



Governing Body

317th Session, Geneva, 6–28 March 2013

GB.317/PV

Minutes of the 317th Session of the Governing Body of the International Labour Office

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of the Governing Body of the
International Labour Office**

The 317th Session of the Governing Body of the International Labour Office was held in Geneva, from Wednesday, 6 to Wednesday, 27 March 2013, with Mr Gilles de Robien of France as Chairperson.

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 11, Wednesday 20, Thursday 21, Tuesday 26 and Wednesday 27 March 2013. The Chairperson of the Governing Body, Mr de Robien (Government, France), chaired the Section. In the absence, until Friday, 22 March, of Mr Funes de Rioja, the Employers' group nominated Ms Goldberg (United States) as Employer coordinator. The Officers of the Governing Body had approved this nomination. Mr Cortebeeck (Belgium), Worker Vice-Chairperson of the Governing Body, was the Worker spokesperson.

First item on the agenda

Approval of the minutes of the 316th Session of the Governing Body (GB.317/INS/1)

Decision

2. *The Governing Body approved the minutes of its 316th Session, as amended.*

(GB.317/INS/1, paragraph 2.)

Second item on the agenda

Agenda of the International Labour Conference

Proposals for the agenda of the 103rd Session (2014) and beyond of the Conference (GB.317/INS/2(Rev.))

3. *The Worker Vice-Chairperson* said that his group supported the proposal to supplement the Forced Labour Convention, 1930 (No. 29). The standard setting should take the form of a Protocol to Convention No. 29, complemented by a Recommendation, and be examined under the single discussion procedure. As a result, the group approved the programmes of reduced intervals for reports for the preparatory stages of a single discussion in Appendix III to the document. The group also supported the item on facilitating transitions from the informal economy to the formal economy, with a view to standard setting taking the form of a Recommendation, under the double discussion procedure. The group, therefore, also approved the programme for reduced intervals for reports for the preparatory stages of a double discussion. Those working in the informal economy were not covered by labour legislation, did not have social security and worked in unhealthy and unsafe conditions. The ILO should provide policy guidance to member States in this respect. An informal economy was the result of underdevelopment. Therefore, it was important to encourage formal and productive manufacturing and service activities. The Workers supported the proposed tripartite meeting of experts on the informal economy to be held in September 2013.

4. *A Worker member from France* said that the Forced Labour Convention, 1930 (No. 29), which had been ratified by 185 member States, was a universally recognized and critical instrument. Still, today, people were in forced labour situations, especially women. Forced labour was the negation of all the ILO stood for. This was why the Governing Body had called for the Tripartite Meeting of Experts on Forced Labour and Trafficking for Labour Exploitation (Geneva, 11–15 February 2013), to review the potential need for a standard-setting instrument to complement existing Conventions. A Recommendation supported by a Protocol was needed to complete the Forced Labour Convention, 1930 (No. 29). The Protocol would invite governments to systematically implement prevention, protection and compensation measures for forced labour victims, with a view to ending forced labour. It would show that member States and the ILO were committed to ending forced labour, and that the ILO was prepared to modernize and update one of its most important Conventions.
5. *The Employer coordinator* agreed with the Workers in supporting the items on supplementing the Forced Labour Convention, 1930 (No. 29), and facilitating transitions from the informal to the formal economy. She said that the Employers believed the issue of the form of the instrument to supplement Convention No. 29 should be deferred until the response to the questionnaires, accompanying the preliminary report for the preparation of the Conference discussion, had come in, rather than deciding immediately that it should be a Recommendation supported by a Protocol. The instrument on the informal economy should be a Recommendation.
6. *Speaking on behalf of the Africa group*, a Government representative of Kenya said that, to complete the agenda of the 103rd Session (2014) of the Conference, the group supported the selection of the proposal regarding facilitating transitions from the informal to the formal economy with a view to standards setting and the proposal regarding supplementing Convention No. 29, that should take the form of a Recommendation rather than a Protocol. More specifically, it supported the informal economy proposal because it would greatly benefit workers in the region. The group also supported the proposed tripartite meeting of experts to be held in September 2013.
7. *Speaking on behalf of the Nordic countries*, a Government representative of Denmark reiterated the countries' disappointment at the Conference agenda-setting process, which lacked transparency and did not ensure full participation of governments. A standard review mechanism should be adopted in the near future. Further, the double discussion procedure should remain the rule. Thus, he was reluctant to favour a single discussion for the item on a supplementing standard to Convention No. 29. He supported the proposal for a general discussion on facilitating transitions from the informal economy to the formal economy. The 2015 Conference agenda should be dealt with by a subsequent Governing Body session.
8. *A Government representative of Japan* said that he appreciated the proposal entitled “Decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71)”, referencing the tsunami that hit Japan two years ago. Decent employment was a key factor in faster recovery from natural disasters. A symposium was held in Morioka, Japan, in March 2013, on the Framework for Cooperation by ILO/Japan Fund for Dissemination of Employment and Labour Measures for Recovering from the Great East Japan Earthquake, which would run until March 2014. Another symposium would be held next year.
9. *A Government representative of Italy* said that no more than one standard-setting item should be discussed each year. For the 103rd Session (2014) of the Conference, Italy supported the proposal for a Protocol or resolution to supplement Convention No. 29 and a general discussion on an effective ILO technical cooperation in a changing global context. It also supported holding a general discussion on facilitating transitions from the informal

economy to the formal economy, as well as a standard-setting item on violence against women and men in the world of work at the 2015 Conference.

10. A *Government representative of Switzerland* supported the item on supplementing Convention No. 29, as set out in paragraph 12(a) of the report, and the item on “Effective ILO technical cooperation in a changing global context”. A general discussion was more appropriate in respect of the item on facilitating transitions from the informal to the formal economy, and her Government supported the statement made by the Nordic countries.
11. A *Government representative of the United States* supported supplementing Convention No. 29. A standard-setting item taking the form of a Protocol and/or Recommendation would be important and useful. She agreed with the Workers and Employers on the importance of the item on transitions from the informal to the formal economy, but had concerns about the usefulness of a standard-setting item, as opposed to a general discussion on this issue.
12. A *Government member of Argentina* agreed that Convention No. 29 needed to be updated. Trafficking in persons was a major concern. He highlighted several steps that Argentina had taken to address this issue, including Law No. 26394 on the Prevention of and Sanctions for Trafficking and Assistance to Victims. Further resolutions provided protection for victims of trafficking and the MERCOSUR countries were putting common policies in place to combat it. He agreed that standard setting was needed regarding facilitating transitions from the informal to the formal economy and should take the form of a Recommendation.
13. A *Government representative of Germany* supported the item on supplementing Convention No. 29, in the form of a Protocol and/or Recommendation. He also supported a general discussion on the informal economy.
14. A *Government representative of Canada* said that the process for choosing agenda items was of concern and hoped a more transparent and inclusive method would be adopted under the reform of the International Labour Conference (ILC). She agreed with the Government of Italy that having two standard-setting items in one Conference was not ideal, either for participants or the Office. She supported the item on supplementing Convention No. 29, on condition that the new instrument was not a Convention, as recommended by the Tripartite Meeting of Experts held in February 2013. The item on facilitating transitions from the informal to formal economy should not be included on the agenda until after the proposed tripartite meeting of experts in September 2013 had made its Recommendations, as it was essential that before placing a standard setting item on the agenda of the Conference, there was a clear understanding of the scope of the issue to be addressed. It should, otherwise, feature as a general discussion item. Canada supported the proposal on violence against women and men in the world of work, with a view to standard setting set out in paragraph 12(c), as well as general discussions on technical cooperation in a changing global context, set out in paragraph 12(e), and on building a diverse and inclusive world of work, set out in paragraph 12(f) of the report. Any of these items not placed on the agenda for 2014 should be retained for future consideration.
15. A *Government representative of India* strongly supported the item on transitions from the informal to the formal economy. The subject was critical in developing and the least developed countries: the ILO should allocate more resources to promoting the Decent Work Agenda in the informal sector. Because conditions in each country varied, the item should perhaps be considered for general discussion. The proposal on violence against women and men in the world of work, as a standard-setting item for a double discussion, should be retained for a future agenda.

16. *A Government representative of China* agreed with the item on supplementing Convention No. 29, in the form of a Recommendation. For general discussion, he supported the technical cooperation proposal set out in paragraph 12(e). For the 2015 Conference, he favoured the question regarding facilitating transitions from the informal to the formal economy.
17. *A Government representative of Lebanon* supported the item on supplementing Convention No. 29 set out in paragraph 12(a), and that on transitions from the informal to the formal economy, set out in paragraph 12(b). The world had changed, and the instrument must cover new forms of forced labour. He underlined that international standards had to apply to all types of group contracts as some put forced labour workers at risk. Lebanon had taken a number of steps to address the problems of the informal economy, including a draft law concerning rural work.
18. *A Government representative of France* supported the item on supplementing Convention No. 29, with a view to standard setting taking the form of a Protocol supplemented by a Recommendation, as suggested by the Workers. That would result in a robust and relevant instrument, capable of dealing with the new forms of forced labour, such as trafficking in persons, which would send a strong message underlining the commitment of the ILO and its constituents for a modern, consistent and effective approach to the issue. Regarding the second item, he was in favour of a general discussion on effective ILO technical cooperation in a changing global context, as it was relevant to the ILO's changing role in development policy post-2015. However, taking into account views of other speakers, he was willing to join a consensus on facilitating transitions from the informal to the formal economy as a general discussion item.
19. *A Government representative of Australia* supported the inclusion of an item on supplementing Convention No. 29, with a view to standard setting that would take the form of a Protocol. The Government had taken recent measures to stamp out slavery and trafficking in persons in Australia and to protect the victims, and the issue was serious worldwide. For the second item for 2014, he favoured either an item on facilitating transitions from the informal to the formal economy, or one on violence against women and men in the world of work.
20. *A Government representative of Brazil* supported the proposal for an item on supplementing Convention No. 29, endorsing the statement of the Government representative of Argentina in respect of trafficking in persons. He also supported the item on facilitating transitions from the informal to the formal economy, as a double discussion, potentially resulting in a Recommendation. He also lent support to the Africa group for the inclusion, in the near future, of an agenda item on the revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), particularly since it had relevance to the origins of the ILO. Furthermore, he would like to see, on a future agenda, an item on building a diverse and inclusive world of work.
21. *A Government representative of Mexico* supported the item on facilitating transitions from the informal to the formal economy, as set out in paragraph 12(b), as well as the item on violence against women and men in the world of work, referred to in paragraph 12(c). In both cases, he favoured drawing up a Recommendation.
22. *A representative of the Director-General* (Deputy Director-General, Management and Reform (DDG/MR)) considered that consensus had been reached for including an item on supplementing Convention No. 29 on the agenda of the 2014 Conference. There was broad support for an item on facilitating transitions from the informal to the formal economy, but with differing opinions as to whether a standard-setting or general discussion should be held. Those member States that were in favour of holding a general discussion had agreed

not to oppose the item, as outlined in paragraph 12(b). He, therefore, proposed that the item should be included on the agenda for standard setting, under the double discussion procedure. However, noting the reservations expressed by several speakers, the Office would provide more information to governments over the coming months to alleviate their concerns.

23. *The Worker Vice-Chairperson* expressed his gratitude to certain governments for their help in reaching a solution for the item on facilitating transitions from the informal to the formal economy.
24. *The Employer coordinator* thanked those governments who had enabled a consensus to be reached and noted that all constituents shared the objective of helping governments to deal with the problems presented by the informal economy.

Decision

25. The Governing Body:

- (a) *decided to complete the agenda of the 103rd Session (2014) of the ILC by selecting the following two items:*
- (i) *supplementing the Forced Labour Convention, 1930 (No. 29), to address implementation gaps to advance prevention, protection and compensation measures, to effectively achieve the elimination of forced labour (standard setting, single discussion);*
- (ii) *facilitating transitions from the informal to the formal economy (standard setting, double discussion);*
- (b) *approved the programmes of reduced intervals for the preparatory stages of a single discussion and of a double discussion, as set out in the appendix to document GB.317/INS/2(Rev.).*

(GB.317/INS/2(Rev.), paragraph 12, as amended.)

Proposals for the agenda of the 104th Session (2015) and subsequent sessions of the Conference (GB.317/INS/2(Rev.))

26. *The Worker Vice-Chairperson* agreed with the selection of the recurrent discussion item on the strategic objective of social protection (labour protection) and declared a preference for the item on violence against women and men in the world of work, as a double discussion leading to a Convention and a Recommendation, noting that the item had been modified since November 2012 to include violence against men and women. He accepted this change, but underlined the need to address gender-based violence and sexual harassment in the world of work, as that issue was often omitted from national labour legislation. He noted that the 57th Session of the United Nations Commission on the Status of Women had highlighted the need for governments to address the issue of violence against women. He was also in favour of including an item on revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), which would have relevance to the United Nations (UN) policy for post-conflict employment creation. The Workers also supported a general discussion on decent work in global supply chains, including export processing

zones (EPZs) at a future Conference. The ILO needed to take account of developments and formulate appropriate strategies to ensure that global supply chains and EPZs promoted decent work, especially considering that no tripartite discussion on the subject had taken place since 1998. Furthermore, he requested that the Office include, in the document for the October 2013 session of the Governing Body, the proposal for standard setting on the transition of the world of work towards a low-carbon economy, which had been included in the document on November 2012. It would need to be adapted to the outcome of the general discussion on sustainable development, decent work and green jobs to be held at the 102nd Session (2013) of the Conference. Finally, he stressed the need for the Office to continue to develop proposals for Conference agenda setting.

27. *The Employer coordinator* approved the choice of the recurrent discussion item on the strategic objective of social protection (labour protection). It would be prudent to postpone the selection of further items until the deliberations on reforms of the Conference had been concluded. A number of countries, including the Nordic countries, had expressed dissatisfaction with the agenda-setting process. To signal some of the issues that might be useful for future work, she referenced the proposals on “Decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71)”, on “Effective ILO technical cooperation in a changing global context”, and possibly on “Building a diverse and inclusive world of work” on the agenda of future sessions.
28. *Speaking on behalf of the Africa group*, a Government representative of Kenya supported the inclusion of the item on decent work in global supply chains for general discussion, as well as the proposed topic on the revision of Recommendation No. 71 on the agenda of the 104th Session (2015) of the Conference. For future Conferences, the group favoured the items on the resolution of labour disputes, and on building a diverse and inclusive world of work.
29. *A Government representative of Brazil* was in favour of the proposals on the revision of Recommendation No. 71, and on building a diverse and inclusive world of work.
30. *A Government representative of Denmark* approved the choice of the recurrent discussion item and was in favour of postponing the selection of further items, although there was merit in the item on decent work in global supply chains.
31. *A Government representative of China* supported the items on effective ILO technical cooperation in a changing global context and on building a diverse and inclusive world of work, both for general discussion.
32. *A Government representative of the United States* said that, although it would be wise to postpone a decision on the selection of items for the 104th Session (2015) of the Conference, it might ultimately be advisable to consider decent work in global supply chains, long-term unemployment and technical cooperation.
33. *A Government representative of Japan* supported the item on the revision of Recommendation No. 71.
34. *A Government representative of India* said that he would prefer to postpone the selection of additional items for the completion of the agenda of the 2015 Conference, but, if an immediate decision had to be taken, he would opt for the items on violence against women and men and on effective ILO technical cooperation in a changing global context.

35. *A Government representative of Germany* said that, while he was inclined to choose the item on decent work in global supply chains, he would rather postpone the selection of items for the 2015 Conference until the matter could be discussed in groups.
36. *A Government representative of Italy* said that, if an immediate selection had to be made for the 2015 Conference, she would support the inclusion of the items on violence against women and men in the world of work and on effective ILO technical cooperation in a changing global context. The Conference in 2015 should not be burdened with the discussion of two standard-setting instruments.
37. *The representative of the Director-General (DDG/MR)* said that it would be best to defer the selection of further items for the 2015 Conference. He referred to the comments made by the Employers' group regarding the need for a clearer picture of the direction which would be taken by reforms of the Conference.

Decisions

38. *As a result of the decision adopted by the Governing Body at its present session to include an item on the agenda of the 103rd Session (2014) of the ILC on "facilitating transitions from the informal to the formal economy" with a view to standard setting under the double discussion procedure, this item is also included on the agenda of the 104th Session (2015) of the Conference for a second discussion. It joins the recurrent discussion on the strategic objective of social protection (labour protection) which is already on the agenda under the recurrent discussion cycle.*
39. *The Governing Body decided to defer to its 319th Session (October 2013) the adoption of a decision completing the agenda of the 104th Session (2015) of the Conference.*

(GB.317/INS/2(Rev.), paragraph 17, as amended.)

Third item on the agenda

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

(GB.317/INS/3)

40. *The Employer coordinator* said that a 100 per cent reporting rate indicated a commitment by non-ratifying member States to realize fundamental principles and rights at work. He wondered, however, whether existing financial resources would be sufficient to respond to all the requests for technical assistance listed in the document. While the paper lacked factual information and recorded views as if they were facts, for example with regard to the allegations of the Lao Federation of Trade Unions, its identification of challenges to each of the four fundamental principles would help the Office to target assistance more accurately. The Employers were in favour of the Office providing assistance to member States when requested to do so, but would like to know how that would be done. The information in country baselines should refer to national practice and not be confined to existing legislation. The Office should then use that information to ensure effective

technical assistance and to provide member States with the guidance to which the draft decision referred.

41. The Employer coordinator observed that the annual report was not a campaign for ratification of fundamental Conventions, which was a separate process. In that connection, it was necessary to bear in mind the technical and legal circumstances of individual countries. While ratification was an important means of demonstrating commitment to the ILO's core values, even those countries which had not ratified those Conventions respected the principles underlying them and workers were not necessarily deprived of their rights. The slow progress in ratification showed that it took time to change age-old cultural and religious attitudes towards rights, but that advances were being made. National social dialogue was of value in that respect and, for that reason, member States should be encouraged to initiate and conduct such discussions. It was also sensible to develop mature industrial relations and ensure legal compatibility before ratification. It seemed that some employers' organizations were hesitant about the ratification of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), owing to the questionable manner in which it was interpreted by certain ILO supervisory bodies; the statement by Business New Zealand, recorded in the report, was an example. The definition of the mandate of the Committee of Experts on the Application of Conventions and Recommendations (CEACR) was an ongoing concern in that connection.
42. The Employer coordinator encouraged the Office to proceed along the lines mapped out in paragraph 126 of the document and hoped that future reports would contain guidance and information regarding the implementation of the fundamental principles and rights at work and would focus less on advocating ratification of fundamental Conventions.
43. *The Worker Vice-Chairperson* welcomed the fact that the rate of ratification of the fundamental Conventions had been higher than in the previous year, but regretted the many violations of fundamental rights and principles at work recorded in the report. Governments should be reminded of their duty to realize those rights, whether or not they had ratified the Convention in question. He noted that several members of the Governing Body had failed to ratify all the fundamental Conventions and called on all member States to stop the race to the bottom by establishing a minimum floor of civilized labour relations and building a legal safety net in the global economy.
44. He urged the Office to provide technical assistance to the 48 countries which had not yet ratified the core Conventions and to set up a body to coordinate such assistance. Noting the poor rate of ratification of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), he pointed out that freedom of association and collective bargaining were rights that enabled sustained social and economic progress. More resources should be channelled to the Programme for the Promotion of the Fundamental Principles and Rights at Work, which had proved an effective tool. Its statistical work on forced labour and on racial discrimination was very important.
45. *Speaking on behalf of the Africa group*, a Government representative of Kenya urged member States to address the ratification deficit in order to meet the objective of universal ratification of the fundamental Conventions and called on the ILO to offer more technical assistance to member States that were experiencing difficulty in ratifying those Conventions, especially Conventions Nos 87 and 98. The Africa group supported the draft decision.
46. *A Government representative of the Republic of Korea*, referring to paragraph 43 of the document, said that workers employed by employment agencies were not supposed to be regarded as self-employed. Her Government would submit observations and supplementary information on that matter.

