/LILS/2/1, appendix) and the bracketed text in paragraph 4, the content of future reports should be decided by the Working Group as a whole and the reports published well in advance of the Governing Body. The presence of advisers at the second meeting had enabled more inclusive and informed participation; the practice of ensuring a sufficient number of advisers for Government members should be followed in future when highly technical instruments were reviewed in order to ensure meaningful discussion and good results. In line with its terms of reference, the SRM TWG should consider inviting representatives of relevant international organizations and other ILO bodies to participate in its work. It was valuable that the work of the SRM TWG could lead to the promotion of ratification and assessment of the reasons for non-ratification of up-to-date instruments, denunciation of outdated instruments and the possibility of standard setting to address possible gaps in coverage. While its work was delicate and complex, possibilities for speeding up the review process should be explored. As the members of the SRM TWG were appointed for a period linked to the term of the Governing Body, he requested the Office to provide information on the necessary steps in relation to the decision concerning the composition of the SRM TWG that would be taken in June 2017 at the 330th Session of the Governing Body after the elections to the Governing Body. IMEC supported the draft decision.

587. *A Government representative of the Islamic Republic of Iran* said that he attached great importance to the mandate of the SRM TWG, which he believed would contribute to the advancement of the Centenary Standards Initiative. The task before the Working Group was huge; it was crucial for its success to benefit from the experiences of the previous working groups. In addition, regular assessment of the mechanism and its work should be undertaken. He supported the draft decision.

588. *A representative of the Director-General (Director, International Labour Standards Department (NORMES)),* responding to the request for information made on behalf of IMEC, recalled that the composition of the SRM TWG was addressed in paragraphs 4 and 5 of its terms of reference. The Chairperson was to be appointed by the Governing Body on the nomination of the Government group. A Vice-Chairperson was to be appointed each by the Employers' and Workers' groups from among their Working Group members. Members were not required to be members of the Governing Body. Members of the Working Group were to be appointed by their respective groups, taking due regard of geographical distribution and gender balance. The terms of reference indicated that the three groups would communicate to the Office the names of their representatives and that the Government group would transmit to the Governing Body its nomination for the Chairperson.

Decision

589. *The Governing Body noted the information provided by the Officers of the SRM TWG and, in undertaking its initial evaluation of the functioning of the SRM TWG, noted that the SRM TWG had started its work. The Governing Body requested that it continue to be kept informed of the functioning of the SRM TWG so as to allow it to undertake a further evaluation no later than March 2020.*

(GB.329/LILS/2, paragraph 3.)

Third item on the agenda

Proposed amendments to the form for reports to be requested under article 22 of the ILO Constitution in relation to the Maritime Labour Convention, 2006, as amended (MLC, 2006) ([GB.329/LILS/3\(Rev.\)](#))

590. *The Employer spokesperson* noted that the report form under article 22 closely reflected the content and structure of the Maritime Labour Convention, 2006 (MLC, 2006), as amended. While the Employers agreed in principle with the proposed amendments, they had submitted a number of suggestions for editorial changes to the secretariat. He supported the draft decision.

591. *The Worker spokesperson* said that her group appreciated the fact that the Special Tripartite Committee had been consulted on the proposed amendments. She asked the Employers to clarify whether they wanted to discuss their suggested editorial changes during that sitting, so that she could provide a response.

592. *The Employer spokesperson* said that there was no need to discuss the proposed changes during the sitting, as they served merely to improve the syntax of the document and make it more understandable and did not in any way affect its content.

593. *The Worker spokesperson* said that she would like to see the proposed changes to ascertain whether they affected only grammatical points or constituted amendments, in which case they could be discussed at the following sitting of the Legal Issues and International Labour Standards Section.
594. *The Employer spokesperson* said that the proposed changes to the syntax and wording had been transmitted to the Workers.
595. *Speaking on behalf of IMEC*, a Government representative of Canada acknowledged the importance of a coherent and effective implementation of the MLC, 2006, for achieving worldwide standards for decent working and living conditions for seafarers, thereby promoting the sustainable development of maritime expertise and the enhancement of quality shipping. He welcomed the key role performed by the ILO in keeping the Convention under continuous review through the Special Tripartite Committee. IMEC shared the ILO's commitment to guaranteeing fundamental principles and rights at work and, in particular, to ensuring the protection of seafarers and their families in the event of abandonment, death and long-term disability. The report form had been diligently elaborated through an inclusive, cross-cutting approach which aimed to encompass all the major challenges relating to implementation and facilitating the preparation and examination of subsequent reports. However, IMEC was concerned that the length and level of detail of added items – such as referencing national provisions within the framework of Article V, paragraph 6 in every Title – could create a more perplexing and repetitive process which could moderate the advantages offered by a comprehensive but simple and user-friendly questionnaire. The provisions of Part B of the Code should not be included for examination; relevant information should be provided by Members in accordance with the corresponding provisions and/or measures adopted. The categorization of questions for the implementation of each standard should follow a uniform approach throughout the questionnaire. He asked the Office to develop a more profound consultation process with the Special Tripartite Committee and to request feedback from users. In the light of the extensive legislative framework covered by the MLC, 2006, and the challenges some IMEC countries faced in gathering information from different ministries and agencies at different levels, a consolidation of efforts to avoid duplication and lessen the burden on Members, without leading to limitations in the observance of the MLC, 2006, was highly recommended. IMEC supported the draft decision.
596. *Speaking on behalf of GRULAC*, a Government representative of Panama praised the MLC, 2006, as a landmark achievement in labour rights. He expressed satisfaction with the Office's decision to use the entry into force of the 2014 amendments to the Convention as an opportunity to review the form, following three years of the Committee of Experts on the Application of Conventions and Recommendations (CEACR) supervisory work. The results would improve and facilitate supervision, the goal of any report form. Several countries in Latin America and the Caribbean had ratified the Convention, and as the countries of the region recorded high numbers of ships registered under their flags, GRULAC supported initiatives aimed at improving supervisory mechanisms. Those mechanisms must be reviewed on an ongoing basis to ensure their suitability for the modern world and shifting conceptions of decent work. GRULAC supported the draft decision.
597. *Speaking on behalf of the Africa group*, a Government representative of Burkina Faso said that the amendments made to the report form had been rendered necessary by the amendments made to the MLC, 2006, and would ensure that the form was fit for purpose. As the form had been used for 42 reports and evaluated over a three-year period, the Africa group was satisfied that the correct areas for improvement had been identified. He supported the draft decision.

598. *The Chairperson* suggested that the Employers submit their proposed amendments to the draft report form for consideration.
599. The Governing Body decided to postpone the adoption of the draft decision until Monday, 20 March 2017.
600. On Monday, 20 March 2017, *the Chairperson* recalled that the report form had been revised in line with the comments made in the afternoon session on 16 March 2017, and noted that all parties had been given the opportunity to examine the amendments.

Decision

601. *The Governing Body approved the report form for the Maritime Labour Convention, 2006, as amended (MLC, 2006), which is appended to GB.329/LILS/3(Rev.), to be used as the basis for the preparation of reports due under article 22 of the ILO Constitution.*

(GB.329/LILS/3(Rev.), paragraph 8.)

Fourth item on the agenda

Proposed amendments to the form for reports to be requested under article 22 of the ILO Constitution in relation to the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) ([GB.329/LILS/4](#))

602. *The Worker spokesperson* said that seafarers had often impressed upon her the importance of the seafarers' identity document for enforcing the important rules and regulations adopted by ILO Members. Her group, having consulted seafarers on the matter, fully supported the proposed amendments. However, only the Russian Federation had so far submitted the material to be deemed in compliance with Article 5 of Convention No. 185. Other countries were encouraged to follow its lead.
603. *The Employer spokesperson* supported the draft decision.
604. *Speaking on behalf of the Africa group*, a Government representative of Botswana endorsed the proposed amendments to the form, which would improve the submission of information relating to the Convention. Member States in the Africa group should receive assistance for the revision of the national seafarers' identity document and the adaptation of their technology to the new requirements. He supported the draft decision.
605. *Speaking on behalf of GRULAC*, a Government representative of Panama recalled that Convention No. 185 had established a global legal framework for the identification of seafarers, thereby tightening security and boosting international confidence. He congratulated the Office for its efforts in aligning the technical requirements of the Convention with the more modern standards adopted by the International Civil Aviation Organization (ICAO). Countries in Latin America and the Caribbean had faced difficulties in ratifying the Convention, but they were now satisfied with the amendments proposed.

Changing the biometric in the seafarers' identity document would reduce its cost and thus facilitate the ratification of the Convention. GRULAC supported the draft decision.

Decision

606. *The Governing Body noted the information provided and approved the report form for the Seafarers' Identity Documents Convention (Revised), 2003, as amended (No. 185), as appended to GB.329/LILS/4, to be used as the basis for the preparation of reports due under article 22 of the ILO Constitution.*

(GB.329/LILS/4, paragraph 5.)

Programme, Financial and Administrative Segment

First item on the agenda

The Director-General's Programme and Budget proposals for 2018–19 ([GB.329/PFA/1](#) and [GB.329/PFA/1/D1](#))

607. *The Director-General* presented his Programme and Budget proposals for 2018–19 (his statement is reproduced in Appendix I).

Executive overview (paragraphs 1–46)

- 608.** *The Worker spokesperson* noted that the present discussion was unfolding in a climate of increasing insecurity and uncertainty, manifested through, inter alia, high levels of unemployment and underemployment, informality and precarious work, growing inequalities fuelled by the consequences of austerity measures, and inadequate access to social protection for most of the world's population. The denial of fundamental principles and rights at work, in particular the right to freedom of association and collective bargaining, remained widespread, and the coverage of collective bargaining had been further reduced and decentralized in many countries in response to the crisis. The ILO should urgently realize its social justice mandate in countries where governments had failed to address decent work deficits.
- 609.** His group supported the ten policy outcomes and the proposed addition of just transition to environmental sustainability as a fourth cross-cutting policy driver. For the sake of consistency, the words “just transition and” should be inserted before all mentions of “environmental sustainability” in the preface and executive overview. His group accepted the proposed zero real growth budget.
- 610.** The ratification and implementation of ILO instruments remained a priority for his group. However, calls for ratifications within the framework of the ten policy outcomes – including indicators and measurement criteria – were not consistent, and ratification was mandatory only in relation to Outcome 2. An indicator on the measurement of ratifications and application of standards should be attributed to each policy outcome. Resource allocation for international labour standards was a concern, as was the significant decrease in estimated extra-budgetary expenditure for Outcome 2. In view of the cross-cutting nature of international labour standards, a significant share of the Regular Budget Supplementary Account (RBSA) should be allocated to the ratification and application of standards under Outcome 2 and other policy outcomes; that was especially important in the context of the ongoing Standards Review Mechanism (SRM).
- 611.** Given the demands from the international labour movement, the RBSA resources allocated to ACTRAV should be increased, to compensate for the fact that the Regular Budget Technical Cooperation (RBTC) allocation for ACTRAV would remain the same. He asked what accounted for the significant decreases in the extra-budgetary technical cooperation (XBTC) for Outcome 10 and in the regular budget for Outcome 8 compared to the previous biennium.

- 612.** His group supported the redeployment of resources to technical functions in the policy portfolio and the regions, which should target standards and collective bargaining, as there were few staff in those areas. He welcomed the fact that the programme and budget showed the ILO contribution to the UN 2030 Agenda for Sustainable Development (2030 Agenda) and called for a focus on international labour standards and tripartism.
- 613.** Expanding collective bargaining was a priority for his group, and its reflection in several policy outcomes was welcome. The quality and impact of social dialogue, as a cross-cutting policy driver, should be improved in the forthcoming biennium, with a greater focus on freedom of association. Trade unions were not established in many parts of the world, and it was therefore crucial that the ILO's work to enhance participation in social dialogue incorporated efforts to build respect for freedom of association and the right to collective bargaining. Consultation with the social partners should be reflected systematically in all indicators, in order to gather a real picture of the progress being made.
- 614.** *The Employer spokesperson* said that while his group never commented on whether there should be budget increases or not, leaving that to the governments, it would nevertheless support any increase to the real level of the budget. It welcomed the proposed redeployment of resources to front-line analytical and technical work, in particular the additional position proposed for ACT/EMP. Evidence-based policy advice and results-oriented activities should be included as additional key preconditions for realizing the ILO's Strategic Plan for 2018–21. The proposals for 2018–19 were not sufficiently ambitious, and the document as a whole, and the risk register in particular, did not adequately reflect the serious implications of the emerging geopolitical context for the ILO. Although an attempt had been made to address the issue in paragraph 11, a tangible strategy was required to address the challenges to social dialogue – a cornerstone of the ILO's identity. In view of the multiple, parallel strategies, agendas and initiatives in which the ILO was engaged, the proposals should pull all those “institutional factors” into a coherent whole, with the aim of achieving substantial impact and focus. In order to appreciate the extent to which the strategic framework was linked to the operational budget, his group requested a breakdown showing which departments and regions were contributing to each policy outcome, and the form that such contributions took. There was a need for a mixed-model (operational and strategic) budget that would enable the Governing Body to appreciate how the figures were calculated and where the money would go, which in turn would help to strengthen ownership, monitoring and accountability.
- 615.** His group expressed the hope that the extra-budgetary expenditure foreseen for Outcome 10 was a reliable estimate. In that regard, he asked whether the almost 50 per cent decrease in that expenditure signalled donors' loss of interest in Outcome 10, and whether the Office was doing enough to advocate for strengthening employers' organizations. The distribution of the RBSA among the policy outcomes was a concern. The Office should establish a mechanism to ensure the commitment of ILO regional offices to the achievement of Outcome 10 and, more generally, take practical action to meet the increasing needs of employers' organizations. While expressing satisfaction at the proposed increase in the number of country targets, his group wished to know how achievement of those targets was feasible with the budget at the same level as 2016–17.
- 616.** To enable the Governing Body to perform its governance role more effectively, the Office should provide an ex-post facto financial analysis containing information on what funds were spent on and where, by policy outcome, and how that compared with the initial budget planning.
- 617.** *Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)*, a Government representative of Panama welcomed the ILO priorities aimed at social justice, the links made between the policy outcomes and the Sustainable Development Goals

(SDGs), and the proposed addition of a fourth cross-cutting policy driver on environmental sustainability. His group welcomed the Office's efforts to balance expenditure, despite the additional assessments related to the SDGs, and also its work on the risk register. He looked forward to the development of new Decent Work Country Programmes (DWCPs) and the corresponding training programmes for Latin America and the Caribbean, and to continued implementation of the ILO Development Cooperation Strategy 2015–17 and the elaboration of the new strategy for 2018. Lastly, his group was pleased that the proposed programme and budget took into account audit recommendations and lessons learned. It supported the proposals.

- 618.** *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of the Islamic Republic of Iran said that his group supported the overall objective of the proposed programme and budget, to maximize the Organization's influence in promoting decent work opportunities for all, and the key preconditions for realizing that ambition. Inclusiveness was essential to ensure successful implementation of the proposals. The forthcoming biennium would be a time for the ILO to institutionalize reforms and address contemporary challenges in the world of work. The implications of the prevention and mitigation of climate change underscored the importance of the cross-cutting policy driver on environmental sustainability. He welcomed the Office's commitment to strengthening results-based management and accountability, and to reinforcing knowledge leadership through further investment in research. His group also supported the concrete innovations that would enable better measurement of the ILO's outputs at the outcome level.
- 619.** The Office should ensure proportional distribution of resources and of senior and technical ILO staff to the ASPAG region. While welcoming the Director-General's efforts to ensure greater transparency in human resource management, he noted the low recruitment numbers from the ASPAG region. The proposals should take into account the ILO's role in promoting sustained growth alongside social justice, particularly in the light of the current economic climate. His group expected that discussions would lead to a specific, measurable and time-bound plan of action.
- 620.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe welcomed the fact that the proposals were based on the Strategic Plan for 2018–21. The links between the policy outcomes and the SDGs set the stage for implementation of the Decent Work Agenda at regional and national levels. His group expressed support for the cross-cutting policy drivers, particularly the additional policy driver concerning the just transition to environmental sustainability, as climate change posed the greatest danger to sustainable development in Africa. His group also supported the proposed level of the regular budget; the proposed budget as a whole should give greater scope for consolidating the impact already achieved. The priority given to Outcome 1 in 2018–19, as evidenced by the high allocations of the regular budget and the estimated extra-budgetary expenditure, was commendable.
- 621.** While welcoming the strengthening of the Office's front-line capacity, the group requested more information about the level and geographical distribution of the additional Professional positions referred to in paragraph 33. In the African region, priority should be given to posts related to the informal and the rural economy, labour migration and environmental sustainability. He also asked for details of the proposed allocation for the perimeter security enhancements mentioned in paragraph 36. Lastly, he commended the development partners, whose major financial contribution to DWCPs would give the countries in question a better opportunity to implement the ten policy outcomes and the SDGs.
- 622.** *Speaking on behalf of the group of industrialized market economy countries (IMEC)*, a Government representative of the United Kingdom noted with appreciation that the programme for 2018–19 continued to be based on a no-growth budget. She welcomed the

redeployment of resources from back-office functions to front-line work and encouraged the Office to seek additional efficiency savings through the Office-wide Business Process Review. She asked if and how the work of the Expenditure Review Committee would be continued and how the Governing Body would be kept informed of such work, since a careful review of expenditure would enable the Organization to deploy resources where they would have the greatest impact.

- 623.** *Speaking on behalf of the RBSA donor countries (Belgium, Denmark, Germany, Italy, Luxembourg, Netherlands, Norway and Sweden)*, a Government representative of the Netherlands invited other governments to consider moving towards more flexible donor funding. He welcomed the proposed focus of RBSA funding on low and lower-middle income countries and countries in situations of fragility, because those funds should contribute to development results and not be used for general global products. The continued engagement of the Office's senior management with RBSA donors was crucial to enhancing results-based management, to improving allocation procedures and the sustainability of interventions, and to accommodating donors' changing needs.
- 624.** *A Government representative of Italy*, also speaking on behalf of Spain, said that while those two countries supported the Programme and Budget proposals for 2018–19, they would regret it if the Organization's collaboration with the cooperative movement were to be weakened rather than strengthened, given that cooperatives had done much in the past to protect working conditions, guarantee decent work and promote compliance with environmental standards, while offering employment even during the economic crisis. Furthermore, the Organization's engagement with the cooperative movement in the past had helped to promote technical exchanges, as well as research and knowledge management projects.
- 625.** *A Government representative of the Russian Federation* said that the ten policy outcomes fully reflected the fundamental problems encountered by both developed and developing countries. He was, however, concerned about the substantial drop in extra-budgetary resources allocated to Outcome 6 and feared that the regular budget appropriation would be insufficient to secure the transition from the informal to the formal economy. The size of the informal economy and its attendant lack of financial security or benefits were some of the most pressing issues currently facing society. The informal economy had a direct bearing on policy Outcomes 1, 3, 5, 7, 8 and 9. The indicators under Outcome 6 and the geographical scope of the Organization's action in that respect should therefore be broadened. More resources should also be allocated to policy Outcome 9, because international labour migration was a major problem for many developed and developing countries. Lastly, there was an urgent need to increase the small number of staff in the Russian language services, in order to promote multilingualism.
- 626.** *A Government representative of India* said that he was in favour of addressing cross-cutting objectives in a cohesive manner and supported the continuation of the Standards Initiative. Measures to foster the implementation of labour standards in member States should be integrated in DWCPs in order to align them with national priorities. The fourth cross-cutting policy driver on environmental sustainability should focus on encouraging international cooperation, technical transfer and financial assistance to less developed and developing countries. The specific performance indicators referred to in paragraph 26 would help the outcome strategies to be more focused and results-oriented. He expressed concern about the reduced resource allocation for Outcome 6 and enquired whether the drastic reduction in extra-budgetary expenditure was indicative of the lack of a specific action plan. He requested details of the increased extra-budgetary allocations to Outcomes 7 and 8. He welcomed the proposed increase in the number of targets and extra-budgetary support in the ASPAG region.

- 627.** *A Government representative of Japan* noted that internal reform had made it possible to propose a zero real growth budget that nevertheless responded to the challenges of the seven Centenary Initiatives, the 2016 Conference resolution on Advancing Social Justice through Decent Work, and the 2030 Agenda. He expected the Office to pursue further efficiency savings and achieve more value for money.
- 628.** *A Government representative of Germany* thanked the Director-General for again producing a zero real growth budget and particularly welcomed the significant savings achieved in the administrative area and by the streamlining of programmes. The flagship programmes were a good example of a well-targeted and results-based use of resources. Her Government valued the fact that the proposals had devoted appropriate attention to decent work in global supply chains. It likewise welcomed the budgetary appropriation devoted to addressing the effects of refugee and migratory flows on the labour market. A clear programmatic focus is important to continue enhancing the visibility and effectiveness of the ILO's work.
- 629.** *A Government representative of China* commended the synergy between the policy outcomes and the achievements of the previous biennium. His Government supported the new cross-cutting policy driver on environmental sustainability and the link between the Office's work and the 2030 Agenda. More resources should be distributed to the technical departments and the field in order to improve technical consultation and analytical capabilities. Lastly, he welcomed the fact that the Office had taken account of member States' financial constraints and the general climate of economic uncertainty and that a zero real growth budget had therefore been proposed.

Policy outcomes, cross-cutting policy drivers, regional contexts, and research, statistics and capacity development (paragraphs 47–241)

- 630.** *The Employer spokesperson* welcomed the fact that Outcome 1 acknowledged that a pro-employment macroeconomic framework should include an enabling environment for sustainable enterprises and that the private sector had a key role in employment creation; however, more information should be included on ways to encourage enterprise development and private investment. For Outcome 1 to be successful, a comprehensive employment framework addressing cyclical and structural rigidities had to be considered. The future of work should not focus on blindly extending current forms of labour protection to all workers, as that would stifle innovation; instead, innovative approaches should be sought that would make protection sustainable in the long run. On the skills programme, a target on assessing future skills and qualifications needs should be included as a first step. Furthermore, the approach to skills should be more ambitious, with significantly more resources allocated to helping public institutions and social partners to base such assessments on detailed real-time, holistic data.
- 631.** As to Outcome 2, the relatively low level of ratification of most Conventions should be addressed in the outcome description and the indicators. The challenges in applying Conventions should also be factored into the indicators.
- 632.** With reference to Outcome 3, the inclusion of sound financial management and sustainability in the three results criteria was welcomed. A better balance had been found between social protection floors and the reform of social protection, and the importance of assessing fiscal space was clearly reflected in the wording of the three indicators. With reference to the sixth bullet point in paragraph 77, the Office should clarify that “constituents” also included the social partners, since it was important to reduce the gap between ministries' capacities and those of employers' and workers' organizations.

- 633.** With respect to Outcome 4, the efforts made by tripling the number of targets under indicator 4.1 were commendable, but the Office should re-evaluate whether there were enough resources and capacity to cope with that. Moreover, the outcome should include a reference to an enabling environment for sustainable enterprises, as it would be impossible to achieve overall gains without integrating employment and business environment policies. Paragraph 84 should be reworded to the effect that enterprises, the key players in job creation, faced substantial challenges in generating large-scale sustainable levels of decent and productive work. Under criterion 4.1.1, support for action plans, monitoring and evaluation would be crucial for the assessment. Criterion 4.1.2 provided little added value, as almost all interventions to date had been led by employers' organizations and could not have succeeded in introducing reforms without dialogue with government. The added value of criterion 4.1.3 was also unclear, as no one would defend a reform strategy that would conflict with equality and non-discrimination. However, making the criterion mandatory would significantly increase costs if it had to be evaluated systematically in areas where it was not a natural component. It was unclear why indicator 4.1 was the only one of the three where all the criteria for success had to be met. Furthermore, with regard to indicator 4.3, related to dialogue platforms on responsible business practices, it was questionable whether the ILO should be using its limited resources in that area.
- 634.** With regard to Outcome 5, strengthening the capacity of national and local employers' organizations to make them more knowledgeable and effective on rural economy issues was well captured in paragraphs 100 and 101, but insufficiently addressed in indicator 5.3, whose criteria for success concerned the basic mechanisms for consultation and social dialogue.
- 635.** With respect to Outcome 6, the challenges to be addressed should include the need to identify obstacles and barriers to the promotion of the transition towards the formal economy within the regulatory, administrative and institutional framework. Indicator 6.3 appeared to duplicate Outcome 10, which already included informality with reference to employer and worker engagement. Criterion 6.3.1 was in line with the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), but should also include informal units formalized as part of joint contributions from employers' organizations and government.
- 636.** It was of great concern that Outcome 7 focused unduly on global supply chains, in which only 20 per cent of the global workforce were employed. That undermined the outcome, which should cover all workers and all workplaces. The wording of paragraph 118 seemed to imply that global supply chains and the types of business models employed were problems to be fixed, and that domestic supply chains were less complex or did not employ the same business models. The first two expected changes outlined in paragraph 120 were welcomed; however, the third, as well as indicator 7.3, should refer to social dialogue instead of industrial relations and collective bargaining, and the reference to global supply chains should be removed so as not to limit the scope.
- 637.** There was a potential overlap between Outcomes 7 and 8 in the areas of occupational safety and health (OSH), wages, working time and contractual arrangements: Outcome 8 should cover fundamental principles and rights at work, while Outcome 7 should cover OSH and working conditions. The issue of violence in the world of work would fit better under Outcome 7. It was especially important for employers to be included in work under indicator 8.2, particularly criterion 8.2.1; however, that work should not interfere with work under indicator 10.2.
- 638.** On Outcome 9, the acknowledgement of the Global Forum on Migration and Development and its business mechanism was welcomed. Outcome 9 should remain focused on labour migration, not other forms of migration, and should actively involve employers' and workers' organizations, including references to the social partners in the indicators. The most significant outputs to be delivered by the Office should refer to meeting labour market needs

and should also include references to skills and capacity building of employers and workers. On Outcome 10, other than the potential overlap with Outcome 8, his group had no further comments.

- 639.** With respect to the overview of regional contexts, the section on Africa accurately captured the situation, and the three priority areas were relevant; however, paragraph 194 should clearly indicate that even higher growth was needed to make it inclusive. On social dialogue, the region was moving in the right direction and was performing well in terms of partnerships. More emphasis should be placed on employers' priorities in the renewal of DWCPs. As to the challenges faced in Asia and the Pacific, the proposed solution seemed to disregard the major issues; the working poor in the agricultural sector and the high level of informality were generally not part of global supply chains. Moreover, the tone of paragraph 203 was too negative and overlooked the recent economic success in the region, as well as the great potential for economic growth and job creation. Solutions to challenges must be in line with the actual situation in the region. In the section on Europe and Central Asia, it was encouraging that an enabling environment and employment creation were priorities. In paragraph 210, the word "austerity" should be changed to "fiscal consolidation and structural reforms"; furthermore, the term "non-standard forms of employment" should not be used in the context of informality and undeclared work. As to the economic downturn in Latin America and the Caribbean, the Office should look for creative and innovative ways to stimulate job and enterprise creation in the region. Focusing on reinforcing social protection systems did not take into consideration the significant fiscal constraints that those countries would face and failed to tackle the real challenges, such as serious governance deficits. Moreover, when tackling the persistently high levels of informality in the region, the Office should consider the root causes and the difficulties in creating formal jobs.
- 640.** The section on research, statistics and capacity development should provide more information on the relationship to the Future of Work Initiative. The ILO should better understand the transformation in the nature of work in recent decades and take into account important developments such as digitization and its implications for labour regulation. It should base its research on the specific evolutions of diverse forms of work and consider the new opportunities for individuals and companies. Solid data, definitions for statistical purposes and measurements were needed to inform policy considerations.
- 641.** *The Worker spokesperson* welcomed the work on comprehensive employment policies and improved working conditions, including collective bargaining and research on employment and working conditions in global supply chains. The criteria for success under indicator 1.1 should refer to the ratification of the other instruments mentioned in the strategy, not just the Employment Policy Convention, 1964 (No. 122) and should be mandatory. Under indicator 1.3, a reference to "lifelong learning" should be added after "training", and the word "constituents" should be replaced by "member States in consultation with the social partners" in its criteria for success. The criteria for success that must be met under indicator 1.4 should be changed from "at least one" to "at least three", and, again, the word "constituents" should be replaced by "member States in consultation with the social partners". Under indicators 1.5 and 1.6, both criteria for success should have to be met.
- 642.** As to Outcome 2, workers could agree on a focus on core and governance Conventions, provided that the other outcomes more systematically included ratification targets of relevant ILO standards in their results framework. As a result of the Bali Declaration's request to the Office to launch a ratification campaign in Asia and the Pacific and in the Arab States, higher ratification rates for 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), were expected in both regions in the next biennium, which should be reflected in the indicators. The criteria for success under 2.2.4 should refer to the

use of DWCPs to promote ratification of standards, not only application. The promotion of standards was indeed essential to deliver results across all outcomes.

- 643.** For Outcome 3, the strategy was fully supported by the Workers. The ratification of social security standards under indicator 3.2 was welcomed, but ratification of ILO standards had to be a mandatory criterion for success. With regard to indicator 3.3, the targets for the Americas and Asia and the Pacific should be increased.
- 644.** Under Outcome 4, the Office should secure a balance of resources for work on cooperatives and social enterprises, with sufficient staff positions at headquarters and in the field. Work on integrating enterprises in global supply chains and promoting better working conditions was welcomed, and the promotion of the revised Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) should use company–union dialogue and government regulation. The outcome should better reflect, in the results framework, the promotion of the ratification and application of ILO standards. The indicators under 4.1 were sound.
- 645.** As to Outcome 5, he welcomed the focus on plantations and the work on ratification and implementation of standards. In that connection, the Safety and Health in Agriculture Convention, 2001 (No. 184), should be a priority, alongside promotion of the right to organize and bargain collectively. The targets for indicators 5.1 and 5.3 should be increased for Asia and the Pacific. The role of cooperatives in the rural economy should be recognized.
- 646.** Concerning Outcome 6, the work on collective bargaining and the strategy to give effect to Recommendation No. 204, with a specific indicator for the social partners, were welcomed. Ratification of the instruments listed in the Annex to the Recommendation should also be promoted. Again, the Office should consider increasing the targets for Asia and the Pacific under indicator 6.1 and for the Americas under indicator 6.3.
- 647.** With regard to Outcome 7, the focus on strengthened institutions for collective bargaining and industrial relations was very much welcomed; a sound balance had been achieved in the document. Clarification was sought on whether “safe work” in the description of the outcome also included wider OSH aspects. The section on challenges should refer to the lack of freedom of association in global supply chains, and ILO work must promote that core right. The criteria for success under indicator 7.1 required only one of the four to be met, but ratification of standards should be made mandatory with priority being given to the Occupational Safety and Health Convention, 1981 (No. 155) and OSH conventions in hazardous sectors.
- 648.** A stronger focus on freedom of association and collective bargaining was needed in Outcome 8, and criterion 8.1.1 should be “in line with” rather than just “guided by” international labour standards. Ratification of standards had to be improved, not only their application. Particular focus should be given under criterion 8.3.2 to freedom of association and collective bargaining. Focus should be on the elimination of all forms of forced and child labour, not only the worst ones.
- 649.** Under Outcome 9, the references to the promotion, ratification and implementation of Conventions, work to implement the ILO guidelines on fair recruitment and the partnership with the UNHCR were welcomed, as was the planned work on gender equality and non-discrimination. However, ILO work on the business mechanism for the Global Forum for Migration and Development, a non-tripartite body, which was not promoting ILO values and standards, should not be a priority.
- 650.** The Workers’ group supported Outcome 10 on employers’ and workers’ organizations; resources should be allocated according to previously agreed ratios.

- 651.** The cross-cutting policy drivers were also supported, particularly the fact that work across all outcomes would focus on promotion, ratification and implementation of ILO standards. This had to be better addressed in the results framework.
- 652.** With regard to the overview of the regional contexts, the first priority area in the section on Africa should include a reference to the quality dimensions of employment, given the persistence of inequalities and the lack of inclusive growth in many areas. The section on the Arab States should refer to the low ratification rates of ILO Conventions, particularly Conventions Nos 87 and 98 as well as the severe migrant workers' rights violations in the region. The fourth priority area for Asia and the Pacific should also refer to the ratification of core Conventions and other relevant standards. As to Europe, there should also be a reference to the need for ratification and implementation of standards as a priority, and promotion of fundamental principles and rights at work should be a priority in the renewal of DWCPs. The section on the Americas should include further work on collective bargaining, wages and improved working conditions to encourage more inclusive growth.
- 653.** In relation to research, statistics and capacity development, ILO research should also focus on promoting a better understanding of the relevance of ILO standards to inclusive growth. It would be useful to collect data on how ILO standards could contribute to the redistribution of gains from growth and the expansion of workers' purchasing power, which in turn would stimulate demand and growth-led development. Lastly, the alignment of the International Training Centre of the ILO (Turin Centre) with the programme and budget was welcomed. The importance of the Turin Centre in capacity building was reiterated.
- 654.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe reiterated the group's support for the policy outcomes. The challenges addressed under Outcome 1 captured the reality of labour markets in Africa, and the proposal for collaboration at the national level would facilitate the achievement of that outcome. The Office should help member States by ensuring that DWCPs were reflected in United Nations Development Assistance Frameworks (UNDAFs). The target number of member States to ratify fundamental and governance Conventions under indicator 2.1, particularly in Africa, should be higher. The criteria for success under indicator 2.1 should also include the exchange of best practices between and within regions. Criterion 2.2.1 was particularly welcomed. As to Outcome 3, the budget allocation was insufficient; the Office should prioritize that outcome when mobilizing resources during the biennium. In the light of the risk of the fiscal consolidation pressures referred to in paragraph 82, indicator 3.3 and its criteria for success should explicitly refer to enhanced advocacy, as well as to enhancing the knowledge base. Under Outcome 5, strategies to improve compliance with labour laws should be a priority, and there was a need to tackle global supply chains, where less of the income accrued to farms and farm workers.
- 655.** With regard to Outcome 6, the formalization of the informal economy was the most effective way of extending decent work opportunities to the majority of workers, especially in Africa; the establishment of synergies with Outcome 4 was also welcomed. Moreover, practical incentives and targeted support were crucial, in addition to a normative approach. Outcome 7 was central to ensuring that macroeconomic processes did not undermine the stability of the labour market, and workplace compliance was one way of achieving sound industrial relations that promoted productivity and stability at minimal cost. As to Outcome 9, regional and subregional frameworks and arrangements on labour migration were welcomed, as bilateral and multilateral cooperation were necessary for the management of migration. The Office should strengthen its regional and subregional offices to better serve member States, regional economic communities and continental bodies. Migration was a complex, fragmented issue, and the Office had to maintain a presence and provide specialists to champion labour migration management across all regions. With regard to Outcome 10, strong and representative employers' and workers' organizations were necessary to partner

with governments in designing and implementing national development programmes, including on areas outside the traditional labour market, such as broader social and economic policy.

- 656.** The Africa group reaffirmed its support for the four cross-cutting policy drivers, in particular social dialogue. Thus, the four focus areas of ILO support for social dialogue listed in paragraph 183 should be elaborated and broken down into specific indicators and targets, which would help constituents to track the utilization of the related budget; furthermore, the relative increase in the operational budget allocation was welcomed.
- 657.** The need for the Office to focus on a limited number of priority areas in each region to ensure the greatest impact was appreciated, as was the acknowledgement of the African regional development instruments. Capacity building in Africa should indeed have a stronger focus on strengthening social dialogue, particularly given the central role of DWCPs to labour market interventions in the region. The Office should add a fourth regional priority, the formalization of the informal economy, as it was the primary source of employment in Africa, and efforts to advance decent work should be closely tied to formalization.
- 658.** With regard to research, statistics and capacity development, the role of the ILO as a repository of high-quality technical research, and the products of ILO research, were much appreciated; however, there should be a move towards regional, subregional and national research. The Office should build the capacity of those member States which provided primary research and statistical information. The consolidation of statistical information into the ILO database of labour statistics (ILOSTAT) was a positive development, and field offices should provide technical support to ensure that constituents could use it effectively. The ILO flagship reports provided much assistance in addressing emerging policy issues. ILO research and statistics could be used to defend the objectives of the Organization within the multilateral framework, if necessary. The refinement of the training portfolio of the Turin Centre, and the intention to roll out IT-enhanced learning, would enable the Centre to optimize its resources and become more accessible to constituents. Finally, more could be achieved if the Centre forged stronger partnerships with regional training institutions.
- 659.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran called upon the Office, regarding Outcome 1, to assist member States in addressing two challenges in the region: youth unemployment, which required action to improve both the quality and quantity of jobs taking into account constituents' needs; and young people not in employment, education or training. Efforts were required to ensure that synergies were identified and established across outcomes and cross-cutting policy drivers. He supported the inclusion of a cross-cutting policy driver on environmental sustainability to address the impact of climate change on the world of work and help countries attain the SDGs. The necessary foundations for creating and extending social protection should be reinforced to achieve better and more sustainable outcomes. The Office should expand the activities relating to Outcome 3 in the region.
- 660.** Greater importance should be attached to Outcome 4, as sustainable enterprises were crucial for economic growth and job generation. The Office should scale up measures to promote cooperatives and should intensify its efforts under Outcomes 5, 6 and 7 in the region. Under Outcome 9, it should assist member States in the region in addressing labour migration, taking into account country-specific contexts. Broadening the scope of Outcome 9 should not blur the distinction between migrant workers and refugees in related policy and programmes. The Office should ensure that future work relating to refugees was in line with the decision on the final report of the Tripartite Technical Meeting on the Access of Refugees and Other Forcibly Displaced Persons to the Labour Market.

- 661.** ASPAG underscored the importance of the production and use of reliable and comprehensive statistics for all policy outcomes and supported ILO research on the future of work according to the four “centenary conversations”. To ensure that its training portfolio met the different needs arising from varying national circumstances, the Turin Centre needed to enrich its expertise through collaboration with regional and national providers.
- 662.** *Speaking on behalf of IMEC*, a Government representative of the United Kingdom expressed appreciation for the links made between the proposed policy outcomes and the SDGs to which they contributed. Similar information on the relation between the outcomes and the seven Centenary Initiatives would be welcome. The ILO should align itself with the outcomes of the Quadrennial Comprehensive Policy Review where relevant, and conduct follow-up work in collaboration with the UN Secretary-General and other UN entities. Reform of the UN development system was crucial to help member States attain the SDGs.
- 663.** The ILO’s results-based management and accountability were a matter of concern. Given the public finance constraints in member States, and to ensure the ILO’s international standing, the value added of regular and extra-budgetary contributions to the Organization’s budget needed to be demonstrated clearly. While IMEC recognized the progress made since 2015, few of the policy outcome indicators seemed to allow a clear assessment of ILO achievement or accountability; the level of ambition was questionable and opaque throughout the document. The continuing strong emphasis on the ILO’s normative work was appreciated. While the inclusion of global supply chains in Outcome 7 was appropriate, the indicators could be strengthened by including measures to provide insight into the ILO’s work in this area. The Office should ensure efficiency and non-duplication of efforts in the development of new tools under the policy outcomes. The application of the cross-cutting policy driver on environmental sustainability should remain within the Organization’s expertise and mandate. Further information would have been welcome on how the Office planned to effectively implement the new policy driver and address it in the DWCPs.
- 664.** The results framework should include specific indicators on the implementation of cross-cutting policy drivers, which should be reflected in the draft decision. In light of the concerns expressed with regard to baselines, indicators and targets, a fine-tuning procedure similar to that carried out in 2015 should be followed ahead of the 2017 session of the Conference. It was regrettable that the roll-out of the Integrated Resource Information System (IRIS) to all field offices had yet to be completed. Improvements to the administration of the Staff Health Insurance Fund (SHIF) should result in future savings that could be redeployed to front-line tasks.
- 665.** *A Government representative of Bangladesh* underscored the importance of Outcome 1, given the increasing rate of youth unemployment and the lack of access to better jobs for many young people, especially in developing countries. He highlighted a number of actions undertaken by his Government to foster socio-economic progress. The Office should take into account demographic dividends when rolling out programmes and allocating resources, with a focus on national priorities, contexts and socio-economic development. The inclusion of a cross-cutting policy driver on environmental sustainability to address the challenges posed by climate change was welcome. The prioritization of full and productive employment, together with needs-based resource allocation, would be crucial during the implementation of the SDGs and relevant ILO policies. He welcomed the further redeployment of resources from administrative and support functions to front-line analytical and technical services. His Government supported the adoption of the programme and budget proposals.
- 666.** *A Government representative of India* asked the ILO to integrate its interventions for Outcome 1 with national programmes. While acknowledging the growing interaction between international organizations on cross-cutting issues, he urged the ILO to ensure that

its supremacy on labour matters was not compromised. The ILO should also ensure that human rights were not viewed as synonymous with labour rights in policy formulation. He concurred with the risk assessment in Outcome 3. As social protection in many countries was viewed as a cost by employers, the ILO should produce evidence-based advocacy initiatives, particularly for micro-, small and medium-sized enterprises, that presented it as an investment for long-term gains.

- 667.** Regarding environmental sustainability, he advocated an emphasis on collaboration rather than a prescriptive approach. While the focus on support to small and medium-sized enterprises (SMEs) was welcome, large firms that interacted with SMEs in domestic and global supply chains should also participate, including through technology transfers and funding. The Enterprises Initiative had complex repercussions, and policy recommendations and instruments from other organizations should therefore be negotiated in intergovernmental forums and have tripartite consensus. Expressing concern at the reduced share of extra-budgetary support for Outcome 6, he urged the Office to explore more avenues for funding and to provide detailed proposals in that regard. He urged the ILO to quantify the unpaid work done by women in the informal economy, particularly in care services.
- 668.** With regard to Outcome 9, ILO interventions should promote labour mobility for economic reasons, while strengthening the principles of fair migration. Interventions for the ratification of labour standards should, at country level, acknowledge incremental improvements towards ratification beside actual ratification. The ILO should conduct in-depth analysis of the reasons for non-ratification of certain standards. He expressed satisfaction with the number of targets and resource levels proposed for the Asia and the Pacific region.
- 669.** A *Government representative of Japan* asked how the resources redeployed from administrative and support functions would be allocated to each region. Field office costs in the Asia and the Pacific region accounted for 28.5 per cent of the total budget for field operations and partnerships, which was less than the region's labour force participation rate. The Office should take into account such rates in each region when considering future budget proposals.
- 670.** A *Government representative of Colombia* reiterated his Government's commitment to implementing the 2030 Agenda, including poverty reduction through the creation of more and better jobs. The Office's efforts to improve measurement systems were welcome, as were the priorities for the ILO's work in the Latin America and the Caribbean region identified in paragraph 216, alongside the strengthening of external partnerships. Outcomes 1 and 5 were of particular relevance for his Government, which had signed an agreement relating to rural reform, intended to implement a plan on the social protection and rights of rural workers, and had developed comprehensive employment and social programmes. In expressing support for the proposed Programme and Budget for 2018–19, he asked that a particular emphasis be placed on cooperation in countries recovering from armed conflict, such as Colombia, when implementing it.

Enabling outcomes (paragraphs 242–277)

- 671.** *The Worker spokesperson* endorsed the priorities established under Outcome A. It would have been helpful to have a specific indicator on decent work through decent work indicators, in line with the resolution on Advancing Social Justice through Decent Work. While the strengthening of ILO statistics relating to the SDG Global Indicator Framework under the ILO's custodianship was welcome, support for constituents to collect data at national level should be prioritized.

- 672.** *The Employer spokesperson* said that although it was important to identify a limited number of SDG targets for each policy outcome, Appendix I should be reviewed, as it contained some mistakes with regard to Outcome 10 on employers.
- 673.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe proposed changing the term “enabling outcomes” to “performance enablers” to avoid any confusion between the policy outcomes and enabling outcomes. With respect to Outcome A, the deepening of the ILO’s collaboration with national statistical agencies responsible for producing the primary labour market data from country to country should be included in the paragraph on means of action. The thrust of knowledge management was to ensure better advocacy of decent work; hence the need for the ILO’s knowledge management to be both derived from and sustained in national research, statistical and publication systems and frameworks. He therefore supported indicator A2. Welcoming Outcomes B and C, he said that his group was of the firm view that a risk register should also be established for Outcome C, given the similarities between the two outcomes in respect of governance at both the organizational and secretariat levels. Such a framework would be useful in the implementation of the Organization’s risk management system.
- 674.** *Speaking on behalf of ASPAG*, a Government representative of Pakistan supported Office endeavours towards effective knowledge management for the promotion of decent work and greatly valued the consistency, coherence and quality of the ILO’s evidence-based research and policy analysis. In view of the need to be able to generate data, it was imperative to address existing gaps in ILOSTAT urgently, especially as it was being primed for the SDG indicators. While the flagship reports were most useful, their contribution to promoting the Decent Work Agenda should be reviewed. ASPAG noted the desire for the ILO’s evidence-based policy recommendations to reach national policy-makers and recommended reaching out to parliamentarians through existing mechanisms; initiatives similar to the ILO collaboration with the Inter-Parliamentary Union in 2002 to develop a handbook for parliamentarians on eliminating the worst forms of child labour would be welcome. Strengthening the capacity of member States underpinned the success of Outcome A. ASPAG recommended retaining flexibility in the number of targeted member States under indicator A2. Reforms to bring about enhanced cost efficiency and effective governance were important, as was the emphasis on ensuring transparency and full accountability for resources and diligent oversight geared towards evolving the institutional culture to ongoing reform. However, oversight should not impede initiative and timely response. ASPAG would appreciate receiving an update later in the biennium on the comprehensive risk register for 2018–19 and the plans to develop an IT-based risk management database. In indicator B1, the implementation of a monitoring mechanism for decisions made by the ILO’s governing organs and its regular reporting were particularly important. The speaker called for the continued use of paper for official correspondence, taking into account the importance and urgency of that correspondence and the volume of paper involved. ASPAG supported the initiatives taken to ensure the efficiency of support services and the effective use of ILO resources and would continue to monitor the reform process, efficiency gains and the resulting redeployment of resources from administrative tasks to policy, technical and analytical work. Office efforts to increase resourcing for DWCPs and enhance synergies with UNDAFs, national sustainable development strategies and the SDGs should also be applied to recently formulated DWCPs, especially where such an alignment might be missing or low.
- 675.** *A Government representative of Japan* said that, given the inclusion of the word “labour” in its name, the Organization should remain aware of the fact that it was supported by human resources. Managerial skills should be verified and strengthened in order to ensure staff motivation and effective management of the Organization. The Director-General should consider whether highly valued staff, particularly those working in the field, could fully demonstrate their abilities under current conditions.

676. *Speaking on behalf of IMEC*, a Government representative of the United Kingdom noted that, with respect to Outcome B, the Office had considered a range of risks, including potential reductions in donor funding for projects and programmes. Such contingency planning was welcome.
677. *The Director-General*, in his initial reply to the debate, noted that, following discussions in November 2016 and recent consultations, the strong convergence of all sides on some major features of his Programme and Budget proposals for 2018–19 was encouraging. The areas of convergence included the scope and subject matter of the ten policy outcomes and the three enabling outcomes, although more discussion was needed on their content. The willingness of the Governing Body to accept a fourth cross-cutting policy driver – a just transition to environmental sustainability – was welcome, although questions remained about the operation and impact of those cross-cutting policy drivers. The alignment of the Organization’s work with the 2030 Agenda and the SDGs had been universally welcomed. Unanimity on the level at which budget proposals had been set and the continued adherence to a trajectory of zero real growth was not a small matter. The comments made indicated a preference for more action on all ten policy outcomes. Since a bigger budget would be needed to meet all those requirements, choices would need to be made and a balance in resource allocations achieved. The redeployment of resources from support functions to front-line functions, which was a continuation of action taken in the previous biennium, had met with approval and would continue in future in connection with the Business Process Review. Comments on the substance of the proposals, policy orientations, resources allocation and results-based management would be addressed the following week in his full response to the issues raised by Governing Body members.
678. When discussion of the item resumed, the Director-General presented a reply to his Programme and Budget proposals for 2018–19 (his statement is reproduced in Appendix II).
679. *The Employer spokesperson* emphasized that in order to address the worrying situation of tripartism and social dialogue referred to in paragraph 11 of the proposals, the cross-cutting policy driver on social dialogue must not merely be an exercise in ticking boxes. Most of the measurement criteria did not require the involvement, capacity or support of the social partners. Yet, social dialogue was a constitutional principle, and as such the Office should propose a tangible strategy to resolve the issues surrounding it.
680. The Employers’ group reiterated its request for a mixed operational and strategic budget that would enable Governing Body members to better understand how the budget allocations had been calculated and on what they were going to be spent. The group looked forward to being kept informed about developments regarding enhanced analysis and reporting at the end of the financial period.
681. Lastly, with regard to the point that there appeared to be a lack of focus as a result of the large number of programmes, the Employers did not consider them to be different components of a mathematical addition. Rather, there had to be focus and coherence for the various programmes to have an impact, and to be perceived as having an impact. Therefore, the Employers had asked how all the parallel strategies, agendas and initiatives fitted together. Paragraph 13 of the proposals was a prime example illustrating that point.
682. *The Worker spokesperson* noted that an explicit reference to international labour standards would be added to the indicators of each policy outcome, where appropriate. He emphasized that the ratification and implementation of standards should be an integral part of the results framework of every outcome, and the Office should ensure that the relevant standards were systematically included. Criteria for success related to international labour standards should be mandatory.

- 683.** Regarding the regional allocation of posts, he reiterated the request for additional technical positions on standards and collective bargaining, both at headquarters and in the field. That should be a priority in the light of the greater focus on social dialogue, collective bargaining, industrial relations and standards across several policy outcomes.
- 684.** Given the scarce allocation of extra-budgetary resources to policy Outcome 10, the Office should endeavour to allocate additional resources to ACTRAV. He welcomed efforts to attract more extra-budgetary resources, including the use of unearmarked RBSA funds for areas of work that lacked regular budget funding. The Workers' group supported the draft decision.
- 685.** *Speaking on behalf of IMEC*, a Government representative of the United Kingdom reiterated the group's support for the programme and budget proposals, particularly the continuing redeployment from back-office functions to front-line work, and the zero-growth budget. She thanked the Office for listening to IMEC's comments on results-based management and accountability, and looked forward to the update in the draft programme and budget to be submitted to the International Labour Conference. IMEC supported the draft decision.
- 686.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe welcomed the responses to the issues the group had raised, in particular the proposed action to increase the Office's front-line capacity to deliver more services to constituents. He reiterated the importance to the Africa group of the transition from the informal to the formal economy; social protection floors; employment, especially in the rural economy; and labour migration. The Africa group supported the draft decision.
- 687.** *Speaking on behalf of the RBSA donor countries, Belgium, Denmark, Germany, Italy, Luxembourg, Netherlands, Norway and Sweden*, a Government representative of the Netherlands encouraged other countries to consider moving towards more flexible funding. The RBSA should be used in a flexible and strategic manner and should contribute to tangible development results, particularly in the least developed and low-income countries where the needs were greatest. Furthermore, it should be used to respond quickly to urgent and emerging issues. He supported the draft decision.
- 688.** A Government representative of India reiterated her concern regarding the reduced extra-budgetary resources estimated for some core policy outcomes, and the need for additional development cooperation. In addition to working on South-South cooperation, the Office should secure commitments from developed countries to traditional North-South cooperation. She asked how the Office was planning to address in the programme and budget proposals the reduction in budgetary support from traditional sources resulting from the changed global political scenario. She reiterated support for addressing regional and country-specific circumstances in the ILO strategy, and encouraged the Office to promote local expertise and strengthen the technical capacity of field staff. She supported the draft decision.

Decision

689. *The Governing Body:*

- (a) *recommended to the International Labour Conference at its 106th Session (June 2017) a provisional programme level of US\$793,331,474 estimated at the 2016–17 budget exchange rate of 0.95 Swiss francs to the US dollar, the final exchange rate and the corresponding US dollar level of the budget and Swiss franc assessment to be determined by the Conference;***

- (b) *proposed to the Conference at the same session a resolution for the adoption of the programme and budget for the 76th financial period (2018–19) and for the allocation of expenses among member States in that period in the following terms:*

The General Conference of the International Labour Organization, in virtue of the Financial Regulations, passes for the 76th financial period, ending 31 December 2019, the budget of expenditure for the International Labour Organization amounting to \$..... and the budget of income amounting to \$....., which, at the budget rate of exchange of Swiss francs to the US dollar amounts to Swiss francs, and resolves that the budget of income, denominated in Swiss francs, shall be allocated among member States in accordance with the scale of contributions recommended by the Finance Committee of Government Representatives.

(GB.329/PFA/1/1, paragraph 3.)

Second item on the agenda

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

([GB.329/PFA/2](#))

690. *The Worker spokesperson and the Employer spokesperson* said that they approved the draft decision.

Decision

691. *The Governing Body delegated to its Officers, for the period of the 106th Session (June 2017) 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.329/PFA/2, paragraph 3.)

Third item on the agenda

Update on the headquarters building renovation project

([GB.329/PFA/3](#) and [GB.329/PFA/3\(Add.\)](#))

692. *A representative of the Director-General (Deputy Director-General, Management and Reform (DDG/MR))* said that the renovation of the southern end of the building was almost complete. Members of the Governing Body would have the opportunity to visit a renovated floor. Relocations to the completed area would take place after the current session of the Governing Body. Although there had been some delays due to design changes and issues discovered during the initial stage of renovation, no similar delays were anticipated during the subsequent stages and it was hoped that the time lost could be recovered. With respect to the financing of the renovation of the lower floors of the building, he recalled that a funding shortfall of CHF120 million remained. Options for financing that part of the

renovation included contributions from donors. If the donation policy annexed to the current document was endorsed, a prospectus would be issued on the opportunities to donate funding for particular conference rooms, areas or items. The Office had received a number of unsolicited approaches from commercial developers interested in leasing some ILO land and an approach had also been made by the International School of Geneva to lease land to develop sports facilities. The document sought to obtain authorization for the Director-General to continue discussions on the use of the land, since it would be best to consider any use of the land by the International School of Geneva alongside that of any potential developer in a consolidated manner. Discussions with the school were exploring the possibility of making the intended sports facilities available for use by the Organization and the local community. That option would retain a large amount of green space as a natural amenity. Offering part of the grounds on a commercial lease for an extended period of 50–99 years would provide a reasonable income and contribute to the cost of renovating the lower floors. A third issue had emerged in recent days since a developer had approached the ILO seeking the use of part of a roadway owned by the ILO, connecting Avenue Appia with David Morse Lane. The roadway could provide access to an approved development project on adjacent farmland. The ILO had indicated that it was prepared to discuss a commercial arrangement; the developers had indicated that they would make an offer to buy that part of the roadway, which, at 680 m², represented a very small part of the Organization's land holdings. Their offer was expected during the 329th Session of the Governing Body.

- 693.** *The Employer spokesperson* said that he commended the Office for keeping the total budget for the initial phase of the renovation within the limits of the financial plan and welcomed the progress made on the southern third of the building. The savings generated through value engineering during the initial phase should be estimated and used as a basis both for projecting potential savings during the subsequent stages of the renovation project and assessing the funds that could be immediately directed to the renovation of the lower floors. It would be useful to calculate the potential financial contribution of increased revenue that could be realized from freehold property and to prepare a more detailed budget for the renovation of the lower floors. He asked why the security risk level for the Organization's headquarters had been raised from minimal to low, what that increase in risk implied and how the proposed security perimeter fence would address the security risks identified. Further information on the planned visit to the completed renovation work would be appreciated. He supported the draft decision.
- 694.** *The Worker spokesperson* said that he welcomed the good management of health and safety issues and the absence of reported irregularities. In light of the statement in paragraph 21 of the report of the Chief Internal Auditor for the year ended 31 December 2016 ([GB.329/PFA/7\(Rev.\)](#)) that the renovation project budget was tight and the reserve for unforeseen events low, his group supported the plan to conduct a follow-up audit of the project in 2017. It endorsed the donation policy presented in Appendix I and was in favour of leasing a portion of the plot of land adjacent to the headquarters building (plot 4057) to the International School of Geneva and developing the remainder through a commercial lease. He asked whether pedestrian access to the ILO building through the land in question would be preserved. Lastly, emergency training and procedures should be kept up to date as staff members moved into the first refurbished area.
- 695.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe noted the progress reported on the headquarters building renovation project. The proposed donation policy, modelled on approaches used at the UN, should be welcomed. The Governing Body would be in a better position to guide the Office once it received further details on the security perimeter fence in October 2017. Further information on the expected financial value of the proposals for the development, leasing and/or sale of plot 4057 should also be provided. He supported the draft decision.

696. *Speaking on behalf of IMEC*, a Government representative of the United States commended the Office for integrating lessons learned into the planned renovation of the middle third of the building. IMEC was pleased that the works were on target for the 2019 deadline and welcomed the opportunity to visit the refurbished offices during the current session of the Governing Body. It commended the efforts made to remain within the initial funding plan (CHF205 million) and noted that it was not in a position to provide additional funds for the project. IMEC appreciated the Office's efforts to identify tenants for the refurbished space in order to repay the loan from the Swiss Confederation and requested that a status update, including an estimate of the expected rental income, be provided at the 330th Session of the Governing Body, bearing in mind that the domestic law of some countries prohibited the use of member States' contributions to pay interest on loans. IMEC supported the proposal to seek voluntary contributions to defray the cost of renovating the lower floors (CHF120 million) and appreciated the Office's exploration of ways to generate additional revenue through the development and leasing of plot 4057. However, it noted with concern that costs not included in the original scope of the project, including the proposed construction of a security perimeter fence, were growing. It requested the Office to provide an analysis comparing the total projected cost of the unfunded requirements to the anticipated revenue, including from the proposed use of plot 4057.
697. *The representative of the Director-General (DDG/MR)* said that savings of some CHF5 million had been reported in October 2016 and further savings would be pursued. Information on the value of leasehold income would be reported in November 2017 once commercial negotiations had commenced. The security perimeter fence was a separate issue from the headquarters building renovation project. A perimeter fence with access points and a visitor reception was needed in order to comply with UN security requirements due to the increased security risk rating for Geneva as a venue for UN agencies and in view of the blast impact assessments carried out with respect to vehicles parked on ILO land. The Office was discussing funding for the fence with the Swiss authorities, in view of the host country's obligation to provide a certain degree of security, and seeking quotations for the work. In view of other public access requirements, pedestrian access from the roadway part of David Morse Lane would be maintained. There had been significant interest in tenancy of renovated floors of the headquarters building; more conclusive information on that matter would be provided in November 2017. The newly renovated eighth floor would be open to visitors on the morning of Friday, 17 March 2017. The Office would revert to the Governing Body to seek authorization for the Director-General to pursue an arrangement on the access roadway.

Decision

698. *The Governing Body:*

- (a) *endorsed the donation policy presented in Appendix I to document GB.329/PFA/3;*
- (b) *authorized the Director-General to pursue the possible use of plot 4057 with the relevant Swiss authorities, the International School of Geneva and potential developers.*

(GB.329/PFA/3, paragraph 24.)

699. *A representative of the Director-General (DDG/MR)* informed the Governing Body, when it resumed its discussion of the item, that the Office had recently received a formal offer for

the plot of land described in document GB.329/PFA/3(Add.). The offer had not yet been considered in detail and further negotiations would likely be required.

700. Responding to comments received prior to the resumption of the discussion, he said that the Office had had very preliminary discussions with the host Government on the issues surrounding the land, and further discussions would take place in the light of the offer received. Concerning the reference in the draft decision to proceeds from the disposal of the land being used for the subsequent phases of the headquarters building renovation project, a question had been raised as to whether the subsequent phases had been approved. They had been approved in principle, subject to the Office raising funding of some CHF120 million. He proposed amending the draft decision by removing the words “to finance subsequent phases of the headquarters building renovation”. A full discussion on funding the subsequent phases would take place at a future Governing Body session.

701. *The Worker and Employer spokespersons* supported the draft decision.

702. *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe noted that more work was required on the matter, and proposed that the November 2017 session would be a more appropriate opportunity for the Office to provide a full report. The Africa group supported the draft decision.

Decision

703. *The Governing Body authorized the Director-General to negotiate and finalize an agreement for the disposal of the land described in document GB.329/PFA/3(Add.) and highlighted in the appendix, and to credit any proceeds from the agreement to the Building and Accommodation Fund.*

(GB.329/PFA/3(Add.), paragraph 6, as amended by the Governing Body.)

Fourth item on the agenda

After-service health insurance: Update ([GB.329/PFA/4](#))

704. *A representative of the Director-General* (Treasurer and Financial Comptroller) said that the Advisory Committee on Administrative and Budgetary Questions (ACABQ) had supported most of the recommendations contained in the follow-up report by the Secretary-General, with the principal exception being the question of the funding of the liability, where it was not ready to endorse a funding proposal. The ACABQ encouraged member States to complete the questionnaire on the possibilities of primary coverage under national health insurance schemes. As to the implementation of the other recommendations, the Office would report back to the Governing Body on progress after the UN Secretary-General’s next report to the General Assembly on that matter, scheduled for the end of 2018.

705. *The Employer spokesperson* said that his group commended the Office follow-up to recommendation 2 on collective negotiations with health-care providers, which had resulted in savings of more than 25 per cent for the ILO staff after-service health insurance (ASHI). To seek further savings, the Office could periodically remind its staff of the preferred providers and could consider undertaking collective negotiations in regional or country duty stations where a significant number of ILO and UN staff members were stationed.