47. *A Government representative of Pakistan* stated that his country had ratified the eight core Conventions and had passed laws to implement the principles and rights embodied therein. It supported the draft decision.
48. *A Government representative of Canada* noted that the report did not reflect the information provided by Canada in its annual report to the effect that a review of the Minimum Age Convention, 1973 (No. 138), for possible ratification was ongoing, a review of Convention No. 98 would be initiated, and Canada had ratified Convention No. 29.
49. *A Government representative of India* said that the adverse impact of the global financial crisis on job security meant that more proactive mechanisms were needed to protect fundamental principles and rights at work. Similarly, when the grounds for the non-ratification of core Conventions were genuine, the Office should display flexibility in order to ensure progressive ratification. The ratification of those Conventions should be promoted by creating awareness, building constituents' capacity, advocacy, training and technical cooperation. As most underdeveloped countries were lacking in resources, a transfer of resources and technical expertise from the developed countries was needed. ILO technical cooperation and assistance should take account of the diverse socio-economic conditions pertaining in different member States. He therefore encouraged the ILO to engage in country-specific activities as a means of achieving universal ratification of the fundamental Conventions. His Government supported the draft decision.
50. *A representative of the Director-General* (Director, International Labour Standards Department (NORMES)) informed the Governing Body that the Government of the Republic of Maldives had recently ratified all eight core Conventions, reducing the number of member States still to ratify all eight to 47. In response to the Employers' comments concerning promotion of ratification, the text of the 1998 Declaration, paragraph 3, specifically required the ILO to offer technical cooperation and advisory services to promote the ratification and implementation of the fundamental Conventions. She agreed with the Government representative of India that innovative approaches were required to achieve the goal of universal ratification, and the Office would be in contact with the tripartite constituents to see what these approaches might be.

Decision

51. *The Governing Body took note of the information presented in the review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work and invited the Director-General to take into account its guidance on key issues and priorities with regard to assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work.*

(GB.317/INS/3, paragraph 127.)

Fourth item on the agenda

Matters arising out of the work of the International Labour Conference

Follow-up to the decision adopted by the International Labour Conference on certain matters arising out of the report of the Committee on the Application of Standards

Summary report concerning the informal tripartite consultations held on 19–20 February 2013 (GB.317/INS/4/1)

52. *The Chairperson* recalled that, pursuant to decisions taken by the ILC at its 101st Session (June 2012) and by the Governing Body at its 315th and 316th Sessions (June and November 2012), informal tripartite consultations had been organized in September 2012 and February 2013 with the involvement of the Officers of the Governing Body and the support of the Director-General. At no point during those consultations, which he had chaired, had the fundamental mandate of the ILO as regards its standards-setting function, including the supervisory system, been challenged. Despite the concerns that had been raised about the length of the process and the uncertain nature of the outcome, he was confident that, if the spirit of openness, pragmatism and responsibility that had marked the consultations continued, a lasting solution would be found to the current difficulties surrounding the ILO's supervisory system. While much remained to be done, significant progress had been made in understanding the positions of the different parties through dialogue, which had for the first time involved the CEACR. Further tripartite consultations would be held in due course.
53. *Speaking for the Chairperson of the Government group*, a Government representative of Brazil stressed the gravity and urgency for the ILO of the matters which had arisen since June 2012 and said that it was the responsibility of the constituents to identify viable ways forward. She reiterated the full commitment of the group to ensuring the credibility, authority and effectiveness of the ILO's supervisory system and expressed the hope that an inclusive tripartite and constituent-led process would be pursued in order to overcome the existing challenges. Her group fully supported the holding of tripartite consultations that reflected the plurality of views and would continue to play a constructive role in efforts to resolve the current impasse. Noting the importance attached by the CEACR to its independence, objectivity and impartiality, in particular with regard to the preparation of its reports, she thanked the members of that Committee for their willingness to participate in the consultations. A viable solution would be found through collective and cooperative efforts.
54. *Speaking on behalf of the group of industrialized market economy countries (IMEC)*, a Government representative of Australia said that he supported the Government group statement. IMEC Governments placed a high level of importance on the supervisory system of the International Labour Office, given its key role in the implementation of international labour standards and consequently the improvement of working conditions. IMEC welcomed the assurances received from the social partners regarding the establishment of a list of individual cases and was confident that they fully appreciated their responsibilities in that regard. IMEC appreciated that there could be, at times, different opinions on the way forward, notably with respect to the views expressed by the

CEACR. There was a difference between disagreeing with the Committee's views and questioning whether it had exceeded its mandate. IMEC appreciated the work of the Committee and its willingness to engage in the discussions under way. It welcomed the detailed information provided on the discussions of the CEACR with the Employer Vice-Chairperson and Worker Vice-Chairperson of the Commission on the Application of Standards, presented in its general report. That information, along with the foreword to the General Survey to be submitted to the Conference in June 2013, would provide a better understanding of the methods of operation of the CEACR, whose opinions, it should be noted, were not binding.

55. Concerning the draft decision, IMEC reiterated its willingness to engage in further discussions, including consideration of any other options that the social partners might wish to put forward, and encouraged them to engage constructively. IMEC was committed to working to ensure the continued integrity of the supervisory system.
56. *Speaking on behalf of the European Union (EU) and its Member States as well as Croatia, Turkey, The former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Ukraine and Republic of Moldova*, a Government representative of Lithuania supported the IMEC statement and added that the EU attached great importance to the functioning of the Committee on the Application of Standards (CAS) as it contributed not only to the implementation of international labour standards, but also to the promotion of human rights. Moreover, EU policies and law made reference to ILO standards and their supervision. The EU was committed to ensuring respect for human rights, including fundamental principles and rights at work. The EU was the group that had ratified the highest number of ILO Conventions, including the eight fundamental Conventions, and its commitment in that area was reflected in the Charter of Fundamental Rights of the EU and in its EU Action Plan on Human Rights and Democracy. The speaker expressed the EU's serious concern about the deepening dispute observed regarding the standards supervisory system, which it considered to be a risk for the ILO's unique tripartite setting, and its cornerstone activity of standards supervision. There was also the risk of a potential proliferation of complaints if the CAS could not perform its functions properly. The EU called on all constituents, including the social partners, to actively contribute to a long-term and durable solution that would ensure that the supervisory system could work and that the CAS could perform its functions properly.
57. *Speaking on behalf of the Africa group*, a Government representative of Sudan said that the group he represented supported the statement by the Government group and reiterated its commitment to an efficient supervisory system for the application of standards. He welcomed the commitment of the social partners to agree on a list of individual cases for the following session of the Conference. He asked for clarification regarding the options proposed in paragraphs 116–118 of the information document prepared by the Office in the framework of the February 2013 consultations. While approving the draft decision contained in paragraph 33 of the document under examination, the Africa group also invited the Office to organize other informal tripartite meetings prior to the 319th Session of the Governing Body and to submit a document on the results of the discussions held at the current session to the first of those information meetings. The group also invited all the parties involved to hold in-depth consultations in order to come up with useful suggestions.
58. *Speaking on behalf of the Group of Latin American and Caribbean Countries (GRULAC)*, a Government representative of Colombia supported the statement made by the Government group. First of all, she wished to make some remarks about paragraphs 24 and 25 of the summary report concerning the informal tripartite consultations held on 19–20 February 2013, which almost literally reflected all of GRULAC's positions regarding each point of the consultations that had been scheduled for examination. As not all points had been examined during the consultations, the group had not had the

opportunity to express all the views contained in the abovementioned paragraphs. The reproduction of those views must have been due to the fact that the text of the written statement had been submitted to the Office, but only with the objective of facilitating the work of the interpreters. Nevertheless, those were certainly the views that the group would have expressed if the questions had been raised. In addition, she referred to an imprecision in paragraph 29 of the report, saying that the issue of the definition of the list for the CAS had been addressed as if it were an item on the agenda of the consultations, which had not been the case, and which had been why GRULAC had not provided its views on the issue on that occasion. As the group had stated on a number of occasions, the list should be prepared using objective, transparent, fair and predictable mechanisms.

59. With regard to paragraphs 32 and 33 of the report, the speaker said that GRULAC would be attentive to the analysis that the Office would submit on the options contained in the information document and other options.
60. The group's commitment to the ILO's supervisory system remained intact, despite the group having been indicating for a time the need to improve the functioning of the CAS. In a spirit of constructive dialogue, the group thought that proposals should be made with a view to strengthening the supervisory system, providing it with clear and transparent tripartite tools and mechanisms. The preparation of the list of individual cases must not rest solely with the social partners. The selection criteria for individual cases should reflect all the tripartite points of view, a geographical balance, a balance in terms of Conventions, and a balance between developed and developing countries. As well as serious and urgent cases, cases of good practices should also be examined. Countries should seek solutions at the national level and avoid excessive use of international mechanisms and, in that regard, ILO technical assistance was very important. To conclude, GRULAC reaffirmed its position, clearly expressed during the February 2013 informal consultations and in paragraphs 24 and 25 of the report, expressing the hope that the additional guidance it had just provided on that fundamental issue would be taken into consideration in the following stages of the discussion.
61. *Speaking on behalf of the Western Europe group*, the regional coordinator of that group said that the Western Europe group aligned itself with the statement of the Government group and fully supported the views expressed by the IMEC group and the EU.
62. *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of the Islamic Republic of Iran said that ASPAG endorsed the statement made by the Government group. He reiterated the support of his group for a robust and effective ILO supervisory system, in particular the important role played by the CAS. ASPAG valued the commitment of the social partners to agree on a list of individual cases for the June 2013 Conference. It noted the willingness of the CEACR to engage openly with constituents. It also noted the foreword to the General Survey that would be discussed at the Conference, indicating that the opinions and recommendations of the CEACR were not binding and the importance that the CEACR attached to its independence, impartiality and objectivity. He highlighted ASPAG's resolve to ensure the supervisory system was operating effectively and trusted in the ability of all the tripartite actors to achieve consensus.
63. *A Government representative of the United States* fully endorsed the statement of the IMEC group and shared its concerns regarding the implications of the controversy for the ILO's supervisory system for the application of standards, as well as for the Organization as a whole. It was urgent that the problem be resolved. The ILO supervisory system was a unique and essential element of the Organization's mandate and mission. The constituents must keep in mind their collective responsibility to ensure that their efforts strengthened rather than diminished the credibility and prestige of the system, which had made a concrete difference in member States through the application of standards. The speaker

welcomed the commitment of the social partners to establishing a list of individual cases to be examined at the following session of the ILC. She added that both the CAS and the CEACR were important. The US Government placed a high value on the Committee of Experts, including the quality of its assessments and the principles of independence, impartiality and objectivity that guide its work. She welcomed the clarifications provided in the General Survey regarding the legal status of the experts' opinions and recommendations and their willingness to engage in the discussions under way. The Government of the United States was confident that a viable resolution could be achieved through collective and cooperative efforts, grounded on good will, understanding and compromise. The Government of the United States looked forward to contributing to those efforts.

- 64.** *A Government representative of France* endorsed the statements made by IMEC and the EU. She thanked the Officers of the Governing Body and the secretariat for the efforts made to resolve the crisis that had affected the supervisory system for the application of standards for several months. The informal consultations held in February 2013 had resulted in constructive dialogue, particularly regarding the mandate of the CEACR. That dialogue must be strengthened between the constituents and the supervisory system stakeholders in order to achieve operational and lasting solutions. In that connection, the analysis of the strengths and weaknesses of the three options proposed by the Office appeared to be a prerequisite for an informed decision. The speaker reiterated how much France hoped that the ILO would take up its rightful place in global governance, which implied having a solid supervisory system accepted by all and which ensured the application of standards based on universally recognized values foster social harmony. She welcomed the commitment made by the social partners to submit a list of individual cases to the following session of the Conference, and was confident that that commitment, which she viewed as a gesture of responsibility, would be respected.
- 65.** The list of cases for June 2013 was an interim step. Substantive issues must be dealt with, and in particular the matter of interpretation. On that point, the speaker stressed that one could not on the one hand contest the value of the interpretations provided by the experts and on the other refuse the establishment of a body responsible for questions of interpretation. Refusing any possibility of interpretation was tantamount to compromising the relevant application of the standard and consequently the essence and credibility of the Organization. The ILO must build on the crisis that had occurred to renew its supervisory system in full respect of the Constitution.
- 66.** Of the three proposals made by the Office during the most recent consultations, it was the implementation of a mechanism in the spirit of article 37, paragraph 2, of the Constitution that appeared most promising to the Government of France. That proposal should be examined further in respect of the modalities of referral, the composition, the effect of decisions handed down and the cost of such a mechanism. At stake were the legal certainty and the credibility of the Organization at a time when reference was increasingly being made to international labour standards in commercial agreements, codes of conduct and international framework agreements.
- 67.** In conclusion, the speaker reiterated her support for the efforts of the Officers of the Governing Body, of the Office, under the impetus of the Director-General, and of the constituents, to produce concrete and lasting proposals. The French delegation would participate actively in discussions on the options to be submitted, particularly the possibility of setting up a specific mechanism for questions of interpretation of standards in respect of the Constitution.

68. *A Government representative of Japan* said that the Government of Japan appreciated the efforts of the Office to prepare a concise document. Her Government supported the statements made by the Government group, IMEC and ASPAG. The supervisory system for the application of standards was a key measure to contribute to the advancement of working conditions and social justice. Consequently, it was a matter for concern that the system had not been functioning as it should for several months. The Government of Japan commended the CEACR for its efforts to contribute to a solution to the current problem and appreciated the commitment shown by the social partners to provide a list of individual cases for the following session of the Conference. In view of the importance of the CAS, which was at the centre of the ILO's supervisory system, the Government of Japan hoped that both the Workers and the Employers would be satisfied with the list.
69. *A Government representative of India* suggested that greater account should be taken of the specific economic and social needs of developing countries in the strengthening of the ILO supervisory system. For that purpose, the number of experts should be increased and there should be a more equitable geographical representation, which would mean that greater attention could be paid to addressing the economic and cultural aspirations of developing countries, as well as the needs of vulnerable population groups, such as migrant workers, domestic workers and informal sector workers.
70. *Speaking on behalf of the Africa group*, a Government representative of Sudan said that his group supported the draft decision contained in paragraph 33 of the document under consideration. His group requested the Office to organize informal tripartite consultations before the following session of the Governing Body and to produce a report reflecting those discussions, in order to examine the issue at the following session of the Governing Body.
71. *The Employer coordinator*, referring to all the statements made by the Governments, expressed his group's gratitude for the positive and constructive comments and reaffirmed its willingness to take account of the Governments' opinion in resolving the matter under consideration. The Employers recognized that significant progress had been made in clarifying the history and development of the mandate of the CEACR, which had not been modified by either the Conference or the Governing Body since 1947. His group acknowledged that the work of the CEACR necessarily involved a degree of interpretation of the Conventions. However, the experts themselves had recognized that they did not have the authority to give definitive interpretations of those instruments, since competence to do so lay with the International Court of Justice (ICJ), under the terms of article 37 of the ILO Constitution. Furthermore, the experts had confirmed the non-binding status of their opinions and recommendations and responded favourably to the Employers' request for clarification of their mandate. The Employers considered that the language used in the foreword to the General Survey to be discussed by the Conference in June 2013 should be the subject of tripartite analysis, in line with suggestions from the experts during the consultations in February, as indicated in paragraph 9 of the summary report on the consultations. In its current formulation the foreword did not supply all the clarification needed regarding the mandate of the CEACR. The Employers thought, however, that despite the constructive dialogue the issues had not been resolved, since the Committee of Experts continued to formulate extensive interpretations with respect to Convention No. 87 and the right to strike, and that might create problems for the negotiation of the list of cases for the forthcoming session of the Conference. Nevertheless, the Employers would do their utmost to ensure that a list of cases could be discussed, as agreed, at the June 2013 session of the Conference. They looked forward to discussing the 25 cases and expected that their views and those of the Workers, even if their respective views were different, would be duly taken into account in the conclusions of the CAS. The time had come for the Governing Body to exercise its governance powers and do everything possible to resolve the regular crisis caused by the failure to draw up the list of cases during the first week of

the Conference. The Employers would never agree to the list being created by anyone other than the social partners. They thought that in future the list should be negotiated and agreed during the March session of the Governing Body, which would remove uncertainty with regard to discussions at the Conference. The current problem pointed to a systemic and political crisis concerning the CEACR and the Employers could not agree to the status quo. With regard to the draft decision, the Employers reiterated their willingness to discuss the matter further, including proper consideration of other options, and to decide at the next session of the Governing Body whether new informal tripartite discussions were needed.

72. *The Worker Vice-Chairperson* recalled that the Employers and the Workers had publicly reaffirmed their commitment to establishing the list of individual cases relating to the application of ratified Conventions for discussion in the CAS in June 2013. Consultations were ongoing but the parties needed more time to reach a conclusion, which, it was hoped, would enable a way to be found out of the impasse facing the ILO supervisory system. Responding to the Employers' proposals, he was surprised that the Employers' group seemed determined to establish a list of cases without necessarily wanting to reach conclusions on them. The Workers, aware that the issue played a central role in the supervisory system, intended to continue deliberations with a view to reaching satisfactory conclusions for all parties. His group did not think that the Employers' proposal to draw up a list of cases in future at the March session of the Governing Body was realistic: the Workers needed to consult the key players in the labour movement and so it would be difficult for them to draw up the list of cases immediately after the publication of the CEACR report.
73. With regard to the right to strike, he recalled that in the CEACR report the International Organisation of Employers (IOE) had made a number of observations on certain countries with regard to the right to strike. He fully approved of that way of operating, which allowed the experts to make informed observations on the application of Convention No. 87.
74. The issue of the experts' mandate, and especially the issue of the degree of interpretation authorized by their mandate, was fundamental and needed to be resolved as soon as possible. Otherwise there would certainly be serious and lasting implications for all other matters taken up by the ILO. However, the Workers had been disappointed by the attitude of the Employers, who in February had rejected all possibilities provided for in the Constitution for addressing the issue. However, during the November 2012 session of the Governing Body, the Employer spokesperson had expressed his group's willingness to have recourse to the mechanisms established by article 37 of the Constitution for resolving the divergence of views between the Workers and the Employers regarding interpretation of the Conventions. The Employers seemed to have changed their minds in the meantime, no longer wishing to make use of those mechanisms and simply saying that the system was in crisis. The Workers did not agree with the Employers in that regard; they still believed that an outcome was possible. The issue of the disclaimer – for inclusion in the CEACR reports – stating that the Committee of Experts' interpretations were not binding had been widely discussed. The lack of consensus on that question was, in the opinion of the CEACR, sufficient justification for not pursuing it, as indicated in paragraph 9 of the summary report on the consultations. The Workers emphasized that both the general report of the Committee of Experts adopted at its 83rd Session and the foreword to the General Survey provided detailed explanations of the scope of the CEACR mandate and they saw no reason why the Employers should ask for further information. Nevertheless, they welcomed the Employers' recognition that the work of the CEACR necessarily entailed a degree of interpretation and they called on all parties to work together to find a solution consistent with the ILO Constitution, which would require real political will on all sides.

75. *The Director-General*, noting the statements from the different speakers, focused his remarks on how it was necessary to proceed in the run-up to the June 2013 session of the Conference and beyond. Some important issues needed to be resolved immediately, in advance of the Conference. Other questions could only be resolved in the medium and long term, though if the situation were allowed to continue for too long it could undermine the authority of the ILO and in particular its standards system. Many positive conclusions could be drawn from the discussion, particularly the fact that it had highlighted the urgency of the need for solutions to the issues, which everyone agreed were of vital importance to the Organization. It was absolutely essential that the ILO should have an authoritative and credible system which enjoyed the support of all parties. The discussion had shown the commitment of all groups to ensuring that the standards system was not just preserved but also reinforced. It was a joint endeavour which called for responsibility and commitment from all sides. The consultations held in February 2013, including the exchange of views between the constituents and the members of the CEACR, had not been a waste of time: they had made it possible to clarify the respective positions and shed light on certain issues, even if they had not led to specific results. In view of its long-term commitments with regard to standards, including the establishment of a standards review mechanism, the ILO had to move quickly in its quest for results, starting with establishing a list of cases to be discussed at the Conference in June, failing which the supervisory system would suffer irreparable damage. The Director-General said that his own services were at the disposal of the joint effort to ensure that the commitment which had been made and reaffirmed was respected. The matter could perhaps be taken up again at the Governing Body session following the Conference in June, in order to establish the timetable for further consultations between June and October with a view to achieving the further progress that was needed on the medium- and long-term issues. The process would therefore unfold in two phases; at present it was important to focus on the urgent matters to be discussed at the forthcoming session of the Conference, in particular the list of cases. Recognizing the particular responsibility of the social partners in that regard, the Director-General emphasized that finding the way forward from the current impasse was very much a tripartite process. He urged all the parties to move forward and work together in order to resolve the pending issues. If the direction that he had just outlined was sufficiently clear, it could provide the basis on which to proceed.