706. *The Worker spokesperson* said that his group supported recommendation 2 on collective negotiations with health-care providers as a way to achieve cost savings; however, it should not result in additional costs or a reduction in benefits for staff. With regard to recommendation 4, the Workers were not favourable to the option of coverage under national health insurance schemes, as the UN would then act as a secondary insurance in the insured persons' country of residence and many former officials were not eligible under national security schemes. Furthermore, universal health-care access was essential for the UN to be able to attract and retain the best possible workforce. As to recommendation 7, the group supported the proposal to continue funding the ASHI liability using a pay-as-you-go approach. The establishment of the Staff Health Insurance Fund (SHIF) Management Committee Working Group on Cost Containment was welcomed, along with its goal of containing medical expenses while maintaining all the current features of SHIF coverage. With regard to the review of SHIF operating models, the Workers would welcome further consultation and discussion with the Staff Union on the findings of the report to ensure that staff and retirees continued to receive proper health insurance in the most effective, efficient and secure manner. The group supported the promotion of preventive health care and the negotiation of preferential rates. It did not see a need to establish an ASHI reserve at that time, and use of extra contributions from member States to decrease a theoretical ASHI liability should not be to the detriment of funds allocated to ILO programmes and activities.
707. *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe said that the Governing Body was not yet in a position to make an informed decision on ASHI, given that some aspects of the funding framework must be harmonized across the UN agencies. It appreciated the work undertaken by the SHIF Management Committee Working Group on Cost Containment and endorsed its recommendations. Strengthening cost control and advocating responsible use of the facility by insured persons were crucial: for all non-emergency cases, payment or reimbursement of expenditure should be based on comparisons of at least three competitive estimates for alternative service provision. Lastly, it agreed that the establishment of an ASHI reserve should be considered only once decisions had been made on the funding of the ASHI liability.
708. *Speaking on behalf of IMEC*, a Government representative of Spain said that measures for the future sustainability of ASHI should be adopted urgently and a serious and rigorous plan of action established, drawing on the experiences of international organizations which had already made progress in the area. Measures should be based on a comprehensive and systematic evaluation of the situation and might include: cost control in administration and plan design; cost sharing between organizations and insured persons; preventive health care; and the establishment of a reserve for the funding of the liability. Such measures should be implemented without waiting for any other reforms currently under discussion at the General Assembly.

Outcome

709. *The Governing Body took note of the update on the United Nations inter-agency Working Group on After-Service Health Insurance (ASHI) and the outcome of the work of the ILO Staff Health Insurance Fund Management Committee on Cost Containment, contained in document GB.329/PFA/4, and provided observations and guidance to the Office on the matter.*

(GB.329/PFA/4.)

Fifth item on the agenda

Other financial questions

Report of the Government members of the Governing Body for allocation of expenses (GB.329/PFA/5)

710. *The Employer and Worker spokespersons supported the draft decision.*

Decision

711. *The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, to base the ILO scale of assessment for 2018 on the UN scale for 2016–18, and accordingly proposed to the Conference the adoption of the draft scale of assessment for 2018 as set out in the appendix to GB.329/PFA/5, subject to such adjustments as might be necessary following any further change in the membership of the Organization before the Conference was called upon to adopt the recommended scale.*

(GB.329/PFA/5, paragraph 6.)

Audit and Oversight Segment

Sixth item on the agenda

Report of the Independent Oversight Advisory Committee (GB.329/PFA/6)

712. *The Chairperson of the Independent Oversight Advisory Committee (IOAC) said that during the period from May 2016 to January 2017, the Committee had continued to engage with the Governing Body, the Director-General and the management of the ILO, to ensure the communication and understanding that were essential to its oversight responsibilities. The Committee had provided additional oversight coverage while the Auditor General of Canada handed over his duties as External Auditor to the Commission on Audit of the Philippines. It appreciated management's speedier progress in implementing audit recommendations, and would continue to monitor measures to ensure effective management of the ever-changing risk universe, as well as continued compliance with the amendments made in the international internal audit standards.*

713. *The Employer spokesperson said that the fact that the IOAC had found the ILO's financial reporting to be highly satisfactory showed that the Organization was applying due diligence in utilizing resources. He wished to know whether the resource gap was impeding the ability of the Office of Internal Audit and Oversight (IAO) to conduct adequate risk-based audits. Outsourcing specialized skills might help to improve the IAO's capacity, but suppliers must be carefully chosen in order to protect the IAO's reputation. He wondered which areas of human resources development required faster action by the Organization. It would be crucial*

for the ILO management to offer staff learning opportunities that were based on changing business needs.

- 714.** *The Worker spokesperson* was pleased to note that the ILO had correctly implemented appropriate changes in accounting policies and that the IOAC had confirmed the independence of the External Auditor. The Workers supported the IOAC's recommendations overall. Recommendation 2 would be of prime importance when formulating the 2018–21 Evaluation Strategy. His group was pleased to see that resources for the investigation function had been supplemented when requested and that the Office's ethical and accountability framework was found to be well structured. With regard to recommendation 8, it would be advisable for the Human Resources Development Department to consult the Staff Union when implementing workforce planning approaches, while managers should support their staff in developing new skills and adjusting to changes. As far as recommendation 9 was concerned, the IOAC should play only an advisory role in the appointment and termination of the Chief Internal Auditor; no authority should be delegated to it. Lastly, his group welcomed the Office's follow-up on the Committee's prior recommendations and the Committee's continued monitoring role.
- 715.** *Speaking on behalf of the Africa group*, a Government representative of Mauritania said that his group had duly noted the nine recommendations made in the report and invited the Office to take them into account with a view to securing greater transparency.
- 716.** *Speaking on behalf of IMEC*, a Government representative of the United States said that IMEC supported all of the recommendations made in the report. It welcomed the finding that the scope, plan and approach of the external audit were reasonable and adequate. His group was, however, concerned that the IAO might not have enough resources to accomplish its mission, and it therefore believed that the Director-General should continue to ensure that adequate resources were allocated to it. He wondered whether the Office had made more efforts to address the continued high incidence of allegations of fraud and malpractice. IMEC looked forward to the completion of the assurance mapping exercise as a means of successfully merging the internal control and risk management frameworks. Noting that the use of the IT tool helped expedite the implementation of audit recommendations, it looked forward to further improvements in that area to make sure that high-risk audit recommendations were implemented as quickly as possible. His group recognized that the work of the IOAC was having a positive effect on the Office's management and internal controls.
- 717.** *A Government representative of China* said that, while it was clear from the report that the governance structure of the ILO had improved, as had the quality of its evaluation work, some improvements were still needed in order to assess future risks and avoid duplicating the work of the External Auditor. The Information Technology Governance Committee should supervise expenditure on and the progress of the second phase of the roll-out of the Integrated Resource Information System (IRIS). The IOAC's recommendations should be put into effect, with the aim of ensuring that its work better served the oversight of the Governing Body.
- 718.** *A representative of the Director-General (Chief Internal Auditor)* said that there had been no changes to the Institute of Internal Auditors (IIA) standards, but that a layer of principles had been added, whose practical implications were being discussed by the United Nations. The resource gap referred to by the IOAC had arisen, in particular, because it was impossible to make financial provision for all the investigations that might be needed and the skills they might require. Any request made to the Director-General for resources to plug the gap had always been met. A shift was being made towards more strategic audits but it would take time to fully implement, as a different staff skill set was necessary. A low percentage of allegations of wrongdoing had in fact been substantiated. Outsourcing of audit and

investigation work was necessary because the Office did not always have the skills it needed to conduct specialized audits or investigations, such as IT and construction projects. It always ensured that outsourced audit suppliers were selected in a transparent manner.

Outcome

719. *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.329/PFA/6.*

(GB.329/PFA/6.)

Seventh item on the agenda

Report of the Chief Internal Auditor for the year ended 31 December 2016 (GB.329/PFA/7(Rev.))

720. *The Worker spokesperson* said that his group particularly welcomed paragraph 53 of the report on lessons learned from investigations and stressed the importance of follow-up by the Office. He noted with satisfaction that no major weaknesses had been identified in the ILO's system of internal control and agreed that if it was decided to retain the current decentralized IT system, the Office would need to ensure that the relevant departments and offices complied with ILO directives, policies, procedures and standards and sought guidance from the Information and Technology Management Department (INFOTEC) before engaging in any IT-related initiative. Since IT issues represented the highest number of high- and medium-significance audit recommendations, he supported the recommendation that the Office should determine whether there was a need to strengthen the communication and role of the IT Governance Committee in addressing field issues.

721. *The Employer spokesperson* said that while it was reassuring to see that the appropriate checks and balances were in place, the increased number of cases reported to the Office of Internal Audit and Oversight (IAO) in 2016 called for further improvement of the internal control environment across the Organization. Since the use of external collaborators was one of the Office's highest expenditure line items, the relevant IAO recommendations should be taken into account by standardizing hiring procedures and establishing an evaluation system, particularly for contracts with a value in excess of US\$30,000. Lastly, the Office should take the lessons learned from investigations into account in countries and regions with substantial development cooperation projects.

722. *Speaking on behalf of IMEC*, a Government representative of the Netherlands urged the Office to implement the recommendations on recurrent issues such as the use of implementing agents at country level and the risks related to financial management systems and IT. IMEC supported the plan to conduct another audit of the headquarters renovation project in 2017. She asked what types of allegation had been made in the case referrals received in 2016 and expressed the hope that that information would be included in future reports. It would also be useful to know how the Office was incorporating the lessons learned into its work.

723. *A representative of the Director-General (Chief Internal Auditor)* said that of the broad range of allegations investigated, the highest number concerned fraud (such as falsification of invoices and collusion with vendors), ethics (failure to disclose conflicts of interest) and the

SHIF. A breakdown of the nature of allegations would be included in future reports. Figure 4 showed that although a higher number of case referrals (32) had been received in 2016, only 12 per cent of the allegations made had been substantiated.

724. *The Chairperson* said that in accordance with established practice, the Office would submit to the Governing Body at its 332nd Session a report on follow-up to the recommendations of the Chief Internal Auditor. The Office's follow-up report for the year ended 31 December 2015 had been issued as document [GB.329/PFA/INF/3](#).

Outcome

725. *The Office took note of the observations and guidance provided by the Governing Body with regard to the report of the Chief Internal Auditor and its recommendations.*

(GB.329/PFA/7(Rev.))

Eighth item on the agenda

Summary findings of the independent evaluation of the evaluation function

([GB.329/PFA/8](#))

726. *The Worker spokesperson* congratulated the Office on having one of the most mature and independent evaluation functions in the UN system. While the Workers supported recommendations 1–3, they feared that a zero-growth budget would impact on the Office's ability to implement them in full, and notably that of transitioning regional evaluation officers into full staff members of the Evaluation Office funded through regular budget sources. His group was in favour of recommendation 5 regarding an evaluation framework for evaluating decent work through social dialogue as it would allow the ILO to occupy a niche in the international evaluation space. Support would be needed, however, to build up the capacity of some social partners to engage in evaluation. The Workers agreed that the limited resources should be used to strengthen a culture of self-learning among managers. They also agreed with recommendation 7 on adjusting the overall focus of evaluations to more strategic and thematic evaluations. The follow-up to evaluations would require a strong Office-wide coordination system. At the same time, evaluation products should be more user-friendly. Strengthening communication and knowledge management to enhance the utility of evaluations in the field should therefore be one of the priorities for the forthcoming strategy. His group supported the recommendations on the need for an enabling environment for evaluations and a participatory process for developing the new evaluation policy and strategy. In that connection, it would be important to consult ACTRAV and ACT/EMP, as well as the group secretariats.

727. *The Employer spokesperson* said that greater attention should be paid to the institutional integration of recommendations resulting from evaluations in the planning, implementation and monitoring of the ILO's work, in order to maximize their utility. For example, the lessons learned from evaluations could be more widely applied to programmes financed from the regular budget. A coherent mechanism to address valuable lessons learned from evaluations across the Office's strategic and policy outcomes would strengthen its programmes. His group supported the draft decision.

- 728.** *Speaking on behalf of the Africa group*, a Government representative of Mauritania drew attention to the fact that the highest number of evaluations in the period 2011–16 had been carried out in Africa. His group welcomed the increased transparency of the ILO's workings, as well as the fact that the ILO was recognized as having one of the three most mature evaluation functions in the UN system. While acknowledging that ILO spending on evaluation was currently half that recommended by the Joint Inspection Unit, his group considered that those savings should not be made at the expense of the quality of evaluation or the number of missions. It supported the draft decision.
- 729.** *Speaking on behalf of IMEC*, a Government representative of Norway said that it was positive that the independent evaluation had confirmed the progress made in establishing a mature and structured evaluation system. Notwithstanding the progress, the ultimate test of that function's strength was how evaluations were utilized; it was important to learn from experience in order to increase the relevance and effectiveness of the ILO's interventions. IMEC therefore supported the call for a more strategic approach, including dialogue on alternative approaches that would reflect the ILO's specific normative mandate and enhanced utilization. With regard to the independence of the evaluation function, her group looked forward to receiving information on the cost implications of the recommendation to turn regional evaluation officers into full staff members. Regarding credibility, the ILO should use participatory approaches involving social partners and engage with a wider community of evaluators in order to promote a greater understanding of the Decent Work Agenda and the importance of social dialogue. On the subject of utility, a sharper focus on Decent Work Country Programmes and thematic evaluations, including evaluations linked to implementation of the Sustainable Development Goals, could play an important role in shaping national and international policies and promote an understanding of the ILO's mandate to achieve global goals. Her group supported recommendation 10, on strengthening results-based management and monitoring and reporting systems, as the recently published Multilateral Organization Performance Assessment Network (MOPAN) survey had identified similar problems. Recognizing that a strong evaluation function required both budgetary and political support, IMEC looked forward to receiving a revised evaluation policy in November 2017 and to learning how various stakeholders had participated in its formulation.
- 730.** *A representative of the Director-General* (Director, Evaluation Office) thanked the Technical Committee, Evaluation Advisory Committee and the Procurement Bureau for having managed the evaluation in a professional and transparent manner. It had been a good experience for the Evaluation Office in terms of accountability and learning. The findings of the evaluation were encouraging in so far as it recognized that a robust system had been established within a small budget. They were also consistent with the recent MOPAN survey, which scored the evaluation indicator (KPI 8) as the second highest score, just below very satisfactory. The support for the proposals included in the management response was much appreciated. Systematic follow-up of recommendations was needed, especially for decentralized projects, and the call for new evaluation methods with a focus on social dialogue and normative work was welcomed. Improved utility of evaluation as an Office-wide responsibility was recognized as a particularly important area for improvement. A new evaluation policy, developed in an inclusive and interactive process, would be presented to the 331st Session of the Governing Body, followed by a new strategy at the 332nd Session. As to concerns about funding, a change in reporting lines of regional evaluation officers would not require additional funding. The Office could also explore ways to optimize the use of the different types of funding available for evaluation (RB, RBSA and XBTC) in a more integrated manner. Critical to all of that would be more flexibility in how it undertook evaluations, such as by clustering evaluations in a strategic manner.

Decision

731. *The Governing Body requested the Director-General to take into consideration the recommendations of the independent evaluation presented in document GB.329/PFA/8 and to ensure their appropriate implementation.*

(GB.329/PFA/8, paragraph 43.)

Personnel Segment

Ninth item on the agenda

Statement by the staff representative

732. The statement by the staff representative is reproduced in Appendix III.

Tenth item on the agenda

Amendments to the Staff Regulations

([GB.329/PFA/10](#))

733. *The Worker spokesperson* said that in the light of the UN General Assembly resolution concerning the education grant and the age of retirement, his group supported the proposed amendments to the Staff Regulations. The positive and constructive climate in negotiations between the Administration and the Staff Union was indicative of a stable and harmonious system of labour relations within the Office.

734. *The Employer spokesperson* noted that the proposed amendments were part of a broader set of changes decided by the UN General Assembly and were also good human resource practice. The group supported the draft decision.

735. *Speaking on behalf of the Africa group*, a Government representative of Ethiopia said that the amendments were necessitated by the General Assembly resolution and the rationale for amending the articles of the Staff Regulations was clear and convincing and the Office procedure for introducing the amendments was transparent and participatory. His group supported the draft decision.

736. *Speaking on behalf of IMEC*, a Government representative of Canada welcomed the ILO's commitment to the common UN system and commended the Office for implementing the decision on the age of separation in a timely manner and with no significant direct financial implications. His group thanked the Office for the analysis of retirement data and supported the draft decision.

737. *A Government representative of Japan* said that, in view of population ageing, the Office should consider the possibility of appointing officials over the age of 65 years in particular to development cooperation projects for a fixed term or under flexible work arrangements. However, the extension of the retirement age should not have a negative impact on employment opportunities within the ILO for young people. Recognizing that the ILO was different from other international organizations, it should take an appropriate approach to the future of work.

Decision

738. *The Governing Body approved:*

- (a) the amendments to articles 3.14 and 3.14bis of the Staff Regulations related to the education grant contained in the appendix to document GB.329/PFA/10;*
- (b) the amendments to article 11.3 of the Staff Regulations related to the age of retirement contained in the appendix to document GB.329/PFA/10 with effect on 1 January 2018.*

(GB.329/PFA/10, paragraph 13.)

Eleventh item on the agenda

Matters relating to the Administrative Tribunal of the ILO

Update on discussions with the European Patent Organisation on possible future action to improve the Tribunal's caseload ([GB.329/PFA/11/1](#))

739. *The Employer spokesperson* welcomed the prospect of real progress to alleviate the caseload of the Tribunal. The Employers' group supported the draft decision.

740. *The Worker spokesperson* welcomed the fact that the European Patent Organisation (EPO) had recognized trade unions as social partners and created a collective bargaining framework. However, the fact that the most representative staff union, the Staff Union of the European Patent Office (SUEPO), remained outside the collective bargaining framework would affect the number of complaints still being submitted. It was encouraging that final decisions had been withdrawn and were to be reviewed internally; if the related complaints were resolved by the EPO, it would significantly reduce the Tribunal's caseload. However, the high level of litigation within the EPO could continue to trigger an unmanageable amount of complaints to the Tribunal, and cases not resolved by the Internal Appeals Committee were likely to be referred back to the Tribunal. He urged Governing Body members who were also members of the EPO Administrative Council to raise their concerns within that body and to restate the need to establish a climate of solid industrial relations involving all representative staff unions. The EPO could also consider alternative means of addressing staff issues, such as mediation, or, failing that, establish its own internal tribunal of first instance. The Workers' group supported the draft decision.

741. *Speaking on behalf of the Africa group*, a Government representative of Ethiopia commended the Office for its ongoing efforts to reduce the workload resulting from complaints from the EPO. Efforts should be continued to ensure that the Tribunal could operate effectively. The Africa group supported the draft decision.

742. *Speaking on behalf of IMEC*, a Government representative of the United States noted the increasing caseload of the Tribunal owing to its expanding membership, which was a positive development, but also the disproportionately high number of complaints from the

EPO. The Director-General's efforts to improve internal justice policies within the EPO and reduce the number of complaints, thereby restoring the efficiency of the Tribunal, were laudable; however, further measures should be taken, such as the establishment at the EPO of an internal tribunal of first instance. IMEC supported the draft decision.

Decision

743. *The Governing Body took note of the ongoing discussions on ways to reduce the Tribunal's workload generated by complaints filed against the European Patent Organisation and requested the Director-General to continue to explore, in consultation with the Tribunal, all possible means for ensuring its effective and unhindered operation in the interest of all international organizations that had recognized its jurisdiction.*

(GB.329/PFA/11/1, paragraph 8.)

Recognition of the Tribunal's jurisdiction by other international organizations (GB.329/PFA/11/2)

744. *The Worker spokesperson welcomed the fact that the Green Climate Fund (GCF) had approved the recognition of the Tribunal's jurisdiction, noted the decision by the Centre for the Development of Enterprise (CDE) to discontinue its recognition of the jurisdiction of the Tribunal, and expressed appreciation for the confirmation from the CDE that it would implement "as soon as feasible and in good faith" any judgment on the five outstanding complaints made by members of its staff. He asked which mechanism or rules would guarantee the execution of those pending decisions. It should be emphasized that while the recognition of the Tribunal's jurisdiction could be revoked unilaterally, a withdrawal entered into effect only once the Governing Body had confirmed it. The Workers' group supported the draft decision.*

745. *The Employer spokesperson noted the changes in the recognition of the Tribunal's jurisdiction, and supported the draft decision.*

746. *Speaking on behalf of the Africa group, a Government representative of Ethiopia took note of the recognition of the Tribunal's jurisdiction by the GCF, and the forthcoming discontinuation of recognition by the CDE, with five cases pending. The group concurred that the conditions for revoking recognition of the Tribunal's jurisdiction, and the possibility for the Governing Body to withdraw its approval of the recognition, should be set out in the Statute of the Tribunal. The Africa group supported the draft decision.*

747. *Speaking on behalf of IMEC, a Government representative of the United States supported the recognition of the jurisdiction of the Tribunal by the GCF, and took note of the withdrawal of the CDE owing to its impending closure.*

748. *A representative of the Director-General (Legal Adviser) clarified that the CDE had committed to executing in good faith any judgments rendered by the Tribunal. The Office had no reason to doubt that the CDE would honour its commitment, particularly as it had recently promptly paid the running costs of the Tribunal for 2016 as well as the session costs in respect of a judgment rendered at the 122nd Session of the Tribunal in 2016. As per subparagraph (c) of the draft decision, the CDE would remain subject to residual jurisdiction, meaning that the complainants in the five outstanding cases would continue to benefit from*

the Tribunal's jurisdiction. Furthermore, article VI, paragraph 1, of the Statute of the Tribunal had been amended in 2016 to include a possibility for the Tribunal to consider applications for interpretation, execution or review of a judgment. Thus, in the event that a judgment was not executed, the complainants would be able to file a new application for execution.

Decision

749. The Governing Body:

- (a) *approved the recognition of the Tribunal's jurisdiction by the Green Climate Fund (GCF), with effect from Wednesday, 15 March 2017;*
- (b) *took note of the intention of the Centre for the Development of Enterprise (CDE) to discontinue its recognition of the jurisdiction of the Administrative Tribunal;*
- (c) *confirmed that the CDE would no longer be subject to the competence of the Tribunal with effect from Wednesday, 15 March 2017, except as regards the five complaints (AT 5-4383, AT 5-4411, AT 5-4414, AT 5-4415 and AT 5-4492) currently pending before the Tribunal;*
- (d) *requested the Director-General to follow up with the CDE Director-Curator regarding the payment of any outstanding costs.*

(GB.329/PFA/11/2, paragraph 17.)

Composition of the Tribunal ([GB.329/PFA/11/3](#))

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

Decision

751. The Governing Body decided:

- (a) *to recommend to the Conference that it convey its deep appreciation to Mr Claude Rouiller for the valuable services he had rendered to the work of the Administrative Tribunal of the International Labour Organization over the past 13 years as judge, Vice-President and President of the Tribunal;*
- (b) *to propose to the Conference the appointment of Mr Yves Kreins (Belgium) for a term of office of three years;*
- (c) *thus to propose the following draft resolution for possible adoption by the Conference:*

The General Conference of the International Labour Organization,

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

- (a) to convey its deep appreciation to Mr Claude Rouiller (Switzerland) for the valuable services he has rendered to the work of the Administrative Tribunal of the International Labour Organization over the past 13 years as judge, Vice-President and President of the Tribunal; and
- (b) to appoint Mr Yves Kreins (Belgium) for a term of three years.

(GB.329/PFA/11/3, paragraph 6.)

High-Level Section

Working Party on the Social Dimension of Globalization

First item on the agenda

Decent work for sustainable development ([GB.329/HL/1](#))

752. *The Chairperson* recalled that the purpose of the discussion was to prepare the ILO's contribution to the High-level Political Forum (HLPF) of the United Nations Economic and Social Council (ECOSOC), whose theme for 2017 was "Eradicating poverty and promoting prosperity in a changing world". He welcomed His Excellency Frederick Makamure Shava, Ambassador of Zimbabwe to the United Nations in New York and current President of ECOSOC.

753. *The President of ECOSOC* recalled his past role representing Zimbabwe on the Government benches at the ILO, which had enabled him to witness first-hand the Organization's strength in devising effective normative frameworks to address challenges in the world of work. As a standard-setting body, the ILO would play an important oversight role in ensuring respect for the fundamental principles and rights at work in the implementation of the 2030 Agenda. The annual HLPF was the central platform for tracking progress towards the Sustainable Development Goals (SDGs), where national, regional and thematic review processes converged.

754. Effective implementation of the 2030 Agenda would require the ILO to focus on the four pillars – employment, social protection, social dialogue and rights at work – of the Decent Work Agenda at the global and country levels. The ILO would be expected to provide expertise in a number of areas, including global unemployment, vulnerable employment, extreme poverty, social protection coverage and migration. It was essential to promote the Decent Work Agenda and strengthen tripartite social dialogue, particularly in view of decent work deficits, including child labour, and economic disparities between the North and the South, between middle-income countries and others, and within vulnerable countries, such as landlocked developing countries, least developed countries and small island developing States. As only 13 years remained for the achievement of the 2030 Agenda, implementation must continue apace.

755. The 2030 Agenda provided countries with the option of conducting voluntary national reviews with a view to tracking progress and sharing lessons learned. The doubling in the number of countries that had registered to undertake a national review demonstrated widespread support for the HLPF. Countries should be able to carry out a review at least twice before 2030. In addition, regional reviews would provide the HLPF with an overview of progress and policy issues in each region. The 2017 HLPF would also conduct the first in-depth review of specific SDG clusters.

756. The ILO had incorporated the 2030 Agenda into its initiatives by mainstreaming the SDGs in its strategic planning and programme mechanisms. It was encouraging that the Governing Body had dedicated its March sessions to annual reviews of the implementation of the 2030 Agenda; the tripartite nature of the discussion would provide a unique perspective and useful input for the HLPF.

- 757.** The ILO had a central role to play in six main areas. First, it was essential to take an integrated approach to implementation of the Goals and to design cross-cutting and cross-sectoral development plans. In addition to the ILO's central role on Goal 8, Goal 1 on poverty, Goal 5 on gender equality and Goal 10 on reducing inequality were also highly relevant to its mandate. A multidimensional approach would affirm the universality of the SDGs and the important links with the Decent Work Agenda. Changing traditional mindsets on development and devising innovative approaches would require more coherent work within the UN system and with UN country teams, as well as country-level efforts. Programmes such as social insurance for people unable to work had an impact not only on poverty reduction, but on other important development objectives such as health, gender equality and inclusive growth.
- 758.** Second, the 2030 Agenda stressed the importance of high-quality, timely, reliable and disaggregated data so that governments could evaluate their current situations, establish baselines, develop effective policies, review progress and make policy adjustments. Data collection and analysis remained a major challenge in many countries and the ILO could support national statistics offices by building their capacities to conduct labour market surveys and analyse data.
- 759.** Third, the aim of leaving no one behind required increased support from the ILO and the broader UN system for groups of countries in special circumstances, as the least developed countries, landlocked developing countries, small island developing States and countries in or emerging from conflict situations faced unique challenges and constraints. Many of them lacked the capacity, available statistics and resources to conduct the voluntary reviews or required assistance in identifying interlinkages for policy impacts within and among the SDGs.
- 760.** Fourth, achieving change would require addressing informality. The vast informal economy, particularly in developing countries, made it difficult to reach those in need and to mobilize domestic resources. The implementation of the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), would benefit governments, workers and employers, consolidate progress towards all of the SDGs, ensure that no one was left behind and encourage public sector investment.
- 761.** Fifth, the achievement of the 2030 Agenda would require forging partnerships in order to unlock additional resources and intensify collaboration among governments, the social partners, the UN system and other stakeholders by pooling knowledge, expertise and financial resources. ILO expertise and research on the virtuous cycle of employment and social protection to expand growth and fiscal space would assist governments' planning efforts. In addition, new and innovative cross-sectoral partnerships, both financial and non-financial, were needed, particularly those that sought to address inequalities by promoting women's economic empowerment and managing employment challenges. As a partnership agency by design, the ILO was well equipped to pursue new and innovative partnerships, and the UN system relied on its full engagement.
- 762.** Sixth, the achievement of all of the SDGs would require effective, accountable and inclusive institutions that were strong, well resourced and fully engaged in setting national development priorities and adapting the SDG targets to national realities. Once again, the ILO was well placed to strengthen labour market institutions by continuing to provide capacity development to the social partners at the country level.
- 763.** Since decent work featured prominently in the 2030 Agenda, the ILO Governing Body and ECOSOC had a common responsibility to oversee its implementation, follow-up and review. The Governing Body discussion would provide important institutional input to the HLPF discussion in July 2017.

- 764.** *The Employer spokesperson* said that it was necessary to focus on economic growth and job creation in order to eradicate poverty. That required an enabling environment for business, investment and sustainable enterprises. The goals of eradicating poverty and promoting prosperity in a changing world must be tackled together, because a balanced and integrated approach was needed to transform economies and make them sustainable. The aim should therefore be to accelerate the pace of creating decent and productive jobs.
- 765.** Given the standard- and policy-setting mandate of the ILO, its role was to foster a policy environment that created conditions for poverty eradication and sustainable development, taking account of national circumstances. As the global economy was struggling with recovery, cyclical and structural rigidities, including labour market rigidities, must be considered. Ways of encouraging enterprise development and private investment, both of which were key to improving employment, especially for marginalized groups, should be discussed.
- 766.** The ILO should prioritize providing targeted capacity-building programmes for constituents, in collaboration with its International Training Centre, to enable them to participate in national strategies for sustainable development. The Office should also give priority to helping countries in the transition to the formal economy, and therefore more and better jobs, through improved, comprehensive legal and policy frameworks and cooperation with employers' organizations and business. It should continue with its action plan to follow up on Recommendation No. 204, especially in agriculture, where it was critical to ensure decent and productive work, particularly through productive transformation for rural employment and employment-intensive investment. That would lead to an increased number of women and men in work, higher incomes and sustainable livelihoods, all of which would contribute to the achievement of SDG 1 on poverty eradication and SDG 2 on ending hunger.
- 767.** The Office should apply a realistic approach to building sustainable social protection floors, which were not only a means of assisting people living in poverty, but also a means of maintaining and promoting employability. Social protection expenditure should be viewed as an investment in building and expanding productive capacity while supporting incomes and domestic demand. Nationally defined social protection floors should take account of fiscal space, self-financing capacity, sustainability and, where appropriate, the reform of social security schemes.
- 768.** A further objective should be to create productive and decent work through competitive industries. The Office should look at how governments could create conditions where businesses could operate productively. Skills development was also an important part of strategies for industry, as a skilled labour force made it easier to adjust to changing conditions in global markets and to access new markets. Innovation, investment, technological change, enterprise development, economic diversification and competitiveness should be encouraged as means of accelerating job creation and thus improving social cohesion.
- 769.** Overall, in its contribution to the HLPF review, the Office should maintain a practical approach by reviewing steps taken towards the achievement of the SDGs, ascertaining gaps in implementation and identifying lessons learned. Lastly, the Office should emphasize the importance of partnerships, including public–private partnerships.
- 770.** *The Worker spokesperson* said that the goal of social justice enshrined in the ILO Constitution remained crucial to eradicating poverty. The ILO, on account of its unique tripartite structure and standards mandate, could make a strategic contribution to the implementation of the 2030 Agenda through the realization of decent work. The message of the ILO Declaration on Social Justice for a Fair Globalization that the four pillars of decent work had to be pursued in an integrated way was highly relevant to the implementation of

the 2030 Agenda. Moreover, the Office's policy approaches to poverty reduction should refer more explicitly to the contribution of social dialogue and rights.

- 771.** The ILO must also apply an integrated approach in its partnerships. Furthermore, respect for freedom of association and collective bargaining, which had not been included with child and forced labour in SDG 8.7, must be considered in ILO SDG work because, as enabling rights, they allowed workers to pursue their own economic development and to realize other rights.
- 772.** National measures to implement decent work must be backed up by coherent policy from all international organizations in the multilateral system to give effect to the 2030 Agenda. The ILO had a constitutional mandate to ensure that decent work was mainstreamed in UN agencies. At the national level, all social partners and labour ministries should be involved in the implementation of the 2030 Agenda. The ILO should dedicate resources to strengthening the capacity of workers' organizations to participate in national SDG implementation and in the review process. Coordination across different ministries will also be key.
- 773.** In order to eradicate poverty, combating inequality must be prioritized. As stagnating wages and the delinking of wages from productivity growth were leading to a reduction in aggregate demand, the Office should help revert the decline in the wage share of output. As comprehensive collective bargaining had a positive impact on economic growth, employment and investment and income inequality, its value in reducing poverty should feature prominently in the ILO's contribution to the HLPF.
- 774.** The importance given to promoting industrialization was welcome, since a shift from agriculture to higher-value-added manufacturing would greatly contribute to poverty reduction. The ILO should promote industry-wide collective bargaining to ensure that associated gains were widely shared and people were lifted out of poverty. At the same time, it was necessary to address the poor working conditions, low wages and violations of trade union rights in particular sectors, notably the garment sector, in order to contribute to SDG 9. It was essential that the Office provide advice and technical assistance in connection with industrial policies.
- 775.** The extension of the vertical and horizontal dimensions of social protection was likewise key to eradicating working poverty. It was vital to promote a global employment strategy to secure universal health coverage, to address the global shortage of healthcare workers and to guarantee decent working conditions in the health sector. ILO Recommendation No. 204 was another important tool for poverty reduction.
- 776.** Achieving gender equality was likewise of key importance, because women were overrepresented in own-account, informal and unpaid family work and also in precarious jobs. The ILO should use its participation in the HLPF to disseminate the conclusions of the Meeting of Experts on Non-Standard Forms of Employment with a view to ensuring that such employment arrangements were not misused by employers to circumvent their obligations, and that all workers, irrespective of their contractual arrangements, enjoyed decent working conditions.
- 777.** To ensure the right policy measures were applied to address gender employment gaps, the Office should provide disaggregated data to identify the gaps affecting particular groups of women. The gender pay gap had to be addressed by promoting equal pay for work of equal value. Adequate and inclusive minimum wages, stronger collective bargaining and the extension of social protection to all workers played an important role. Urgent measures were needed to address the growing gender pension gap, as was a comprehensive framework on balancing work and family responsibilities. The Office's references to maternity protection

and parental leave and the focus on decent jobs in the care economy were particularly welcome. The Workers supported a Convention to combat violence and harassment at work with a special emphasis on gender-based violence. Lastly, when discussing policy approaches at the HLPF, the Office should refer to the most relevant ILO Conventions and Recommendations.

- 778.** *Speaking on behalf of the Africa group*, a Government representative of Algeria noted the huge numbers of people worldwide living below the moderate and extreme poverty lines, which showed the need to create decent jobs on a wide scale and distribute income to ensure that workers had decent living conditions, especially in rural areas characterized by informal employment. The promotion of job creation and formal employment and the reduction of inequality and poverty were challenges that required a concerted effort from all of the international community as a means of reducing poverty. It was therefore gratifying to note that the ILO's efforts had culminated in recognition of the importance of productive employment and decent work for sustainable development.
- 779.** A genuine North–South partnership for development and a dynamic South–South partnership were more necessary than ever in order to contend with the multiple crises throughout the world. The fact that the 2030 Agenda paid so much attention to the Decent Work Agenda within the framework of SDG 8 and other targets strengthened the ILO's role in the UN system.
- 780.** The reduction of informal employment was an essential step towards poverty eradication; Recommendation No. 204 and the action plan for follow-up were important tools for countries. Decent work also contributed to promoting global peace and security by preserving social cohesion and rebuilding the social fabric in fragile post-conflict societies. The revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), would guide constituents in formulating programmes to promote employment and decent work and in strengthening their capacity to resist crises. Against that background, African countries were increasing their efforts to tie their economies in with the world economy through measures aimed at attracting direct foreign investment and economic diversification. However, those and similar efforts required support through real and effective international cooperation. It was vital that donor countries honoured their pledge to commit 0.7 per cent of their gross national product (GNP) to official development assistance (ODA).
- 781.** The Africa group agreed that social protection played a leading role in promoting sustainable development and reducing social exclusion; hence it was vital that concrete action should be taken on the 2010 Yaoundé Tripartite Declaration on the implementation of the social protection floor in order to eliminate extreme poverty, achieve gender equality and ensure social inclusion and universal access to healthcare.
- 782.** *Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)*, a Government representative of Panama said that at the HLPF, the Office should explore synergies between the efforts of UN agencies to implement the 2030 Agenda. The ILO's particular focus on social justice and its knowledge of the world of work meant that it was well placed to participate in the global macroeconomic dialogue, particularly with a view to eradicating poverty. Measures to encourage the formalization of employment, strengthen social protection systems, support the formulation of integrated action plans, and promote policies targeting the most vulnerable sections of the population were likewise vital to SDG 1.
- 783.** Under SDG 2, initiatives to promote decent work in agriculture were essential, especially support for organizations of rural workers, small farmers and cooperatives. The transformation of rural work to offer sustainable livelihoods called for coherent, integrated

policies at the international and national levels and the full involvement of the social partners. The ILO should seek to derive maximum benefit from its collaboration with other UN agencies.

- 784.** With reference to SDG 5, the ILO-Gallup poll on women at work was commendable, since overcoming gender inequality was crucial to achieving the goals and targets of the 2030 Agenda. As for SDG 3, the joint efforts of the ILO and other UN agencies to contribute to health and well-being were welcome, as was the strategy to achieve universal health coverage. The Office should strengthen its efforts on the interrelated targets.
- 785.** Since cooperation was vital to achieving the SDGs, the ILO should pursue its cooperation activities in consultation with national governments, in order to ensure that initiatives took account of local priorities and challenges, on the basis of reliable indicators. South–South and triangular cooperation was particularly important. Developed countries were encouraged to honour their pledge to commit 0.7 per cent of their GNP to ODA. The ILO, as a specialized agency with the technical capacity and the unique legitimacy of its tripartite system, should maintain and deepen its participation in the global dialogue on the achievement of all Goals of the 2030 Agenda.
- 786.** *Speaking on behalf of the European Union (EU) and its Member States*, a representative of the Permanent Delegation of the EU to the UN in Geneva said that the following countries aligned themselves with the statement: the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina, Norway, the Republic of Moldova and Georgia.
- 787.** The ILO should assist member States and social partners to implement the SDGs within its mandate in collaboration with other UN organizations and stakeholders, particularly by promoting decent work and increased recognition of social dialogue as a crucial mechanism for job creation and inclusive growth. At the country level, Decent Work Country Programmes (DWCPs) should be the primary tool for achieving the SDGs.
- 788.** As to the ILO's role at the HLPF, the Office should provide guidance on contributing to the eradication of poverty by tackling unemployment, with special attention to youth and long-term unemployment. Furthermore, the ILO's mandate to ensure decent work was crucial, as poverty was often linked to decent work deficits. The promotion of core ILO Conventions and specific country programmes contributed to reducing decent work deficits, and therefore poverty and hunger, especially in rural areas. Also crucial to ensuring decent living and working conditions for all were the ILO's promotion of minimum wage policies and collective bargaining, the establishment of social protection floors, and giving workers a voice through trade unions and promoting social dialogue. It was to be hoped that the ILO's programme of action concerning decent work in global supply chains would help to achieve decent work. The initiative on formalizing the informal economy was essential to the realization of several SDGs, including industrialization and the eradication of poverty; in that regard, domestic workers were particularly vulnerable.
- 789.** The ILO also had a mandate to support governments in designing and implementing policies aimed at eradicating child labour, which might result from poverty, conflict and crises. The revision of Recommendation No. 71 should provide a solid framework for action in the context of crisis recovery, including for refugees. In the light of SDG 5, the gender perspective should be mainstreamed into all the aforementioned actions and policies. Women were still subject to various forms of discrimination, violence and harassment in the workplace. The ILO's activities to promote decent work would contribute to enhancing their rights and productivity and that in turn would help to eradicate poverty and hunger.

- 790.** *Speaking on behalf of the BRICS countries (Brazil, Russian Federation, India, China and South Africa)*, a Government representative of China said that the promotion of decent work would require a wide range of policy approaches to address working poverty and strengthen labour market institutions in rural areas. Moving people out of informal employment also required parallel policy approaches to promote employment and social protection, achieve gender equality at work with equal pay for work of equal value, and create decent work through industrialization. The equal participation of women in the economy was crucial to making progress across all the SDGs and targets. Given the large concentration of women in informal and unpaid economic activities, the ILO should establish a database of those activities and design focused action to assist women's transition to decent work.
- 791.** With regard to eradicating large-scale poverty, quality employment was the most effective and sustainable solution. The ILO should work with governments to design employment policies as part of the overall strategy of economic development. In view of the continually changing nature of the world of work, the ILO should further study and disseminate policy approaches and best practices for eradicating poverty through decent work. The importance of development cooperation in that respect could not be overemphasized. Moreover, developed countries were called upon to honour their pledge of devoting 0.7 per cent of their GNP to ODA. Lastly, the international community as a whole should give priority to eradicating child and forced labour and to integrating young people into the labour market.
- 792.** *Speaking on behalf of the Community of Portuguese-speaking Countries (CPLP)*, a Government representative of Angola said that, in order to support its efforts to achieve the SDGs on time, the ILO should increase its development cooperation efforts, including through South-South and triangular cooperation, and strengthen its activities to foster social transformation, particularly in the areas of education and training, occupational health, technology transfer and innovation, and the promotion of gender equality. The promotion of decent work would have a widespread impact on the agriculture sector, as would actions to formalize employment and combat precarious work. Women's empowerment was a crucial cross-cutting theme. Overall, the ILO's top priority at the HLPF should be strengthening the mainstreaming of decent work in the achievement of all SDGs.
- 793.** *A Government representative of Ghana* said that achieving sustainable development would entail recognizing the elimination of inequalities and higher productivity. The *Global Wage Report 2016/17* underscored the need to implement sustainable wage policies, but the challenge of creating decent jobs was daunting. More attention should be paid to the rural economy, which showed great potential for job creation, and the transition from the informal to the formal economy must be accelerated. The eradication of poverty among vulnerable groups could only be achieved through greater social protection coverage, which was non-existent in many developing countries and was relatively low in Ghana. Moreover, decent work required gender equality, which entailed better access to education for girls, equal pay for equal work and the empowerment of women.
- 794.** *A Government representative of Colombia* said that, as part of the institutional framework for giving effect to the peace agreements in Colombia, his Government was undertaking a comprehensive rural reform and implementing a progressive social protection plan. The ILO had a contribution to make in developing labour-intensive programmes, particularly in regions with weak institutions and weak local markets for goods and services, in assisting countries to establish social protection floors that took account of local conditions, in structuring solidarity-driven, social economy processes, and in promoting green jobs.
- 795.** *A Government representative of Thailand* said that economic growth did not necessarily generate more or better jobs; the eradication of poverty was therefore not only a question of generating economic growth and employment opportunities but also of ensuring decent work. In order to implement the Decent Work Agenda, the Ministry of Labour had

undertaken a labour reform which, inter alia, encouraged innovative human resources, improved working conditions in the informal economy, promoted the integration of information and communications technologies in the workplace, enhanced workplace safety and combated trafficking in persons.

- 796.** *A Government representative of the Russian Federation* said that implementation of the 2030 Agenda for Sustainable Development was under way in her country. The Russian Federation included social goals in its macroeconomic policy. Despite the fact that unemployment figures were stable and below the global average, spending on social policy had accordingly increased over the previous five years, focused on groups at highest risk of poverty, including families with children, the elderly and persons of working age without regular employment. Other priorities were to reduce youth unemployment and promote the employment of persons with disabilities. The minimum wage had been increased and pay ratios had been reduced. Social support was being targeted on the most vulnerable individuals, with the active involvement of non-governmental organizations.
- 797.** *A Government representative of Zimbabwe* said that the ILO was central to achievement of the 2030 Agenda. Her Government looked forward to the ILO scaling up its activities to promote decent work in the rural economy. The ILO's efforts to formalize the informal economy presented vast opportunities to improve the working conditions and welfare of many workers. The ILO should also offer practical, tangible support to small and medium-sized enterprises and to cooperatives. The tripartism of the ILO should be extended to embrace the discourse on the SDGs, including at national level.
- 798.** *A Government representative of Turkey* said that his Government fully supported the ILO's efforts to promote the formalization of the informal economy, as well as its Women at Work Initiative. Combating poverty and ensuring a decent quality of life for everyone were among the top priorities of Turkey, whose development aid had increased from US\$85 million in 2002 to US\$3.5 billion in 2015. Turkey also attached great importance to social protection and had made significant progress in eradicating extreme poverty, reducing child mortality, improving maternal health, and achieving universal health coverage.
- 799.** *A Government representative of Bangladesh* said that ensuring that no one was left behind was at the core of the 2030 Agenda. Issues such as youth employment, gender mainstreaming, inclusion of persons with disabilities and protection of the rights of migrant workers must have a prominent place in promoting the Decent Work Agenda. The global initiative on decent jobs for youth was a clarion call for providing young people with quality apprenticeships and digital skills and fostering their entrepreneurship. His Government encouraged the capacity-building efforts undertaken by the ILO to ensure decent working conditions for migrant workers. Decent work was a universal notion, but such universality did not denote uniformity; the promotion of decent work must take into account the respective socio-economic context of each country.
- 800.** *A Government representative of Mali* said that her Government had signed a transitional DWCP for the period 2016–18 with a view to promoting social dialogue, extending social protection, and ensuring full and productive employment and decent work for young people, in the context of moves to achieve SDG 8 and to implement the African Union's Agenda 2063. In cooperation with the social partners, the Government had revised the Labour Code and had increased wages, reduced income tax rates and raised the guaranteed minimum wage. It had also adopted legislation on the prevention and treatment of occupational accidents and diseases, and a universal health insurance scheme was expected to be in place by 2018. National action plans on vocational training and employment had been adopted in 2015, and two major projects targeting young people, particularly in rural areas, were being implemented.

- 801.** *A Government representative of the United Republic of Tanzania* said that the Government's national employment policy was currently being reviewed in order to prioritize the creation of more decent jobs, the formalization of the informal economy and the strengthening of labour market information, as well as labour migration, skills development, labour productivity and the fundamental principles and rights at work. Furthermore, the Government had established a community health fund, and its social security policy was under review with a view to extending coverage, as was its national action plan for the elimination of child labour. He suggested that green jobs, enhanced occupational safety and health services, and skills development for employability and industrialization should be emphasized in the ILO's contribution to the HLPF.
- 802.** *A Government representative of Bulgaria* said that her Government had adopted a national strategy to reduce poverty and promote social inclusion, a national policy to gradually increase the minimum wage, and gender equality legislation to reduce the gender pay gap and bring its national laws into line with EU standards and international instruments. The ILO's contribution to the forthcoming HLPF should highlight the prevention and eradication of all forms of child labour. Child labour severely violated the rights of children, it was both an effect and a cause of poverty, and it impeded the achievement of economic growth and sustainable development.
- 803.** *A Government representative of India* said that her Government believed that employment generation and greater gender equality were key to ensuring that the benefits of economic growth were shared by all. Her Government was working on legislative amendments to provide for a statutory minimum wage for all employment. The ILO should enhance its research on poverty alleviation and, based on its findings, offer constituents guidance on how to formulate effective strategies. The ILO was requested to prepare a comprehensive policy framework to increase social security coverage in member States. The ILO should also undertake specific capacity-building programmes to support its constituents in their transition from informality to formality and, in the context of the DWCP in India, build employers' capacity to implement decent working conditions in their establishments.
- 804.** *A Government representative of South Africa* said that his Government firmly believed that sustainable employment was the optimal and most viable road out of poverty. He reiterated the importance of introducing a rights-based approach to decent work in agriculture and the rural economy. The Government remained fully committed to Recommendation No. 204 and continued to discuss the transition from the informal to the formal economy with its social partners. It had also agreed on a national minimum wage in consultation with the social partners. Social dialogue should remain a sacrosanct principle for ILO engagements with member States and partners.
- 805.** *A Government representative of France* said that her Government supported an approach to sustainable development that was as inclusive and cross-cutting as possible and which fully integrated the social dimension in the 2030 Agenda. In June 2015, France had requested the discussion of decent work during climate talks and, as a result, a reference to decent work had been included in the preamble of the Paris Agreement. The country's energy transition law and its environmental initiatives were forecast to result in the creation of 100,000 jobs in three years. Lastly, the Government wished to reiterate the importance of gender equity at work and the need to reduce gender gaps in employment rates.
- 806.** *A Government representative of Kenya* said that her Government supported the proposals to improve livelihoods through agriculture and other rural industries and to develop socio-economic policies that promoted decent and productive work. To that end, the capacity of labour market institutions, including labour inspection, must be strengthened, as must skills development, occupational safety and health, and social dialogue in all sectors of the economy. The Global Partnership for Universal Social Protection, launched in September

2016, was to be applauded. In Kenya, the Government had strengthened labour market institutions dealing with social protection and was taking steps to attract young people to the agricultural sector, which accounted for roughly 30 per cent of GDP and had the potential to absorb more than 80 per cent of the unemployed youth.

- 807.** *A Government representative of the Republic of Korea* said that gender equality for and at work was key to sustainable development because it enhanced economic efficiency and promoted social justice. The ILO should continue to make concerted efforts to address the challenges of increasing the participation of women in the labour market and eliminating discrimination. A social protection system contributed to achieving stable economic development, including for vulnerable people, and the ILO and others should support member States in developing and maintaining national social protection systems. The ILO should take a leading role in implementation of the 2030 Agenda, particularly through capacity building and knowledge provision.
- 808.** *A Government representative of Argentina* said that it was essential to monitor the achievements of the 2030 Agenda. Statistics on poverty were alarming, and the creation of decent jobs and the eradication of child labour were crucial. Social protection floors helped to combat economic instability and social exclusion, and were thus fundamental elements in eliminating hunger. Universal health coverage, especially in developing countries, was necessary to keep a population fit for work, and would only be achieved through continued and effective collaboration with other relevant international bodies. Gender-based violence against women and girls resulted from gender inequality in many areas, including in the world of work; discrimination, sectoral segregation and stereotyping should therefore be eliminated. The industrial sector, with high levels of productivity and potential growth, was best placed to create quality jobs, and sectoral experience of job creation should be shared. Cooperation between States, international organizations and sectors was essential to make progress towards the SDGs. The ILO should be proactive in contributing to the efforts of member States, carrying out research in various fundamental areas and promoting intergovernmental and inter-organizational collaboration. A greater emphasis on proposals and solutions in specific cases could serve as a model for other similar situations. The concerns that had been raised regarding statistics and action plans were areas being tackled in Argentina.
- 809.** *A Government representative of Ethiopia* said that full and productive employment could be promoted if areas such as poverty, gender, industrialization and migration were addressed. Creating decent jobs would reduce poverty and hunger and promote gender parity. Collaborative partnerships were vital to achieving the SDGs. Despite promising economic growth and recovery from recession, levels of global unemployment and underemployment were increasing. In many developing countries, unemployment had serious consequences, including political instability. There was a need for tangible measures to place job creation and poverty reduction at the centre of economic and social policies, in line with existing regional and international instruments. The ILO should support member States in designing appropriate national policies to engage the most vulnerable populations in employment. At the upcoming meeting of the HLPF, the ILO should emphasize the importance of political will and commitment to implement the SDGs, and the need for revitalized international cooperation alongside national initiatives to create an enabling policy environment that promoted decent work.
- 810.** *A Government representative of Pakistan* said that the ILO should focus on ending unemployment and creating decent jobs, which were priorities in Pakistan, and he commended the Office's focus on policy Outcome 1 under the Programme and Budget proposals for 2018–19. Given the importance of the rural economy in his country, and the links between agriculture and textile and garment production, he expressed the hope that the Office would engage in meaningful discussion on extending the Better Work programme to

Pakistan. He agreed with the proposed policy approaches to eradicating poverty; decent work in rural economies, the transition from informality, universal health coverage and employment creation were of particular importance to developing countries. The ILO should provide technical assistance to analyse existing national legal frameworks that regulated the rights and duties of workers in the agricultural sector.

- 811.** *A Government representative of China* said that the End to Poverty Initiative would be pivotal to implementing the SDGs. The ILO should use its policy, development cooperation strategy, and programme and budget to help member States draft and implement sustainable development strategies. China supported the 2030 Agenda and had launched an action plan to lift 17 million people out of poverty through measures on employment, education, poverty relief and the social protection floor. International cooperation was needed to eradicate poverty and achieve the SDGs. China stood ready to participate in South–South cooperation to promote employment.
- 812.** *A Government representative of the Islamic Republic of Iran* said that the global scale of unemployment and youth unemployment called for more and better jobs. The Office should take constituents’ different needs into account when tackling youth unemployment. Given the importance of healthcare to human well-being, the Islamic Republic of Iran was proud to have achieved universal health coverage. Refugees in his country were provided with employment opportunities, education and healthcare in excess of international standards. Immediate and concerted help should be provided to countries hosting large numbers of refugees and displaced persons. Failure to tackle the impact of climate change on the world of work would compromise many countries’ ability to achieve the SDGs. Successful, sustainable enterprises were crucial to economic growth and job creation and would require an enabling business environment. He emphasized the role and potential of cooperatives in economies. Since inclusiveness was crucial to the success of the 2030 Agenda, all constituents’ needs should be met with an effective response. The Office should further assist member States to advance South–South and triangular cooperation, in light of its impact on the achievement of the SDGs. Reliable data would be key to effectively monitoring progress towards the SDGs.
- 813.** *A representative of the United Nations Development Programme (UNDP)* recalled that progress had been achieved through bilateral partnerships with the ILO in key areas, including youth employment, employment and peace-building, and social protection floors. The United Nations Development Group (UNDG), of which the UNDP and the ILO were a part, was supporting national SDG implementation through UN country teams under the Mainstreaming, Acceleration and Policy Support platform. Rapid integrated assessment missions advised national partners on aligning policies and strategies to the SDGs, data gaps in monitoring and reporting, and possible investments and reforms to accelerate SDG implementation. Progress had also been made on developing a pooled funding mechanism for SDG implementation. Finally, the UNDP was committed to reforming the UN development system and would accordingly seek to better organize UN policy, programme and operational capacities to incentivize collaboration, work collaboratively to meet countries’ needs, and ensure that knowledge and expertise accumulated at the global and regional levels fed into work done at the country level.
- 814.** *The Worker spokesperson* reiterated the potential strategic contribution of the ILO, given its tripartite structure, the standards supervisory system and the Decent Work Agenda. At the national level, the ratification and implementation of standards and cooperation between governments, workers and employers would be important to achieve the SDGs.
- 815.** *The Employer spokesperson*, agreeing with the comments on the importance of tripartism made by the Worker spokesperson, said that it was not possible to draw only one conclusion from the foregoing discussion. It was important to accelerate the pace of job creation and

improve the quality of jobs by building an enabling environment for business investment and sustainable enterprise. A second focus should be on the transition from the informal to the formal economy, as had been mentioned by many speakers.

- 816.** *The President of ECOSOC* said the rich exchange would provide a useful background to the HLPF discussion in July 2017. The diverse views expressed underscored the need for an integrated approach to achieving the SDGs. The four pillars under the ILO's Decent Work Agenda contributed to achieving the SDGs, while the SDGs also provided an opportunity to advance decent work. There was a need to ensure greater coherence, eliminate any duplication of work and improve communication within the UN system in order to respond to needs at the country level and make efficient use of limited resources. The ILO should strengthen financial and non-financial partnerships and alliances, proactively leveraging them to support national SDG priorities. Successful implementation of the 2030 Agenda depended on improving data and statistics; the ILO, as the custodian of 13 indicators, had a responsibility to build institutional capacity in that regard.
- 817.** Rising income inequality inhibited progress towards the SDGs and had long-term negative consequences on productivity and cultural development. Bridging the widening gap between rich and poor would require a greater focus on living wages, rights at work, collective bargaining and social protection. Moreover, there was a need to address the vast informal economy; the transition from informal to formal employment would boost States' tax base, facilitating national development programmes and providing increased resources for public policy. The UN system and governments would look to the ILO to provide solutions for that transition. Finally, while implementation and monitoring of the SDGs was a common responsibility, as representatives of the world of work the ILO's constituents had a fundamental role to play in assessing progress towards the work-related targets and Goals under SDG 8 and other relevant Goals.
- 818.** *The Director-General* recalled that the Agreement between the United Nations and the International Labour Organization, which had been signed 70 years ago, had called for coherence and coordination between the two bodies. The morning's fruitful discussion had been undertaken in that spirit, with recognition by participants of the ILO's role in supporting the delivery of the 2030 Agenda.
- 819.** As noted by the President of ECOSOC in his opening statement, an integrated approach was crucial to delivery of the 2030 Agenda. "Integration" had several meanings for the ILO: recognition of the interrelated nature of the SDGs and the ILO's contribution to each one, rather than focusing on SDG 8 alone; cooperation between the ILO and other international organizations, while continuing to advocate for more effective inter-institutional integration; tripartism, both within the Governing Body and in the country-level delivery of the 2030 Agenda; and implementation of international and regional strategies as part of national strategies.
- 820.** Acknowledging the importance of statistical and data capacities, he recalled the Governing Body's discussion on the Programme and Budget proposals for 2018–19, during which reference had been made to investment in the ILO's statistical capacity and that of member States. That was particularly relevant since the ILO was the custodian of 13 SDG indicators.
- 821.** In order to ensure the means of implementation, there was a need to sustain international development assistance and South–South and triangular cooperation. However, a large part of the resources would be mobilized nationally, through successful enterprises generating employment and tax revenues by operating in the appropriate environment.
- 822.** The transition from informal to formal employment had occupied a central position in the discussion, and Recommendation No. 204 stood at the heart of the Office's delivery efforts

in that area. Other substantive issues had included the extension of social protection, the importance of the rural economy and rural development, and gender-related questions. Underlying all those important dimensions of the Office's work was the ILO's normative contribution to creating decent work. It was vital to recognize, however, that the world of work was in a period of transformation, and that there would be a necessary interaction between the ILO's Future of Work Centenary Initiative and the delivery of the 2030 Agenda.

- 823.** Institutions, which were understood in the ILO to be not only ministries, workers' and employers' organizations but also processes of collective bargaining, consultation and minimum-wage fixing, among others, should be strengthened. The ILO had a responsibility to build strong tripartite representation and capacity in all the institutions that sought to make the world of work fairer.
- 824.** Lastly, he took note of comments made regarding the need to focus on countries with specific needs and contexts, and agreed that the ILO should consider how to channel its regular budget, regular budget supplementary account and extra-budgetary resources in a strategic manner to areas of particular need through its development cooperation strategies. He thanked the President of ECOSOC for stimulating a very important discussion.
- 825.** *The Chairperson* thanked the President of ECOSOC and participants for their contributions. He would present a brief report of the main points of the discussion, which would be submitted as part of the ILO's contribution to the HLPF to be held in July 2017.

Appendix I

Guidance from the Employers' and Workers' groups of the Governing Body on the Roadmap for the programme of action on decent work in global supply chains

(GB.329/INS/3/2 and GB.328/INS/5/1(Add.1))

Guidance points (summary)

1. Consolidate the current programme of action (with its activity matrix) and the roadmap (with its workplan and theory of change document) into one clear and logical document, while:
 - (a) ensuring that the information in the consolidated document is fully consistent with and in line with the tripartite consensus reached on the conclusions concerning decent work in global supply chains;
 - (b) following an approach to “global supply chains” consistent with the *UN Guiding Principles on Business and Human Rights*;
 - (c) including hitherto missing or fragmented information into the consolidated document, such as the “baseline” review (requested at the 328th Session of the Governing Body), and the dates and titles of the three meetings of experts on global supply chains.
2. Adapt the following points in the various documents to reflect the consensus:
 - (a) revise point 2.2 in the activity matrix, page 9 (roadmap, page 11) to make reference to “responsibility down the chain” instead of “liability principles” and insert after “collective agreements across supply chains” the words “where these exist”.
 - (b) revise point 3.2 of the activity matrix, page 10 (roadmap, page 12) to read “In support of possible *joint* requests related to IFAs a dedicated cross-office team *can* be established in order to address such requests”;
 - (c) in point 4.4 of the activity matrix, page 11 (roadmap, page 14), insert at the end of the sentence “in the broader framework of strengthening the capacity of all relevant stakeholders including national labour market institutions”.
 - (d) in point 5.4 of the activity matrix, page 11 (Appendix II (theory of change) page 18): update language on the MNE Declaration to read “Put effect to the revised MNE Declaration, adopted at the 329th Session (March 2017), and its principles and operational tools”.
 - (e) in point 6.4 of the activity matrix, page 12, adapt language to read as follows: “ ..., design and operation of various forms of access to remedy including emergency compensation funds where social partners agree on having them, ...”.
3. Language issues to be addressed:
 - (a) In points 6.5 and 6.6 of the activity matrix, page 12 (roadmap, page 8), correct “apply” and “comply with” into “respect”.
 - (b) In point 1.1 of the activity matrix, page 9 (roadmap, pages 8 and 9): correct the following text: “to promote ratification and effective implementation *of the core Conventions and respect* for the fundamental principles and rights at work ...”.