76. *A Government representative of Lebanon, the Employer coordinator, the Worker Vice-Chairperson, a Government representative of Niger speaking on behalf of the Africa group and a Government representative of Australia speaking on behalf of IMEC*, explicitly endorsed the Director-General's statement as providing a sufficient basis to proceed.

Follow-up to the resolution concerning the measures on the subject of Myanmar adopted under article 33 of the ILO Constitution by the Conference at its 101st Session (2012)

(GB.317/INS/4/2)

77. *A representative of the Director-General (DDG/MR)* said that amendments had been proposed to the draft decision contained in the document. Specifically, the Employers' group and ASPAG proposed deleting subparagraph (b)(i). ASPAG had also proposed deleting the words "modified or" from subparagraph (b)(ii). As a result, the Office had reformulated subparagraph (b) of the draft decision to the effect that consideration of the question by the Conference would go ahead in the following way: the Governing Body would recommend that, at the opening sitting of its 102nd Session, the Conference would suspend the operation of paragraph 1(a) of the 2000 resolution, pending consideration of

the overall question of Myanmar by the Selection Committee later in the session. That would avoid the need for a special sitting of the CAS as provided for in paragraph 1(a) of the 2000 resolution. Following the consultations held, he understood that the Workers, the Employers and the regional groups supported the new draft decision.

78. *The Worker Vice-Chairperson* called for the measures adopted with regard to Myanmar under article 33 of the ILO Constitution to be lifted at the June 2013 session of the Conference and saw no further need for a special sitting of the CAS. However, she expected that periodic reports would be submitted to the Governing Body until completion of the forced labour action plan in 2015. Regarding the elimination of forced labour, even though progress had been made, much remained to be done in relation to the recommendations made by the Commission of Inquiry in 1998. Firstly, no steps had been taken to amend article 359 of the Constitution, which exempted duties assigned in the public interest from the prohibition on forced labour. That exception might be used to justify the exaction of forced labour. Secondly, the practice of forced labour still existed, especially in conflict areas. Thirdly, the penalties imposed on the perpetrators of forced labour were not always effectively implemented, and most were disciplinary rather than criminal penalties. She therefore asked the Liaison Officer to clarify which types of penalties were imposed and on whom. With regard to freedom of association, she took note of the developments reported by the Office. However, she considered that the Labour Organization Law was not in conformity with Conventions Nos 87 and 98. In particular, she was concerned at the lack of protection for unionized workers from dismissal, discrimination, anti-union initiatives and retaliation, and even from arrest reportedly for strike action and peaceful protest, in addition to the fact that arbitration awards or court orders for the reinstatement of workers were not effectively enforced. She regretted that the Committee of Experts' report had failed to mention those shortcomings and urged the ILO to work with the Government to bring the law and its implementation into conformity with Conventions Nos 87 and 98. In addition, the Federation of Trade Unions of Burma (FTUB) had still not been registered as a trade union organization in the country and it appeared not always to receive due recognition by the ILO Liaison Office. She urged the Liaison Office to promote dialogue and interaction between the FTUB, the Government of Myanmar and the employers' organizations in the country. Regarding the impact of foreign direct investment on the exercise of fundamental rights in the country, she asked for more comprehensive information. Finally, she supported the new draft decision and called for the examination of issues relating to forced labour and freedom of association in Myanmar to be pursued through the normal supervisory mechanisms.
79. *The Employer coordinator* expected the Government of Myanmar to make use of the new phase that was about to begin to intensify dialogue and make further progress. Even though certain issues were still unresolved, he trusted that the work done to date would enable the situation in the country to be normalized. His group supported the draft decision in its revised form.
80. *The Ambassador of Myanmar* endorsed the statements that would be made subsequently by the Association of Southeast Asian Nations (ASEAN) and ASPAG, and expressed his appreciation for the ILO Liaison Officer's report. He referred to various measures taken by his Government to implement the recommendations made by the Commission of Inquiry in 1998. With regard to bringing the national legislation into line with the Forced Labour Convention, 1930 (No. 29), he emphasized the enactment in 2012 of the Ward or Village Tract Administration Law, in which forced labour was defined in accordance with the provisions of the Convention. Concerning the elimination of forced labour by the authorities, he referred to the statement made by President U Thein Sein calling for the total elimination of all forms of forced labour in Myanmar. Regarding the penalties provided for under section 374 of the Penal Code for the perpetrators of forced labour offences, those penalties were being strictly enforced and were also applicable to military

personnel who violated the new laws. Moreover, since 2007, a total of 235 complaints submitted under the Supplementary Understanding had been settled. With regard to the progress made in the country since the 101st Session of the Conference, he emphasized the approval by the Government of an action plan concerning the elimination of forced labour by 2015; the launch in June 2012 of a joint action plan by the Government and the UN to prevent the recruitment and use of under-age soldiers; and the enactment in 2012 of the Labour Organization Law and the Settlement of Labour Disputes Law. Furthermore, it was planned to amend the Unlawful Associations Act of 1908 and to repeal Order No. 1/2006 concerning the classification of terrorist organizations. Moreover, exiled trade unionists had returned to the country and were participating in trade union activities.

- 81.** In January 2013, an ILO delegation had participated in the first Myanmar Development Cooperation Forum, held a meeting with the Strategic Working Group for the Elimination of Forced Labour and undertaken a review of progress on the agreed action plan. On 8 February, his Government and the ILO had signed the agreement reached on the further 12-month extension of the Supplementary Understanding and the complaints mechanism contained therein. The Government had enacted the Labour Organization Law, the Settlement of Labour Disputes Law, the Social Security Law and the Minimum Wage Law, and the bill on employment and skills development had been approved by the lower house of Parliament. Bills on foreign workers and occupational safety and health (OSH) were currently being drafted. The relevant Government ministries planned to hold consultations with employers' and workers' organizations in preparation for Myanmar's ratification of the Worst Forms of Child Labour Convention, 1999 (No. 182), and the Government had deposited the Instrument of Ratification for the Amendment of the ILO Constitution in February. Myanmar already complied with the recommendations of the Commission of Inquiry on forced labour, as indicated in the report of the Liaison Officer. Given the progress his country had made in that regard and in the promotion and protection of labour rights in general, his Government urged the Governing Body to recommend that the 2013 ILC should discontinue the remaining restrictions imposed under article 33 of the ILO Constitution. He supported the amendment to the draft decision that had been proposed by the Office.
- 82.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran welcomed Myanmar's continued cooperation with the ILO and the positive developments that had been made in relation to labour issues. In the light of that tangible progress and the Government's strong commitment to the elimination of forced labour and the promotion and protection of labour rights, he supported the draft decision, as amended.
- 83.** *Speaking on behalf of the EU, supported by Croatia, The former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Norway, Ukraine and Republic of Moldova*, a Government representative of Lithuania said that the EU was actively cooperating with the Government of Myanmar and supported its commitment to political reform, democratization, national reconciliation and the promotion and protection of human rights. She requested an update, particularly on progress towards the elimination of all forms of forced labour, prior to the 2013 ILC. While the EU would have preferred the original draft decision, she called on the Office to modify paragraph (b) of the amended draft decision, inserting the words "suspended or" before "discontinued".
- 84.** *Speaking on behalf of ASEAN*, a Government representative of Viet Nam commended the Government of Myanmar for the progress it had made, especially on labour rights, and urged it to continue its efforts, with the support of the international community. Myanmar's long-standing cooperation with the ILO and the Office's technical assistance were praiseworthy, as were the joint implementation of the action plans on the elimination of forced labour and the prevention of under-age recruitment. He called for the remaining ILO restrictions to be lifted without delay.

85. *Speaking on behalf of the Africa group*, a Government representative of Kenya noted with satisfaction the progress that had been made in Myanmar, including efforts to eliminate forced labour. He urged the Government to implement the remaining measures necessary for full compliance with Convention No. 29. He commended the ILO for its efforts to provide adequate support to Myanmar to achieve the total elimination of forced labour. The Africa group supported the draft decision.
86. *A Government representative of Cambodia* welcomed Myanmar's efforts to comply with Commission of Inquiry recommendations, eliminate forced labour, promote and protect freedom of association and achieve meaningful social dialogue. Despite the remaining challenges, there was a clear commitment to decent work. He supported the draft decision.
87. *A Government representative of Thailand* commended the Government of Myanmar for the significant progress it had made to eliminate forced labour and protect the right to freedom of association and urged it to make the necessary amendments to its labour laws. Thailand supported the lifting of the remaining measures under article 33 of the ILO Constitution.
88. *A Government representative of Australia* applauded the Government's progress on eliminating forced labour, upholding freedom of association and promoting and protecting labour rights. Australia remained committed to providing assistance for Myanmar's economic, political and social development, and supported the amended draft decision.
89. *A Government representative of Indonesia* appreciated the progress made in Myanmar to uphold workers' rights and urged the international community to support all efforts to continue improving the situation. Given the achievements made towards eliminating forced labour, the remaining restrictions should be lifted. He supported the amended draft decision.
90. *A Government representative of Sri Lanka* said that, in the light of Myanmar's cooperation with the ILO on implementing the recommendations of the Commission of Inquiry and the Government's commitment to eliminating forced labour, he supported the call to discontinue the remaining measures adopted under article 33 of the ILO Constitution.
91. *A Government representative of the United States* welcomed the Government's initiatives to eliminate forced labour, raise awareness of rights and responsibilities under the law, release under-age recruits from military service and build its capacity to enforce the law. He urged the ILO to continue assessing progress. He supported the amended draft decision.
92. *A Government representative of Cuba* commended the Government of Myanmar for its commitment to political, economic and social transformation and the progress it had made on improving labour rights in cooperation with the ILO, particularly to eliminate forced labour and acknowledge freedom of association. She supported the amended draft decision.
93. *A Government representative of the Bolivarian Republic of Venezuela* applauded the Government of Myanmar for the progress made towards eliminating forced labour and the plan to totally eliminate it by 2015. He urged Myanmar and the ILO to continue their efforts to improve the situation in that country. He supported the draft decision in paragraph 9.
94. *A Government representative of Switzerland* praised Myanmar for its efforts, particularly to eliminate forced labour and establish social dialogue. Swiss support would focus on employment and the creation of socially responsible enterprises in the garment and tourist industries. She supported the draft decision, as amended by the Office and the EU.

95. *A Government representative of Japan* welcomed Myanmar's efforts to eliminate forced labour, which were vital to reform and development. Japan provided assistance for technical cooperation activities in Myanmar and called on the ILO to strengthen the capacity of the Liaison Office in Yangon. He supported the amended draft decision.
96. *A Government representative of India* saluted the Government's efforts to eliminate forced labour and implement socio-economic and legal reforms to improve labour conditions. He welcomed the ILO mission to Myanmar and the agreement reached on the 12-month extension of the Supplementary Understanding. He supported the amended draft decision.
97. *A Government representative of the Russian Federation* commended the ILO's efforts to maintain dialogue with Myanmar and welcomed the progress made towards eliminating forced labour and ensuring freedom of association. In the light of the Government's clear commitment to totally eliminate forced labour, he supported the amended draft decision.
98. *A Government representative of China* took note of the effective cooperation that had taken place between Myanmar and the ILO since 2002 to eliminate forced labour. His Government welcomed the efforts of the Government of Myanmar to eliminate that scourge totally and to promote and protect labour rights. He supported the amended draft decision.
99. *A representative of the Director-General (Liaison Officer)* took note of the comments that had been made. In response to the questions raised by the Workers, he said that the Government of Myanmar had consulted the social partners, with technical assistance from the ILO, on potential amendments to the legislation on freedom of association, particularly regarding the enforcement mechanisms. The Commander-in-Chief of the Myanmar armed forces had agreed in 2012 that military personnel could be prosecuted under the Criminal Code, rather than military regulations. Since then, four members of the military forces had been prosecuted under that Code and imprisoned, two of whom were multiple offenders under the complaints mechanism. Turning to the discrepancy between the prosecution figures, he explained that the ILO could report only verified prosecutions in response to complaints under the complaints mechanism. It would appear that the Government's report included other prosecutions. His Office would investigate and report back to the Governing Body. Subject to the decision of the Governing Body, there would be a full, detailed report on the situation in Myanmar for the consideration of all the constituents at its forthcoming deliberations.

Decision

100. *In light of the 2012 resolution of the Conference and taking note of the situation reported by the Liaison Officer, the Governing Body:*
- (a) *placed an item on the agenda of the 102nd Session (2013) of the ILC enabling a further review of remaining measures previously adopted by the Conference under article 33 of the ILO Constitution to secure compliance by Myanmar with the recommendations of the Commission of Inquiry on forced labour;*
 - (b) *recommended that the 102nd Conference arrangements include a suspension by the Conference on its opening day of paragraph 1(a) of its 2000 resolution pending a review, through the Selection Committee as decided by the Conference at its 101st Session, or by such other means as the Conference may decide, in order to consider whether the remaining measures adopted under article 33 of the ILO Constitution, as found in*

paragraph 1(a) and (b) of the 2000 resolution of the Conference, should be suspended or discontinued in the light of the information available to it;

- (c) requested the Director-General to report to the Conference on all relevant issues involving an update to the situation in Myanmar as available, and on ILO activities in the country, with a view to assisting the Conference's consideration of this item on the agenda; and*
- (d) requested the Director-General to provide a report from the Liaison Officer on ILO activities in Myanmar to March meetings of the Governing Body.*

(GB.317/INS/4/2, paragraph 9, as amended.)

Fifth item on the agenda

A new ILO strategy for public–private partnerships (PPPs)

- 101.** The discussion of this item was deferred until the 319th Session (October 2013) of the Governing Body.

Sixth item on the agenda

Complaint concerning non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 101st Session (2012) of the International Labour Conference under article 26 of the ILO Constitution (GB.317/INS/6)

- 102.** *The Chairperson* drew attention to the draft decision contained in paragraph 7 of the report. He added that an agreement had been signed the previous day between the Government of Guatemala and the Workers' group of the Governing Body.
- 103.** *A Government representative of Guatemala* recalled the climate of non-compliance with constitutional obligations existing in the State when the current Government had come into office 14 months previously, where the physical integrity, safety and lives of the Guatemalan people could not be guaranteed, particularly of anyone who dared to exercise labour rights such as the right to organize and the right to collective bargaining, and where labour legislation had not been observed. He highlighted some of the main problems that had been faced: widespread informality; precarious benefits coverage; serious delays in registering trade unions; and a total lack of social dialogue, leading to public sector industrial action. A diagnostic study had revealed that numerous denunciations had been made to the ILO supervisory bodies and the country's trading partners, which had resulted in a number of Workers' delegates filing a complaint under article 26 of the ILO Constitution at the 101st Session of the ILC. On taking office in January 2012, the new Government had introduced a labour and social protection policy aimed at building a

culture of compliance with labour laws, promoting decent work and encouraging social dialogue. Its immediate priority had been to strengthen labour inspection and labour market monitoring and to build capacity to manage the labour market appropriately. A dedicated office for international labour issues had been created within the Ministry of Labour and Social Welfare to identify the actual degree of compliance with international obligations and commitments relating to the protection of workers' rights. A number of specific steps had been taken to implement the Government's policy, including increasing the budget of the Ministry of Labour and Social Welfare and strengthening it, appointing new labour inspectors and reviewing procedures for registering trade unions. Similarly, a multi-institutional strategy had been developed for the prevention, criminal prosecution and punishment of acts of violence and to increase the number of reports to be submitted to the Office. The improvements already made had left the Ministry able to fulfil its functions under the Constitution and under the law. It was now strenuously promoting both tripartite and bipartite social dialogue, resulting in new collective agreements being negotiated and signed to cover many thousands of workers. A tripartite committee on international labour matters had also been appointed. Social dialogue had led to an increase in the minimum wage, approved by consensus in the National Wages Commission for the first time in 20 years, on 10 December 2012. The Government had been able to pursue its policies effectively thanks to the political will of the President to improve working conditions and promote respect for freedom of association and ILO fundamental Conventions. It was hoped that the agreement signed between the Government and the Workers' group, building on political will and social dialogue, would achieve significant results, particularly in terms of preventing violence against trade unionists so as to allow trade unions to pursue their activities in peace and safety and ensuring the effective work of the state entities responsible for prosecuting and punishing the perpetrators of crimes against trade unionists. It was also hoped that the agreement would result in the conclusion of a national agreement on issues relating to an improved justice system, new legislation and a national culture of respect for freedom of association and collective bargaining. Technical assistance from the Office, including from a high-level tripartite delegation, would be needed to achieve those results. To conclude, he asked the Governing Body to support the draft decision.

- 104.** *The Worker spokesperson*, recalling the history of the item's inclusion on the agenda, welcomed both the Government's acceptance of ILO assistance to investigate crimes against trade unionists and other serious violations of labour rights and its willingness to negotiate a specific programme of action with the social partners. He hoped a detailed progress report could be made to the Governing Body in October 2013. Expressing support for the draft decision, he suggested that "the ITUC" be changed to "the Workers' group of the Governing Body".
- 105.** *The Employer coordinator* said that the Latin American region in general needed more social dialogue. Welcoming the agreement reached between the Guatemalan Government and the Workers' group, which must now be implemented effectively, he expressed the hope that it would serve as a benchmark for other countries in the region that lacked or had insufficient social dialogue. He supported the draft decision, with the amendment proposed by the Worker spokesperson.
- 106.** *Speaking on behalf of GRULAC*, a Government representative of Colombia welcomed the ILO's acceptance of the invitation by the President of Guatemala to visit the country, the visit by Ms Cleopatra Doumbia-Henry and its outcome. She also expressed satisfaction at recent events in Guatemala, culminating in the signing of an agreement with the Workers' group as a basis for tripartite activities aimed at ensuring full compliance with Convention No. 87. The Government had shown its willingness to work with the ILO and to promote social dialogue and deserved the ILO support it had requested. She therefore supported the draft decision and the proposed amendment.

Decision

107. *In the light of the information contained in document GB.317/INS/6, the Governing Body, on the recommendation of its Officers, decided to:*

- (a) defer the decision on the appointment of a Commission of Inquiry to its 319th Session (October 2013), taking into account the agreement between the Government of Guatemala and the Workers' group of the Governing Body;*
- (b) place this item on the agenda of its 319th Session (October 2013); and*
- (c) request the Office to provide to the Officers of the Governing Body, at its 318th Session (June 2013), an update on the status of progress made in the light of paragraph 6 of document GB.317/INS/6, and to include information provided by the Government and employers' and workers' organizations of Guatemala.*

(GB.317/INS/6, paragraph 7, as amended.)

Seventh item on the agenda

Latest developments in Fiji in light of the resolution of the 15th Asia–Pacific Regional Meeting (GB.317/INS/7)

108. *The Employer Vice-Chairperson* expressed support for the draft decision.

109. *The Worker Vice-Chairperson* said that his group was extremely concerned about the situation in Fiji, because the Government of that country had failed to take any of the action required of it under the resolution adopted at the previous session of the Governing Body. Trade union leaders had been subjected to harassment, intimidation and physical attacks which had not been investigated. Three of them who had been engaging in legitimate trade union activities had been arbitrarily arrested and imprisoned. Restrictions were still being placed on freedom of assembly and freedom of expression. The Essential National Industries (Employment) Decree, 2011, was continuing to have a devastating impact. In October 2012, the police had forcibly entered a boardroom where workers and their employer were holding negotiations. In March 2013, the Prime Minister had issued a new draft constitution, articles 19 and 20 of which permitted broad exceptions to be made to the right to associate, to join a union, to bargain collectively and to strike. His group therefore supported the draft decision.

110. *Speaking on behalf of the EU and its Member States as well as Croatia, The former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Norway and Armenia, a Government representative of Lithuania* said that, since the EU attached great importance to freedom of association and recognized the important role played by the ILO in promoting and protecting international labour standards, it supported the draft decision. It also strongly encouraged the Government of Fiji to accept a direct contacts mission prior to the ILC in June 2013.