Appendix II

Statements concerning the fifth item on the agenda of the Institutional Section (GB.329/INS/5)

1. **Joint Position of the Workers' and Employers' groups on the ILO Supervisory Mechanism** (13 March 2017)

Introductory remarks

1. The Employers' and the Workers' groups reaffirm their Joint Statement of 23 February 2015, endorsed by the Workers' and Employers' groups (GB.323/INS/5/Appendix I, Annex I) about the right to take industrial action, the mandate of the Committee of Experts on the Application of Conventions and Recommendations (CEACR), the functioning of the Committee on the Application of Standards (CAS) at the 2015 International Labour Conference, the special supervisory procedures (Committee on Freedom of Association (CFA), art. 24 and art. 26) and the establishment of the Standards Review Mechanism. The Joint Statement, together with the two statements of the Government group, formed part of the outcome of the tripartite meeting of 23–25 February 2015 and led to a decision on a number of issues related to the Standards Initiative at the 323rd Session (March 2015) of the Governing Body.
2. The Workers' and the Employers' groups made a positive evaluation of the work of the CAS which in 2015 and 2016 was able to adopt consensual conclusions on all cases. The Standards Review Mechanism has started its work and the Tripartite Working Group has adopted consensual conclusions at its two meetings. With the reaffirmation of the Joint Statement, the Employers' and the Workers' groups show their commitment to respect the terms of the statement also in the future.
3. The purpose of this Joint Position in the framework of the ILO Standards Initiative is to input into the follow-up of 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" on the supervisory system.
4. In preparation for the discussion at the 329th Session (March 2017) of the Governing Body, the Office prepared two "consultation documents" in December 2016 and in February 2017. This Joint Position follows the structure of the second consultation document.
5. The two groups agree with and support the following statement in paragraph 12 of the December 2016 consultation document: "*Many views expressed by the constituents concern the idea of approaching the supervisory system systematically, highlighting the fact that it is a functioning system of interrelated and complementary individual procedures. Constituents have underlined the need to consider the functioning of the system as a whole, and to improve understanding of its procedures and the linkages between them.*"

Concrete proposals

Focus area 1: Relationships between the procedures

Concrete proposal 1.1: Guide on established practices across the supervisory system (paragraphs 15–16 of the consultation document)

The establishment of a guide on established procedures and practices of the supervisory system could be interesting.

Concrete proposal 1.2: Regular conversation between the supervisory bodies (paragraphs 17–21 of the consultation document)

- The Employers’ and the Workers’ groups re-emphasize the mandate of the CEACR as defined in their reports of 2015 (paragraph 29) and 2016 (paragraph 15).
- The role of the CAS is to carry out a comprehensive discussion in a tripartite and public forum. It has a distinct but complementary role to the CEACR. The Employers’ and the Workers’ groups agree on the autonomy of the CAS in drawing up its conclusions on all cases examined. Constituents may comment on the observations made by the CEACR. The whole exchange of opinions and views will continue to be adequately stated in the report even though the conclusions will continue to reflect consensual recommendations.
- The proposal to initiate a regular conversation between the supervisory bodies could be of interest but will require further consideration in order to add value and to work in practice.
- On the basis of a proper “clarification of the role and mandate of the CFA ... vis-à-vis regular standards supervision” (Joint Statement of 2015), every year the Chairperson of the CFA could present to the CAS a report of activities, after the report of the Chairperson of the CEACR. This information would be important for the CAS to show the complementarity of the committees and could limit double procedures about the same cases.
- The previous year’s CAS cases could be published in a separate part of the CEACR’s report with a more probing scrutiny of the measures taken to respond to the CAS conclusions and more specific recommendations on necessary steps.
- Mission reports regarding CAS conclusions should also be published, for example in NORMLEX.

Focus area 2: Rules and practices

Concrete proposal 2.1: Codification of the article 26 procedure (paragraphs 25–26 of the consultation document)

Complaints must be deemed receivable if they meet the objective criteria set forth in the Constitution, namely: (1) are filed by a legitimate party; and (2) allege a violation of a ratified Convention. Nevertheless, the Employers’ and the Workers’ groups are committed to use article 26 as a last recourse.

The Workers’ and the Employers’ groups do not think that a codification would be very helpful because it would limit the different methods already used by the Governing Body to handle cases taking into account the content of the case and country situation. The Employers’ and the Workers’ groups agree that when an article 26 procedure is launched (and until a commission of inquiry is set up), the use of other procedures will need to be weighted in order to maintain a high level of attention and pressure on the case while avoiding unnecessary duplication.

Concrete proposal 2.2: Consider the operation of the article 24 procedure (paragraphs 27–28 of the consultation document)

The Workers’ and the Employers’ groups recommend a tripartite agreed standard representation form available for download from the ILO website and for filing electronically. One of the points of the form could be the content/result of an eventual tripartite dialogue at national level about the problem before the representation is sent in.

Pending the creation of a possible standing tripartite body for article 24 representations, the Officers of the Governing Body should continue to decide on the receivability of an article 24 representation based on the conditions set out in article 2, paragraph 2, of the Standing Orders. Employers and Workers commit to use in a proper manner the possibilities

to submit an article 24 representation. “Clear objective admissibility criteria, as set forth in the Constitution and Standing Orders, will be reaffirmed with any additional criteria” as agreed in the Joint Statement of February 2015. Such criteria could include “an explanation of the measures that were taken at national level to resolve the issue(s) complained of, to the extent relevant, and indicating where pursuing such measures may have been futile”. The International Trade Union Confederation (ITUC) and the International Organisation of Employers (IOE) should have the possibility to support their national members in finding a solution with the government with a view to a potential resolution of the case prior to its debate in the tripartite committee. As stated in the Joint Statement of February 2015: “This does not impose any obligation to exhaust domestic remedies.” Any postponement or dismissal of representations must be taken by consensus.

Unless there are extraordinary circumstances, governments should not be allowed to fail to respond to a representation during more than one Governing Body session.

The Workers’ and the Employers’ groups recognize important weaknesses in the current article 24 representations’ procedure. They recommend to examine the necessary conditions for the possible creation of a regular/standing article 24 tripartite body replacing ad hoc bodies for each representation in order to allow a more coherent examination of the cases. The decision about receivability could be assigned to an eventual regular/standing committee.

Despite the consistent follow-up by the CEACR of the recommendations of article 24 representations and commissions of inquiries under article 26, follow-up at national level is often weak. The Employers’ and the Workers’ groups agree that technical assistance by the Office in developing time-bound action plans for the implementation of recommendations issued would be beneficial and are prepared to contribute to such initiatives.

The same consideration could be made regarding CAS and CFA recommendations.

Concrete proposal 2.3: Consider whether to take steps to ensure further legal certainty (paragraph 22 of the consultation document)

Divergent views and disputes about the interpretation of Conventions continue to be a reality. The Employers’ and the Workers’ groups recognize that there could be value in a tripartite exchange of views on the elements and conditions necessary for the operation of an independent body under article 37(2) of the ILO Constitution.

Focus area 3: Reporting and information

Concrete proposal 3.1: Streamline reporting (paragraphs 32–35 of the consultation document)

The Workers’ and the Employers’ groups agree to integrate new technologies in a way to streamline the reporting about the application of standards and recommendations.

Concrete proposal 3.2: Information sharing with other international organizations (paragraph 36 of the consultation document)

The exchange of information between the Office and other UN institutions is welcomed.

Focus area 4: Reach and implementation of recommendations of supervisory bodies

Concrete proposal 4.1: Clear recommendations by the supervisory bodies (paragraphs 40–41 of the consultation document)

The Workers’ and the Employers’ groups reaffirm the commitment of their Joint Statement of 2015. It is up to the different committees to define their rules to ensure action-oriented and clear recommendations as well as ownership from their respective members.

The CAS Working Group evaluates and adapts the procedures and working methods every year. The CFA is discussing procedures and working methods within the competences of the Committee. The Workers' and the Employers' groups respect the confidential discussions in the CFA. The Governing Body will be informed of the results of these discussions at its March 2017 session. As a matter of tripartite governance and due to its repercussions on the whole supervisory system, the work of the CFA requires a decision of the Governing Body, based on specific proposals from the CFA. The Workers' and the Employers' groups repeat their commitment of their joint statement on a process of review and clarification on the roles and mandate of the CFA taking into account the decisions that have already been taken by the CFA and reported to the Governing Body in March 2016.

Concrete proposal 4.2: Systematized follow-up at national level
(paragraph 41 of the consultation document)

The Employers' and the Workers' groups are interested in a consistent and transparent follow-up system not only at national level but also at the level of the ILO as a whole.

There should be more coordination between the supervisory bodies and other ILO engagements at country level such as technical assistance, Decent Work Country Programmes (DWCPs), direct contact missions and tripartite meetings. In particular, there should be more structured ILO interventions to increase compliance through detailed, time-bound memorandums of understanding or similar mechanisms.

Concrete proposal 4.3: Consider the potential of article 19 to extend reach and implementation of standards (paragraphs 42–43 of the consultation document)

Further to the adoption of the 2016 resolution on Advancing Social Justice through Decent Work, the Employers' and the Workers' groups agree to cooperate in exploring options for making a better use of article 19(5)(e) and (6)(d) of the Constitution. This should lead to better implementation and ratification rates.

2. Government group statement

1. We thank the Office for the paper and for the ongoing process of improving the supervisory system.
2. Our group takes note of the joint statement of the Workers' and Employer's groups regarding the supervisory body, recently communicated to the governments. Our group will address its content in another moment and in accordance with the workplan presented by the Office.
3. We note that the supervisory system is the heart of the ILO, and we reiterate our full commitment to the process of strengthening it, including by enhancing the complementarity of the various procedures, and eliminating unnecessary overlap among them. According to the paper, the responsibility to further strengthen the supervisory system lies with the tripartite constituents. In this context, consensus among the social partners is not only desirable, but also necessary, as is the guidance of the governments, whose actions are addressed through the supervisory mechanisms.
4. Consequence of the above is our need of a supervisory system where transparency and integrity are essential, with comments, decisions and recommendations that are clear and feasible.
5. With regard to some of the specific proposals:
 - **Concrete proposal 1.1:** *Guide on established practices across the supervisory system:* this guide should address admissibility of each procedure, based on objective criteria.
 - **Concrete proposal 1.2:** *Regular conversation between the supervisory bodies:* the Governing Body needs to understand the value-added of such a meeting. We also look forward to additional information regarding the financial implications of this proposed conversation. With regard to **articles 24 and 26** we take note that article 26 should be

discussed after addressing the operation of the article 24 procedure, in order to ensure the consistency and hierarchy among them.

- We also take note that the document includes a reference to the CFA, where this body will report the outcomes of its working methods. In this regard, we reiterate our view that conversations on the admissibility criteria belong to the Standards Initiative.
 - **Concrete proposal 3.1: *Streamline reporting***: we support a better use of modern technology to streamline and simplify the reporting procedures, which could reduce the workload and strengthen effectiveness.
 - **Concrete proposal 4.1: *Clear recommendations by the supervisory bodies***: as a way to help member States, recommendations must be clear, concise and achievable.
6. Finally, is it necessary to point out that we have the ILO centenary just around the corner, and we have to work hard in order to reach that date in a way that we all can be proud of: with an improved supervisory system held on the pillars of transparency, governance and tripartism.

3. ASPAG statement

ASPAG thanks the International Labour Office for its report (GB.329/INS/5) which contains ten concrete proposals, organized under four (4) focus areas, as it shows an excellent promise to enhance the ILO's supervisory system. Be that as it may, ASPAG wishes to highlight four points:

1. First, ASPAG believes that the current review of the ILO supervisory system must uphold the principles of transparency, consistency, impartiality, accountability and constructive engagement. Capacity-building and technical cooperation programmes should be the norm, with fact-finding missions being a last resort. On the issue of legal certainty, ASPAG would like to recall the previous discussions in the Governing Body where it supported a status quo. We would like to reiterate this position. We also do not wish to increase the current number of supervisory bodies.
2. Second, ASPAG is of the view that there is a need to improve the criteria for the acceptance or receivability of cases in order to strengthen the credibility of approved cases, avoid redundancy and multiplicity of actions, clarify the basis of the ILO to give reporting obligations to the country on such cases, and to further enhance tripartite consultations in the process.
3. Third, ASPAG wishes to emphasize that settlement options at the national level should be encouraged and recognized in the application of the ILO supervisory system. Admissibility criteria could include consideration of whether and what measures had been taken at the national level to resolve the issues complained about, their current status, and outcomes as applicable. This would better inform the process. The ILO should continue to give due respect to judicial decisions at the national level.
4. Lastly, the criteria for selection of cases for consideration of the Committee on Application of Standards (CAS) must be clarified and improved. There should be balance of cases across regions and Conventions, giving due importance to Conventions on technical matters as well. Specific country contexts and abilities must be adequately factored in the process.

In this regard, we call on the ILO Governing Body to pursue the current review, with further instructions to the Office to consider the above cited observations and/or recommendations.

4. **GRULAC statement**

At the outset, I would like to state that GRULAC associates itself with and supports the statement made by Mexico on behalf of the Government group.

GRULAC would like to thank the Office for preparing the document on follow-up to 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.

In particular, we would like to express our appreciation for the informal consultations during the preparation of this document; they were broad and inclusive and gave all stakeholders an opportunity to involve themselves in the process of strengthening the supervisory system, which is ultimately the joint responsibility of the tripartite constituents. We encourage the Office to take this approach on many other issues in the future.

GRULAC reaffirms its commitment to the ILO's supervisory system as the cornerstone of its work. We are also committed to strengthening that system in order to ensure that it remains relevant to a constantly changing world of work and that its fundamental principles continue to be respected so that their objectives can be met. In embarking on a discussion of the strengthening of the ILO supervisory system, we must bear in mind that this system comprises interrelated individual procedures, each of which has its own mandate and must function with due regard for the existing complementarity and eliminate unnecessary duplication; thus, we must take a systematic approach. We are pleased that the Office has reflected these factors in its report and in its ten concrete proposals.

Furthermore, we would like to reiterate that this systematic approach entails recognition of a link between the procedures and application of the principle of a gradual approach. Appropriate, efficient use of the ILO supervisory system must acknowledge the need to address the situations presented and potential responses thereto gradually, in light of their seriousness and urgency, in order to ensure a just, proportionate, effective and efficient response. We have not forgotten that ignoring this important element could lead to an improper use of the supervisory system that could have a negative impact on its credibility, effectiveness and transparency. We consider that this principle should have been set out in the Office's document and we endorse the Office's proposed schedule for work on the ten concrete proposals. I shall now make a few preliminary comments on the first proposals to be discussed.

As an example, the development of a guide on practices across the supervisory system would be a step forward since it would lead to better understanding of the system and of the way in which the various procedures function and relate to each other, thus improving the overall transparency of the supervisory system. In preparing this guide, we might endeavour to avoid the duplication of procedures and to ensure that they take a suitably gradual approach, possibly by recognizing the hierarchical relationship between them. However, the proposed guide must not be confused with a kind of premature codification of current practice, particularly as we are in the midst of a review and improvement process.

With regard to regular conversation between the supervisory bodies, we hope that the constituents will be able to provide the guidance needed for the holding of a trial meeting as soon as possible with the appropriate participation of governments. We suggest that the document to be submitted to the Council in November 2017 should include a concrete proposal for its date, format and budget.

GRULAC will participate actively in future discussions on the operation of the article 24 procedure and hopes to analyse all relevant aspects of the issue, including those mentioned in Appendix II to the Office's document.

We consider it particularly important to examine the procedures concerning the receivability of representations and other aspects of the current rules. We note that this discussion of the article 24 procedure will be paired with a discussion of the article 26 procedure, to be held immediately thereafter.

We consider that the Governing Body is not currently in a position to take a decision on possible ways to ensure further legal certainty.

With regard to the potential of article 19, we would be grateful if the Office would compile elements detailing the various uses of article 19(5)(e) and (6)(d) to date in order to facilitate the Governing Body's discussion in November 2017 as proposed in Appendix III. However, we would also welcome information on the practical implications of maximizing the potential of article 19.

GRULAC has taken due note of the recently distributed document containing the *Joint Position of the Workers' and Employers' groups on the ILO Supervisory Mechanism*. Our regional group reserves the right to express its views on the workplan contained therein at a later date.

Lastly, Chairperson, GRULAC supports the draft decision.

5. Africa group statement

1. Kenya speaks on behalf of the Africa group on this matter and further supports the Government group statement as read by the Government of Mexico. The Africa group thanks the Office for preparing this document.
2. The Africa group notes that a strengthened supervisory system will effectively respond to changes in the world of work and will also enhance the global goal of ensuring decent work for all. However, its impact depends on how the system works as a whole and the Africa group hopes that the challenges identified will be strengthened and that the ten (concrete) proposals will be grouped into the four complementary focuses. The Africa group supports the five common guiding principles that will be applied to strengthen the supervisory system. This calls for an authoritative tripartite structure that gives practical effect to the ILO founding values and constitutional objectives, leading to an improved robust, relevant and sustainable system. As the Africa group, we wish to reiterate that the supervisory procedures must also be seen to be efficient and effective in order to fulfil this purpose. It must also be transparent, fair and rigorous with consistent and impartial outcomes. The Africa group, however, hopes that, in future, the social partners will have an opportunity to have at least one joint meeting during the process of consensus building in order to share and consolidate the positions.
3. On the concrete proposals, the Africa group supports the development of the guide, its regular review and its integration into regular Office action. This will go a long way in creating clarity of the proceedings. The Africa group supports the article 24 procedure being discussed prior to the discussion on article 26. On coordination of article 26, the group would rather support the development of a guide rather than codification of the article. The Africa group is, however, open to its further consideration at the November 2017 Governing Body, as in paragraph 23.
4. On legal certainty and, in particular, the interpretation of Conventions, the Africa group is well satisfied with the current status and will not recommend any changes. The group, however, remains flexible to discussing the matter if needs be, should other constituents deem it necessary, as in paragraph 26.
5. The Africa group looks forward to the report of the working methods of the Committee on Freedom of Association, which will be presented to the Governing Body in March and June 2017. The Africa group wishes to reiterate the necessity for streamlining reporting and optimizing the use of technology and meeting the needs of constituents. The group supports the envisaged steps to be taken to bring this into effect. The group supports information sharing with international organizations. However, due regard should be made in informing constituents of the intentions and providing detailed briefs of the regular exchange of information with the international organizations. The Africa group supports the need for an effective systematized follow-up at the national level of comments generated by the

supervisory system and the need for a systematized technical assistance to member States who choose to request it resulting from comments of the supervisory bodies. Systemizing technical assistance will encourage more detailed reporting to the Governing Body on good practices which may assist governments. Technical assistance should be integrated into the Decent Work Country Programmes, taking cognizance of the increased ratification and improved application of international labour standards arising from the nexus between the ILO normative function, Decent Work Country Programmes and technical assistance, in paragraph 39. The Africa group supports the draft decision in paragraph 42.

6. *IMEC statement*

1. IMEC thanks the Office for the January and February consultations on this important issue. Nevertheless we would have preferred a tripartite exchange of views during the consultations. We would have wished more concrete proposals but acknowledge the challenge of building consensus between all groups.
2. We also thank the Workers' and the Employers' groups for their contributions today and we very much welcome the confirmation of your joint statement from February 2015. We also reiterate our support for the Government group statements of February 2015.
3. Now turning to the proposals. In light of our continuing strong support for, and confidence in the ILO supervisory machinery, and with a view to further strengthening it, we offer the following comments on the proposals.
4. Regarding **Concrete proposal 1.1**, we see the proposed user-friendly web guide on established practices as a tool that will be especially helpful for constituents with often changing representatives. At the same time, we underline that this web guide alone will not solve the main issue at stake – namely strengthening the system.
5. As the ILO website already contains useful information on international labour standards issues, especially on the ILO NORMLEX website as a central tool, we suggest a new web tool to be appropriately integrated with NORMLEX to avoid any decentralization of information.
6. We appreciate that the web guide will include all procedural details of each supervisory procedure, and that this guide will be regularly updated to reflect the evolution of working methods or any decisions by the Governing Body.
7. We regret the lack of detail in **Concrete proposal 1.2** on “Regular conversation between the supervisory bodies” and note particularly that the requested information on costs and logistical feasibility are not even discussed. We remain open for discussing this issue further. If the proposal of an annual meeting as described in paragraph 18 moves forward, the proper involvement of governments would need to be ensured and clear objectives for those discussions determined. Costs and feasibility will be decisive as well.
8. On **Concrete proposal 2.1** on considering codification of article 26 procedure, we appreciate the clarification of the word “codification” meaning to establish formalized rules. We look forward to discussing this proposal further along the timeline suggested by the Office and expect that considerations will not be limited on codifying the existing practice, but also include discussion on the admissibility criteria.
9. On **Concrete proposal 2.2**, on the operation of the article 24 procedure, we reiterate our view that conversations on the admissibility criteria belong to the Standards Initiative and should not be defined solely by the officers or the working parties of the individual supervisory bodies. In addition, we still seek information on the Committee on Freedom of Association (CFA), and particularly on potential discussion of CFA admissibility criteria. Noting that the Office indicates in paragraph 22 that the CFA will report to the Governing Body in March 2017 on its working methods, we are ready to await the CFA's report before discussing this issue further.

10. Within our group, doubts concerning the proposal of a standing article 24 Committee remain. In this regard, we thank the Office for the statistical information provided on article 24 procedures. We note the low number of cases compared to the CFA in this respect. On the way forward, IMEC is in favour of improving the existing article 24 Standing Orders regarding time limits, linkages with other procedures and follow-up of recommendations, and we look forward to further consideration of these issues.
11. We agree with **Concrete proposal 3.1** on streamlining reporting and **Concrete proposal 3.2** on information sharing with international organizations. Nevertheless, regarding Concrete proposal 3.1., we once again request information on the costs of the proposed feasibility study.
12. We also **agree** with **Concrete proposal 4.1** on clear recommendations of supervisory bodies and **Concrete proposal 4.2** on systematized follow-up at national level.
13. Concerning **Concrete proposal 4.3** regarding the potential of article 19 to extend the reach and implementation of standards, we note that the Office intends to address the scope and format of article 19 reports and how to ensure meaningful discussion and outcomes. We would like to underline that the reporting for General Surveys has already changed and increased by the follow-up to the ILO Declaration on Social Justice for a Fair Globalization through the comprehensive and extensive questionnaires used since 2009. Also the adoption of the Protocol of 2014 to the Forced Labour Convention, 1930, generated additional article 19 reporting under the 1998 Declaration, namely for those member States which have not yet ratified the Protocol.
14. From an IMEC perspective the General Surveys are quite good reports that should attract more attention than just serve as a meeting document for the half-day discussion in the CAS. In our view, we do not need additional article 19 reporting, but we need smarter reporting, including better use of the General Surveys. We look forward to the Office paper on the various uses made of article 19(5)(e) and (6)(d) of the Constitution and encourage the Office to include some concrete proposals for possible improvement and without increasing the reporting burden. Finally, we are satisfied that Appendix III of document GB.329/INS/5 reflects the important International Labour Conference direction that the reporting burden is not allowed to increase.
15. In conclusion, IMEC looks forward to further consultations on these issues, as proposed in decision point (b), and expects that this next round of consultations will include a tripartite exchange of views. With that, IMEC can support the draft decision point in paragraph 42.

Appendix III

Director-General's presentation of the Programme and Budget proposals for 2018–19 (329th Session – 13 March 2017)

Let me add my words of welcome to all participants at this 329th Session of the Governing Body. The last session indeed before its membership is renewed in the elections to be held in June.

Once more, we have a very full agenda before us – some of you have told me that it may be a little too full. That is a matter to which we can return; but the Office has sought through the intense consultations which have taken place, and through the careful preparation of documents, to provide you – our tripartite constituents – with the best conditions to exercise your governance responsibilities which are at the core of the effective functioning and accountable management of the ILO.

At this session, the Governing Body is called upon to recommend a Programme and Budget for 2018–19 to the International Labour Conference for adoption and I will take advantage of this opportunity to introduce my proposals to you. But before turning to that, allow me some brief reflections on the context for our meeting and on two other areas of work that we will need to address.

As for the general context, I would suggest that globally the most prevalent feeling is uncertainty – even insecurity. The uncertainty of people about finding a decent job or keeping the one they have. Uncertainty about the sustainability of enterprises in conditions of considerable economic turbulence. Uncertainty about implications of national and regional political choices. Uncertainty about the future path of globalization; about the future of multilateralism. Uncertainty about the future of work. And with that uncertainty comes a questioning of the capacity of the actors and institutions of public life to provide credible and effective responses. That is a challenge not only for governments and for workers' and employers' organizations but for the ILO as well.

Seen in this context, the issues before this Governing Body are both a test and an opportunity. The test is whether we can come together to say clearly what this Organization stands for – our shared values and objectives – and then what we intend to do to advance them in ways which make a difference to the lives of people who expect more from us. And the corresponding opportunity is to demonstrate our capacity to do just this in the many key issues on our agenda.

As I see it, the first signal we need to transmit is that tripartism works and works well. Not as a formality or a ritual, but as a problem-solving, value-adding, living way of addressing tough issues and providing answers which, if perfect for nobody can be acceptable to all, are fair, and enhance legitimacy. Nearly 100 years of experience tell us that this is hard work, but that is worth it. It tells us also that the shared commitment to compromise and find consensus is what makes tripartism work.

And because the ILO's normative function is so essential to everything we do, it is particularly important that we bring that commitment to the standards-related items before us.

Step back from the specifics of these items – which we know are complex – and bring to your minds how those outside the ILO understand what is at stake. Put simply, it is whether or not governments, employers and workers are able to agree on the basics of international law in the world of work – both its content and its application.

This is no small matter and I think the imperative of achieving agreement on it must be evident to everybody. So I want to draw particular attention to the initial assessment of the Standards Review Mechanism, which addresses the content of our standards, and the follow-up to the “two chairpersons” report under the Standards Initiative, which addresses the mechanisms of their application. These two complementary processes are, let us be honest, the product of the very difficult situation that this Governing Body faced when it began its mandate nearly three years ago. It will not be the least of its achievements if, as it completes that mandate, it passes on to its successor a clear consensus on the way forward to a strengthened and authoritative standards system.

Still in the area of standards, the Governing Body once again has a significant number of country cases on its agenda which follow from the use of constitutional complaints mechanisms. These will probably not be the easiest bits of our work: by their nature contentious, some of them have been on our agenda for quite a long time. While this is not the moment to address their substance, I would just offer two general points about them:

- Firstly, we must deal with these issues objectively through due process and with the sole aim of ensuring the full application of the Conventions concerned in the member States in question. Nothing other than that but nothing less either.
- Secondly, whatever the difficulties encountered, let us not forget at a moment when we are engaged in writing a history of the first 100 years of the ILO, that some of its most important episodes and most telling achievements have had their origins in its treatment of such complaints. Perseverance and principle have combined to produce remarkable progress.

The other very important opportunity we have is to reiterate and act on the ILO’s determination to be a fully committed team player in the United Nations (UN) and to be as supportive and useful as we can to the new Secretary-General as he gives leadership in the multilateral system’s response to the challenges I have referred to.

The Governing Body’s High-Level Section discussion next week on “Decent work for sustainable development”, has a clear strategic purpose – that of guiding the ongoing ILO contribution to the implementation of the 2030 Agenda for Sustainable Development (2030 Agenda) through its input to July’s High-Level Political Forum. It reminds us that we must not dwell on our success in placing decent work firmly at the heart of that Agenda but rather put all of our energy into its implementation. We will be helped in that, and honoured, by the participation of the ECOSOC President, Ambassador Frederick Makamure Shava of Zimbabwe. In addition, our discussion on the ILO and the UN Development System introduces important context for our contribution, setting out as it does the implications for the ILO, not least in our country-level work, of the General Assembly’s Quadrennial Comprehensive Policy Review resolution.

It is indicative of the interconnectedness – indeed the coherence – of the Governing Body’s agenda that alignment with the Sustainable Development Goals (SDGs) targets and indicators figures prominently in the reinforced results-based framework which underpins my Programme and Budget proposals for 2018–19, which I now present to you.

The 2030 Agenda is one of the key contextual factors for these proposals, but let me begin by recalling the others.

- Firstly, the ILO’s Strategic Plan for 2018–21, which we adopted last November, and which now brings the ILO’s medium-term planning cycle into line with that of the United Nations. The Programme and Budget proposals which cover the first two years of the Plan’s implementation period are framed within the parameters established for the ILO’s work in its “ILO 2021 Vision”, namely:
 - technical excellence;
 - relevance and usefulness;
 - focus on key world of work issues;
 - continuous effectiveness and efficiency gains;
 - redeployment of resources to technical and analytical work;
 - permanent commitment to social justice; as well as
 - implementation of the 2030 Agenda.
- Secondly, the ILO’s Centenary, which falls within the coming biennium. In ways which are different – but always of fundamental importance – the seven Centenary Initiatives, which we have decided upon to mark the Centenary, will inform and orient the work of the ILO during the biennium and beyond. That is most particularly the case for the Future of Work Initiative but applies also to the other six.
- The third contextual factor will be the action to be taken on last year’s Conference resolution concerning the realization of the full potential of the 2008 ILO Declaration on Social Justice for a Fair Globalization (Social Justice Declaration), which provides valuable new elements and guidance for the governance of the Organization.
- And finally, the Programme and Budget proposals benefit quantitatively and qualitatively from the achievements of the reform efforts of the last nearly five years, and reflect commitment to continuous improvements as we move forward. I will return to this when I speak about resource allocations in a few moments.

Now, what of the substance of the programme proposals?

Let me add here that the Office is persevering in its “One ILO approach” to ensure a balanced and integrated use of all resources – regular and extra-budgetary, headquarters and field, and that in this context, the progress already made to maximize the valuable work of the International Training Centre of the ILO in Turin (Turin Centre) will continue in the coming biennium.

As was commented upon in detail during the preliminary discussion last November, there is a mix of continuity and innovation in the proposals – with, it may be felt, continuity outweighing innovation at least in the selection of the ten policy outcomes. The primary reason for this is that these outcomes address major policy challenges in the world of work which it is not reasonable to expect the ILO to address at scale and with lasting impact in a single biennium. We need to persist with them over a longer period.

This does not mean immobility. Each of the policy outcome proposals has been carefully framed to address emerging challenges, to define the changes expected through the ILO’s work, and to say how they are to be pursued.

The two most important substantive modifications to the policy outcomes – already signalled and debated in November – are the specific reference to global supply chains in Outcome 7 on safe work and workplace compliance, and the extension of the scope of Outcome 9 on international labour migration to include mobility, so as to allow the labour market implications of flows of refugee and displaced persons. I would recall that this is being proposed following extensive debates in the Governing Body which have clearly defined what the ILO should and should not do, and underlined the need for it to operate only within the limits of its established mandate.

It is proper to recall that during preliminary discussions in November, a number of suggestions were made concerning new or modified policy outcomes which have not been retained in their original form in the proposals before you. For example, the idea of merging existing outcomes – notably those on formalization and on the rural economy – was tabled. This has previously been considered and discarded by the Governing Body – because of the inherent divergence of the issues addressed and the loss of coherence and focus that would result.

It is understandable that when the Governing Body has come to the view that ten is probably the maximum number of policy outcomes compatible with the need for real prioritization, such mergers may appear to be the only – or the easiest – way to create space for new ones. But I have not felt it right to propose this course to you.

In addition, interest was expressed in a new outcome in the area of industrial relations, collective bargaining and social dialogue. We have tried to accommodate this by a reinforcement of these aspects within the proposed policy outcomes without compromising their coherence or integrity.

The proposals also retain the introduction of a new cross-cutting policy driver on just transition to environmental sustainability in addition to the three established cross-cutting drivers – on international labour standards, social dialogue, and gender equality and non-discrimination.

This innovation is not tabled lightly because it is recognized that these cross-cutting themes need to be limited in number and restricted to address issues which are truly inherent to the mandate of the ILO and relevant to all areas of its activity. But the proposition is that that is the situation which now prevails. World of work circumstances mean that the green-streaming of the Decent Work Agenda is now an imperative and that with the Paris Agreement and the 2030 Agenda there is a strong institutional basis for the ILO to act on it. One day we will have to come to terms with reality, and the longer we leave it, the more difficult it will get. So now is the time.

Before concluding with the bottom line issues of budget levels and allocations, let me emphasize the efforts made to ensure that, however allocated, those resources are used efficiently and effectively, and that the Office is properly accountable for the results obtained with them. The three enabling outcomes, as in the past, establish measurable targets for better knowledge management, for governance, and for improved support services, all of which have been key components of the reform effort of recent years.

In addition, the commitment to strengthen results-based management systems is taken forward through a series of interconnected improvements – and I thank the groups for the written comments you have submitted that have helped to improve the results framework. The following steps have been taken:

- more systematic linkages are introduced between the expected changes cited for each outcome and the outcome indicators;
- your calls for better identification of changes attributable to ILO action have led to the introduction into indicators of systemic policy, institutional and capacity changes in member States which are to be achieved with ILO support;
- each indicator is now accompanied by criteria for success which specify the scope for change together with qualitative dimensions, and the cross-cutting policy drivers are better integrated into those criteria;
- the methodology for establishing baselines and targets, broken down by region, has been thoroughly revised;
- and when it comes to targets, we have sought to be realistic about the scope and nature of indicators with full account taken of Office capacities to support desired results and expected resource availability.

And all this with the major innovation of identifying for each policy outcome the principal SDG targets to which it contributes directly, as well as the relevant SDG indicators that the ILO will apply in its support to member States in measuring and monitoring progress.

Viewed in the macro perspective the most important resource feature of the proposals before the Governing Body is the continuing transfer of resources from “the back office to the frontline” that is to say from support and administrative functions to those policy, analytical and technical ones that directly deliver value to tripartite constituents. Fifteen million US dollars have been reallocated in this way, and that is reflected in the proposed creation of the equivalent of 26.5 new positions in the Professional category.

You will be aware that this is a continuation of a trend which has been at the heart of the reform process from the beginning, aimed at giving you more value for money. Since 2014, when I first presented a programme and budget, these proposals would bring the accumulated migration of resources from back office to the frontline to some \$58 million, including the equivalent of 66 new Professional positions. And this within a zero real growth environment. This is being pursued through a rigorous and systematic approach to efficiency improvements, re-profiling, elimination of vacant administrative and managerial positions, and reductions in non-staff budgetary provisions.

Let me underline that these measures are being taken with due consideration to the need to maintain quality administrative and support services as reflected in the enabling outcomes. Moreover, the ongoing business process review in the ILO is expected to generate significant further potential for reallocations – as indicated in the commitments made in the Strategic Plan. These proposals embody a prudent budgetary approach as to how they will come on stream and be realized during the 2018–19 biennium. We should be in a position to return to this in due course.

This redeployment is intended to be used to further strengthen technical capacities in the regions and at headquarters. This is reflected in increased budgetary allocations to all regions, including new Professional positions in the regions.

A particular effort has been made to strengthen ILO capacities in areas which have emerged as being of particular importance for the Organization or where existing allocations seem inadequate.

In this regard, let me recognize that there is justification for significant differences in the scale of resources allocated to the different policy outcomes – for example with Outcome 1 on more and better jobs getting much more than any other in view of the high global priority accorded to employment. But I do think that an effort has to be made to boost investment in those policy outcomes which get the least. It is a matter of credibility. If we believe these issues deserve priority attention, to be coherent we need to invest resources in them beyond a minimum threshold. And that is why a particular effort is being made for the rural economy and the migration outcomes which stand at the bottom of the resource league table.

It is true that this has resulted in reallocations from other policy outcomes with Outcome 8 experiencing a reduction in its proposed regular budget allocation which we have tried to accommodate through better synergies with other outcomes.

Significant additional capacity in statistics is a determined response to the growing recognition that without better data neither the ILO nor its member States can make better policy, and to the new responsibilities of our Organization for the 13 SDG indicators of which it is the sole or joint custodian.

Similarly, new positions to work on greening of the Decent Work Agenda is a necessary investment to give substance to the proposed new cross-cutting policy driver in that area.

In addition, Professional positions have been proposed either in Geneva or in the regions on social protection, skills and youth employment, collective bargaining, formalization of the informal economy, global supply chains, employment in recovery from crisis, interrelated labour standards, and labour law. These would fill identified capacity gaps and respond to demands voiced by constituents including in the Governing Body.

I have also felt it appropriate to resource an additional position in the Bureau for Employers' Activities (ACT/EMP).

Other areas of new or increased allocations include \$965,000 to support the rollout of the Integrated Resource Information System (IRIS) to all external offices; \$835,000 to strengthen administration of the Staff Health Insurance Fund; \$500,000 for enhanced security of the building here in Geneva; and \$200,000 for oversight purposes.

In the overall endeavour to deliver more to you, our tripartite constituents, my colleagues and I have kept to the fore the reality of the financial constraints in public finances still prevailing in many of our member States. That, above all, is why, once again, the proposal before you is for a zero real growth budget. Because of expected cost decreases attributable to lower than expected inflation, changes in the common system remuneration package, and currency fluctuations, this translates into a provisional nominal budget reduction of US\$4.1 million or 0.5 per cent. This comes on top of a corresponding reduction of \$3.8 million or 0.5 per cent for the biennium in course.

In conclusion, I believe that the Programme and Budget proposals for 2018–19 which I have put before you, combine a sharp focus on key world of work priorities, are a judicious combination of continuity and innovation, benefit from and deepen the process of ILO reform, embody efficiency gains which deliver more value for fewer dollars, are faithful to the social justice mandate and will take our Organization forward to its Centenary with confidence and purpose.

I commend them for consideration and adoption by the Governing Body.

Appendix IV

The Director-General's response to the issues raised by Governing Body members during the discussion of the Programme and Budget proposals for 2018–19 (329th Session – 23 March 2017)

I want to begin this reply to last week's debate on my programme and budget proposals by thanking everybody for their contributions.

In many respects this was a debate characterized by a high-level – I am tempted to say unprecedented level – of convergence and agreement. And that has, in some ways, made it easier to frame this response. But important concerns and questions were tabled as well, and it is proper that I acknowledge and react to them.

Let me begin by saying something about the areas where I detect agreement in the Governing Body, agreement which I attribute to two factors: firstly the productive tripartite consultations in which we have engaged particularly since the Governing Body's preview debate last November; and secondly the fact that – over a longer period of time – we have agreed a strategic direction for the Organization to which all have contributed and are therefore generally supportive of.

As a consequence, there was a consensus last week on:

- the choice of the ten proposed policy outcomes;
- the three proposed enabling outcomes; and
- the four cross-cutting policy drivers, including the new one on just transition to environmental sustainability.

Moreover, and this is not the least important result of the debate, there was full agreement on the proposed level of the budget, representing a continuation of the zero real growth trajectory upon which the ILO has been set for many years, with a consequent reduction on the nominal constant dollar level.

This means that, exceptionally, we are not now under pressure to identify cuts or savings. Additionally, all groups spoke strongly in favour of two other features of the proposals, these being:

- the significant redeployment of resources from the back office to the front line, which enables the Office to offer more to tripartite constituents with the same real level of resources; and
- the explicit alignment of the programme, reflected in the results framework, with the 2030 Agenda for Sustainable Development.

Taken together, all of this provides a very broad and important platform of support for the Programme and Budget proposals that are before the Governing Body.

But there were criticisms as well, and I want to start with the most far-reaching ones.

It was said by some that the proposals lacked ambition, particularly in the light of the major challenges facing the world of work to which I myself drew attention when I introduced them to the Governing Body last Monday.

I want to make clear that, within the resource parameters upon which I believe we are agreed, it is the clear responsibility of the ILO to design and to deliver its programme to the highest level of ambition. And that is what the proposals seek to do.

So, what you have before you is a programme which would not only allow the ILO to do more, but to focus its work on agreed world of work priority policy areas; to deliver on the decent work dimension of the world's agreed development agenda; to address defining emerging issues of our time – climate change, human mobility, global supply chains; to renew and strengthen its normative function; to upgrade its technical and knowledge capacities; to engage better with enterprises – indeed to pursue each one of the six components of the ILO Vision 2021 which is contained in the Strategic Plan that we adopted last November.

In this light, it is not entirely clear where the deficit in ambition lies. I should acknowledge that concern was raised that the proposals did not do enough to prepare the ILO for its centenary in 2019, which is the second year of the biennium covered by the programme proposals. Yet, together, we have already defined over the last three years the Future of Work Initiative, and the other six Centenary Initiatives which, are at the heart of our centenary activities. And they are ambitious. There is no advantage or purpose in revisiting them, but we have included proposals that will advance their implementation, most notably in the orientation of the research agenda in support of the Future of Work Initiative.

It was also objected that while in my introduction I highlighted current challenges to tripartism and social dialogue, the programme proposals do not provide a sufficient response to that challenge. Here, I would point not only to the cross-cutting policy driver on social dialogue but also the efforts we have made – explicitly in response to issues raised in the preview discussion last November – to strengthen the tripartism, dialogue and industrial relations components across the policy outcomes, something which was received positively last week. Allow me to add, parenthetically, that when it comes to levels of ambition and tripartism it is the intentions and actions of you our tripartite constituents even more than the necessary supportive efforts of the Organization which will be decisive.

And as a last comment in respect of ambition let me simply recall rather than repeat what I have said about the mix of continuity and innovation in my proposals. Persevering in the pursuit of important but difficult objectives over a period of time is, I think, a worthy ambition.

Moving on, let me address the question of focus and coherence in the programme proposals. The objection has been voiced that their basic architecture reflects a lack of focus or a loss of coherence. This is not a new reflection, and I regret that the essentials of my response on this will not be new to you either.

Let us remember that every one of these components of the proposals taken individually has met with the approval of the Governing Body. More than this, previously when the Director-General proposed fewer policy outcomes the Governing Body, as is its prerogative, decided on more.

But more importantly I think it is wrong to treat these different components – policy outcomes, enabling outcomes, cross-cutting policy drivers, Centenary Initiatives – as a mathematical addition. It is simply not like that. The enabling outcomes serve an entirely different purpose from the policy outcomes for example. And the Centenary Initiatives – with to a large extent the exception of the Future of Work Initiative – are integral or embrace parts of the policy outcomes and cross-cutting policy drivers. That happens differently for each initiative because they are so heterogeneous.

Let me now turn to the issues that were raised in many of your interventions in respect to the results framework.

It is gratifying that many of your interventions acknowledged the extensive efforts already made in close consultation with you to bring improvements in line with the ILO's standing commitment to strengthen results-based management. Moreover, there was significant advice on how we can progress further which, in some areas, converged with the conclusions of the recently published report of the Multilateral Organisation Performance Assessment Network (MOPAN) on the ILO and of recent evaluations.

I want to underline that the Office believes it necessary to take action – immediately and in the longer term to respond to your valuable suggestions, and that we have already started that process. So let me outline the key points arising from the Governing Body's debate which we understand should guide those efforts.

- To begin, let me stress that the policy outcome indicators refer to expected changes in member States to be achieved with the ILO's contribution. Results can be reportable only when the criteria for success are met and there is an identifiable Office contribution.
- You identified a need to strengthen the indicators by increasing the number of criteria for success to be met in order to report any result. Already one third of the proposed indicators require all criteria for success to be met, a requirement that does not exist in the current programme and budget. Nevertheless, you want to set the bar higher, so we are reviewing the indicators and criteria for success to make them more stringent, and we have already identified cases where this can be achieved.
- Some of you commented on baselines and targets that could be revised. In preparing the proposals, we developed a new methodology for determining the baseline for each indicator and setting a reasonable target, in line with our knowledge of policy dynamics at the national level and available resources. This process has relied heavily on information provided by field offices and analysed by our Global Technical Teams. We are ready to provide later on further information on this methodology or any specific baseline upon request.
- There were questions too about the substantial increase in the proposed number of country targets. Here there are two explanatory factors at play. Firstly, the experience of the past shows that we have been able to deliver on considerably more targets than originally estimated – 774 were reported in the 2014–15 Implementation Report for example. Secondly, work already done in the current biennium will contribute substantially to meeting targets in the next – they are already in the pipeline as it were.
- There were calls for ratification and implementation of international labour standards to be reflected under each outcome. While international labour standards are both a policy outcome in their own right and a cross-cutting policy driver, we will work to include, wherever appropriate, explicit reference to international labour standards in the indicators.
- There was quite a lot of discussion on the potential to track results for the cross-cutting policy drivers. Some asked why they were not the subject of separate indicators. These drivers have been integrated in the criteria for success for the key performance indicators and there is a risk of promoting a silo approach or effect if we opt to have separate indicators for them or to have several cross-cutting indicators for each outcome. However, we do continue to track them. In implementing the programme for 2016–17, the Office has already put in place a system of “markers” – aligned with the methodology applied across the UN system – to track progress in the incorporation of

the drivers in our strategies. Information in this respect will be included in the implementation report for 2016–17.

- Let me add with specific reference to the cross-cutting policy driver on gender equality and non-discrimination, an essential component of each outcome strategy, that all policy outcomes contain at least one gender-specific criterion for success.

Some of you also asked to ensure that the framework show that policy changes at country level should be achieved in consultation with the social partners. We are working on the proposed text to respond to this request.

I hope that I have accurately captured your thinking on the results framework. The internal process already under way will allow us to subject the originally proposed framework to rigorous review. We would then include the resultant revised framework in Report II, the report that is submitted to the Conference in June for adoption. We will of course share those revisions with constituents as soon as possible.

In the longer time frame, I would welcome the opportunity to work closely with constituents to bring further improvements in our results-based management framework, and in particular to learn from national experience on how all of you tackle these challenges.

Finally, a number of ideas were tabled in respect of reporting on programme delivery and financial performance. I would recall that the implementation report provides comprehensive information on results, and on expenditure by outcome and by funding source. The audited financial statements also provide an independent confirmation at a macro level of those results. However, the suggestion made in respect of enhanced analysis and reporting at the end of the financial period and for further information on the implementation of cross-cutting policy drivers require further consideration.

The Office has been trialling new approaches to improve the attribution of our largest single input – staff costs – to policy outcomes, enabling outcomes, country programme outcomes and importantly, cross-cutting policy drivers. This work will continue with a view to introducing a new approach later in this biennium. This will enable an improved level of reporting on activities and their costs for the 2018–19 financial period.

To conclude, let me return to the all-important question of resources and resource allocations.

I have already said, at the beginning of my remarks that I detect consensus, indeed unanimity I believe, in approval of the proposed budget level. In similar vein, you have supported strongly the redeployment of resources to front-line technical and analytical functions. We were asked to provide information on the location and grading of the new front-line capacity in the regions included in my proposals. The distribution of the ten positions in the regions will be as follows: three for Africa, three for Asia and the Pacific, two for the Americas and one each for the Arab States and Europe. Grades will be predominantly at the P4 level.

In my brief remarks on the conclusions of last week's debate you might remember that I commented that support had been expressed by different groups and Governing Body members for increased resource allocations for every one of the ten proposed policy outcomes. Nobody expressed any interest in reduced allocations anywhere. There were also calls for increased budgets for different regions over and above the effort already proposed.

In such circumstances, and having given very careful consideration to the many suggestions made, I do not believe it appropriate to propose any change in the resource allocations which I initially proposed.

To do so would inevitably involve a somewhat arbitrary, and necessarily marginal gesture because there has not been any major or concerted call for redeployments to any particular outcome or outcomes and because in a zero growth scenario responding to any specific interest implies necessarily acting in opposition to another.

For these reasons, the only reasonable course of action is, I believe, to maintain the allocations as they have originally been presented to you and which I hope and believe will be able to meet with your approval.

In addition, I would assure members of the Governing Body that their guidance concerning the substantive content and orientation of individual outcomes has been, and will be, carefully considered in the finalization of the programme and budget for the Conference in June and its subsequent implementation.

Over and above the regular budget upon which our attention is now focused, we have provided the Governing Body with our best estimates for extra-budgetary, that is to say voluntary, funding in the coming biennium, and they attracted some comments from you.

Of course, these figures are only estimates, but they are based upon already received approvals and informed forecasts. The very challenging and competitive funding environment and the attendant prospect of reduced voluntary resources is both a reality and an incitement for the Office to step up its resource mobilization effort. That applies with particular force in those areas of work where extra-budgetary resources are notably scarce, and I recognize that this has been underlined by the Employers' and by the Workers' groups in respect of Outcome 10.

There have been calls too for more Regular Budget Supplementary Account (RBSA) contributions, and the existing RBSA contributors have shared with us their own needs and expectations. I want to express particular appreciation to them and to give assurances that the Office's own internal guidance and practices will be responsive to those requirements.

Let me conclude this response to the programme and budget debate as I began my introduction to it last week, by reference to the heightened feelings of uncertainty and insecurity prevailing in the world of work. In the name of good financial management it should be underlined that the ILO has in place well-established mechanisms to address uncertainty and has been strengthening its own risk management systems. This is reflected in the risk register contained in my proposals. But, by their nature, such systems need to evolve and to adapt to circumstances arising. The Office will, of course, revert to the Governing Body should any need arise in order to ensure the orderly implementation of the programme and budget in the future.

The broader point, however, is that it is through its capacity to come together and agree to a programme and budget that advances decent work and social justice and by its commitment to implement it in the true spirit of tripartism that this Governing Body can meet its responsibilities to provide a concrete and credible response to the peoples of the world who demand of us more and better.

And so, account taken of the suggestions I have made in respect of the results framework, I commend the Programme and Budget proposals for 2018–19 to the Governing Body for transmission to and adoption by this year's session of the International Labour Conference.

Appendix V

Statement by the Chairperson of the Staff Union Committee to the Programme, Financial and Administrative Section of the Governing Body (329th Session – 15 March 2017)

Chairperson,

Mr Director-General,

Ladies and gentlemen, Members of the Governing Body,

Dear colleagues,

It is my honour to address you today, as the elected Chair of the ILO Staff Union, which represents around 70 per cent of staff, covering all categories.

Those who have already heard me speak in this arena, especially when I have defended the interests and rights of staff or to report a failure to respect the mechanisms for consultation with staff, are familiar with the extent to which my comments can at times be vehement.

But it is also my duty to inform you when things go well. I believe that the perseverance and tenacity with which the Union has hammered home the need for an industrial relations framework in which dialogue and negotiation measure up to its fundamental principles have a hand in that. Undeniably, the firm commitment, reiterated by our Director-General, Mr Guy Ryder, to a robust and sustainable mechanism of information, consultation and negotiation helps greatly to maintain the currently calm social climate. This is, in any case, what all Staff Union representatives (both at headquarters and in the field) perceived during their biannual meeting with him.

At this meeting, none of the concerns raised by the staff were considered taboo. The responses to the questions raised demonstrated the Director-General's commitment either to discuss the issue in more detail or to reaffirm certain fundamental principles. The staff representatives warmly welcomed these reassertions, which are essential for maintaining trust and good faith discussions among the social partners, such as the need to refuse parallel consultation processes and to refer to the negotiated institutional framework based, as far as possible, on current circumstances. We have therefore obtained the commitment of the Director-General who will, himself, together with his representatives during negotiations, always act in this spirit of collaboration.

Having emphasized this, the Staff Union considers it important to make you aware of certain concerns that I mentioned, in so far as they are linked, directly or indirectly, to the decisions and recommendations taken at the Governing Body.

The first concern relates to workload. As you are aware, over the past five years, staff at headquarters and in the field have witnessed several successive reforms. Although these reforms were deemed necessary, they have had a significant impact on staff, who have paid a heavy price. The time dedicated to these procedures is spent at the expense of the time needed for the performance of duties that serve constituents. The continuation of streamlining, which was started to ensure all duties were completed, significantly increased the stress levels experienced by staff. This situation is particularly striking in certain field offices and, let me repeat, has an impact on the main duties to be performed at the constituents' request. Furthermore, certain flagship programmes or initiatives, which are also essential to the Organization's visibility, have not received the financial or human resources commensurate with the quantity and quality of the work to be provided. The Union confirms that some of our colleagues have been pushed to breaking point because of their

workload and notes with growing concern, together with the medical and social welfare services, a rise in stress linked to working in an environment that is not conducive to performing duties in a calm and optimum manner. Urgency becomes the rule and “doing more with less” is a permanent dictate.

This worrying situation is not desirable for the Organization nor the staff. In this regard, the staff representatives are following very closely the discussions taking place in the International Civil Service Commission on the different categories of staff in the field, as they will necessarily have repercussions on the current ILO job classification process. It is imperative that the programmes are thought through in relation to current realities and that priorities are set.

The staff’s second concern is safety. While applauding the numerous measures already taken by the Administration to develop the tools and training necessary to guarantee the safety of our colleagues in the field, we must clarify a point with regard to staff working in so-called “fragile” high-risk countries. Since the ILO is not a purely humanitarian organization, when its presence is required, additional measures must be taken to ensure that all staff – irrespective of grade, type of contract or local or international status – have the right, on an equal basis, to be protected or evacuated. This assurance allows staff to carry out their mission without fear and therefore more effectively. Once again, the programmes, priorities and resources afforded must take into account the realities in the field.

The third concern, and not the least, relates to good governance and its corollary, namely the required responsibility of staff in the case of misconduct or negligence. While supporting and recognizing the merits of the concept of “zero tolerance” in the case of misconduct, the Staff Union has nevertheless requested that the new internal rules, which are applicable to all ILO staff, be implemented as a matter of urgency to prevent any behaviour that conflicts with the Standards of Conduct for the International Civil Service. This “zero tolerance” policy should be applied transparently and equitably irrespective of the staff member’s grade and proportionate to the misconduct reported. It would be deeply regrettable if la Fontaine’s famous quote, “Depending on whether you are poor or have might, the court will decide you are black or white”, had relevance within our Organization, which must remain a reference in the world of work.

Let us now turn to the documents submitted for your information or approval. As I mentioned at the start of my statement, the documents before you which have a bearing on the employment or working conditions of staff have been subject to information sharing, consultation or negotiation in the appropriate social dialogue structures. We wish to underline this aspect while hoping that these good practices endure as long as our Organization exists. Naturally, the discussions do not mean that we are in agreement but the time and space afforded to dialogue were sufficient to resolve certain differences of opinion to the satisfaction of the parties concerned.

Some of these points have already been discussed prior to my statement but the Union considers it important to share the following issues with you.

Paragraph 15 of document GB.329/PFA/3 on the update on the headquarters building renovation project mentions the commencement of “prospecting for tenants to occupy refurbished space that will become available”. The Staff Union draws the attention of the Governing Body members to the fact that the second phase, currently under way, of moving staff was not carried out as smoothly as the document suggests and that problems with space persist. Decisions taken in this area cannot be based exclusively on commercial considerations and made to the detriment of the working conditions of the staff, who must always produce high-quality work. Such quality requires resources. In other words, we have to be cautious of savings made on the back of staff which could ultimately prove to be very costly.

In addition, paragraph 10 of the document mentions training for maintenance staff but it is also essential for all staff to receive the necessary information and training following

the restructuring of their work environment with regard to sanitation, security, health and safety instructions.

The Staff Union was also consulted on document GB.329/PFA/4, which provides an update on after-service health insurance. It has noted the progress made in the discussions of the UN inter-agency Working Group, but wishes to inform the Governing Body that it will continue to follow very closely the Group's work to ensure that the acquired rights of staff are protected once their service has ended, and that they are not left stateless and without social protection, after spending their entire career in the United Nations common system.

The document also provides an update on the current ILO Staff Health Insurance Fund (SHIF). The staff representatives welcome the efforts made by the Administration in the past year to improve the services provided to participants, and note with satisfaction the reduction, in almost all cases, of the time taken to reimburse expenses. They also warmly welcome the measures taken to strengthen prevention, which were initially requested some time ago by the participants' representatives on the SHIF Management Committee. They are furthermore very encouraged by the other working group created for the governance of the SHIF, which the document does not mention, but which is just as important as the Working Group on Cost-Containment. However, they are very concerned by the Director-General's initiative to use the "services of external experts", alongside the recommendations of an internal working group. Having met the people concerned, the Staff Union fears serious conflicts of interest and a blatant disregard for the terms of reference of this engagement, which aims to maintain the core features of SHIF coverage, namely, its universal nature, the freedom to choose a health provider, and a reasoned balance between contributions and benefits.

You cannot imagine how attached the staff are to the SHIF, even if it sometimes creates difficulties for them. Moreover, given the growing number of negative experiences in other agencies within the United Nations system relating to this issue, it is clear that staff are prepared to defend the current status of the SHIF, if necessary, against the major companies that are circling around it like hungry sharks.

Document GB.329/PFA/10 focuses on amendments to the Staff Regulations, which have serious repercussions on employment conditions. I can confirm that this document has also been the subject of many long discussions between the Administration and staff representatives.

The first part amends the education grant scheme for international staff, pursuant to the decisions made by the United Nations General Assembly on the compensation package. I will not refer again to the differences in viewpoints between the United Nations administration and its staff, including specialized agencies. However, the staff have launched a number of legal proceedings, the outcome of which will be made known to everyone.

With specific regard to these changes to the scale for the reimbursement of education expenses, and the subsequent savings, the Staff Union explicitly requested that such resources be injected back into activities reserved exclusively for these staff members, and not be allocated again to activities that prevent staff from working properly, particularly in the field.

The second part of the document concerns the implementation of another General Assembly decision that raises the retirement age to 65 years for all staff, while preserving the rights acquired by staff from the time of their entry into service. Numerous long and lively discussions have been held between the Administration and the Staff Union to strike a balance between the wishes of both parties, that is to say: promote the employment of young people, while ensuring the possibility to retain essential know-how and skills within the Organization; improve workforce planning; prevent the inappropriate hiring of retired staff at the expense of young talent; and ensure that the rules are applied fairly and that certain humanitarian situations are taken into account. This balancing act has come to an end, and the staff representatives are reasonably satisfied.

Lastly, I will turn to document GB.329/PFA/11/1, which provides an update on discussions with the European Patent Organisation (EPO) on possible future action to improve the Tribunal's caseload. I have a duty to draw the Governing Body's attention to the fact that, despite the information contained in this document on improving dialogue within the ILO, the Staff Union has received several rather alarming communications from some staff representatives, which imply that there is a poisonous climate in the Organization. As the staff representatives of the EPO do not have access to this forum, they have asked me to advocate on their behalf to ensure that any decisions made by the Tribunal do not result in the denial of their jurisdictional rights, given that the Tribunal is the only recourse available to them. Furthermore, the situation faced for many years now by our colleagues at the World Intellectual Property Organization (WIPO) is unacceptable in a system such as that of the United Nations.

In relation to this last issue, I would like to conclude by reiterating my introductory remarks and underscoring the extent to which a climate conducive to social dialogue brings added value to organizations such as ours. Staff members who are left out of decision-making, and whose views on employment and working conditions go unheard, will rarely give the best of themselves, and the institution will bear the consequences, which can only be negative.

Fortunately, this is not currently the case for the ILO, and we can be proud of our Organization, which upholds at least part of its mandate by creating the conditions necessary for an internal social dialogue that is admittedly lively, but healthy.

Thank you for your attention.

Catherine Comte-Tiberghien
Chairperson
Staff Union Committee

Appendix VI

Update of member States' contributions received between 1 March 2017 and 15 March 2017

Since 1 March 2017, contributions for 2017 and prior years amounting to 3,681,239 Swiss francs (CHF) have been received from nine member States as follows:

Member States	Contribution received for 2017	Contribution received for arrears	Total contributions received in Swiss francs
Austria	2 723 941	–	2 723 941
Burundi	–	7 000	7 000
Morocco	204 509	–	204 509
Panama	8 470	–	8 470
Paraguay *	–	81 000	81 000
Peru	515 085	66 547	581 632
Samoa	3 758	20	3 778
San Marino	11 342	–	11 342
Yemen *	–	59 567	59 567
Total	3 467 105	214 134	3 681 239

* Paraguay and Yemen regained their right to vote.

Including contributions received between 1 March 2017 and 15 March 2017, the total contributions received in 2017 amount to CHF102,847,078. Of this amount, CHF80,593,743 represents contributions for 2017 and CHF22,253,335 represents contributions for arrears.

The balance due as of 15 March 2017 is CHF367,600,444.