111. *A Government representative of Japan* said that it was to be hoped that the Government of Fiji would accept the ILO direct contacts mission, because continuous dialogue would further democratization in that country.
112. *A Government representative of Australia* expressed serious concern over the labour and human rights situation in Fiji. Unfortunately, little progress had been made towards the restoration of democracy and the rule of law since the previous Governing Body session. The new Political Parties Decree was particularly worrying, as it restricted the ability of union leaders and members of employers' organizations to found political parties. It was disappointing that the direct contacts mission had been unable to return to Fiji. He urged the Government of Fiji to respond to the Director-General's letter of 21 December 2012. Full engagement with the ILO mission on its return to Fiji would demonstrate its Government's recognition of the need to bring the country's law and practice into conformity with Conventions Nos 87 and 98 and to return core labour rights to its people. He supported the draft decision and hoped that progress would be made on the matter before June that year.
113. *A Government representative of the United States* said that the situation regarding human and labour rights of workers in Fiji was a matter of deep concern. It was regrettable that no progress had been made in rescheduling the direct contacts mission. He urged the Government of Fiji to cooperate with the ILO and its procedures in the future and he therefore supported the draft decision.
114. *A Government representative of India* said that constructive dialogue and cooperation with the ILO would help Fiji to resolve all the outstanding issues.

Decision

115. *In light of the absence of cooperation on the part of the Government of Fiji, the Governing Body:*
- (a) *expressed its strong disappointment at the failure of the Government of Fiji to respond to the Director-General's letter of 21 December 2012;*
 - (b) *urged the Government to be cooperative with the ILO and its procedures in the future and, in particular, as regards the Governing Body's previous request that, together with the social partners, it find appropriate solutions to bring the law and practice into conformity with freedom of association principles;*
 - (c) *urged the Government of Fiji to accept the direct contacts mission, as set out in the resolution adopted by the Governing Body in 2012, so that it might take place prior to the June 2013 ILC; and*
 - (d) *decided to include this item on the agenda of the 318th Session of the Governing Body in June 2013.*

(GB.317/INS/7, paragraph 5.)

Eighth item on the agenda

367th Report of the Committee on Freedom of Association (GB.317/INS/8)

- 116.** *The Chairperson* of the Committee said that, of the 178 pending cases before the Committee, 49 had been examined on their merits. In Cases Nos 2318 (Cambodia), 2936 (Chile), 2712 and 2714 (Democratic Republic of the Congo), 2786 (Dominican Republic), 2928 (Ecuador), 2909, 2923 and 2930 (El Salvador), 2914 (Gabon), 2203 and 2948 (Guatemala), 2913 (Guinea), 2740 (Iraq), 2508 (Islamic Republic of Iran), 2945 (Lebanon), 2694 (Mexico), 2855 (Pakistan), 2937 (Paraguay), and 2745 (Philippines), the Committee had observed that, despite the time which had elapsed since the submission of the complaints, it had not yet received the complete observations of the Governments concerned, and he requested them to submit their observations as a matter of urgency.
- 117.** Concerning the follow-up to its recommendations, the Committee had noted with satisfaction 23 cases in which Governments had kept it informed of the measures taken to give effect to its recommendations. He drew the attention of the Governing Body to positive developments in two cases: Cases Nos 2469 (Colombia) and 2695 (Peru). In the case concerning Colombia, the Committee noted with satisfaction that, under the framework of the Special Committee on the Handling of Conflicts referred to the ILO (CETCOIT) and with the assistance of the Office, the parties had reached an agreement, which included their commitment to continue to give effect to the recommendations of the Committee and to the collective agreement, and the importance accorded by the parties to fully respecting the Conventions on freedom of association and collective bargaining. The Committee had also noted with satisfaction the adoption of a decree concerning the procedures for negotiation and resolution of disputes with public employee organizations. In the case concerning Peru, the Committee welcomed the reinstatement of a municipal trade union official following its conclusions and recommendations. It was of particular importance to highlight those two cases of progress as they came from a region that submitted a significant number of complaints to the Committee.
- 118.** The Committee had seen on several occasions how national machinery established to review freedom of association complaints could facilitate and expedite the resolution of matters at the national level, and it encouraged other countries to draw on those examples for their inspiration. He emphasized that the number of complaints in itself was not an indicator of the degree of freedom of association in a given country. The Committee planned to review its procedures so as to ensure that its work was not impaired by excessive recourse to international mechanisms, and it would continue to inform the Governing Body in that regard. The Committee had further encouraged the use of ILO assistance with a view to rapidly reaching solutions in conformity with freedom of association principles.
- 119.** The Committee wished to draw the special attention of the Governing Body to three cases that it considered serious and urgent: Cases Nos 2761 (Colombia), 2923 (El Salvador) and 2706 (Panama). The Colombian case concerned allegations of violence, murders, attempted murders and death threats against union leaders and members. The Committee had noted with interest a policy of the Office of the Public Prosecutor to prioritize the murder cases of the trade unionists cited in the case, in order to combat impunity effectively, as well as the tripartite mechanism set up to discuss trade union concerns and observations with respect to handling investigations into cases of anti-union violence. The Committee had also welcomed the Memorandum of Understanding between the Office of the Public Prosecutor and NORMES, and the follow-up activities undertaken to inform

prosecutors of international labour standards and freedom of association principles to be taken into account in their investigations. The Committee had expected that those efforts would be conducive to the swift resolution of the cases denounced so that the perpetrators could be identified, prosecuted and convicted. It had further called on the complainant organization to provide the specific information requested by the Public Prosecutor with respect to the circumstances surrounding the murders of several trade unionists.

- 120.** In the second serious and urgent case, Case No. 2923 (El Salvador) concerning the murder, in January 2010, of the Secretary-General of the Union of Municipal Workers of Santa Ana (SITRAMSA), the Committee had noted with concern the allegation that he had previously received death threats and that his murder took place in a climate of anti-union persecution and harassment. The Government had been requested to provide information on the criminal proceedings that had been initiated and to take all measures at its disposal to ensure that investigations were intensified to clarify the facts, identify the guilty parties and impose severe punishment with a view to preventing such criminal offences.
- 121.** In the third serious and urgent case, Case No. 2706 (Panama), concerning allegations of murder, assault and acts of violence against trade union officials and members, and the detention of protesters, the Committee had deplored the murder and injury of trade union members, as well as of several police officers. It had requested the Government to send the relevant rulings issued in those cases in order to ensure that the facts had been clarified and that the guilty parties had been severely punished. The Committee had further requested the Government to organize tripartite dialogue in the construction sector in order to examine the problems raised and to take all the measures necessary to avoid a recurrence of such acts of violence.
- 122.** *The Employer coordinator* said that the Committee had considered a record number of 52 cases, providing conclusions in 49 cases and deferring three. The objective of the report was to encourage, urge and, in many cases, expect governments to rectify practices or policy in their states that compromised the full and effective exercise of freedom of association. The current discussion concerning the mandate of other supervisory bodies had, so far, not prevented the Committee from carrying out that mandate. The Committee was an element in the ILO's wider supervisory and complaint system but it was important to recognize that it dealt with specific cases only. The mandate of the Committee, to be found in Annex I of the *Digest of decisions and principles of the Freedom of Association Committee*, clearly stated that its role was to deal with complaints from workers' and employers' organizations. The Committee was not an appropriate forum to discuss the mandate of the Committee of Experts, which fell outside matters related to freedom of association. An attempt to deal with that question would compromise the mandate, role and position of the Committee.
- 123.** It was worth noting that, when dealing with complaints, the Committee regularly referred to the *Digest*, which contained more than 1,000 quotes from the Committee's opinions, some dating back more than 30 years. According to its mandate, the Committee should take account of national circumstances, such as the history of labour relations, and of the social and economic context. When quotes from the *Digest* were included in new cases, there was no reference to what the circumstances were at that time and to what extent the national context was similar to that surrounding the original case.
- 124.** The Employer members were deeply concerned by the substantial imbalance in the number of cases received from Latin America. The current sitting might represent a "high-water mark", but the situation was not new and there was no single cause or solution. A current assessment suggested that the imbalance would continue in the near future, with about 65 per cent of cases outstanding coming from Latin America. The Employer members supported the discussion to find a solution to the problem and suggested that consideration

should be given to the approach taken in Colombia by the Government and the social partners to establish a national mechanism to deal with cases before they were escalated to the international level, as in Case No. 2877 (Colombia).

- 125.** He urged unions not to use the Committee as a court of appeal for domestic cases or as a forum to litigate on national human resources disputes. The number of minor or technical cases submitted could detract from the impact of serious cases from Latin America and could also weaken the standing and authority of the Committee. Moreover, too many of the cases dealt with in the current sitting came from the public sector. While the Employers did not dispute the rights of workers or unions in the public sector, it was of concern that the Committee had spent more than half its time in that sitting dealing with complaints by government employees against governments, or complaints by unions against government legislation.
- 126.** Case No. 2931 (France) had given the Committee the opportunity to affirm the principle of respect for local courts and judicial authorities. Similar situations had arisen in Cases Nos 2907 (Lithuania) and 2814 (Chile), which had highlighted underlying issues of compliance with the principles of freedom of association in the national legislation. In both cases, the Governments had been invited to establish national processes to resolve the matters having regard to the freedom of association and collective bargaining principles of the ILO.
- 127.** In Case No. 2706 (Panama) a reply from the Government, including feedback from the enterprise, had had the effect of providing substantial clarification. That should encourage governments and enterprises to cooperate, in view of the potential benefits of doing so.
- 128.** Case No. 2930 (El Salvador) was an employer case submitted by the National Association of Private Enterprise (ANEP). The recommendations called on the Government to take steps to ensure that the employer, through its representative organization, was represented on a tripartite body on vocational training. Representation within institutional structures was key to giving effect to the freedom of association of collectively formed unions and employer bodies.
- 129.** Case No. 2894 (Canada) was a legislative case raising concerns with regard to several legislative enactments. However, the Committee also recognized that a minimum service could be provided for non-essential services in order to protect public interests. That should, however, be carried out in full consultation with the social partners.
- 130.** Case No. 2225 (Bosnia and Herzegovina) had raised an important issue about the right of employers to invoke the principle of freedom of association to assert their right to be consulted on setting thresholds for representativeness. That was not just a right applicable to trade unions.
- 131.** Case No. 2860 (Sri Lanka) provided evidence of the balance in the Committee's report where essential services were concerned. In that case, the health sector was considered to be an essential service, thus allowing some restrictions on the right to strike if the health and safety of the community was at risk.
- 132.** Case No. 2949 (Swaziland) highlighted the fundamental principle that freedom of association required a democratic framework if trade union rights were to be properly recognized and protected. While progress had been reported in cases such as Case No. 2925 (Democratic Republic of the Congo), the deterioration of the situation in Swaziland was worrying. In light of that, he called on Governments to respond to and take the necessary steps in respect of the serious and urgent cases set out in the report.

- 133.** The Employer members acknowledged the many cases in which Governments had cooperated with the Committee by providing replies. The Committee still had a heavy backlog in its caseload and slowness to reply often meant that some cases were not dealt with for up to two years after the alleged events occurred. That situation was not in the interest of any of the parties involved, and he continued to urge early attention to the processes of the Committee, including sufficient detail from complainants, which would result in relevant and up-to-date government replies, and would enable the work of the Committee and its reports to the Governing Body to be conducive to discussions and implementation at the national level.
- 134.** *The Worker spokesperson* indicated that the Worker members' commitment to the Committee on Freedom of Association and the overall ILO supervisory system was not in and of itself aimed at putting governments in the hot seat, but was intended to enforce the rights of workers and unionists, as recognized by the international community. Faster complaint processing and responses by governments would decrease the amount of time that they spent under scrutiny and would re-establish labour rights. It should be recalled that in some cases the integrity of men and women was brought into question owing to their trade union involvement.
- 135.** He welcomed the news received during the session that Mr Urusov, Chairperson of the "Profsvoboda" trade union in Russia, had been freed after the Committee had called for his release in November 2012. He welcomed the positive developments observed in a number of cases included in the report, namely Case No. 2695 (Peru), where a trade union leader, who had been unjustly dismissed, had been reinstated and compensated; and Case No. 2677 (Colombia) where the parties had reached an agreement. He welcomed the willingness expressed in Case No. 2952 (Lebanon) to ratify Convention No. 87, but called on the Government to fully respect the principles of freedom of association, in particular in the public, domestic work and agriculture sectors. He took note, in Case No. 2860 (Sri Lanka), of the annulment of anti-union sanctions.
- 136.** Such positive results should encourage governments to provide the information requested as quickly as possible. Currently there were too many delays: in Case No. 2702 (Argentina), information requested at the end of 2010 regarding an inquiry carried out in 2008 had only been received at the end of 2012. Vigilance was also needed in respect of governments that failed to provide replies, or that replied only partly, to the Committee's requests. In Case No. 2753 (Djibouti), the Committee had still not received a reply from the Government regarding a complaint that dated back to 2009 and which was part of a long conflict that had recurrently been brought up in the Credentials Committee of the Conference. In Case No. 2655 (Cambodia), which was being examined for the fourth time and where only one incomplete reply had been received since 2008, the Government had once again failed to provide information. He regretted the absence of a reply in Cases Nos 2869 (Guatemala), 2925 (Democratic Republic of the Congo), and 2913 (Guinea). In Case No. 2882 (Bahrain), the Government's reply had covered a number of the Committee's requests, but greater precision was needed, and government follow-up to the request for inquiries into the allegations concerning arrests, torture and mistreatment of trade union officials was a matter of urgency. The same was true of Case No. 2938 (Benin).
- 137.** Various cases concerned the refusal of, and obstacles to, the registration of trade unions. Such cases included Case No. 2944 (Algeria), despite progress recorded at the previous session, and Cases Nos 2620 (Republic of Korea), 2977 (Jordan) and 2949 (Swaziland). He wished to highlight a serious and urgent case, Case No. 2923 (El Salvador), concerning the murder of union official Mr Victoriano Abel Vega in relation to his involvement in the creation of a trade union; two other cases in that country also concerned difficulties over the registration of trade unions.

- 138.** Other serious and urgent cases were Cases Nos 2761 and 2853 (Colombia) and 2706 (Panama) concerning the murder of, and death threats against, union officials. Such situations should prompt governments to strengthen the protection of unions, unionists and trade union rights, and to expedite investigations with a view to arresting and condemning the perpetrators of such acts, thus manifesting their determination to combat impunity in all its forms.
- 139.** Various cases concerned the effective right to collective bargaining, as in Cases Nos 2907 (Lithuania), 2894 (Canada), 2814 and 2885 (Chile), and 2929 (Costa Rica).
- 140.** In Case No. 2763 (Bolivarian Republic of Venezuela), he noted that the Committee had deplored the arbitrary detention of union officials following demonstrations requesting the enforcement of collective agreements.
- 141.** The Worker members deplored that, in Cases Nos 2177 and 2183 (Japan), where the Government had provided a detailed reply, a long-standing situation regarding union rights in the public sector and wage bargaining, which had seemed to be reaching a solution, had once again been blocked. Case No. 2892 (Turkey) also called for the reform of legislation on freedom of association for public servants in the judiciary.
- 142.** In line with the Committee's willingness to address the increasing number of cases concerning one region, the Worker members were determined to strengthen the effectiveness and the role of the Committee. Complaints that should have been rapidly resolved at the national level, and that had been referred to the Committee, reflected a lack of social dialogue at the national level. The problem concerned all three parties, but he called on Governments to increase their vigilance and assume their responsibility to apply the rule of law, in accordance with the fundamental principles of freedom of association and collective bargaining, as established in Conventions Nos 87 and 98. They should be assisted in such efforts by the ILO, through the Committee on Freedom of Association. It should be noted that the economic crisis had weakened workers' rights. Strengthening the work of the ILO towards achieving social coherence in the economic system from the national to the global level would, in turn, enhance the effectiveness of the action of the Committee on Freedom of Association and of the supervisory system in general.
- 143.** *A Government representative of El Salvador* said that his country deplored the events, reported under Case No. 2923, which had resulted in the murder of a union member. The Government had condemned the murder and had ordered an in-depth inquiry to identify the guilty parties. To that end, an investigation had been ordered by the Public Prosecutor's Office. The Government's influence in the proceedings was limited by the principle of the separation of powers, and it could not interfere in the work of the Public Prosecutor's Office by requesting it to expedite specific cases. Nevertheless, it hoped that the perpetrators would be swiftly identified and prosecuted. There was no lack of political will to resolve the case and the Government had a manifest interest in ensuring that such cases were not left unpunished. In that light, it would continue its efforts to implement the recommendations of the Committee in line with national law.
- 144.** *A Government representative of Panama*, regarding Case No. 2706, indicated that his Government had provided all the information requested by the Committee. The last communication had been sent in November 2011, as indicated in paragraph 8 of the 363rd Report of the Committee, March 2012. The Committee had requested the Government to communicate the rulings issued in respect of the appeal cases. The Government would do so as soon as the rulings were handed down by the Supreme Court. In its examination of the case and in its conclusions, the Committee had recognized the dialogue forums that had been established in Panama with the support of the ILO, on the recommendation of the Commission on the Application of Standards at the 100th Session

of the ILC (2011). Those forums had been constituted to address cases related to freedom of association and collective bargaining through a rapid dispute resolution system.

Decision

- 145.** *The Governing Body took note of the introduction to the report of the Committee, contained in paragraphs 1–112, and adopted the recommendations made in paragraphs: 142 (Case No. 2944: Algeria); 152 (Case No. 2702: Argentina); 162 (Case No. 2743: Argentina); 180 (Case No. 2817: Argentina); 212 (Case No. 2882: Bahrain); 231 (Case No. 2938: Benin); 260 (Case No. 2940: Bosnia and Herzegovina); 269 (Case No. 2655: Cambodia); 345 (Case No. 2894: Canada); 356 (Case No. 2814: Chile); 386 (Case No. 2885: Chile); 419 (Case No. 2904: Chile); 453 (Case No. 2761: Colombia); 483 (Case No. 2853: Colombia); 507 (Case No. 2877: Colombia); 531 (Case No. 2895: Colombia); 559 (Case No. 2620: Republic of Korea); 602 (Case No. 2778: Costa Rica); 641 (Case No. 2929: Costa Rica); 650 (Case No. 2753: Djibouti); 685 (Case No. 2896: El Salvador); 697 (Case No. 2909: El Salvador); 715 (Case No. 2923: El Salvador); 734 (Case No. 2930: El Salvador); 745 (Case No. 2684: Ecuador); 765 (Case No. 2931: France); 773 (Case No. 2708: Guatemala); 783 (Case No. 2869: Guatemala); 813 (Case No. 2913: Guinea); 850 (Cases Nos 2177 and 2183: Japan); 862 (Case No. 2977: Jordan); 880 (Case No. 2952: Lebanon); 900 (Case No. 2907: Lithuania); 949 (Case No. 2706: Panama); 959 (Case No. 2813: Peru); 1007 (Case No. 2816: Peru); 1020 (Case No. 2826: Peru); 1033 (Case No. 2874: Peru); 1074 (Case No. 2910: Peru); 1103 (Case No. 2911: Peru); 1126 (Case No. 2915: Peru); 1141 (Case No. 2925: Democratic Republic of the Congo); 1185 (Case No. 2860: Sri Lanka); 1225 (Case No. 2949: Swaziland); 1239 (Case No. 2892: Turkey); 1257 (Case No. 2890: Ukraine); 1294 (Case No. 2763: Bolivarian Republic of Venezuela); and 1309 (Case No. 2827: Bolivarian Republic of Venezuela); and approved in full the 367th Report of the Committee on Freedom of Association.*

(GB.317/INS/8.)

Ninth item on the agenda

Report of the Board of the International Institute for Labour Studies

(GB.317/INS/9)

- 146.** *The Chairperson* introduced the report, which the Governing Body was invited to note.
- 147.** *The Employer coordinator* expressed appreciation to the Director-General for his statement to the 55th Session of the Board of the International Institute for Labour Studies and welcomed the initiative of establishing a think tank to provide academic and technical guidance, thereby assisting the work of the Organization.
- 148.** *Speaking on behalf of GRULAC*, a Government representative of Colombia said that in supporting the Programme and Budget proposals for 2014–15, which included a role for the International Institute for Labour Studies, GRULAC had emphasized the need to revitalize the Institute and to ensure that the information it provided was more up to date,

so that it could continue supporting the work of the ILO. The Institute's capacities should be strengthened and it should take a more regional approach. It could serve as a conduit for new ideas on economics, macroeconomics and the role of decent work, consolidating the ILO's role alongside traditional financial institutions in the development agenda beyond 2015. In that respect, the Institute was vital as an academically independent think tank and should retain that independence. Existing synergies, such as with the Turin Centre, should be enhanced and new ones sought with higher education establishments, so as to increase knowledge of specific problems in countries. Strengthening the ILO's analytical capacity was essential if it was to play a more central role in policy-making and ensure that sufficient attention was given to job creation in the wake of the economic crisis. The Institute could contribute in that regard and should have the tools to do so.

149. *A Government representative of France* stressed the need for the Institute to have sufficient resources to function as a centre of excellence. Fragmentation, including as a result of the reform process, should be avoided at all costs and resources should not be spread too thinly.

Outcome

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

(GB.317/INS/9.)

Tenth item on the agenda

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

(GB.317/INS/10)

151. *Speaking on behalf of ASPAG*, a Government representative of Australia supported the revised draft decision. She said that the Organization must demonstrate a greater commitment to positive change.
152. *Speaking on behalf of IMEC*, a Government representative of Canada said that she was disappointed with the results of the discussion of the Working Party on the Functioning of the Governing Body and the ILC. She underlined that by testing those proposals during the 102nd Session of the ILC (2013), the Working Party could decide if they should be fully implemented or not. She noted that many of the proposals had been expected for a long time, and that they would make the Conference more efficient and effective. IMEC supported the revised decision and looked forward to discussing the outcomes.
153. *Speaking on behalf of the Africa group*, a Government representative of Niger supported the draft decision.
154. *Speaking also on behalf of the Governments of Denmark and Hungary*, a Government representative of the Netherlands aligned himself with the statement made by the IMEC countries. He was disappointed with the limited results of the Working Party on the Functioning of the Governing Body and the ILC and had expected more changes to be made considering the thorough reform that was under way. He encouraged more ambition in that undertaking in order to make the Conference more relevant in the future.

Decision

155. *On the recommendation of the Working Party on the Functioning of the Governing Body and the ILC, the Governing Body decided:*

- (a) to propose to the ILC to implement in June 2013, on a trial basis and subject to certain derogations of its Standing Orders, the changes on which a tripartite consensus had been reached, as listed in paragraph 10 of document GB.317/INS/10;*
- (b) to request the Office to prepare for its 319th Session (October 2013):*
 - (i) a detailed analysis of the trial implementation of those reforms;*
 - (ii) a first set of proposed amendments to the Standing Orders of the ILC on the issues identified as those on which a tripartite consensus had been reached but which required, for their implementation, amendments to the Standing Orders at the 103rd Session of the ILC (2014); and*
 - (iii) additional information on pending issues requiring further consultations and discussion.*

(GB.317/INS/10, paragraph 11.)

Eleventh item on the agenda

Report of the Working Party on the Social Dimension of Globalization

Chairperson's summary (GB.317/INS/11)

156. *The Chairperson* introduced the two questions on the agenda for discussion: the first related to the post-2015 sustainable development agenda; and the second was concerned with tackling the global economic and employment crisis. The discussions had been enriching and he invited the participants to express their views on the subject.

157. *The Employer coordinator* said that the points listed in paragraph 7 did not relate to policy decisions but were those that had been raised during the discussions. The Working Party was a forum for discussion which should deal with more specific subjects. The relevance and future direction of the Working Party should be analysed in the light of the dynamics of the Governing Body reform.

Outcome

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

(GB.317/INS/11.)

Twelfth item on the agenda

Report of the Director-General (GB.317/INS/12(&Corr.))

Obituaries

Decisions

- 159.** *The Governing Body paid tribute to the memory of Mr Abraham Katz, former Employer member of the Governing Body and former President of the IOE and to the memory of Mr Rolf Thüsing, former Employer Vice-Chairperson of the Governing Body and Vice-Chairperson of the Executive Committee of the IOE, and invited the Director-General to convey its condolences to the Government of the United States, to the President of the IOE and to the family of Mr Abraham Katz, to the President of the IOE and to the family of Mr Rolf Thüsing.*
- 160.** *The Governing Body took note of the information contained in paragraphs 13 to 30 of the Report of the Director-General.*

(GB.317/INS/12(&Corr.), paragraphs 6 and 12.)

First Supplementary Report: Measuring decent work (GB.317/INS/12/1)

- 161.** *A representative of the Director-General (Director, Multilateral Cooperation Department (MULTILATERALS)) introduced the document, which reported on work undertaken by the Office since 2008 to measure decent work through country profiles, of which 12 had been completed. More profiles were under way and due to be completed before the end of the year, when the budgeted programme was due to end. The report also provided information on a separate pilot project undertaken to look into how achievement of legal commitments related to fundamental principles and rights at work might be measured, using information derived from the ILO's supervisory system. The mechanism arrived at for classifying available information proved to be a useful referencing tool, though not necessarily as a method of measurement. The Governing Body was invited to provide guidance, in particular from the member States for whom country profiles had been conducted.*
- 162.** *The Employer coordinator recalled that his group had supported the adoption of the ILO's knowledge management strategy. This support was geared primarily to the proposal to strengthen the value of the ILO's data, statistics, research and analysis, including the knowledge gateway focusing on the collection of country-level information. He welcomed the current Office-wide review of research, statistics and knowledge management functions, as there was a real need to focus the ILO's work on knowledge in a coherent way, citing LABORSTA, NORMLEX and NATLEX as examples of respected ILO databases. In his group's view, the work on decent work indicators, however, did not fall in that category. Decent work indicators were often subjective and undermined the ILO's fact-based strategy, and presupposed that decent work was something clearly defined and measurable, when it was not.*

- 163.** Furthermore, there was a lack of policy oversight on how this work had developed, and no unanimity amongst constituents for the work and its continuation. Recalling that decent work at its most fundamental was a concept based on national circumstances, using statistics that could be highly questionable across borders would go against that thinking and would be the antithesis of the idea behind Decent Work Country Programmes (DWCPs). He noted that even though the Office had said the data would not be used for the purposes of comparison between countries, other groups could be tempted to do this. Given the confusion and lack of consensus on what was being measured and for what purpose, his group proposed that, pending the Governing Body's approval of the Office's upcoming review of research, statistics and knowledge management functions, work on measuring decent work should cease. Any resumption of work should be subject to express approval by the Governing Body as part of the adoption of the ILO's new research statistics and knowledge strategy.
- 164.** *The Worker Vice-Chairperson*, underlining his group's continued support for measuring decent work, deplored the lack of progress in that regard since a set of decent work indicators had been recommended by a tripartite meeting of experts in 2008. At that time, the Governing Body had agreed that the Office should develop quantitative indicators on freedom of association and collective bargaining; however, the transformation of that goal into the more modest aim of compiling existing information gave cause for concern. It sent the message that the Organization was unable to measure freedom of association, which lay at the core of its activities, and opened the way for other organizations to develop methodologies that ran counter to the principles of the ILO core Conventions, and this at a time when the realization of decent work should be included as one of the post-2015 sustainable development goals. Concerns with the approach taken by the Office should be discussed: he could not accept the Employers' proposal that the work should be shelved or replaced with something that undermined the agreement reached in 2008. The issue should not be linked to that of ILO research. The Office should apply its methodology to the application of freedom of association and collective bargaining rights, and a further meeting of experts should be convened to evaluate progress and discuss improvements to the methodology.
- 165.** *Speaking on behalf of the Africa group*, a Government representative of Ghana welcomed the measurement of how the Decent Work Agenda was performing, as part of the Office-wide review of research, statistics and knowledge management. Endorsing the development of decent work country profiles that took account of national needs and priorities, he asked what would happen to the project on Monitoring and Assessing Progress on Decent Work (MAP) once European Commission funding ceased. He urged the Office to disseminate the first version of the decent work indicators manual widely among constituents. Labour force surveys were vital for building credible decent work country profiles. Endorsing the proposed Information Gateway, he said that the ten thematic areas of decent work should be linked to the post-2015 development agenda.
- 166.** *A Government representative of Zambia*, endorsing the statement made on behalf of the Africa group, said that his country was taking steps to improve the collection and analysis of labour market data. It had launched its decent work country profile in January 2013, and was grateful for the ILO's support. Under the Industrialization and Job Creation Strategy, Zambia had identified priority sectors with the greatest potential for job creation. Statistics in these sectors were thus vital to the Government and he expressed support for the Information Gateway initiative, which would provide one-stop access to statistics.
- 167.** *Speaking on behalf of ASPAG*, a Government representative of China welcomed the Office's efforts to measure decent work through country profiles, which could help to identify gaps in designing and developing DWCPs. This was in line with the ILO Declaration on Social Justice for a Fair Globalization. With regard to the pilot project to

measure freedom of association and collective bargaining rights, he sought guidance as to how the methodology developed would be used in the future. In informal consultations, various countries had expressed the view that the system for coding the findings of the ILO supervisory system was too complicated and that evaluation was premature. He asked whether the results of coding would be used to rank member States' compliance. It was for individual States to decide whether and how to define indicators, but the Office could provide technical assistance.

- 168.** *Speaking on behalf of GRULAC*, a Government representative of Colombia drew attention to the worrying fact that, despite concerns previously expressed by constituents, the Office had continued its activities on measuring decent work and had not sought decisions from the Governing Body, instead submitting documents for information or discussion only. The focus on coding the findings of the ILO supervisory system would lead to inherent weaknesses on account of the prioritization of ratified instruments over non-ratified ones and the regional imbalance in the activities of bodies such as the Committee on Freedom of Association and the Conference Committee on the Application of Standards. GRULAC countries in particular were over-represented. Despite Office assurances to the contrary, comparisons between countries and regions were inevitable. The development of decent work indicators by countries should be voluntary and should take account of national circumstances, priorities and needs, so as to improve conditions at national level, as had been the case in the decent work country profiles carried out. In view of its methodological and substantive objections to the current approach to measuring decent work, GRULAC supported the proposal made by the Employers' group.
- 169.** *A Government representative of Brazil* fully supported the GRULAC statement. He said that, in his country, two evaluations of progress made on decent work had already been carried out, within the framework of the National Decent Work Agenda. The results thereof were reflected in the National Plan for Employment and Decent Work. Furthermore, the first National Conference on Employment and Decent Work had been held in August 2012. Its conclusions would serve as a basis for formulating a national employment and decent work policy. Lastly, he underlined the fact that the measurement process should take account of each country's specific circumstances and that participation in the process should be voluntary.
- 170.** *A Government representative of China* supported the ASPAG statement. He said that, given that countries had different levels of economic and social development, applying a single set of indicators to all of them could have many limitations. The scarce resources available should not be channelled into measuring but into helping constituents tackle challenges in the world of work.
- 171.** *A Government representative of Germany* said that many European countries did not agree with ending the Office's work on decent work indicators. His Government and those of France, Netherlands, Italy, Denmark, Finland and Sweden considered it fundamental to have appropriate indicators on full and productive employment and decent work, with a view to including a decent work objective in the post-2015 development agenda. Moreover, he said that particular attention should be given to lessons learned about how effective indicators were in improving results in the areas of employment and social protection.
- 172.** *A Government representative of Canada* took note of the fact that work on measuring decent work was being reviewed as part of the Office-wide process under way to examine research, statistical and knowledge-management functions. With regard to the work done on decent work country profiles and the proposals to create electronic profiles and an information gateway, she would appreciate receiving information on the resources expended to date and the future costs of these initiatives. With regard to the pilot project on

measuring fundamental principles and rights at work, she pointed out that, in previous discussions, reservations had been expressed about the project's viability. It was therefore welcome that the Office was re-examining what could be done in that sphere, in line with guidance from the Governing Body. Lastly, the Organization should direct its resources to those areas in which it could make a significant contribution, such as developing relevant indicators in the context of the post-2015 development agenda.

- 173.** *A Government representative of India* expressed concern at the development of decent work indicators by the ILO, the focus of which was too prescriptive. Although ensuring decent work was one of the main priorities for all member States, it was for each country to design its own strategy and indicators freely. Every country had a different level of development, so it made no sense to apply the same set of indicators to all countries. The ILO should restrict itself to providing technical assistance to countries that requested it. Furthermore, the report mentioned a European Commission project (MAP) on which the ILO's entire strategy on the issue was based. The Government of India was not familiar with the project and he requested the Office to provide constituents with information about it before the document was discussed further. He said that, in his country, the vast majority worked in the informal sector, and he questioned how useful the project on measuring decent work could be to such workers. The ILO must tackle the informal economy in greater depth before it could prescribe indicators for it.
- 174.** *A Government representative of the United States* said, with regard to decent work country profiles, that her Government welcomed the emphasis on developing indicators that were appropriate to national contexts. Nevertheless, she expressed the concern that the indicators would be difficult to manage and that countries would not have sufficient capacity to collect the necessary data. She requested the Office to clarify the methodology and resources used to develop indicators. She added that, if the objective of decent work was included in the post-2015 development agenda, it would be necessary to identify targets and associated indicators, which would need to be specific, practical, measureable and not unduly complicated. She considered that the ILO was the appropriate body to develop such indicators.
- 175.** *A Government representative of Niger* expressed support for the statement made by Ghana on behalf of the Africa group. In Niger, which had been one of the countries to benefit from the pilot phase of the programme, the process had taken place in an inter-African context with participation by the social partners. In that regard, she expressed regret that EU funding would soon cease and added that her Government wished to continue receiving assistance.
- 176.** *A Government representative of the Republic of Korea* supported the ASPAG statement. She welcomed the fact that tripartite participation in the preparation of decent work country profiles was being encouraged, which would assist greatly in making the results acceptable to constituents. With regard to the pilot project, she requested the Office to clarify the 168 criteria and the methodology used for coding, pointing out that the criteria should be practical and concise. Lastly, she stressed that member State participation in initiatives to measure decent work must be voluntary.
- 177.** *The Employer coordinator* said that some governments, especially in Africa, had appreciated the ILO's work to develop decent work profiles at national level, while others had expressed concern. The Employers' group had prepared a new draft decision that aimed to reflect both positions. In accordance with that draft, the Governing Body would take note of the fact that the pilot project had been suspended so that possible ways of measuring progress made in ensuring respect for fundamental principles and rights at work could be investigated; it would take note of the fact that the existing projects on decent work country profiles would come to a close at the end of the current biennium; it would

take note of the fact that, at the end of the biennium, those projects would be evaluated; and it would request that, before the Office continued its work on decent work country profiles, the Director-General should seek guidance from the Governing Body.

178. *The Worker Vice-Chairperson* said that his group had not been consulted about the draft decision and therefore could not support it. The Office should submit a proposal if the discussion were to continue.
179. *Speaking on behalf of GRULAC*, a Government representative of Colombia said that she could not support the new draft decision. The report being considered did not provide for any decision to be taken. The important thing was for the Office to prepare a paper reflecting all views expressed and submit it to the Governing Body so that a decision could be adopted on the matter at its October session. Lastly, she reiterated the statement she had made during the morning meeting.
180. *A Government representative of Kenya* supported the statement made by Ghana on behalf of the Africa group and said that decent work country profiles could help countries to measure their progress, detect weaknesses and identify technical cooperation needs.
181. *A representative of the Director-General* (Deputy Director-General for Policy (DDG/P)) clarified two terms used in the report that appeared to have generated confusion. The term “decent work” referred to a shared vision and goal that included the four strategic objectives and the 2008 Declaration on Social Justice for a Fair Globalization. The term “indicators” also seemed problematic, although these were a means of measuring progress recommended in the 2008 Declaration, as well as for the Millennium Development Goals (MDGs). Very likely, they would also be used for the post-2015 development framework. The confusion generated by these two terms carried risks for the upgrading and improvements to ILO statistics and research that was central to the reform of the Organization launched by the new Director-General and widely supported by the Governing Body. The decent work indicators referred to in the report devolved from solid statistical measures based on agreed international labour statistical standards which the ILO had helped to set. Some work had been done, on the recommendation of the 2008 meeting of experts, to attempt to capture other dimensions of decent work, including progress towards effect given to fundamental principles and rights at work, with freedom of association and the right to collective bargaining as a starting point. This had proved complicated, and it was subsequently stopped.
182. The decent work country profiles, generously funded by the EU, were a means of providing the Office with solid data and an analytical basis for designing DWCPs. Feedback from the countries in question had been positive, and other countries wished to have their decent work profiles drawn up. Besides this, the Governing Body, in November, had given strong support to the goal of including employment as a key and central aspect of the post-2015 development framework, and the Office had already devoted much energy to this goal. In this connection, the ILO would certainly be asked, and rightly so, how to measure the scale of the problem and how specific and measurable targets and indicators could be proposed to countries. Work on this was well in progress, and its results would shortly be shared with the Governing Body.
183. *The Chairperson* drew attention to a draft decision proposed by the Workers’ and the Employers’ groups.
184. *Speaking on behalf of GRULAC*, a Government representative of Colombia said that, in the interest of reaching a consensus, her group would not object to the adoption of the proposed draft decision. However, the text did not reflect certain aspects of the group’s position, as set out in its previous statement on the item. GRULAC would follow closely

the issue of measuring decent work and expected that its views and concerns would be taken into account in future Office papers.

- 185.** *A Government representative of India*, emphasizing that the question of decent work indicators was highly sensitive, asked who would be preparing the evaluation reports mentioned in the draft decision. Furthermore, the report on the pilot project measuring progress towards effect given to the fundamental principles and rights at work should be circulated to the Governing Body prior to the adoption of any decision on the matter.
- 186.** *A representative of the Director-General* (Director, Department for Multilateral Cooperation) recalled that the Governing Body was being asked only to “note” the report on the pilot project and that several reports on the progress towards giving effect given to the fundamental principles and rights at work had been presented since 2008, most recently in March 2011. The evaluation would be undertaken by the ILO’s Evaluation Unit (EVAL). He would be happy to provide further clarifications if required.
- 187.** *The Employer coordinator* said that the draft decision reflected the rich debate that had taken place on the item and that his group fully supported the text.
- 188.** *The Worker Vice-Chairperson* reiterated his group’s support for the draft decision.
- 189.** *A Government representative of China* reiterated his Government’s concerns with regard to the draft decision and expressed the hope that the Office would take the views of member States into account when undertaking the evaluations.

Decision

190. *The Governing Body:*

- (a) *noted the extensive discussion of the issues and various views raised by the Office report; that the current project on decent work country profiles would conclude at the end of the current biennium; the report on the pilot project measuring progress towards effect given to the fundamental principles and rights at work, which had not been taken further since the Governing Body discussion in March 2011; that evaluations of the work would be undertaken; and*
- (b) *looked forward to receiving the evaluation reports.*

(GB.317/INS/12/1.)

Second Supplementary Report: Progress on the internal reform (GB.317/INS/12/2)

- 191.** *The Employer coordinator* stressed her group’s continuing support for the internal reform process. The group was mindful that the restructuring of an organization, while in many ways being cause for optimism, could also give rise to uncertainty. It looked forward to working with its partners in the ILO to take advantage of the opportunities that would be generated. While her group supported the priorities identified in the document, its own priorities included promoting the ILO as a globally recognized knowledge centre; improving the Organization’s “DNA” by encouraging job applicants from the business

world; and promoting tripartite engagement in technical cooperation design and delivery. She reiterated the importance of having a consolidated Human Resources Strategy that would address the ILO's demographic challenge. The Employers welcomed the appointment of Mr Hougbo as Deputy Director-General for Field Operations and Partnerships (DDG/FOP) and would welcome further clarification about the reporting structures for the Deputy Directors-General. It would also be interesting to know how the issue of PPPs would fit into the reporting structure; the outcome of the review of the ILO's capacities in the areas of research, statistics and publications; and whether there had been any efficiency savings as a result of the reform. The Employers looked forward to working with the Director-General in achieving the goals he had set out.