Appendix VII

Scale of assessments

State	Draft ILO scale of assessments 2018 (%)
1 Afghanistan	0.006
2 Albania	0.008
3 Algeria	0.161
4 Angola	0.010
5 Antigua and Barbuda	0.002
6 Argentina	0.893
7 Armenia	0.006
8 Australia	2.338
9 Austria	0.720
10 Azerbaijan	0.060
11 Bahamas	0.014
12 Bahrain	0.044
13 Bangladesh	0.010
14 Barbados	0.007
15 Belarus	0.056
16 Belgium	0.885
17 Belize	0.001
18 Benin	0.003
19 Bolivia, Plurinational State of	0.012
20 Bosnia and Herzegovina	0.013
21 Botswana	0.014
22 Brazil	3.825
23 Brunei Darussalam	0.029
24 Bulgaria	0.045
25 Burkina Faso	0.004
26 Burundi	0.001
27 Cabo Verde	0.001
28 Cambodia	0.004
29 Cameroon	0.010
30 Canada	2.922
31 Central African Republic	0.001
32 Chad	0.005
33 Chile	0.399
34 China	7.924
35 Colombia	0.322
36 Comoros	0.001
37 Congo	0.006
38 Cook Islands	0.001

State	Draft ILO scale of assessments 2018 (%)
39 Costa Rica	0.047
40 Côte d'Ivoire	0.009
41 Croatia	0.099
42 Cuba	0.065
43 Cyprus	0.043
44 Czech Republic	0.344
45 Democratic Republic of the Congo	0.008
46 Denmark	0.584
47 Djibouti	0.001
48 Dominica	0.001
49 Dominican Republic	0.046
50 Ecuador	0.067
51 Egypt	0.152
52 El Salvador	0.014
53 Equatorial Guinea	0.010
54 Eritrea	0.001
55 Estonia	0.038
56 Ethiopia	0.010
57 Fiji	0.003
58 Finland	0.456
59 France	4.861
60 Gabon	0.017
61 Gambia	0.001
62 Georgia	0.008
63 Germany	6.392
64 Ghana	0.016
65 Greece	0.471
66 Grenada	0.001
67 Guatemala	0.028
68 Guinea	0.002
69 Guinea-Bissau	0.001
70 Guyana	0.002
71 Haiti	0.003
72 Honduras	0.008
73 Hungary	0.161
74 Iceland	0.023
75 India	0.737
76 Indonesia	0.504
77 Iran, Islamic Republic of	0.471
78 Iraq	0.129
79 Ireland	0.335
80 Israel	0.430

State	Draft ILO scale of assessments 2018 (%)
81 Italy	3.750
82 Jamaica	0.009
83 Japan	9.684
84 Jordan	0.020
85 Kazakhstan	0.191
86 Kenya	0.018
87 Kiribati	0.001
88 Korea, Republic of	2.040
89 Kuwait	0.285
90 Kyrgyzstan	0.002
91 Lao People's Democratic Republic	0.003
92 Latvia	0.050
93 Lebanon	0.046
94 Lesotho	0.001
95 Liberia	0.001
96 Libya	0.125
97 Lithuania	0.072
98 Luxembourg	0.064
99 Madagascar	0.003
100 Malawi	0.002
101 Malaysia	0.322
102 Maldives, Republic of	0.002
103 Mali	0.003
104 Malta	0.016
105 Marshall Islands	0.001
106 Mauritania	0.002
107 Mauritius	0.012
108 Mexico	1.436
109 Moldova, Republic of	0.004
110 Mongolia	0.005
111 Montenegro	0.004
112 Morocco	0.054
113 Mozambique	0.004
114 Myanmar	0.010
115 Namibia	0.010
116 Nepal	0.006
117 Netherlands	1.483
118 New Zealand	0.268
119 Nicaragua	0.004
120 Niger	0.002
121 Nigeria	0.209

State	Draft ILO scale of assessments 2018 (%)
122 Norway	0.849
123 Oman	0.113
124 Pakistan	0.093
125 Palau	0.001
126 Panama	0.034
127 Papua New Guinea	0.004
128 Paraguay	0.014
129 Peru	0.136
130 Philippines	0.165
131 Poland	0.841
132 Portugal	0.392
133 Qatar	0.269
134 Romania	0.184
135 Russian Federation	3.089
136 Rwanda	0.002
137 Saint Kitts and Nevis	0.001
138 Saint Lucia	0.001
139 Saint Vincent and the Grenadines	0.001
140 Samoa	0.001
141 San Marino	0.003
142 Sao Tome and Principe	0.001
143 Saudi Arabia	1.147
144 Senegal	0.005
145 Serbia	0.032
146 Seychelles	0.001
147 Sierra Leone	0.001
148 Singapore	0.447
149 Slovakia	0.160
150 Slovenia	0.084
151 Solomon Islands	0.001
152 Somalia	0.001
153 South Africa	0.364
154 South Sudan	0.003
155 Spain	2.444
156 Sri Lanka	0.031
157 Sudan	0.010
158 Suriname	0.006
159 Swaziland	0.002
160 Sweden	0.957
161 Switzerland	1.141
162 Syrian Arab Republic	0.024

State	Draft ILO scale of assessments 2018 (%)
163 Tajikistan	0.004
164 Tanzania, United Republic of	0.010
165 Thailand	0.291
166 The former Yugoslav Republic of Macedonia	0.007
167 Timor-Leste	0.003
168 Togo	0.001
169 Tonga	0.001
170 Trinidad and Tobago	0.034
171 Tunisia	0.028
172 Turkey	1.019
173 Turkmenistan	0.026
174 Tuvalu	0.001
175 Uganda	0.009
176 Ukraine	0.103
177 United Arab Emirates	0.604
178 United Kingdom	4.465
179 United States	22.000
180 Uruguay	0.079
181 Uzbekistan	0.023
182 Vanuatu	0.001
183 Venezuela, Bolivarian Republic of	0.571
184 Viet Nam	0.058
185 Yemen	0.010
186 Zambia	0.007
187 Zimbabwe	0.004
TOTAL	100.000

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

*329^e session – Genève – mars 2017
329th Session – Geneva – March 2017
329.^a reunión – Ginebra – marzo de 2017*

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Membres gouvernementaux titulaires
Miembros gubernamentales titulares

Titular Government members

Président du Conseil d'administration:
Chairperson of the Governing Body:
Presidente del Consejo de Administración:

Mr U. SEIDENBERGER (Germany)

Algérie Algeria Argelia

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

suppléant(s):

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

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.

accompagné(s) de:

M. D. BOURKAIB, directeur général
de la sécurité sociale, ministère du Travail,
de l'Emploi et de la Sécurité sociale.

M. A. BERKATI, inspecteur général du travail,
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.

M^{me} A. ABABAOU, directrice générale
de l'école supérieure de sécurité sociale,
ministère du Travail, de l'Emploi
et de la Sécurité sociale.

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

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

M. B. BOUCHEBOUT, inspecteur central,
ministère du Travail, de l'Emploi
et de la Sécurité sociale.

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

M. B. BELGAID, directeur des affaires
économiques et financières, ministère
des Affaires étrangères.

M. M. GUENDIL, ambassadeur extraordinaire
et plénipotentiaire à Berne.

M. B. YOUNES, consul d'Algérie à Genève.

Allemagne Germany
Alemania

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

substitute(s):

Mr U. SEIDENBERGER, Ambassador,
Chairperson of the Governing Body,
Permanent Mission, Geneva.

Ms K. NEU-BRANDENBURG, Chief,
ILO/United Nations Division, Federal
Ministry of Labour and Social Affairs.

accompanied by:

Ms M. SCHIESSL, Adviser, ILO/United
Nations Division, Federal Ministry of
Labour and Social Affairs.

Mr A. STRIEGEL, Adviser, ILO/United
Nations Division, Federal Ministry of
Labour and Social Affairs.

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

Mr J. FARZAN, Adviser, European
Employment and Social Policy Via 1,
Federal Ministry of Labour and Social
Affairs.

Mr J. SCHAADT-WAMBACH, Permanent
Mission, Geneva.

Ms E. EIKE, Permanent Mission, Geneva.

Mr G. SCHMIDT-BREMME.

Ms C. ESSER.

Ms E. LAJOM.

Angola

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

suppléant(s):

M. A. JAIME, conseiller, mission permanente, Genève.

accompagné(s) de:

M. M. EDUARDO, premier secrétaire, mission permanente, Genève.

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

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

Argentine Argentina

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

suplente(s):

Sr. M. CIMA, Embajador, Representante Permanente Alterno, Misión Permanente, Ginebra.

Sr. E. SABOR, Secretario de Trabajo, Ministerio de Trabajo, Empleo y Seguridad Social.

Sr. J. TITIRO, Asesor Superior de 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.

Sra. D. GUTIERREZ ALVARO, Secretaria de Embajada, Misión Permanente, Ginebra.

Brésil Brazil Brasil

Ms M. FARANI AZEVÊDO, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

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

Mr N. CANANI, Head of International Affairs, Ministry of Labour.

accompanied by:

Ms D. ROCHA MATTOS, Chief of the International Organizations Division, Ministry of Labour.

Mr E. CLABUCHAR MARTINGO, Second Secretary, Permanent Mission, Geneva.

Mr P. SANGES GHETTI, Second Secretary, Permanent Mission, Geneva.

Bulgarie Bulgaria

Ms D. KOSTADINOVA, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Ms A. DAVIDOVA, Minister Plenipotentiary, Permanent Mission, Geneva.

Mr Y. YAKIMOV, Head, Department for International Humanitarian Organizations, Human Rights Directorate, Ministry of Foreign Affairs.

Mr A. EVTIMOV, State Expert, Department for International Organizations and International Cooperation, Directorate for European Affairs and International Cooperation, Ministry of Labour and Social Policy.

Ms S. PARAPUNOVA, Chief 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 V. HOU, Undersecretary of State, Ministry of Labour and Vocational Training.

substitute(s):

Mr S. NEY, Ambassador Extraordinary and Plenipotentiary, Permanent Representative, Permanent Mission, Geneva.

Ms V. SOVANN, Adviser, Ministry of Labour and Vocational Training.

Mr S. HUON, Adviser, Ministry of Labour and Vocational Training.

accompanied by:

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

Mr S. YANG, Labour Counsellor, Permanent Mission, Geneva.

Chine China

Mr Z. MA, 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 D. DUAN, Counsellor, Permanent Mission, Geneva.

accompanied by:

Mr X. YANG, Minister Counsellor, Permanent Mission, Geneva.

Mr Y. LIU, Counsellor, Permanent Mission, Geneva.

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

Mr J. JIA, Deputy Director, Department of International Cooperation, Ministry of Human Resources and Social Security.

République de Corée Republic of Korea República de Corea

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

substitute(s):

Mr I. KIM, Ambassador and Deputy Permanent Representative, Permanent Mission, Geneva.

Mr M. JUNG, Director-General, International Labor Affairs Bureau, Ministry of Employment and Labor.

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

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

accompanied by:

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

Ms S. KWAK, Deputy Director, International Cooperation Division, Ministry of Employment and Labor.

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

Mr K. LEE, Assistant Director, International Labor Affairs Division, Ministry of Employment and Labor.

Mr S. PARK, Assistant Director, International Labor Affairs Division, Ministry of Employment and Labor.

Emirats arabes unis United Arab Emirates Emiratos Árabes Unidos

Mr O. ALNUAIMI, Assistant Undersecretary for Communication and International Relations, Ministry of Human Resources and Emiratisation.

substitute(s):

Mr A. ZALAMI, Adviser to the Minister for International Relations, Ministry of Human Resources and Emiratisation.

Mr A. ALMARZOOQI, Director, International Bilateral Relations Department, Ministry of Human Resources and Emiratisation.

accompanied by:

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

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

Ms A. AL SHEHHI, First Secretary, Permanent Mission, Geneva.

**Etats-Unis United States
Estados Unidos**

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

substitute(s):

Mr T. ALLEGRA, Chargé d'Affaires a.i., Permanent Mission, Geneva.

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

accompanied by:

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

Ms J. GOODYEAR, International Program Analyst, Office of International Relations, Department of Labor.

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

Mr S. MOODY, Director, Office of International Labor Affairs, Bureau of Democracy, Human Rights and Labor, Department of State.

Ms E. MORENO, International Relations Analyst, Office of International Relations, Bureau of International Labor Affairs, Department of Labor.

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

Mr C. ELLIS, Adviser, Bureau of International Labor Relations, Department of Labor.

Mr C. QUINTANA, Adviser, Department of Labor.

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, cheffe de service, 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, conseillère d'administration des affaires sociales, cheffe 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. N. BAUDOUIN, 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. 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. N. DUMAS, chargé de mission, délégation aux affaires européennes et internationales, ministère du Travail, de l'Emploi, de la Formation professionnelle et du Dialogue social.

M. L. RAULET, attaché de presse, mission permanente, Genève.

M^{me} D. DROMARD, mission permanente, Genève.

M. P. RAMET, conseiller environnement et transport, mission permanente, Genève.

Ghana

Mr I. BAFFUOR-AWUAH, Minister of
Employment and Labour Relations.

substitute(s):

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

Mr A. GRANT NTRAKWA, Deputy
Permanent Representative, Permanent
Mission, Geneva.

accompanied by:

Mr K. ANYIMADU-ANTWI, Ministry of
Employment and Labour Relations.

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

Ms V. ASEMPAPA, Head, International Desk,
Ministry of Employment and Labour
Relations.

Ms R. FERKAH, Focal Person, International
Desk, Ministry of Employment and Labour
Relations.

Mr E. ADJORLOLO, Ministry of Employment
and Labour Relations.

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

Inde India

Ms M. SATHIYAVATHY, Secretary, Ministry
of Labour and Employment.

substitute(s):

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

Mr R. ARORA, Joint Secretary, Ministry of
Labour and Employment.

Ms A. BAPAT, Director, Ministry of Labour
and Employment.

accompanied by:

Mr S. ALAM, Second Secretary (SA and HR),
Permanent Mission, Geneva.

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

Mr M. NAZIRI ASL, Ambassador, Permanent
Representative, Permanent Mission,
Geneva.

substitute(s):

Mr S. HEFDAHTAN, Director-General
for International Affairs, Ministry of
Cooperatives, Labour and Social Welfare.

accompanied by:

Mr M. ABADI, First Secretary, Permanent
Mission, Geneva.

Mr R. BEHZAD, Labour Counsellor,
Permanent Mission, Geneva.

Ms M. SOLTANI, 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. R. DE CAMILLIS, directeur général,
direction générale pour la tutelle
des conditions de travail et des relations
industrielles, ministère du Travail
et des Politiques sociales.

M^{me} O. FACCIOLI, direction générale
pour la tutelle des conditions de travail
et des relations industrielles, ministère du
Travail et des Politiques sociales.

accompagné(s) de:

M^{me} C. CARENZA, ministre conseiller,
représentant permanent adjoint, mission
permanente, Genève.

M. G. MARINI, conseiller, mission
permanente, Genève.

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

M^{me} C. MEZZANOTTE, 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. SHINO, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.

Mr K. NAGOAKA, Minister, Permanent Mission, Geneva.

Mr T. MATSUBARA, Counsellor, Permanent Mission, Geneva.

Mr K. YOSHIMURA, Director, International Labour and Cooperation Office, Ministry of Health, Labour and Welfare.

accompanied by:

Mr T. TERAMOTO, Adviser, International Affairs Division, Ministry of Health, Labour and Welfare.

Mr Y. JURI, Counsellor, Permanent Mission, Geneva.

Mr H. SUMINO, First Secretary, Permanent Mission, Geneva.

Mr T. KATAYAMA, Official, International Affairs Division, Ministry of Health, Labour and Welfare.

Ms R. OUCHI, Section Chief, International Affairs Division, Ministry of Health, Labour and Welfare.

Kenya

Ms P. KANDIE, Cabinet Secretary, Ministry of East African Community, Labour and Social Protection.

substitute(s):

Ms K. KASSACHOON, Principal Secretary, Ministry of East African Community, Labour and Social Protection.

Mr S. NYAMBARI, Labour Commissioner, Ministry of East African Community, Labour and Social Protection.

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

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

accompanied by:

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

Ms H. APIYO, Deputy Labour Commissioner, Ministry of East African Community, Labour and Social Protection.

Ms E. CHEMIRMIR, Personal Assistant to the Cabinet Secretary, Ministry of East African Community, Labour and Social Protection.

Mexique Mexico México

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

suplente(s):

Sr. J. STEIN VELASCO, Titular de la Unidad de Asuntos Internacionales, Secretaría del Trabajo y Previsión Social.

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

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

Sr. R. VARGAS JUÁREZ, Segundo Secretario, Misión Permanente, Ginebra.

acompañado(s) de:

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

Sra. P. CEBALLOS ZAPATA, Asesora, Misión Permanente, Ginebra.

Panama Panamá

Sr. A. ROSAS CASTILLO, Secretario General, Ministerio de Trabajo y Desarrollo Laboral.

suplente(s):

Sr. R. MORALES, Embajador, Representante Permanente, Misión Permanente, Ginebra.

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

acompañado(s) de:

Sr. R. NÚÑEZ, Jefe de la Oficina de Cooperación Técnica Internacional, Ministerio de Trabajo y Desarrollo Laboral.
 Sr. A. MENDOZA GANTES, Asesor de la Viceministra de Asuntos Multilaterales y Cooperación, Ministerio de Relaciones Exteriores.
 Sr. R. PINZÓN FUENTES, Consejero, Misión Permanente, Ginebra.
 Sra. G. RODRÍGUEZ RAMÍREZ, Consejero, Misión Permanente, Ginebra.
 Sra. S. MIRONES CASTILLO, Agregada, Misión Permanente, Ginebra.
 Sra. J. CHEVALIER ALFARO, Agregada, Misión Permanente, Ginebra.
 Sra. A. AROSEMANA RAMOS, Agregada, Misión Permanente, Ginebra.

Roumanie Romania Rumania

Mr C. TACHE, Senior Counsellor, Directorate General of European Affairs and International Relations, Ministry of Labour, Family, Social Protection and Elderly.

substitute(s):

Mr A. VIERITA, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Mr F. TUDORIE, Minister Plenipotentiary, Permanent Mission, Geneva.

Royaume-Uni United Kingdom Reino Unido

Mr R. NADARAJAN, Team Leader, Global Labour Markets, Department for Work and Pensions.

substitute(s):

Ms J. SEARLE, Head of Engagement, EU and International Affairs, Department for Work and Pensions.
 Mr E. MUNN, International Policy Adviser, Department for Work and Pensions.
 Ms K. DOCKRAY, Second Secretary, Labour and UN Reform, Permanent Mission, Geneva.

Mr J. JENKINSON, Labour and UN Reform, Permanent Mission, Geneva.
 Ms A. KIRBY, Press and Public Affairs Team, Permanent Mission, Geneva.

accompanied by:

Mr J. BRAITHWAITE, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Mr M. MATTHEWS, Ambassador, Deputy Permanent Representative, 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. NIKIFOROV, Deputy Permanent Representative, Permanent Mission, Geneva.
 Ms T. MALENKO, Deputy Director, Department of Wage, Labour Relationships and Social Partnership, Ministry of Labour and Social Protection.

accompanied by:

Mr I. ZEMLIANSKIY, Head of Division, Legal and International Activity Department, Ministry of Labour and Social Protection.
 Mr A. KALININ, Counsellor, Permanent Mission, Geneva.
 Mr Y. SPIRIN, First Secretary, Permanent Mission, Geneva.
 Mr I. VASILIEV, First Secretary, Department of Economic Cooperation, Ministry of Foreign Affairs.
 Mr A. BOGATYREV, Second Secretary, Permanent Mission, Geneva.
 Mr S. STEPANOV, Deputy Head of Division, Legal and International Activity Department, Ministry of Labour and Social Protection.
 Mr I. NOVIKOV, Attaché, Permanent Mission, Geneva.

Soudan Sudan Sudán

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

substitute(s):

Mr S. ABBAS, Undersecretary, Ministry of Labour and Administrative Reform.

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

Mr M. MOHAMED AHMED, Director of the General Directorate of External Relations, Ministry of Labour and Administrative Reform.

accompanied by:

Mr S. DAWOELBAIT, Director of the Human and Financial Resources Department, Ministry of Labour and Administrative Reform.

Ms T. ELHAG, Director of the Labour Market Studies Department, Ministry of Labour and Administrative Reform.

Mr N. DRESA, Director of the Executive Office, Ministry of Labour and Administrative Reform.

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

Mr R. ADAM.

Trinité-et-Tobago Trinidad and Tobago Trinidad y Tabago

Mr G. PETTIER, Chargé d'Affaires, a.i., Permanent Mission, Geneva.

substitute(s):

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

Turquie Turkey Turquía

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

substitute(s):

Mr K. ARAT, Deputy Undersecretary, Ministry of Labour and Social Security.

Mr E. BATUR, Counsellor, Permanent Mission, Geneva.

Mr S. EKINCI, Expert, Ministry of Labour and Social Security.

Mr F. BAYAR, Counsellor, Permanent Mission, Geneva.

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

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

Sr. F. TORREALBA, Ministro del Poder Popular para el Proceso Social de Trabajo.

suplente(s):

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

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.

Sr. H. NAVAS, Asesor, 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 S. MASANGA, Principal Director, Ministry of Public Service, Labour and Social Welfare.

Mr P. MUDYAWABIKWA, Labour Attaché,
Permanent Mission, Geneva.

Mr L. NGORIMA, Acting Deputy Director,
Ministry of Public Service, Labour and
Social Welfare.

Mr M. PARAKOKWA, Chief Labour Officer,
Ministry of Public Service, Labour and
Social Welfare.

Mr M. MARAKANI, Minister's Aide, Ministry
of Public Service, Labour and Social
Welfare.

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

Mr C. CHIUTSI, Counsellor, Permanent
Mission, Geneva.

Membres gouvernementaux adjoints
Miembros gubernamentales adjuntos
Deputy Government members
Albanie Albania

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

substitute(s):

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

Australie Australia

Ms M. KIDD, Representative of Australia at the ILO Governing Body, Department of Employment.

substitute(s):

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

Mr D. CAINS, Director, International Labour Policy, Department of Employment.

accompanied by:

Mr J. RICHARDS, Senior Adviser, Department of Employment.

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

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

Ms B. CRANE, Adviser, Australian Delegation, Paris.

Bahreïn Bahrain Bahrein

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

substitute(s):

Mr A. SALMAN, Head of International Relations, Ministry of Labour.

accompanied by:

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

Mr M. ALNOAIMI, Third 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 N. ISLAM, Deputy Permanent Representative, Permanent Mission, Geneva.

Mr M. KHAN, Minister, Permanent Mission, Geneva.

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

Mr M. KABIR, Deputy Chief, Ministry of Labour and Employment.

Mr M. ALIMUZZAMAN, Counsellor, Permanent Mission, Geneva.

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

Mr M. ISLAM, Public Relations Officer, Ministry of Labour and Employment.

Belgique Belgium Belgique

M. G. MUYLLE, ambassadeur, représentant permanent, mission permanente, Genève.

suppléant(s):

M^{me} T. BOUTSEN, conseillère générale, division des affaires internationales, service public fédéral Emploi, Travail et Concertation sociale.

accompagné(s) de:

- M. S. THUIS, conseiller, mission permanente, Genève.
 M^{me} S. PLATTEAU, premier secrétaire, mission permanente, Genève.
 M^{me} E. LIZIN, attachée, division des affaires internationales, service public fédéral Emploi, Travail et Concertation sociale.
 M^{me} S. KEPPENS, attachée à la direction générale de la coopération au développement, service public fédéral Affaires étrangères, Commerce extérieur et Coopération au développement.
 M. K. DIERCKX, General Delegate of the Government of Flanders, Mission permanente, Genève.
 M. H. MONCEAU, Haut Représentant «Droits fondamentaux», société de l'information et économie numérique, Wallonie-Bruxelles International.

Botswana

Mr T. MABEO, Minister of Labour and Employment.

substitute(s):

- Ms P. RAMOKOKA, Permanent Secretary, Ministry of Labour and Employment.
 Ms K. SELEBATSO, Commissioner of Labour, Ministry of Labour and Employment.
 Mr M. PALAI, Ambassador, Permanent Representative, Permanent Mission, Geneva.

accompanied by:

- Mr P. GAUMAKWE, Deputy Permanent Representative, Permanent Mission, Geneva.
 Mr M. MANOWE, Agriculture Attaché, Permanent Mission, Geneva.
 Ms G. KOKORWE.

Brunéi Darussalam Brunei Darussalam

Mr R. BIN HAJI AZLAN, Assistant Commissioner of Labour, Labour Department, Ministry of Home Affairs.

Burkina Faso

M. P. SAWADOGO, ministre de la Fonction publique, du Travail et de la Sécurité sociale.

suppléant(s):

- M. J. TIGA, directeur général du travail, ministère de la Fonction publique, du Travail et de la Sécurité sociale.
 M. W. SAWADOGO, directeur des normes et des relations internationales du travail, ministère de la Fonction publique, du Travail et de la Sécurité sociale.

accompagné(s) de:

- M. S. SINKA, ambassadeur, représentant permanent adjoint, mission permanente, Genève.
 M. A. OUEDRAOGO, deuxième conseiller, mission permanente, Genève.
 M. U. DABIRE, deuxième secrétaire, mission permanente, Genève.
 M. F. OUEDRAOGO, attaché, mission permanente, Genève.

Canada Canadá

Ms R. MCCARNEY, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

- Ms C. GODIN, Deputy Permanent Representative, Permanent Mission, Geneva.
 Mr K. LEWIS, Acting Director, Multilateral Labour Affairs, Labour Program, Employment and Social Development Canada.

accompanied by:

- Ms J. KRUGER, Counsellor, Permanent Mission, Geneva.
 Ms I. ZHOU, Deputy Director, Multilateral Labour Affairs, Labour Program, Employment and Social Development Canada.
 Ms A. BLAIS, Senior Policy Analyst, Multilateral Labour Affairs, Labour Program, Employment and Social Development Canada.

Colombie Colombia

Sr. F. MEJÍA, Viceministro de Empleo y Pensiones.

suplente(s):

Sra. B. LONDOÑO, Embajadora,
Representante Permanente, Misión
Permanente, Ginebra.

Sr. A. JATER, Ministro Plenipotenciario,
Misión Permanente, Ginebra.

Sra. G. GAVIRIA, Jefe de la Oficina de
Cooperación y Relaciones Internacionales,
Ministerio de Empleo y Pensiones.

acompañado(s) de:

Sr. R. MEJÍA, Misión Permanente, Ginebra.

Cuba

Sra. A. REVILLA ALCÁZAR, Encargada de
Negocios a.i., Misión Permanente, Ginebra.

suplente(s):

Sra. A. GONZÁLEZ GUTIÉRREZ, Consejera,
Misión Permanente, Ginebra.

Sra. C. PÉREZ ÁLVAREZ, Consejera, Misión
Permanente, Ginebra.

acompañado(s) de:

Sr. P. BERTI OLIVA, Primer Secretario,
Misión Permanente, Ginebra.

Sra. B. ROMEU ÁLVAREZ, Tercer Secretario,
Misión Permanente, Ginebra.

Sr. L. HERNÁNDEZ LUNA, Tercer
Secretario, Misión Permanente, Ginebra.

**République dominicaine
Dominican Republic
República Dominicana**

Sra. K. URBÁEZ MARTÍNEZ, Ministra
Consejera, Encargada de Negocios a.i.,
Misión Permanente, Ginebra.

suplente(s):

Sra. I. PADILLA, 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. E. PÉREZ QUINTANA, Subdirectora
General, Dirección General del Trabajo
Autónomo, de la Economía Social y de la
Responsabilidad Social de las Empresas,
Ministerio de Empleo y Seguridad Social.

Sr. M. REMÓN MIRANZO, Consejero, Misión
Permanente, Ginebra.

Sra. L. ORTIZ SANZ, Vocal Asesora, Unidad
de Apoyo, Secretaría General Técnica,
Ministerio de Empleo y Seguridad Social.

Sr. D. LAFUENTE DURÁN, Jefe de Área,
Dirección General del Trabajo Autónomo,
de la Economía Social y de la
Responsabilidad Social de las Empresas,
Unidad Administradora del Fondo Social
Europeo, Ministerio de Empleo y Seguridad
Social.

Sr. L. DíEZ MATEO, Consejero de Finanzas,
Misión Permanente, Ginebra.

Sra. E. MORALEDA ZÚÑIGA, Consejera
Técnica, Subdirección General de
Relaciones Internacionales Sociolaborales,
Ministerio de Empleo y Seguridad Social.

Sr. L. MELERO GARCÍA, 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.

Sr. V. PUIGDOLLERS DE BALLE, Asistente,
Derechos Humanos, 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.

accompanied by:

Mr A. ADEWO, Director, Employment Promotion, Ministry of Labour and Social Affairs.

Ms E. WOLDETSADIK, Head of the Minister's Office, Ministry of Labour and Social Affairs.

Mr S. ALEMAYEHU, Minister Counsellor, Permanent Mission, Geneva.

Indonésie Indonesia

Mr R.M. Michael TENE, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr D. ABDI, Minister Counsellor, Permanent Mission, Geneva.

Mr A. AWALUDDIN, Deputy Director, Ministry of Manpower.

accompanied by:

Mr M. PRASETYO, Head of Division for Legal Affairs, Ministry of Manpower.

Mr F. RIZZA, Industrial Relations Mediator, Ministry of Manpower.

Ms R. SETYAWATI, First Secretary, Permanent Mission, Geneva.

Mr C. BEKTIKUSUMA, Third Secretary, Permanent Mission, Geneva.

Mr E. PRASETYO, Third Secretary, Permanent Mission, Geneva.

Jordanie Jordan Jordania

Ms S. MAJALI, Ambassador, Permanent Representative.

substitute(s):

Mr S. DAJANI, Special Counsellor (ILO Affairs), Permanent Mission, Geneva.

accompanied by:

Mr Z. ABUHASSAN, Counsellor, Permanent Mission, Geneva.

Lesotho

Mr T. MAHLAKENG, Minister of Labour and Employment.

substitute(s):

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

Mr T. LEBAKAE.

accompanied by:

Ms M. MAKHATA, Counsellor, Permanent Mission, Geneva.

Ms P. MOKHOSI, Principal Employment Officer, Ministry of Labour and Employment.

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 et de la Réforme de l'Etat, chargée des relations avec les institutions.

suppléant(s):

M. M. BABY, ministre de l'Emploi et de la Formation professionnelle.

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. A. DIALLO, conseiller technique, ministère de la Solidarité et de l'Action humanitaire.

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

accompagné(s) de:

- 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'économie solidaire.
- M^{me} D. ABDOURAHMANE, directrice nationale de l'emploi, ministère de la Fonction publique, chargée des relations avec les institutions.
- M. Y. TANDINA, directeur des finances et du matériel, ministère du Travail, de la Fonction publique et de la Réforme de l'Etat, chargé des relations avec les institutions.
- M. D. TRAORE, conseiller, mission permanente, Genève.

Mauritanie Mauritania

- M^{me} C. BA, ministre de la Fonction publique, du Travail et de la Modernisation de l'administration.

suppléant(s):

- M. K. BABACAR, conseiller juridique, ministère de la Fonction publique, du Travail et de la Modernisation de l'administration.
- M. H. 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^{me} S. MINT BILAL YAMAR, ambassadeur, représentant permanent, mission permanente, Genève.
- M. H. TRAORE, premier conseiller, mission permanente, Genève.

Norvège Norway Noruega

- Mr H. BRATTSKAR, 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.
- Ms C. GEDE VIDNES, Counsellor, Labour Affairs, Permanent Mission, Geneva.

accompanied by:

- Ms L. HASLE, Senior Adviser, Ministry of Foreign Affairs.
- Ms M. EIKESKOG, Permanent Mission, Geneva.