- 192.** *The Worker Vice-Chairperson*, reiterating his group's support for the reform agenda, spoke in favour of making the ILO a centre of excellence for the world of work. The Workers' group expected the creation of the new management structure to lead to a more focused delivery of services to constituents and to improve ILO advocacy. In that regard, it would like further information on the terms of reference and composition of the various management teams. The involvement of the Bureau for Workers' Activities (ACTRAV) and the Bureau for Employers' Activities (ACT/EMP) in the work of those teams and consultations with the Staff Union were key to the reform's success. It was essential to ensure a strong human resources management and communication structure, both at headquarters and in the field. The integration of social dialogue remained very important. The Workers would welcome further information about what concrete steps would be taken next.
- 193.** *Speaking on behalf of GRULAC*, a Government representative of Colombia expressed her group's support for the internal reform process. The fact that transparency and accountability were among the goals of the reform plan was an indication of the Office's desire to enhance its credibility and make better use of available resources. In that regard, there was a need to identify priorities among the ILO's objectives. Her group noted with satisfaction that all concerned parties, both at headquarters and in the field, had been involved in the reorganization of services relevant to the management and reform portfolio. With regard to the fragmentation of functions, it agreed with the proposal to create larger organizational units with a higher number of specialists. She noted with satisfaction that a review of the ILO's current external relations and strategic partnerships was being carried out and that the Office had been making progress in the area of human resources, in particular with respect to recruitment processes and geographical mobility. The Office should not lose sight of the fact that its human dimension was its greatest asset. In that respect, she drew the Director-General's attention to the Latin America and Caribbean region's highly skilled human resources pool.
- 194.** *Speaking on behalf of the Africa group*, a Government representative of Kenya said that his group fully supported the internal reform process, which it hoped would result in an Organization that understood the need for unity of purpose and balance in diversity in the world of work. His group looked forward to the outcomes of the decisions by the senior management teams and welcomed the establishment of a multidisciplinary project team that was working with a network of focal points in close consultation with the Staff Union. However, he reiterated the need for regional balance, fairness and accountability during such consultations, and the urgent need to hold discussions on the recruitment and selection policy. His group would closely monitor the process and outcomes of such discussions. It supported the objective of developing practical and cost-effective proposals for both geographical and functional staff mobility, taking into account best practices of other international organizations, and efforts to reposition the ILO as the beacon of social justice in the UN system.

- 195.** *Speaking on behalf of IMEC*, a Government representative of the Netherlands said that IMEC supported the reform agenda and welcomed the establishment of the senior management teams. Noting the complementarities between the different portfolios of the Deputy Directors-General, he said that cooperation would be key to delivering results. He therefore invited the Director-General to explain in more detail how he intended to strengthen cooperation within the Organization. With regard to the work of the various project teams, he asked when results could be expected; and with regard to human resources, he expressed the hope that the policies and best practices of other UN agencies would be taken into account. In particular, the Office should take due note of the recommendations stemming from the quadrennial comprehensive policy review of the UN General Assembly and engage actively in the work of the high-level committees of the UN Development Group. It would be useful to receive further clarification regarding the anticipated savings and efficiencies resulting from the reform and regular updates on progress.
- 196.** *A Government representative of Japan* welcomed the steady progress that had been made in implementing the internal reform, which reflected the Director-General's leadership and efforts to enhance the Organization's efficiency, effectiveness and ability to respond to current challenges. While he appreciated the fact that a team had been established to review the field structure and was composed of staff with experience both at headquarters and in the field, he would welcome further clarification as to that team's specific mandate. His Government was firmly in favour of a reform that would contribute to the realization of decent work in the regions and called for a concrete proposal in that regard to be submitted to the Governing Body. Referring to the review of the ILO's human resources structure, he stressed that adequate consideration should be given to tackling the issue of under-representation.
- 197.** *A Government representative of China* welcomed the Director-General's efforts to promote the internal reform plan and the progress made to date. Although a great deal of research, analysis and consultation had gone into drawing up the plan, much remained to be done and efforts needed to be made to ensure that those good practices continued when translating the plan from theory into practice, including with regard to reforming the regional structures. He hoped that the new Global Management Team would play its leading role to the fullest possible extent and that information would be made available on the progress made.
- 198.** *A Government representative of India* regretted that the report did not explain what lessons had been learnt from the first stage of reform. In the long term, the reform's success would be judged, not only on whether they improved the efficiency and transparency of the Organization, but also on whether they made it more inclusive. His Government supported the reform process in the hope that it would lead to better representation of the developing world within the ILO.
- 199.** *A Government representative of France* said that enhancing the Organization's capacities in the areas of research and knowledge would improve its ability to keep abreast of the huge changes occurring in the world of work, to analyse best practices in managing change, to identify the most effective public policies on employment and social protection, to demonstrate the value of social dialogue in that connection and to position the ILO as the reference point, or centre of excellence, when dealing with those issues within the multilateral system. He was confident that the Organization would achieve the latter goal.
- 200.** *A representative of the Director-General (DDG/MR)*, responding to comments made during the debate, noted the strong endorsement given to the Director-General's integrated approach to the reform of the Organization. None of the projects stood alone; they were closely interrelated and interdependent. Significant progress had been achieved on what

was an ambitious programme, thanks to the high level of staff engagement which was already paying dividends in the shape of expert input. Regular consultations were held with the Staff Union. He agreed that reform was a vehicle for improving working methods, not an end in itself. Many areas of work within the portfolios required interdepartmental cooperation and some activities would also cut across portfolios. The three Deputy Directors-General would coordinate that action.

- 201.** The field review, a crucial area entailing interaction with the policy portfolio and with the management and reform portfolio, would cover all the Organization's field operations and would look into how and where it worked and the nature of that work. A detailed progress report on the review, which should be completed by the end of 2013, would be submitted to the Governing Body's session in October of that year. Constituents would be consulted throughout the course of the field review. Efficiency gains and savings were being made not by a reduction in resources, but by reallocating them and putting them to better use as reforms progressed. Since it was vital to modernize practices in the area of human resources, an integrated package of reforms would be put together by March 2014.
- 202.** *The Director-General* said that he would reply to issues related to the programme and budget during the debate on that subject. The purpose of the reform was to improve the quality of the Organization's work, to make the ILO a centre of excellence and to increase its influence over the world of work and in the multilateral system.
- 203.** Despite the substantial progress already made, reform was in an early stage and, for that reason, much had still to be done in areas which were clearly of importance to a number of speakers. Those areas included research, statistics and publications, where the ILO was well advanced in its reflections. The ILO was beginning to tackle the question of field operations and technical cooperation. It had discussed the Human Resources Strategy the previous week and had established a clear timetable.
- 204.** Results from the reforms could be expected exactly in line with the time frame published in October 2012. The internal reform was generating mixed feelings of optimism tinged with concern. Worries naturally became greater when difficulties were encountered, but problems were being addressed in-house by a participatory, inclusive process, as that approach was likely to produce the best results. Since transparency was intended to be a hallmark of the process, another progress report would be tabled at the Governing Body meeting in October 2013.
- 205.** Turning to the subject of respective responsibilities, he said that he would be happy to inform the Workers' group of project teams' terms of reference, but it was his responsibility to set those terms. He agreed that silos could not be broken down simply by drawing up a new organigram; it was essential to put in place the right structures and to ensure that working methods were correct. Bringing together colleagues from different disciplines could significantly promote teamwork. The Deputy Directors-General themselves had interrelated responsibilities and worked as a team, not in hermetically sealed boxes. The management of the Organization, therefore, had to be given a clear message that teamwork, not defending territory, was the order of the day. He and his Deputy Directors-General understood their responsibilities and what was at stake in the reform process.

Third Supplementary Report: Mid-term stocktaking of implementation of the ILO Action Plan for Gender Equality 2010–15 (GB.317/INS/12/3)

- 206.** *The Employer coordinator* welcomed the report; however, she considered that the examples of gender mainstreaming initiatives given were more descriptive than analytical. Furthermore, the measures taken to reduce gender differences in the labour market were not relevant because they were not directed towards meeting the strategic objective of employment. Such measures should focus on furthering the advancement of women in enterprises and management positions. In that regard, she highlighted the work of ACT/EMP and the cooperation agreement between the ILO and Norway to promote women's economic empowerment. With regard to social protection, the examples given in the report lacked a gender perspective so were not useful. With respect to social dialogue, it was important to increase women's representation at all levels of the ILO's tripartite programme. Moreover, the ILO Action Plan for Gender Equality could not be applied without the active participation of the social partners, which was not mentioned in the report. Regarding fundamental principles and rights at work, she said that trade union freedoms, freedom of association, and the right to bargain collectively were key factors in empowering working women. With respect to partnerships, more information was needed on approaches to gender mainstreaming in cooperation agreements and on best practices in the area of technical cooperation. With regard to technical cooperation activities, the Office should clarify the impact thereof. Lastly, on the subject of lessons learned, a knowledge base should be created to help constituents formulate policy.
- 207.** *The Worker Vice-Chairperson* said that the ILO should maintain a leading position in gender mainstreaming within the UN system and that the Action Plan Phase III indicators should be more closely aligned with those of the UN System-wide Action Plan on Gender Equality and the Empowerment of Women (SWAP). However, the alignment should not affect the ILO's indicators. He requested the Office to provide some concrete examples of how such an alignment might be carried out.
- 208.** Turning to table 1 of the Action Plan, he noted that the overall picture regarding staffing, substance-related and structural indicators was positive. He encouraged the Office to increase its efforts to meet the targets set in the Action Plan. Referring to table 2 of the Action Plan, he noted that the Office had successfully mainstreamed gender equality in many technical areas. Nevertheless, it remained difficult to assess the overall impact of the Office's work based on the random examples provided. His group trusted that a clear and detailed analysis of the progress made and challenges encountered would feature in the final evaluation.
- 209.** However, it was worrying that some elements of the 2009 ILC resolution concerning gender equality had not been adequately addressed. His group regretted that the focus remained on supply-side measures and not on gender-sensitive employment policies or on creating an enabling macroeconomic environment conducive to decent and productive employment. Furthermore, the document made no reference to strategies to reduce precarious employment or to promote freedom of association and collective bargaining in EPZs. He would like to know whether the Office was working on that issue.
- 210.** As to social dialogue, his group would have liked the focus to have been on collective bargaining as a tool for promoting gender equality and improving women's working conditions. As regards fundamental principles and rights at work, he noted with regret that the document failed to mention activities aimed at promoting the ratification of the Conventions referred to in the 2009 ILC resolution. He requested the Office to provide

information on the ongoing or planned activities in that area. Noting that women had accounted for only 26.9 per cent of accredited delegates, substitute delegates and advisers at the 101st Session of the Conference, he hoped that, following the discussion at the November 2012 meeting of the Governing Body, that percentage would increase. His group agreed with the draft decision in paragraph 34 of the document.

- 211.** *Speaking on behalf of the Africa group*, a Government representative of Ghana said that the Office had done well to seek guidance from constituents at the mid-term stage, as the insights gained from the debate could inform the implementation of the Action Plan. His group commended the Office on having met the targets for ten out of the 18 indicators by the end of 2012 but noted with concern that the gender gap in unemployment had increased. The introduction of family-friendly measures would help to reverse that trend. Turning to social protection, he appreciated the Office's efforts to promote gender responsiveness in HIV initiatives and to protect migrant workers. In Africa, awareness raising was required to garner support for the Domestic Workers Convention, 2011 (No. 189), and its ratification. He counted on the support of the Office in that endeavour.
- 212.** Noting the critical role of social dialogue in promoting gender equality, he encouraged the Office to continue sharing best practices. His group regretted the drop in the number of female delegates at the 101st Session of the ILC and suggested that the Office remind member States of the 30 per cent target when it issued invitations. His group concurred with the assertion that constant knowledge building and sharing expertise were essential to addressing the complexities of gender-based discrimination. His group agreed with the draft decision in paragraph 34 of the document.
- 213.** *A Government representative of Kenya* said that her Government aligned itself with the statement made by Ghana on behalf of the Africa group. The under-representation of women at the 101st Session of the ILC underscored the urgent need to promote and respect the 30 per cent target. She welcomed data disaggregated by sex, as although more women were in paid employment than ever before, they did not always enjoy equality of opportunity. In order to reverse that trend, it was necessary to mainstream the gender perspective in economic, social, wage and income policies. Following the promulgation of its new Constitution in 2010, in Kenya the one third rule was systematically applied when appointing women to political and governmental positions. Her Government supported the draft decision in paragraph 34 of the document.
- 214.** *Speaking on behalf of GRULAC*, a Government representative of Colombia said that gender equality was one of the pillars of decent work and encouraged the Office to maintain its leading position in gender mainstreaming within the UN system, and to continue its efforts to reach the targets for the staffing-related indicators not yet met. GRULAC requested, in particular, measures to strengthen the implementation of the Collective Agreement on Conflict Prevention and Resolution, including in the area of sexual harassment. She noted with concern that the current economic crisis had widened the gender gap in unemployment to the detriment of women but welcomed the efforts undertaken to bridge that gap. She stressed that paid work and domestic, unpaid work should not be viewed in isolation and that there was a need to adopt measures aimed at reconciling work with family life. Her group welcomed the interest shown by various countries and institutions in the implementation of programmes on women's working conditions. The focus on gender in those programmes was essential to improving the situation of working women, eradicating gender-based discrimination and ensuring equal pay for equal work. Given the under-representation of women at the 101st Session of the ILC, she called upon the social partners and governments to ensure that the participation of women in the ILC continued to grow. Her group agreed with the draft decision in paragraph 34 of the document.

- 215.** *A Government representative of El Salvador* said that her Government aligned itself with the statement made by Colombia on behalf of GRULAC. While ILO labour standards were aimed at combating discrimination and promoting gender equality, the fact remained that the normative framework of individual countries was not gender-neutral, with the result that laws and policies could perpetuate gender inequality within the labour market. She underlined the importance of the labour inspectorate in enforcing labour standards and in providing reliable statistics on the situation of labour rights in a given country. Governments should devise sustainable public policies that took into account both family life and women's working conditions.
- 216.** *A Government representative of India* said that the empowerment of women was an essential part of gender mainstreaming and that positive economic and social policies were the key to women realizing their full potential. Turning to table 1 of the Action Plan, he welcomed the Office's efforts to achieve parity between male and female staff. His Government was of the opinion that all ILO regional and subregional offices should seek to promote gender mainstreaming through practical strategies tailored to the country in question. Referring to the under-representation of women at the 101st Session of the ILC, he encouraged the Office to ensure that women were adequately represented at the ILC in the future. His Government agreed with the draft decision in paragraph 34 of the document.
- 217.** *A representative of the Director-General* (Director, Bureau for Gender Equality (GENDER)) said that a working paper on promoting the Workers with Family Responsibilities Convention, 1981 (No. 156), and the Maternity Protection Convention, 2000 (No. 183), had been prepared in collaboration with various technical units in-house. In addition, ten country studies had also been carried out to determine how the ratifying countries had reached ratification and the strategies they had adopted. Recalling the comments made by the Workers' group concerning the extension of freedom of association and collective bargaining, particularly in EPZs, she confirmed that work was under way to extend those fundamental rights to the workers in those zones. She also took note of the call for data from the Employers' group. Furthermore, the Office would continue to follow up the impact of the training provided by the Turin Centre. Turning to the figure showing the percentage of women participants in the ILC from 2006–12, she said that the Office had been collecting data since 2001 but had not included all of it for ease of reading. Moreover, she agreed with the call from the governments for the Office to adopt more specific measures to address that issue. She recognized the importance of partnerships with governments and the UN system in mainstreaming the gender perspective and that, while the Office was moving in the right direction, it needed to do more to meet the targets for its own indicators and for those of SWAP.
- 218.** *A representative of the Director-General* (DDG/P) said that the Office wished to take advantage of the internal restructuring to build on its good work in the area of gender, particularly in terms of data, analysis, research for policy development and technical cooperation. There was also a clear need to strengthen the Office's work on non-discrimination in other dimensions, such as race, ethnicity, religion and disability. To that end, a decision had been taken to consolidate the Office's work on discrimination into a new department called Conditions of Work and Equality, which would include a unit called Equality and Diversity where work on gender would continue. In that way, the Office would be able to better support partners, governments and employers' and workers' organizations in their efforts to eradicate discrimination from the workplace.

Decision

219. *The Governing Body requested the Office, in the light of discussions, to continue implementing the ILO Action Plan for Gender Equality 2010–15 in order to maximize results before an independent evaluation at the end of Phase III in 2015, and instructed the Office when drafting Phase III (linked to the Programme and Budget proposals for 2014–15) to align more closely the current ILO indicators on staffing, structure and substance with the six areas of the United Nations System-Wide Action Plan (SWAP) on Gender Equality and the Empowerment of Women.*

(GB.317/INS/12/3, paragraph 34.)

Fourth Supplementary Report: Documents submitted for information only (GB.317/INS/12/4(Rev.))

Outcome

220. *The Governing Body took note of the information contained in the documents listed in the appendix to document GB.317/INS/12/4(Rev.).*

(GB.317/INS/12/4(Rev.), paragraph 4.)

Fifth Supplementary Report: Follow-up to Governing Body decisions (GB.317/INS/12/5)

221. *The Employer coordinator* highlighted the usefulness of the document and encouraged its wide circulation within the Office and the regions. As it was in effect an information paper, it should be treated as such in the future and not formally included in the agenda, on the understanding that any member of the Governing Body could raise an issue or observation. To make it even more useful and comprehensive, she proposed the addition of a column identifying budget and source of budget for the follow-up actions taken. The report was a good and useful governance tool.
222. *The Worker Vice-Chairperson* also emphasized the usefulness of the document. He recognized that it was not easy to report uniformly on all follow-up actions, as some points were highly political while others were on very specific activities. He encouraged the Office to continue reporting on decisions mandated by the Conference, and regretted that, in this regard, funding still had yet to be found to support the proposed tripartite meeting of experts on private compliance initiatives in light of international labour standards, as had been requested by the 100th Session (2011) of the Conference. However, the document should not replace other reporting mechanisms such as the one on the follow-up to the plan of action to give effect to the resolution concerning the recurrent discussion on fundamental principles and rights at work, which needed to be reported upon in full. It should be presented only once a year.
223. *Speaking on behalf of IMEC*, a Government representative of Canada stated that given the usefulness of the document as a monitoring tool, and the need to receive information regularly on measures taken by the Office, his group did not support the proposal for the

report to be submitted once a year, and proposed deletion of subparagraph (b) from the draft decision.

- 224.** *Speaking on behalf of GRULAC*, a Government representative of Colombia endorsed the IMEC statement.
- 225.** *A Government representative of China* recognized that the document provided clear, accurate and detailed information on the implementation of Governing Body decisions, and remarked that reporting once a year was sufficient. This would allow for more time and space for the follow-up action to be implemented. His delegation therefore supported that draft decision as it was.
- 226.** *The Worker Vice-Chairperson* endorsed the statement by the Government representative of China and maintained his group's position as stated above. The Employer coordinator was in agreement with his Worker counterpart.
- 227.** *A representative of the Director-General (DDG/MR)* explained that the rationale behind the proposal to report once a year was to produce more complete and effective reporting. He noted the extraordinary amount of work required in producing the report, which was compiled by the Official Meetings, Documentation and Relations Department with inputs from all over the Office. In many cases, however, there was only slight progress to be reported within a six-month period, or even less, given that the reports were prepared weeks before the Governing Body session. He affirmed that the Office was prepared to report twice a year, but left it to the Governing Body to decide if that was the best use of resources.

Decision

228. *The Governing Body:*

- (a) requested the Office to prepare for its 319th Session (October 2013) a supplementary report on the follow-up to the decisions adopted since November 2011, taking into account the guidance provided concerning the format and content of the attached table; and*
- (b) endorsed the proposal for this supplementary report to be submitted once a year, during its end-of-year session.*

(GB.317/INS/12/5, paragraph 5.)

Sixth Supplementary Report: Appointment of a Deputy Director-General (GB.317/INS/12/6)

Outcome

- 229.** *The Governing Body noted that the Director-General, after having duly consulted the Officers of the Governing Body, had appointed Mr Hougbo as Deputy Director-General for Field Operations and Partnerships as of 1 March 2013. Mr Hougbo made and signed the prescribed declaration of loyalty as provided under article 1.4(b) of the ILO Staff Regulations.*

(GB.317/INS/12/6, paragraph 4.)

230. *The Chairperson* announced that GRULAC had submitted a request to read a statement in tribute of the late President of the Bolivarian Republic of Venezuela, Mr Hugo Chávez Frías, followed by a minute's silence. This procedure had been approved by the Officers of the Governing Body and was similar to tributes paid to the late President in other UN organizations, such as the Human Rights Council and the Office of the United Nations High Commissioner for Refugees.
231. *Speaking on behalf of GRULAC*, a Government representative of Colombia said that these States were united in their support of the Venezuelan people, and shared their sadness over the loss of their leader. She addressed her statement to the Permanent Representative of the Bolivarian Republic of Venezuela to the UN Office and other international organizations in Geneva and his staff, as well as to the Government of the Bolivarian Republic of Venezuela and the family of the late President. The tribute was followed by one minute of silence.
232. *The Chairperson*, speaking for the Governing Body, observed that it was the second anniversary of the Fukushima earthquake and tsunami and expressed profound admiration for the courage shown by the people of Japan following this disaster.

Seventh Supplementary Report: Financial arrangements for the Tripartite Meeting of Experts on Facilitating Transitions from the Informal Economy to the Formal Economy

(Geneva, 16–20 September 2013)
(GB.317/INS/12/7)

233. This item was discussed in conjunction with GB.317/INS/13/3, *Arrangements for a Tripartite Meeting of Experts on Facilitating Transitions from the Informal Economy to the Formal Economy (Geneva, 16–20 September 2013)*. For a summary of the discussion that took place regarding these items, see GB.317/INS/13/3.

Decision

234. *The Governing Body decided that the cost of the Tripartite Meeting of Experts on Facilitating Transitions from the Informal Economy to the Formal Economy, estimated at US\$484,600, would be financed in the first instance from savings in Part I of the budget or, failing that, through Part II, on the understanding that, should this subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the biennium.*

(GB.317/INS/12/7, paragraph 6.)

Eighth Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by France of the Labour Inspection Convention, 1947 (No. 81), submitted under article 24 of the ILO Constitution by the trade union “SUD Travail Affaires sociales” (GB.317/INS/12/8)

Decision

235. The Governing Body:

- (a) approved the report;*
- (b) invited the Government to draw useful conclusions from this case and, in consultation with the social partners, to continue to take such measures as might be necessary to ensure that in future no improper external influence in the form of pressure exerted upon labour inspectors would be tolerated, by invoking all the legal provisions applicable to the case, and to ensure that the image of the labour inspectorate was not tarnished in the eyes of employers, workers, and in public opinion in general, as a result of such incidents;*
- (c) invited the Government to take all measures necessary to ensure that the investigation of the complaint filed by the Director-General for Labour and the Directors of the General Administration and Modernization of Services concerning the offences of public defamation and public insult against a public official moved forward as quickly as possible, in order to establish the facts, to determine whether illegal acts were committed, to identify the culprits and to initiate the relevant legal procedures;*
- (d) brought these conclusions to the attention of the Committee of Experts on the Application of Conventions and Recommendations; and*
- (e) made the report publicly available and closed the procedure initiated by the representation of the trade union “SUD Travail Affaires sociales”, alleging non-observance by France of Convention No. 81.*

(GB.317/INS/12/8, paragraph 69.)

Thirteenth item on the agenda

Reports of the Officers of the Governing Body

First report: Complaint concerning non-observance by Bahrain of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made by delegates to the 100th Session (2011) of the International Labour Conference under article 26 of the ILO Constitution (GB.317/INS/13/1)

236. *The Chairperson* recalled that the complaint had been presented in June 2011 and that it had been considered several times, the last time being at the November 2012 session of the Governing Body, when the Government had been requested to provide a report on the effective implementation of the Tripartite Agreement concerning the complaint and to report to the present session. The Office had been asked to provide all the assistance required by the tripartite constituents and it had been decided to defer the decision on the complaint to the present session. The draft decision was set out in paragraph 39 of the document under consideration.
237. *The Employer coordinator* said that her group supported the draft decision as set out in paragraph 39.
238. *The Worker Vice-Chairperson* said that the Workers' group considered that the situation of the workers in Bahrain had not improved for want of political will on the part of the Government and the lack of consultations with the General Federation of Bahrain Trade Unions (GFTBU), which challenged the reliability of the information supplied by the Government. The Workers denounced a breakdown in the tripartite process and the Government's failure to honour its commitments towards the ILO since it still refused to accept any responsibility for discrimination against workers. Over 600 workers and more than 20 trade union leaders were still waiting to be reinstated, not to mention the imprisonment of the head of the Teachers' Association and his deputy for taking part in a demonstration, revocations of citizenship and the Government's failure to heed all expressions of concern from UN agencies and human rights organizations. The constructive approach claimed by the Government was far from being a reality; only through comprehensive, inclusive and equitable tripartite dialogue would it be possible to remedy the current situation of discord. In view of the above, the Workers supported the draft decision.
239. *A Government representative of Bahrain* said that everyone had witnessed the serious efforts made by the Government to settle the situation of the workers dismissed in the wake of the events of March 2011, especially through the signature of the Tripartite Agreement in March 2012. The Governing Body needed to bear in mind the substantial progress that had been documented. In order to create a positive labour market, it was important to build trust rather than emphasize differences. The Government had given an undertaking to comply with international labour standards and wanted Bahrain to be a model for the region. The Worker Vice-Chairperson was raising issues that lay outside the competence of the ILO, such as those relating to citizenship and the judiciary, which had nothing to do with labour relations. The Government emphasized the independence of the judiciary in Bahrain and the reforms relating to human rights and regretted that the Worker representative denied the existence of any tripartite dialogue in Bahrain, even though the

Government had met the workers more than 60 times in the previous two years. The safety of the social partners in the country, including trade unionists, was ensured. He thanked all those who supported his position and asked the Governing Body to approve the withdrawal of the complaint against the Government.

240. *Speaking on behalf of the EU and its Member States as well as Croatia, The former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Republic of Moldova and Armenia,* a Government representative of Lithuania said that compliance with the ILO Conventions was essential for social and economic stability in any country and a context of dialogue and trust between employers, workers and governments was conducive to strong and sustainable growth. She urged the parties to effectively implement the Tripartite Agreement of March 2012. She regretted that the documents under consideration had only been sent 24 hours before they were examined by the Governing Body, thereby leaving the delegations with little time to respond. The EU group supported the draft decision set out in paragraph 39.

241. *A Government representative of Qatar* thanked the Office for drawing up a document which recalled the context of the issue under discussion. She welcomed the efforts made by Bahrain, which bore witness to the Government's political will to settle the issue through dialogue and cooperation, and praised the positive intervention and constructive assistance of the Office in the matter. Qatar supported the calls for removal of the complaint from the agenda, since it considered that the grounds for the complaint no longer existed. The speaker proposed that the draft decision should be amended to read as follows:

In the light of the information contained in this document, the Officers of the Governing Body recommend that the Governing Body decide:

- (a) to defer all consideration of the complaint;
- (b) to invite the Office to obtain relevant information from the Government, workers' and employers' organizations of Bahrain, including the effective implementation of the Tripartite Agreement of 11 March 2012, and to report to the Governing Body at its 319th Session (October 2013); and
- (c) to place this item on the agenda of its 319th Session (October 2013) in order to determine whether further action is required on the complaint in light of the information provided by the Office in connection with paragraph (b).

242. *A Government representative of the United Arab Emirates* underlined the importance of the ILO as a forum that promoted cooperation and dialogue. He noted the determination of the Government of Bahrain to resolve the situation and the abundant testimonies to that effect. Only 1 per cent of the dismissed workers had not been reinstated, a figure that he considered to be negligible. He supported the amendment proposed by Qatar and thought that the complaint should be withdrawn.

243. *A Government representative of Lebanon* said that his delegation greatly appreciated Bahrain's efforts to resolve the issue concerned. In view of the small number of unresolved cases he supported the draft decision as proposed by Qatar.

244. *A Worker member from Bahrain* regretted the fact that the Government of Bahrain had not made greater efforts to settle the situation of the dismissed workers in a fair and equitable manner, preferring to waste resources on sending a large delegation which was merely calling for the withdrawal of the complaint, on the pretext that 90 per cent of the cases had been settled. However, 600 workers were still without jobs, income or protection, a situation that had already existed for two years. The Government was playing down the social consequences of the dismissals and was asserting that it had done everything possible to remedy the situation, whereas progress had ground to a halt. Some workers had

indeed been reinstated but it had often been in jobs that did not correspond to their qualifications or expectations. A number of health workers were still in prison, dismissals were continuing, the general secretary of the teachers' union was still in custody, and his deputy had been dismissed after a period of imprisonment. Some 20 trade union leaders had still not been reinstated and the Government had failed to mention in its reports to the ILO that it had decided to suspend social protection and pay increases for a number of dismissed workers for exercising their right to strike; nor had it made any reference to its use of the media to accuse the trade union leaders of treason. Migrants were still suffering discrimination in the country, not just because of their political opinions but also because of their skin colour or their nationality.

- 245.** In the opinion of the trade union movement of Bahrain, the Government had made no effort to take account of the ILO's recommendations concerning the application of Convention No. 111 and refused to recognize that the problems remained, while exerting pressure to have the complaint withdrawn. The Governing Body must consider the complaint without yielding to the pressure from the Government so that the people of Bahrain could enjoy social equality and decent work. The ILO supervisory mechanisms needed to examine the complaint with objectivity, independence and impartiality. The Bahrain trade union movement remained open to dialogue and fully supported the draft decision.
- 246.** *A Government representative of Sudan* commended the positive attitude of the Government of Bahrain and its commitment to resolving the complaint on the basis of tripartite consultations and social dialogue. Real efforts had been made and the Government of Sudan therefore considered that the grounds on which the issue had been placed on the agenda of the Governing Body no longer existed and the matter therefore deserved to be brought to a close.
- 247.** *An Employer member from the United Arab Emirates*, after recalling the facts of the matter under consideration, welcomed the fact that more than 90 per cent of the dismissed workers had been reinstated or had found new jobs and that the other cases were pending before the courts. Unlike the Workers, the Employers were not in favour of keeping the item on the agenda of the Governing Body, as that would be detrimental to the private sector and business in general. Many employers had cooperated with the tripartite committee and reinstated the dismissed workers. Since the few cases with respect to which lawsuits were still in progress were no longer within the competence of the ILO, it could be considered that the matter was settled and that there were grounds for removing the complaint from the agenda. The Employers' group supported the amendment proposed by the delegation of Qatar.
- 248.** *A Government representative of Algeria* commended the political will demonstrated by the Government of Bahrain with a view to resolving the matter under consideration and noted with satisfaction that it intended to settle the cases that were still pending. Algeria endorsed the amendment proposed by the delegation of Qatar and urged the Government of Bahrain to take account of its people's interests when resolving the pending cases.
- 249.** *A Government representative of India* noted with satisfaction the steps taken by the Government of Bahrain to ensure progress on the matter under consideration, especially the adoption, in March 2012, of the Tripartite Agreement signed by the Government of Bahrain, the GFBTU, and the Bahrain Chamber of Commerce and Industry (BCCI). Welcoming the fact that most of the dismissed workers had been reinstated or had received assurances that their cases would be settled, his delegation asked the Office to provide all necessary technical assistance for the tripartite constituents and to withdraw the complaint submitted under article 26 of the Constitution. India endorsed the amendment proposed by the delegation of Qatar.

- 250.** *A Government representative of Thailand* welcomed the encouraging developments in the situation in Bahrain and the Government's willingness to cooperate with the ILO and the international community. The fact that Bahrain was contemplating the ratification of Conventions Nos 87 and 98 should also be commended, as should the legislative improvements made in favour of the rights of women and domestic workers. His Government thought that the complaint should be removed from the agenda of the Governing Body and supported the amendment proposed by Qatar.
- 251.** *A Government representative of Viet Nam* commended the goodwill shown by the Government of Bahrain and welcomed the progress made with a view to resolving the matter under discussion and securing the cooperation of all the parties. He hoped that pursuing the dialogue that had been launched would enable the pending issues to be resolved and result in the matter being removed from the Governing Body agenda.
- 252.** *A Government representative of the United States* said that his delegation endorsed the draft decision, considering it entirely appropriate to send a special representative to Bahrain in order to ensure the implementation of the Tripartite Agreement concluded in March 2012.
- 253.** *A Government representative of Sri Lanka* thanked the ILO for its support for the promotion of fundamental principles and rights at work. His delegation thought that the matter did not call for further measures and it supported the amendment proposed by the delegation of Qatar.
- 254.** *A Government representative of Egypt* commended the steps taken in recent months by the Government of Bahrain to deal with matters relating to the complaint and welcomed the conclusion of the Tripartite Agreement. His Government did not consider it useful to keep the item on the agenda and called for a formula that would enable the amendment proposed by Qatar and the Office's proposal to be combined.
- 255.** *A Government representative of Japan* welcomed the establishment of the tripartite mechanism and the measures taken by the Government of Bahrain to find a satisfactory outcome to the complaint submitted. His Government felt that the decision on the matter should be deferred to the 319th Session of the Governing Body.
- 256.** *A Government representative of Switzerland* said that her country endorsed the statement made by Lithuania on behalf of the 27 Member States of the EU and supported the adoption of the draft decision. Her delegation hoped that the report of the special representative would be made available early enough to enable the constituents to give it due consideration.
- 257.** *A Government representative of China* said that his delegation noted the information supplied by the Government representative of Bahrain and welcomed the positive developments in the situation concerning the dismissed workers, which showed the Government of Bahrain's willingness to resolve the pending cases. The Government of China thought that the Governing Body should opt to remove the item from the agenda.
- 258.** *A Government representative of the Russian Federation* said that his delegation had duly noted the concerns expressed by the Workers' group and found that the report showed the Government of Bahrain's willingness to restore the rights of the dismissed workers. He called on Bahrain to continue to cooperate with the trade unions and the ILO in settling the pending cases. His delegation thought that the item should be kept on the agenda and was willing to endorse a consensual decision that would enable workers' rights in Bahrain to be defended effectively.

259. A *Government representative of Canada* pointed out that the report before the Governing Body had been distributed much too late, which had prevented delegations from studying it sufficiently. He noted that the decision concerning the receivability of the complaint had been deferred several times. His delegation acknowledged that social dialogue might require additional time to produce results and, as a result, not all of the elements required for a decision could be available at an early stage. However, he stressed that background and factual information must be published at a much earlier stage in order to allow governments sufficient time to respond and obtain proper instructions in the full context of a given case. He hoped that, if the draft decision was adopted at the present session, the results of the proposed mission would be communicated well before the October 2013 session of the Governing Body so that an informed decision could be taken.
260. A *Government representative of Indonesia* noted with interest the efforts made by the Government of Bahrain to reinstate the dismissed workers. In view of the concerns that remained regarding the fate of those who had not yet been reinstated, his country encouraged the Government of Bahrain to continue negotiations on the basis of the Tripartite Agreement. Indonesia endorsed the amendment proposed by the Government of Qatar.
261. A *Government representative of Pakistan* commended the commitment of the Government of Bahrain to making progress in the spirit of tripartism on the matter under consideration. In the light of the statements made by various delegations, his delegation endorsed the amendment proposed by the Government of Qatar, in the hope that a consensus could be reached.
262. A *Government representative of Bahrain*, recalling that a representative of the Workers had previously stated that 750 dismissed workers were still out of work, said that the Government had sent eight communications to the ILO on the subject since then. Shortly before the arrival of the Bahraini delegation in Geneva, a list had been sent containing the names of 600 workers who had been reinstated in their jobs. The Worker representative had raised questions that contained a political dimension and did not come within the competence of the ILO since they had nothing to do with the complaint. The speaker urged the Workers to supply the names of persons who they claimed were still unemployed since their dismissal and he reaffirmed that the State had focused on providing the dismissed workers with new jobs at reasonable rates of pay. His Government was willing to pursue social dialogue in a spirit of conciliation and goodwill and supported the amendment proposed by the Government of Qatar.
263. *The Chairperson* introduced the draft decision proposed by the Office on the basis of the amendment proposed by Qatar. In the new draft decision, at the start of subparagraph (b), the words “to visit the country” had been added after the word “Office”.
264. *The Ambassador of Qatar* supported the amendments and subamendments incorporated in the draft decision.
265. *The Worker spokesperson* said that his group was not entirely satisfied with the result of the debates and that there were differences in perception of the facts. He considered that the Office’s initial proposal would have allowed the situation to be analysed more objectively. The Workers supported the new proposal but did so reluctantly.
266. *The Employer coordinator* supported the proposed amendments and trusted that the dispatch of a mission to the country would allow the consideration of the matter to be brought to a close at the October 2013 session of the Governing Body.

267. *A Government representative of Bahrain* expressed appreciation for the proposed solution, which had been accepted by the three groups. The Government of Bahrain would meet the workers' and employers' organizations of his country with a view to reaching an agreement that was satisfactory to everyone.
268. *Speaking on behalf of the EU*, a Government representative of Lithuania endorsed the consensus that had been reached.
269. *Speaking on behalf of GRULAC*, a Government representative of Colombia proposed replacing the word "instar" (urge) with the word "inviter" (invite) in subparagraph (b) of the Spanish version of the draft decision.
270. *A Government representative of the United Arab Emirates* welcomed the consensus reached by the three groups and the political will demonstrated by Bahrain to settle the matter. His Government supported the draft decision as amended, and hoped that the item could soon be taken off the Governing Body agenda.
271. *The Chairperson* expressed appreciation for the consensus reached by the delegates. The draft decision was therefore adopted with the proposed amendments and subamendments.

Decision

272. *In the light of the information contained in document GB.317/INS/13/1, the Governing Body, on the recommendation of its Officers, decided:*
- (a) *to defer all consideration of the complaint;*
 - (b) *to invite the Office to visit the country in order to obtain relevant information from the Government and the workers' and employers' organizations of Bahrain, including the effective implementation of the Tripartite Agreement of 11 March 2012, and to report to the Governing Body at its 319th Session (October 2013); and*
 - (c) *to place this item on the agenda of its 319th Session (October 2013) in order to determine whether further action is required on the complaint in light of the information provided by the Office in connection with paragraph (b) above.*

(GB.317/INS/13/1, paragraph 39, as amended.)

Second report: Arrangements for a tripartite meeting on labour migration (Geneva, 4–8 November 2013) (GB.317/INS/13/2)

273. *A Government representative of the United Arab Emirates* said that the ILO's informed contribution to the UN General Assembly High-Level Dialogue on International Migration and Development, in October 2013, and its subsequent assessment of the Dialogue's outcome would be best served by taking account of the emerging global consensus on the need to integrate migration into the United Nations Development Agenda beyond 2015. To that end, it would be advisable to include regional consultative bodies that brought together migrant workers' countries of origin and destination among the intergovernmental

organizations invited to attend the tripartite technical meeting in the autumn. Global and regional academic and research centres that focused on both migration and development should be among the non-governmental organizations that should be asked to participate, since they could help the Organization to demonstrate and measure the development outcomes of labour migration.

- 274.** *A Government representative of Brazil* requested clarification regarding the composition of the constituents' representatives at the tripartite technical meeting. It was her understanding that the 12 Government representatives would consist of three representatives of each of the four regions.
- 275.** *A representative of the Director-General (Director, Conditions of Work and Equality (WORKQUALITY))* explained that consultations had been held with the three groups of constituents and it had been agreed that it would be possible for Governments to attend as observers. It would be incumbent upon regional groups to decide which Governments were included in the delegation.

Decisions

- 276.** *The Governing Body, on the recommendation of its Officers, approved the following composition formula: 12 Government representatives nominated after consultation with the regional coordinators; 12 participants nominated after consultation with the Employers' group; and 12 participants nominated after consultation with the Workers' group. Other Government, Employers' and Workers' delegates would also be invited to attend the meeting as observers at their own cost.*

(GB.317/INS/13/2, paragraph 5.)

- 277.** *The Governing Body, on the recommendation of its Officers, approved the following agenda:*

- (a) labour migration in the context of debates on international migration and development of the post-2015 development framework;*
- (b) the effective protection of migrant workers, with reference to the particular vulnerabilities of low-skilled and middle-skilled workers;*
- (c) sound labour market assessment needs, and skills recognition and certification; and*
- (d) international cooperation and social dialogue for well-governed national and international labour migration and regional mobility.*

(GB.317/INS/13/2, paragraph 7.)

Invitation of intergovernmental organizations

- 278.** *The Governing Body took note of this part of the document.*

(GB.317/INS/13/2, paragraph 8.)

Invitation of international non-governmental organizations

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

- (a) Amnesty International (AI);*
- (b) Human Rights Watch (HRW);*
- (c) International Catholic Migration Commission (ICMC);*
- (d) Migrant Forum in Asia (MFA);*
- (e) Platform for International Cooperation on Undocumented Migrants (PICUM);*
- (f) the Migration Policy Centre;*
- (g) the Migration Policy Institute.*

(GB.317/INS/13/2, paragraph 10.)