Pakistan Pakistán

- Ms T. JANJUA, Ambassador and Permanent Representative, Permanent Mission, Geneva.

substitute(s):

- Mr S. AAMIR, Secretary, Ministry of Overseas Pakistanis and Human Resource Development.
- Mr A. QURESHI, Deputy Permanent Representative, Permanent Mission, Geneva.
- Ms A. RAFFAT, Joint Secretary (HRD), Ministry of Overseas Pakistanis and Human Resource Development.

accompanied by:

- Mr S. SHAHZAD, Secretary, Department of Labour of Punjab.
- Mr S. AWAN, Secretary, Department of Labour of Sindh.
- Mr K. HASAN, Secretary, Department of Labour of Khyber Pakhtunkhwa.
- Mr K. KHAN, Department of Labour of Balochistan.
- Ms M. SAEED, First Secretary, Permanent Mission, Geneva.
- 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):

Ms E. AKKERMAN, Head of Economic Affairs, Minister Plenipotentiary, Permanent Mission, Geneva.

accompanied by:

Mr A. BETTE, Head, International Affairs, Ministry of Social Affairs and Employment.

Mr J. VAN DER VELDEN, Deputy Head of International Affairs, Ministry of Social Affairs and Employment.

Mr P. VAN RHIJN, Senior Policy Adviser, Ministry of Social Affairs and Employment.

Ms L. VAN DER HORST, Policy Adviser, Ministry of Foreign Affairs.

Mr W. VAN DIJK, First Secretary, Permanent Mission, Geneva.

Pologne Poland Polonia

Mr P. STACHANCZYK, Ambassador, Permanent Representative, Permanent Mission, Geneva.

substitute(s):

Mr D. KARNOWSKI, Minister Counsellor, Permanent Mission, Geneva.

accompanied by:

Ms M. WYSOCKA-MADEJ, Head of Section, Dialogue and Social Partnership Department, Ministry of Labour and Social Policy.

Ms R. LEMIESZEWSKA, Chief Expert, Dialogue and Social Partnership Department, Ministry of Labour and Social Policy.

**République-Unie de Tanzanie
United Republic of Tanzania
República Unida de Tanzania**

Mr A. MAVUNDE, Deputy Minister for Labour, Youth and Employment, Prime Minister's Office.

substitute(s):

Mr E. SHITINDI, Permanent Secretary, Prime Minister's Office, Ministry of Labour and Employment.

Ms H. KABISSA, Labour Commissioner, Prime Minister's Office, Labour, Youth, Employment and Persons with Disabilities.

accompanied by:

Mr E. SANGA, Director-General, LAFP Pension Fund.

Mr R. KAHENDAGUZA, Deputy Permanent Representative, Permanent Mission, Geneva.

Mr M. AYUB, Senior Labour Officer, Prime Minister's Office, Ministry of Labour and Employment.

Ms N. MANONGI, First Secretary, Permanent Mission, Geneva.

Tchad Chad

M. M. BAMANGA ABBAS, ambassadeur, représentant permanent, mission permanente, Genève.

suppléant(s):

M. A. MALLAYE, deuxième conseiller, mission permanente, Genève.

**Thaïlande Thailand
Tailandia**

Ms P. SMITI, Permanent Secretary, Ministry of Labour.

substitute(s):

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

Mr S. WONGSAINSAWAT, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.

Mr V. THANGHONG, Assistant Permanent Secretary, Ministry of Labour.

Mr C. YOUSUB, Director, Bureau of International Coordination, Ministry of Labour.

Ms C. THONGTIP, Minister Counsellor (Labour), Permanent Mission, Geneva.

Mr P. APINYANUNT, Counsellor, Permanent Mission, Geneva.

Ms P. THONGSOMJIT, Labour Officer, Professional Level, Ministry of Labour.

Ms N. BOONYABAN, Foreign Relations Officer, Practitioner Level, Ministry of Labour.

accompanied by:

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

Uruguay

Sr. N. LOUSTAUNAU, Viceministro de Trabajo y Seguridad Social.

suplente(s):

Sr. R. GONZÁLEZ ARENAS, Embajador, Representante Permanente, Misión Permanente, Ginebra.

acompañado(s) de:

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

Sra. A. CAMILLI, Segunda Secretaria, Misión Permanente, Ginebra.

Membres employeurs titulaires Miembros empleadores titulares	Titular Employer members
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. SUÁREZ 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.

Sr. J. MAILHOS (Uruguay), Gerente, Asuntos Laborales, Cámara Nacional de Comercio y Servicios del Uruguay.

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.

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

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 K. RAHMAN (Bangladesh), Adviser to the Executive Committee, Bangladesh Employers' Federation.

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

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

Mr R. DUBEY, accompanying Mr **329^e session – Genève – mars 2017** Modi.

Mr M. STIEFEL, accompanying Mr Hornung-Draus.

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

- Mr F. AHMED (Bangladesh), Secretary-General, Bangladesh Employers' Federation.
- Mr O. ALRAYES (Bahrain), Board Member, Bahrain Chamber of Commerce and Industry.
- Sr. M. CERETTI (Argentina), Director Ejecutivo, Cámara de Industriales de Productos Alimenticios.
- M. K. DE MEESTER (Belgique), premier conseiller, Fédération des entreprises de Belgique.
- M. O. DIALLO (Côte d'Ivoire), Confédération générale des entreprises de Côte d'Ivoire (CGECI).
- Mr A. FRIMPONG (Ghana), Ghana Employers' Association.
- Ms L. HORVATIC (Croatia), Director of International Relations and EU Affairs, Croatian Employers' Association.
- Sr. J. LACASA ASO (España), Secretario General, Confederación Española de Organizaciones Empresariales.
- Ms H. LIU (China), Deputy Director, China Enterprise Confederation.
- Mr M. MDWABA (South Africa), Chairman, Tzoro.
- Ms M. MOSKVINA (Russian Federation), Russian Union of Industrialists and Entrepreneurs.
- Sr. J. ROIG (Venezuela (República Bolivariana de)), Federación de Cámaras y Asociaciones de Comercio y Producción de Venezuela (FEDECAMARAS).
- Ms S. ROMCHATTHONG (Thailand), Secretary-General, Employers' Federation of Thailand.
- M. A. SAVANÉ (Guinée), secrétaire général, Conseil national du patronat guinéen.
- Sr. A. URTECHO LÓPEZ (Honduras), Asesor Legal, Consejo Hondureño de la Empresa Privada.
- Mr A. WALCOTT (Barbados), Executive Director, Barbados Employers' Confederation.
- Mr P. WOOLFORD (Canada), Executive Director, Canadian Employers Council.
- Sr. F. YLLANES MARTÍNEZ (México), Presidente de la Comisión de Seguridad Social, Confederación de Cámaras Industriales de los Estados Unidos Mexicanos.

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

- Sr. A. LINERO (Panamá), Asesor y Miembro de la Comisión Laboral, Consejo Nacional de la Empresa Privada.
- M. B. MATTHEY (Suisse), directeur général, Fédération des entreprises romandes, Genève.
- 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:**

Mr N. AL-MEER (Qatar), Chamber of Commerce and Industry.

Ms L. FÄHNDRICH.

Mr A. FURLAN (Brazil).

Sra. V. GIULIETTI (Argentina), UIA.

Ms S. GOPAUL.

Ms C. GUECO MARTIN.

Ms K. KEVELOH.

Sr. F. MARTÍNEZ.

Mr H. MUNTHE.

Sr. G. RICCI MUADI (Guatemala), Comité Coordinador de Asociaciones Agrícolas, Comerciales, Industriales y Financieras.

Mr P. ROBINSON (United States), USCIB.

Mr M. THORNS, the Coca Cola Company.

Membres travailleurs titulaires Miembros trabajadores titulares	Titular Worker members
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. BUSSER (ITUC)

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.

Mr R. CHANDRASEKHARAN (India), President, INTUC Kerala Branch.

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.

Ms A. GONO (Japan), Vice-President, UA ZENSEN.

Mr S. GURNEY (United Kingdom), Labour Standards and World Trade, Trade Union Congress.

Mr G. JIANG (China), Executive Committee Member, All China Federation of Trade Unions.

Sr. G. MARTÍNEZ (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 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 Ms Gono.

M^{me} V. ROUSSEAU, accompagnant M. Cortebecck.

Ms C. VOLLMANN, accompanying Ms Buntenbach.

Mr F. ZACH, accompanying Ms 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), 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. CÁRCAMO (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. F. DJONDANG (Tchad), secrétaire général, Union des syndicats du Tchad.
- 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.
- M. M. GUIRO (Sénégal), secrétaire général, Confédération nationale des travailleurs du Sénégal.
- Mr S. IQBAL (Indonesia), President, Konfederasi Serikat Pekerja Indonesia.
- Ms M. LIEW KIAH ENG (Singapore), SMOU General Secretary.
- Mr B. NTSALINTSHALI (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 A. VAN WEZEL, accompanying Ms Passchier.

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

- Mr F. ANTHONY (Fiji), National Secretary, Fiji Trade Union Congress.
- 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 K. ADU-AMANKWAH (Ghana), TUC.

M^{me} J. BARONCINI (Suisse), IUF-UIL-UITA.

Ms A. BROWN (United Kingdom), NUT.

Sr. S. CARBONE (Venezuela (República Bolivariana de)), UNETE.

Mr W. CHIBEBE.

Ms F. FARID (Kenya), COTU.

Mr A. GALYNYA (Belarus), FTUB.

Ms N. KIE (Singapore), NTUC.

Sr. C. LÓPEZ SÁNCHEZ (Venezuela (República Bolivariana de)), CBST.

Sr. C. MANCILLA GARCIA (Guatemala), CUSG.

Sra. M. MASPERO FERNÁNDEZ (Venezuela (República Bolivariana de)), UNETE.

Sr. J. MENDOZA ESTRADA (Guatemala), CUSG.

Sr. R. PALACIOS (Venezuela (República Bolivariana de)), UNETE.

M^{me} C. SCHLACTHER (France), CFDT.

Ms H. VARFALAMEYEVA (Belarus), FTUB.

Sra. A. YÁNEZ (Venezuela (República Bolivariana de)), UNETE.

Mr Z. ZHENGWEI (China), ACFTU.

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

Afrique du Sud South Africa
Sudáfrica

Mr N. HOLOMISA, MP and Deputy Minister of Labour, Ministry of Labour, Department of Labour.
 Mr T. LAMATI, Director-General, Department of Labour.
 Ms N. MXAKATO-DISEKO, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Ms N. NOTUTELA, Deputy Permanent Representative, Permanent Mission, Geneva.
 Mr M. NDARA, Director, Office of the Deputy Minister, Department of Labour.
 Mr S. NDEBELE, Chief Director, International Relations, Department of Labour.
 Mr K. LETOABA, Labour Attaché (Minister), Permanent Mission, Geneva.
 Ms Y. FADANE, Deputy Minister's Personal Assistant, Department of Labour.

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.
 Ms J. THALLINGER, Counsellor, Permanent Mission, Geneva.
 Mr E. PIRKER, Adviser, Permanent Mission, Geneva.
 Ms M. SCHNEIDER, Adviser, Permanent Mission, Geneva.

Bahamas

Ms R. JACKSON, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Ms B. BUTLER, Minister Counsellor, 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. M. BIAOU, conseiller, mission permanente, Genève.

Cameroun Cameroon
Camerún

M. F. NGANTCHA, ministre conseiller, mission permanente, Genève.

Chili Chile

Sra. M. MAURÁS PÉREZ, Embajadora, Representante Permanente, Misión Permanente, Ginebra.
 Sr. P. LAZO GRANDI, Agregado Laboral, Misión Permanente, Ginebra.
 Sr. F. DÍAZ, Subsecretario del Trabajo, Ministerio del Trabajo y Previsión Social.
 Sra. C. DONAIRE, Asesora, Ministerio del Trabajo y Previsión Social.

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.

Côte d'Ivoire

M. K. ADJOU MANI, ambassadeur, représentant permanent, mission permanente, Genève.

M. F. GLÉGLAUD, représentant permanent adjoint, 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 I. SPREM SCIGLIANO, Third Secretary, Permanent Mission, Geneva.

**Danemark Denmark
Dinamarca**

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

Ms S. SVEJBORG, Attaché, Permanent Mission, Geneva.

Mr T. LORENTZEN, Special Adviser, Ministry of Employment.

Ms H. JENSEN, Senior Adviser, Ministry of Employment.

Ms L. HENRIKSEN, Head of Division, Ministry of Employment.

Djibouti

M. H. SAMRIEH, ministre de l'Emploi chargé de la réforme de l'administration, ministère du Travail.

M^{me} K. AHMED HASSAN, ambassadeur, représentant permanent, mission permanente, Genève.

M^{me} I. FARAH, directrice du travail, ministère du Travail.

M. D. MAHAMOUD ALI, conseiller, mission permanente, Genève.

Egypte Egypt Egipto

Mr O. HABASHY, Labour Counsellor, Permanent Mission, Geneva.

Mr H. ELSAEED, First Secretary, Permanent Mission, Geneva.

El Salvador

Sr. J. MAZA MARTELLI, Embajador, Representante Permanente, Misión Permanente, Ginebra.

Sra. R. MENÉNDEZ ESPINOZA, Ministra Consejera, Misión Permanente, Ginebra.

Equateur Ecuador

Sr. A. CABRERA HIDALGO, Representante Permanente Alterno, Misión Permanente, Ginebra.

Sr. L. ESPINOSA SALAS, Consejero, Misión Permanente, Ginebra.

Sra. P. DÍAZ NAZARENO, Tercera Secretaria, Misión Permanente, Ginebra.

Estonie Estonia

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

Ms M. MALVET, Head, Cross Border Social Security, Ministry of Social Affairs.

Mr T. LUMISTE, Second Secretary, Permanent Mission, Geneva.

Fidji Fiji

Ms N. KHAN, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr A. PRATAP, First Secretary, Permanent Mission, Geneva.

Mr R. KUMAR, Deputy Permanent Representative, Permanent Mission, Geneva.

Ms R. MANI, Second Secretary, Permanent Mission, Geneva.

Finlande Finland Finlandia

Ms T. HAKALA, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Ms L. HEINONEN, Government Counsellor, Ministry of Economic Affairs and Employment.

Mr R. KLINGE, Minister, Deputy Permanent Representative, Permanent Mission, Geneva.

Ms P. KANTANEN, Ministerial Adviser, Ministry of Economic Affairs and Employment.

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.

M. F. MANGONGO, conseiller chargé des questions sociales et des relations avec l'OIT, mission permanente, Genève.

Grèce Greece Grecia

Ms A. KORKA, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr I. MICHELOGIANNAKIS, Counsellor, Permanent Mission, Geneva.

Ms M. GKOUVA, Official, Directorate of International Relations, Ministry of Labour, Social Security and Social Solidarity.

Guatemala

Sra. A. TELEGUARIO SINCAL, Ministra de Trabajo y Previsión Social.

Sr. C. MORALES MOSCOSO, Ministro de Relaciones Exteriores.

Sra. C. RODRÍGUEZ MANCIA, Embajadora, Representante Permanente, Misión Permanente, Ginebra.

Sra. M. BOLAÑOS, Embajadora, Representante Permanente Alternativa, Misión Permanente, Ginebra.

Sr. G. ORELLANA ZABALZA, Consejero, Misión Permanente, Ginebra.

Sra. C. CÁCERES, Primera Secretaria, Misión Permanente, Ginebra.

Sr. A. ROJAS ESPINO, Vicepresidente de la Comisión de Trabajo del Congreso de la República.

Sr. F. MONZÓN PEDROZA, Miembro de la Comisión de Trabajo del Congreso de la República.

Sra. M. CARRILLO DE LEÓN, Miembro de la Comisión de Trabajo del Congreso de la República.

Sr. E. SANDOVAL TRIGUEROS, Miembro de la Comisión de Trabajo del Congreso de la República.

Sr. M. LEMUS SALGUERO, Miembro de la Comisión de Trabajo del Congreso de la República.

Sr. R. GUZMÁN LOYO, Viceministro de Seguridad del Ministerio de Gobernación.

Sr. E. HERNÁNDEZ RECINOS, Jefe de Gabinete del Despacho del Ministro de Relaciones Exteriores.

Sr. L. GUDIÉL, Primer Secretario, Misión Permanente, Ginebra.

Sra. A. MARROQUÍN MOGOLLÓN, Segunda Secretaria, Misión Permanente, Ginebra.

Sra. M. GONZÁLEZ NAVICHOC, Viceministra de Previsión Social y Empleo, Ministerio de Trabajo y Previsión Social.

Sr. M. SAZO, Fiscal del Ministerio Público.

Sra. O. GONZÁLEZ JÁCOME, Secretaria Privada y de Asuntos Estratégicos del Ministerio Público.

Guinée Guinea

M. A. DIANE, ambassadeur, représentant permanent, mission permanente, Genève.
 M. A. CISSE, conseiller chargé des questions du BIT, mission permanente, Genève.

Haïti Haiti Haití

M. M. BOUTIN, conseiller, mission permanente, Genève.
 M^{me} P. MOUSSIGNAC, premier secrétaire, mission permanente, Genève.

Honduras

Sr. G. RIZZO ALVARADO, Embajador, Representante Permanente, Misión Permanente, Ginebra.
 Sra. L. MALEXY JUÁREZ, Primera Secretaria, Misión Permanente, Ginebra.

Hongrie Hungary Hungría

Ms Z. HORVÁTH, Ambassador Extraordinary and Plenipotentiary, Permanent Representative, Permanent Mission, Geneva.
 Ms N. NEMES, Adviser, Ministry of National Economy.
 Ms Z. TVARUSKÓ, Third Secretary, 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 P. ROCHFORD, First Secretary, Permanent Mission, Geneva.

Israël Israel

Ms A. RAZ-SHECHTER, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Ms J. GALILEE-METZER, Counsellor, Permanent Mission, Geneva.
 Ms O. KREMER, Counsellor and Legal Adviser, Permanent Mission, Geneva.
 Ms Y. FOGEL, Adviser, Permanent Mission, Geneva.

Liban Lebanon Líbano

M^{me} N. ASSAKER, ambassadeur, représentant permanent, mission permanente, Genève.
 M. A. ARAFA, conseiller, 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^{me} A. GOEDERT, représentant permanent adjoint, mission permanente, Genève.
 M^{me} M. TÜRK, mission permanente, Genève.

Malaisie Malaysia Malasia

Mr U. BIN ABDULLAH, Labour Attaché, Permanent Mission, Geneva.

Malawi

Mr L. MATTIYA, Minister Counsellor, Deputy Permanent Representative, Chargé d'Affaires a.i., Permanent Mission, Geneva.
 Mr U. MALINDI, Administrative, Finance and Consular Officer, 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 MKHANTAR, ministre plénipotentiaire, mission permanente, Genève.
 M. K. ATLASSI, ministre plénipotentiaire, mission permanente, Genève.

Mozambique

M. P. COMISSÁRIO, ambassadeur, représentant permanent, mission permanente, Genève.
 M. J. CHISSANO, ministre plénipotentiaire, mission permanente, Genève.
 M. C. SILIYA, conseiller social, mission permanente, Genève.
 M^{me} F. VIEIRA PATEGUANA PINTO ROMAO, conseillère pour les questions de santé, mission permanente, Genève.
 M^{me} O. MUNGUAMBE, conseillère pour les questions commerciales, mission permanente, Genève.

Myanmar

Mr H. LYNN, Ambassador Extraordinary and Plenipotentiary, Permanent Representative, Permanent Mission, Geneva.
 Mr K. SHEIN, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.
 Mr K. NYEIN, Minister Counsellor, Permanent Mission, Geneva.
 Ms S. WIN, Counsellor, Permanent Mission, Geneva.
 Ms N. SWE, Counsellor, Permanent Mission, Geneva.
 Ms H. SAN, Second Secretary, Permanent Mission, Geneva.
 Ms L. MOON, Second Secretary, Permanent Mission, Geneva.

Namibie Namibia

Ms S. BÖHLKE-MÖLLER, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Ms I. SIMATAA, First Secretary, Permanent Mission, Geneva.

Népal Nepal

Ms R. DAHAL, First Secretary, Permanent Mission, Geneva.

Nigéria Nigeria

Mr O. ILLOH, Permanent Secretary, Ministry of Productivity Measurement.
 Mr D. NEBURAGHO, Director (Labour), Ministry of Productivity Measurement.
 Mr I. AGAKA, Managing Director (NSITF), Ministry of Productivity Measurement.
 Ms J. GUNWA, Director, Maritime Labour Standards, Ministry of Productivity Measurement.
 Mr K. ASEKOME, Board member (NIMASA), Ministry of Productivity Measurement.
 Mr A. ESSAH, Labour Attaché, Permanent Mission, Geneva.
 Mr H. USMAN, Chief Registrar (IAP), Federal Ministry of Labour and Productivity.

**Nouvelle-Zélande
 New Zealand
 Nueva Zelandia**

Mr M. HOBBY, Principal Adviser, International Strategy and Partnerships, Ministry of Business, Innovation and Employment.
 Ms L. RICHARDSON, Senior Policy Adviser, UN Agencies and Environment, Permanent Mission, Geneva.

Paraguay

- Sr. J. AGUIRRE MARTÍNEZ, Embajador,
Representante Permanente, Misión
Permanente, Ginebra.
- Sr. V. THOMAS, Director General de Asuntos
Jurídicos, Ministerio de Trabajo, Empleo y
Seguridad Social.
- Sr. M. CANDIA IBARRA, Primer Secretario,
Misión Permanente, Ginebra.

Pérou Peru Perú

- Sr. L. CHÁVEZ BASAGOITIA, Embajador,
Representante Permanente, Misión
Permanente, Ginebra.
- Sra. M. MASANA GARCÍA, Ministra,
Representante Permanente Alterna, Misión
Permanente, Ginebra.
- Sr. C. BRICEÑO SALAZAR, Ministro, Misión
Permanente, Ginebra.
- Sr. M. MUNDACA PEÑARANDA, Segundo
Secretario, Misión Permanente, Ginebra.

Philippines Filipinas

- Mr E. FOS, Minister and Consul General,
Permanent Mission, Geneva.
- Mr D. CRUZ, Labour Attaché, Permanent
Mission, Geneva.

Portugal

- M. P. PARDAL, conseiller, mission
permanente, Genève.
- M^{me} C. BRITO MENDES, mission permanente,
Genève.

Qatar

- Mr E. AL-NAIMI, Minister of Administrative
Development, Labour and Social Affairs.
- Mr A. AL-MANSOURI, Ambassador,
Permanent Representative, Permanent
Mission, Geneva.
- Mr M. AL-OBAIDILY, Minister's Office,
Ministry of Justice.

Mr S. AL-MARRI, Director of the International
Labour Relations Department, Ministry of
Administrative Development, Labour and
Social Affairs.

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 A. AL-HAMMADI, Assistant to the
Director of the Minister's Office, Ministry
of Administrative Development, Labour and
Social Affairs.

Mr F. AL-SHUAIBI, International Relations
Specialist, Ministry of Administrative
Development, Labour and Social Affairs.

Mr A. ABDULLA, Expert in Public Relations,
Ministry of Administrative Development,
Labour and Social Affairs.

Mr A. ALMOHANNADI, Director of the
Department of Human Rights, Ministry
of Interior.

Mr Y. LARAM, Director, Department of
International Organizations, Ministry of
Foreign Affairs.

Mr A. AL-DOSARI, Office of the General
Secretary, Ministry of Foreign Affairs.

Ms A. AL-KHATIR, Department of
International Organizations, Ministry of
Foreign Affairs.

Ms L. KHALED, Research Officer, Permanent
Mission, Geneva.

Rwanda

- M. F. NGARAMBE, ambassadeur, représentant
permanent, mission permanente, Genève.
- M. J. NGANGO, premier conseiller, mission
permanente, Genève.

Serbie Serbia

- Mr V. MLADENOVIC, Ambassador,
Permanent Representative, Permanent
Mission, Geneva.
- Mr D. JOVANOVIC, Second Secretary,
Permanent Mission, Geneva.

**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 G. ZHU, Second Secretary, Permanent Mission, Geneva.
 Ms E. SIN, Second Secretary, Permanent Mission, Geneva.
 Ms J. CHI, Senior Manager, International Relations, Workplace Policy and Strategy Division, Ministry of Manpower.

**Slovaquie Slovakia
Eslovaquia**

Mr L. BERINEC, Expert, Department of International Relations and European Affairs, Ministry of Labour, Social Affairs and Family.
 Mr A. FRIC, Counsellor, Permanent Mission, Geneva.

**Slovénie Slovenia
Eslovenia**

Ms J. TRAVNIK, Deputy Permanent Representative, Permanent Mission, Geneva.

Sri Lanka

Mr R. ARYASINHA, Ambassador and Permanent Representative, Permanent Mission, Geneva.
 Ms S. JAYASURIYA, Deputy Permanent Representative, Permanent Mission, Geneva.
 Ms M.L.F. MAFUSA, First Secretary, Permanent Mission, Geneva.

Suède Sweden Suecia

Mr T. JANSON, Deputy Director, Ministry of Employment.
 Ms S. ÖSTMARK, Deputy Director, Division for Migration and Asylum Policy, Ministry of Justice.
 Mr H. ENVALL, Counsellor, Permanent Mission, Geneva.
 Ms S. DAVIDSSON, Permanent Mission, Geneva.

Suisse Switzerland Suiza

M. J. ELMIGER, ambassadeur, secrétariat d'Etat à l'économie (SECO), affaires internationales du Travail.
 M^{me} V. BERSET BIRCHER, SECO, affaires internationales du travail.
 M. A. MEIER, SECO, affaires internationales du travail.
 M. T. HUMEROSE, SECO, affaires internationales du travail.
 M^{me} J. BAHANA, SECO, affaires internationales du travail.
 M. L. KARRER, mission permanente, Genève.
 M^{me} J. MEYLAN, mission permanente, Genève.

**République tchèque
Czech Republic
República Checa**

Mr J. KÁRA, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Mr O. GORGOL, Counsellor, Permanent Mission, Geneva.
 Mr J. ZUKAL, Department of Multilateral Economic Relations, Ministry of Foreign Affairs.
 Mr P. POKORNÝ, Department for the European Union and International Cooperation, Ministry of Labour and Social Affairs.
 Mr M. MÁRA, Department for the European Union and International Cooperation, Ministry of Labour and Social Affairs.

Viet Nam

Mr D. DZUNG, Ambassador, Permanent
Representative.

Mr K. KHOI, Second 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**

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

M. S.E. l'archevêque Ivan JURKOVIC, Nonce apostolique, observateur permanent du Saint-Siège, mission permanente, Genève.

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

Mr F. AL-MUTAIRI, Director-General.
Mr R. GUISSOUMA, Head, Permanent Delegation of the ALO in Geneva.
Ms D. SAEED, Chief of Cabinet.
Ms Z. KASBAOUI, Permanent Delegation of the ALO in Geneva.
Mr R. MEGDICHE, Director, Arabic Centre for Labour Administration and Employment.

European Public Law Organization

Mr G. PAPADATOS, Head of Delegation and Permanent Observer to the ILO in Geneva.
Ms E. RUBEN, EPLO Office in Geneva.

**Union européenne
European Union
Unión Europea**

Mr P. SØRENSEN, Ambassador, Head of the Permanent Delegation of the European Union to the United Nations in Geneva.
Mr C. HALLERGARD, Ambassador, Deputy Head of the Permanent Delegation of the European Union to the United Nations in Geneva.
Ms N. TOLSTOI, Counsellor, Permanent Delegation of the European Union to the United Nations in Geneva.
Ms E. PICHOT, Team Leader for ILO Relations, Directorate General for Employment, Social Affairs and Inclusion, European Commission.
Mr L. DIALLO, Policy Officer, International Issues, Directorate General for Employment, Social Affairs and Inclusion, European Commission.
Ms M. GRELOT, Permanent Delegation of the European Union to the United Nations in Geneva.

**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.
Ms N. ABDULLA ALBINALI, Administrative and Finance Officer.
Mr K. BUHAZAA, Labour Affairs Director.

**Union interparlementaire
Inter-Parliamentary Union
Unión Interparlamentaria**

Mr M. CHUNGONG, Secretary-General.
Mr A. AFOUDA, Programme Officer.

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

Ms M. SILVA, Director, UNDP Office in Geneva.
 Ms L. BERNAL, Policy Specialist, Trade and Sustainable Development, UNDP Office in Geneva.
 Ms G. BOYER, Policy Specialist, Reintegration and Livelihoods.

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

Mr C. MENDES DE CARVALHO, Officer-in-Charge, FAO Liaison Office in Geneva.
 Mr S. SOFIA, Consultant, Partnerships and Communication Consultant, FAO Liaison Office in Geneva.

Nations Unies
United Nations
Naciones Unidas

Ms V. BRUNNE, Political Affairs Officer, Office of the Director-General United Nations Office in Geneva.

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

Mr O. CHESTNOV, Assistant Director, Noncommunicable Disease and Mental Health.
 Ms V. DA COSTA E SILVA, Head, Convention Secretariat, WHO Framework Convention Tobacco Control.
 Mr D. BETTCHER, Director, Prevention of Noncommunicable Diseases.
 Ms I. MILOVANOVIC, Coordinator, Country Cooperation and Collaboration with the UN System.
 Ms C. AUDERA LÓPEZ, Programme Manager, Office of the Head, Convention Secretariat, WHO Framework Convention Tobacco Control.
 Mr N. BANATVALA, Manager, Global Coordination Mechanism Secretariat for NCDs.
 Ms M. CRESPO, External Relations Officer, Country Cooperation and Collaboration with the UN System.
 Mr B. MCGRADY, Technical Officer (Legal), National Capacity.
 Mr A. KULIKOV, Technical Officer, Global Mechanism Secretariat for NCDs.
 Ms G. LIU, Technical Officer, CSF Secretariat, WHO Framework Convention Tobacco Control.

Organisation mondiale du commerce
World Trade Organization
Organización Mundial del Comercio

Mr S. MATHUR, Counsellor, Trade and Environment Division.

Union africaine
The African Union
Unión Africana

Mr J. EHOZOU, Permanent Observer, Permanent Delegation of the African Union in Geneva.
Mr G. NAMEKONG, Senior Economist, Permanent Delegation of the African Union in Geneva.
Ms B. NAIDOO, Social Affairs Officer, Permanent Delegation of the African Union in Geneva.

**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**

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

Ms L. KROMJONG, Secretary-General.
Mr R. SUAREZ SANTOS, Deputy Secretary-General.

**Organisation 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.
Ms R. GONZALEZ, Director, ITUC Geneva Office.
Ms E. BUSSER, Assistant Director, ITUC Geneva Office.
Mr J. BEIRNAERT, ITUC Coordinator, Human and Trade Union Rights.
Mr N. SUZUKI, ITUC-AP.

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

Mr A. MEZHOU, Secretary-General.
Mr A. DIALLO, Permanent Representative to the ILO and UN Office in Geneva.
Mr E. BENMOUHOU.

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

Palestine Palestina

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

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

Ms R. BALAWI, Attaché, Permanent Observer Mission, Geneva.