Third report: Arrangements for a Tripartite Meeting of Experts on Facilitating Transitions from the Informal Economy to the Formal Economy (Geneva, 16–20 September 2013) (GB.317/INS/13/3)

280. *Speaking also on behalf of the Governments of France and the Netherlands, a Government representative of the United Kingdom opposed the Tripartite Meeting of Experts on Facilitating Transitions from the Informal Economy to the Formal Economy due to the decision taken by the Governing Body to hold two Conference standard-setting discussions on that item. He felt it was too expensive and time consuming. Instead, he suggested producing a consultation paper containing possible elements of a Recommendation.*

281. *A Government representative of India did not agree with the statement made by the Government representative of the United Kingdom, saying that the topic was important because more than 50 per cent of the global population lived in the informal economy. Developing countries, such as India, needed to be fairly represented.*

282. *A representative of the Director-General (DDG/P) said that preparatory work on the topic would serve a useful purpose since that item had been placed on the agenda of the 103rd Session of the Conference (2014) with a reduced timeline. The Meeting of Experts could prepare the law and practice questionnaire that formed the foundation of the discussions at the Conference.*

Decisions

283. *The Governing Body, on the recommendation of its Officers, approved the following composition formula: 12 experts nominated after consultations with Governments; 12 experts nominated after consultations with the Employers' group; and 12 experts nominated after consultations with the Workers' group. Other governments may also attend as observers at their own cost.*

(GB.317/INS/13/3, paragraph 6.)

284. *The Governing Body, on the recommendation of its Officers, approved the following agenda: Building on the outcome of the Meeting of Experts, guidance for the proposed instrument would be gathered concerning innovative solutions and up-to-date experience (legal, policy, institutional, governance and other interventions) which have proved successful in supporting the transition of informal workers and enterprises to formality, preventing others from entering the informal economy and enhancing rights and opportunities.*

(GB.317/INS/13/3, paragraph 8.)

**Fourth report: Timing of the autumn
2014 session of the Governing Body
(GB.317/INS/13/4)****Decision**

285. *The Governing Body, on the recommendation of its Officers, decided that the autumn 2014 session (322nd Session) of the Governing Body would be scheduled from 30 October to 13 November 2014.*

(GB.317/INS/13/4, paragraph 7.)

**Fifth report: Representation alleging
non-observance by Qatar of the Forced
Labour Convention, 1930 (No. 29), submitted
under article 24 of the ILO Constitution by the
International Trade Union Confederation and
the Building and Wood Workers' International
(GB.317/INS/13/5)****Decision**

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

(GB.317/INS/13/5, paragraph 5.)

Sixth report: Representation alleging non-observance by the Netherlands of the Labour Inspection Convention, 1947 (No. 81), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Occupational Safety and Health Convention, 1981 (No. 155), submitted under article 24 of the ILO Constitution by the Netherlands Trade Union Confederation (FNV), the National Federation of Christian Trade Unions (CNV) and the Trade Union Confederation of Middle and Higher Level Employees' Unions (MHP); and

Representation alleging non-observance by Spain of the Termination of Employment Convention, 1982 (No. 158), submitted under article 24 of the ILO Constitution by the Trade Union Confederation of Workers' Committees (CC.OO.) and the General Union of Workers (UGT)
(GB.317/INS/13/6)

Decision

287. On the recommendation of its Officers, the Governing Body:

- (a) set up a tripartite committee for the examination of the representation alleging non-observance by the Netherlands of the Labour Inspection Convention, 1947 (No. 81), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Occupational Safety and Health Convention, 1981 (No. 155), submitted under article 24 of the ILO Constitution by the Netherlands Trade Union Confederation (FNV), the National Federation of Christian Trade Unions (CNV) and the Trade Union Confederation of Middle and Higher Level Employees' Unions (MHP); and***
- (b) set up a tripartite committee for the examination of the representation alleging non-observance by Spain of the Termination of Employment Convention, 1982 (No. 158), submitted under article 24 of the ILO Constitution by the Trade Union Confederation of Workers' Committees (CC.OO.) and the General Union of Workers (UGT).***

(GB.317/INS/13/6, paragraph 3.)

Seventh report: Developments in relation to the International Organization for Standardization, including in the field of occupational safety and health (OSH)
(GB.317/INS/13/7)

288. *A Government representative of Japan* requested more detailed information regarding the high-level discussion that had taken place between the ILO and the International Organization for Standardization (ISO). He also wanted to know what kind of understanding could be reached between the ILO and the ISO.
289. *A Government representative of India* questioned if it was possible to harmonize the ISO standards with existing ILO standards. He underlined that the ILO was the only tripartite organization in existence, which was why the proposal to allow the ISO to formulate standards had previously been rejected. Labour standards should be decided by the ILO.
290. *The Worker spokesperson* proposed that paragraph 4 of GB.317/INS/13/7 be amended from “the harmonization of ISO standards with existing ILO standards or guidelines” to “the conforming of ISO standards with existing ILO standards or guidelines”.
291. *A representative of the Director-General (DDG/P)* stated that under the guidance of the Governing Body, discussions had been held with the ISO in order to reach agreement on certain core principles. In response to the suggested amendment made by the Workers’ group, she clarified that ISO standards would indeed have to conform to ILO standards. The initiation of a vote among ISO member organizations on that matter had led the Office to try to reach an understanding. The necessary minimum conditions for an agreement had been put forward, and the Office was waiting for the ISO to respond. It was important to note that in the meantime the vote was going forward.

Decision

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

- (a) *decided that, if the ILO and the ISO reached an understanding that contained the necessary elements indicated in paragraph 4 of document GB.317/INS/13/7 before its 318th Session (June 2013), such an understanding might be concluded on a pilot basis, subject to communication of the agreement to the Governing Body for information at its next session and to review its implementation at the 320th Session (March 2014); and*
- (b) *authorized the Office, if the understanding was concluded, to use it for specific collaboration between the ILO and the ISO in the field of OSH management systems, subject to submission of any development on the matter for information to its 319th Session (October 2013).*

(GB.317/INS/13/7, paragraph 6.)

Fourteenth item on the agenda

Composition and agenda of standing bodies and meetings

(GB.317/INS/14)

Decisions

Ninth European Regional Meeting of the ILO
(Oslo, 8–11 April 2013)

Invitation of international non-governmental organizations

293. *The Governing Body, on the recommendation of its Officers, authorized the Director-General to invite the International Confederation of Private Employment Agencies (CIETT) to be represented at the Ninth European Regional Meeting as an observer.*

(GB.317/INS/14, paragraph 2.)

102nd Session of the International Labour Conference
(Geneva, 5–20 June 2013)

Invitation of intergovernmental organizations

294. *The Governing Body took note of this part of the document.*

(GB.317/INS/14, paragraph 3.)

Meeting of Experts on Policy Guidelines on the Promotion
of Decent Work for Early Childhood Education Personnel
(Geneva, 12–15 November 2013)

Invitation of intergovernmental organizations

295. *The Governing Body took note of this part of the document.*

(GB.317/INS/14, paragraph 4.)

Invitation of international non-governmental organizations

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

- *Association Montessori Internationale;*
- *Education International;*
- *Global Campaign for Education;*
- *Global Partnership for Education;*

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- *Inter-Agency Network for Education in Emergencies;*
 - *International Task Force on Teachers for EFA (Education for All);*
 - *VSO International (Voluntary Service Overseas);*
 - *World Federation of Teachers' Unions;*
 - *World Organization for Early Childhood Education (OMEP).*

(GB.317/INS/14, paragraph 6.)

Global Dialogue Forum on Initiatives to Promote
Decent Work in the Chemical Industry
(Geneva, 26–28 November 2013)

Invitation of intergovernmental organizations

297. *The Governing Body took note of this part of the document.*

(GB.317/INS/14, paragraph 7.)

Invitation of international non-governmental organizations

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

- *CSR Europe (Corporate Social Responsibility);*
- *European Chemical Industry Council (CEFIC);*
- *Global Reporting Initiative (GRI);*
- *IndustriALL Global Union;*
- *International Chemical Employers' Labour Relations Committee (LRC);*
- *International Council of Chemical Associations (ICCA);*
- *Social Accountability International (SAI).*

(GB.317/INS/14, paragraph 9.)

Policy Development Section

Employment and Social Protection Segment

299. The Employment and Social Protection Segment was held on Wednesday, 13 and Thursday, 14 March 2013. It was chaired by Mr Shahmir (Government, Islamic Republic of Iran), as appointed by the Chairperson of the Governing Body. The Employer spokespersons were Ms Goldberg on agenda items 1 and 2, and Mr De Meester on agenda item 3. The Worker spokesperson was Ms Kelly on all agenda items.

First item on the agenda

Recurrent discussion report on employment (2014) (GB.317/POL/1)

300. *A representative of the Director-General* (Assistant Director-General for Policy (ADG/P)) introduced the paper and drew attention to the proposed points for discussion.

301. *The Employer spokesperson* welcomed the opportunity to contribute to preparations for the recurrent discussion on employment in June 2014 and underscored the importance of those reviews as a governance tool. The end of the first cycle of recurrent discussions mandated by the ILO Declaration on Social Justice for a Fair Globalization was now approaching. She therefore suggested that the Governing Body might wish to schedule an examination of lessons learned from past discussions by both the Office and the constituents, prior to the 2014 ILC.

302. She supported the structure of the report on the recurrent discussion on employment, but expressed concern that it might oversimplify some contextual facts, assume consensus on certain divisive issues and present generalized solutions for complex matters. It did not address the fact that the sovereign debt crisis, rather than the 2008 financial crisis, had been the root cause of the problems currently facing some major economies. The report should take account of the fact that austerity policies could be beneficial in the longer term even if they had negative consequences in the short run, and that some apparent short-term fixes had led to long-term problems such as inflation or unsustainable public spending. The World Bank's *World Development Report 2013: Jobs* was a useful reference in that regard, as it identified the complex political choices facing developing and developed countries in their quest for an appropriate balance between equity and efficiency in promoting jobs and growth. Regarding the list of long-run trends in paragraph 13 of the paper, she said that growing income inequality was not necessarily directly related to job creation or employment generation and should not therefore be the first issue addressed in that context. On subparagraph (i), she pointed out that the part of aggregate demand that created jobs was investment and productive activity and that non-standard forms of employment were not always undesirable. She urged the Office to address the labour market aspects of demographic transitions and the skills mismatch. Turning to the priorities identified in Part III, the focus should be on employment and job creation which required emphasis on sustainable enterprises, investment, private sector development and competitiveness. Jobs could not be created without an enabling environment for sustainable enterprises. The Office should use the tools at its disposal to assess those key drivers of employment through case studies.

- 303.** As for the points for discussion in paragraph 30, while policy coherence was important, the main concern should be developing the right priorities. The focus in subparagraph (iv) should be shifted from how the conclusions of the 2010 recurrent discussion on employment had been implemented by the ILO constituents to how those conclusions had been helpful to them. Turning to the options for country employment policy reviews, the Employers wished to know how employment policy would be defined, how the subjects of the reviews would be selected and how the results would be assessed.
- 304.** *The Worker spokesperson* said that in 2014, the recurrent discussion should address the continuing employment crisis in terms of quality and quantity and the key employment challenges facing countries and their citizens. It should deal with substantive problems, global and national policy responses and examine how the ILO could help countries meet the employment challenges they faced. The Office report for the recurrent discussion should include an analysis of the diverse realities of ILO member States and help identify policies and measures that would respond more effectively to those realities, including standards-related action, technical cooperation, and technical and research activities. She supported the inclusion in the report of a section on challenges and suggested adding the following subheadings: the impact of the continuing economic crisis on the quantity and quality of employment, including its impact on workers' rights and labour market policy, collective bargaining and employment security; policy coherence at the national and international level to ensure that decent work was placed at the centre of macroeconomic policies, including trade policies; and achieving structural transformation, including through industrial policies that allowed developing countries to move from low to high value-added production. While supporting the inclusion of key trends, she noted that demographic transitions, the skills mismatch and the shift towards environmental sustainability would be examined at the 2013 ILC. Given that income inequality was the root cause of the current crisis, she called for high-quality analysis that drew on knowledge available across the Office. She suggested that efforts to address the gender gap should be mainstreamed throughout the report.
- 305.** The action to promote employment in Part II of the paper should be developed in the light of the challenges identified in Part I, in order to ensure that future priorities for ILO work responded to Members' needs by putting decent jobs at the centre of crisis recovery and structural change. Measures that had been implemented since the recurrent discussion in 2010 should be assessed against the headings of the 2010 conclusions. A thorough evaluation of all standards-related action needed to be undertaken, going beyond the promotion of the ILO Employment Policy Convention, 1964 (No. 122), and including policies to maintain wage levels. She suggested that the section should be reorganized under the following subheadings: progress by the ILO and member States on responding to the current challenges; follow-up to the 2010 recurrent discussion; follow-up to the "Call for Action" on youth employment; and implementation of the Global Jobs Pact and the Global Employment Agenda with a focus on macroeconomic issues. She also suggested that Parts III and IV could be merged. In order to achieve inclusive, sustainable growth, the ILO and its Members should address not only employment and social protection, but also rights at work and genuine social dialogue. The social partners should be involved in the design of employment-centred policies. Turning to paragraph 30, she suggested that point (iii) should analyse the impact of the lack of coherence in recent macroeconomic policy trends. She supported the inclusion of country employment policy reviews in point (v) and suggested that the Office could consult the reports of the UN Conference on Trade and Development (UNCTAD) and the World Trade Organization (WTO) in that regard. The speaker noted that ACTRAV needed to be associated with and consulted throughout the process of drafting the report.

- 306.** *Speaking on behalf of the Africa group*, a Government representative of the Congo recalled the objectives and strategic themes of the ILO Declaration on Social Justice for a Fair Globalization. He supported the analysis suggested for Part I and said that youth unemployment was a constant concern in Africa. He suggested that paragraph 12 should include reference to the need for adequate technological transformation in Africa. He supported the analyses and themes in paragraphs 17 and 29, and wished to learn more about policies designed to create decent and productive jobs.
- 307.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran expressed support for the development of the ILO's strategic orientations on employment. He endorsed the elements in paragraph 3, and the findings and the coverage in paragraphs 24 and 29, while calling for more tailor-made solutions. More weight should be given to the implications of the evolving external context and to actions to promote employment, especially for young people. In that regard, he called for measures to be taken to implement the "Call for Action" adopted by the Conference in 2012. He also highlighted the need for the ILO to be more coherent in the recurrent discussion and to avoid the duplication and fragmentation of its work.
- 308.** *Speaking on behalf of the EU and its Member States*, a Government representative of Lithuania agreed with the overall approach to the recurrent discussion report. She suggested that youth employment, employment quality, informality, trade impact and mobility deserved more attention. Concerns about sustainability should not be limited to the environment only. The EU was ready to share its experience on employment policies. Policy reviews should be a voluntary exercise and should not duplicate the monitoring of standards. The EU supported ILO cooperation with the G20, the International Monetary Fund (IMF), the Organisation for Economic Co-operation and Development (OECD) and the World Bank, and invited it to strengthen cooperation with the EU.
- 309.** *Speaking on behalf of ASEAN*, a Government representative of Viet Nam expressed his appreciation for the paper. He supported the proposed coverage of the Office report for the recurrent discussion, as detailed in paragraph 29, and highlighted the importance of addressing youth employment. He suggested that the Office should consider holding discussions with constituents on how to stimulate demand and improve employment. Special attention should be paid to skills development, notably through technical cooperation.
- 310.** *A Government representative of Switzerland* stated that the essential sections of the report were Parts II and III. Parts III and IV could be taken together. The report should not exceed 50 pages. She underscored the importance that Switzerland attributed to job creation.
- 311.** *A Government representative of France* welcomed the focus on employment and youth employment in the Programme and Budget proposals for 2014–15. The French Government was placing particular importance on youth employment, skills development, job security and intergenerational solidarity, all achieved through social dialogue. The Office approach presented in the report was satisfactory and should include issues of competitiveness in developing sustainable jobs.
- 312.** *A Government representative of Canada* said that the report would need to build on previous analyses and discussions, focusing on continuing and new employment challenges. She supported proposals to link the discussion to the areas of critical importance and consider the impact of the internal reforms. The report should also analyse the work of the Office and provide an opportunity for constituents to share information. She requested more information on policy reviews and recalled that the follow-up to the ILO Declaration on Social Justice for a Fair Globalization provided for no increase in reporting obligations for member States.

- 313.** *A Government representative of India* said that employment-led initiatives were essential for sustainable growth. He affirmed the need for globally coordinated policies and for partnerships and cooperation. He underlined the importance of education and skills development, and called for an internationally comparable skills qualification framework. Paragraph 13(vi) should caution against using trade barriers. After highlighting measures his Government had taken, such as adopting the Mahatma Gandhi National Rural Employment Guarantee Act, he affirmed that employment creation was vital in order to end the economic crisis.
- 314.** *A Government representative of Brazil* expressed his support for the report. He suggested that the focus in paragraph 13(vi) on the growing global consensus for shifting towards environmentally sustainable, low-carbon, energy-efficient growth paths should be replaced with an emphasis on changing unsustainable and promoting sustainable patterns of production and consumption, thus echoing the language of the outcome document of the 2012 United Nations Conference on Sustainable Development.
- 315.** *A Government representative of China* supported the ASPAG statement and explained the challenges his country faced in terms of urbanization, skills training and creating sufficient jobs. Particular attention should be placed on the employment of young graduates, skills mismatches, improving vocational skills training schemes and promoting South–South knowledge exchange.
- 316.** *A representative of the Director-General* (Director, Employment Policy Department (EMPLOYMENT)) welcomed the delegates' endorsement of the proposals and their useful comments. She affirmed that the Office would address the issue of creating an investment-enabling environment for enterprise development and the need for more nuanced policy analysis, as suggested by the Employers' group. The Workers' comments on focusing on both the quality and quantity of employment would also be taken into account. The report would take up the linkage between employment and poverty reduction, along with rural and informal employment. It would look at both the challenges and action taken, and the recurrent discussion would build on previous ILC discussions on skills and youth employment, as well as those on demographics and sustainable development. She proposed various options for the development of systematic employment policy reviews, possibly based on peer review mechanisms and taking advantage of tools and methodologies already in use in the Office. She noted that case studies would be developed in order to assess how ILO advice was used. The impact of lack of policy coherence would be more difficult to measure, but it would also be taken on board. The work on the recurrent discussion report on employment would be a cross-departmental initiative and would be facilitated by the internal reform and the areas of critical importance.
- 317.** *A representative of the Director-General* (DDG/P) acknowledged the Governing Body's broad endorsement of the three-part structure of the report. She agreed that there was a need to achieve the right balance between the analysis and policy response aspects of the report. The Office would aim in the future to submit shorter, more focused reports in order to facilitate more efficient discussion. The issue of country policy reviews was linked to the current review of research, statistics and publications, but no decision had been made in terms of the amount of resources to be allocated.
- 318.** *A representative of the Director-General* (ADG/P) welcomed the agreement on the three-part structure of the report and acknowledged the Employers' point on the importance of a nuanced analysis, particularly relating to developing and developed countries, time dimensions and policy trade-offs.

319. *The Worker spokesperson* concluded that policy incoherence resulted in lost opportunities for creating decent jobs, and that further analysis on issues of insecure work and labour market reform would add to the work of the Organization.
320. *The Employer spokesperson* welcomed the news that reports would be shorter in the future. She emphasized that the Employers wished to see their members' concerns, particularly those of small and medium-sized enterprises (SMEs), reflected in the report.

Decision

321. *The Governing Body invited the Director-General to take into account the views expressed during the discussion in the preparation of the Office report for the recurrent discussion on employment (2014).*

(GB.317/POL/1, paragraph 31.)

Second item on the agenda

Trade and employment (GB.317/POL/2)

322. *A representative of the Director-General (ADG/P)* introduced the paper, which provided information about two high-profile ILO publications on trade and employment.
323. *The Worker spokesperson* said that the Workers' group welcomed the discussion on trade and employment as well as the two studies undertaken by the ILO in collaboration with the EU and the WTO. However, the conclusions in the paper and areas for follow-up work did not reflect the main issues of concern that workers have been expressing for many years and the many negative impacts of poorly regulated trade were very real and put at real risk the whole notion of decent work. She agreed with the findings that trade, employment and social policies needed to be coherent at both the national and international levels; that education and skills policies were needed to strengthen the capacities of the labour force to cope with changing economic situations and diversification; and that it was important for governments to pursue general gender-equity policies. She expressed disappointment and surprise that the paper did not highlight findings on how trade opening had led to specialization in low value-added manufacturing and de-industrialization; on the negative impacts of trade opening on employment quality, especially in EPZs; and the reduced level of policy space as a result of trade opening. All these impacts jeopardized the Decent Work Agenda.
324. As areas of focus for future work she wanted to see consideration of a wider range of policy responses beyond social protection and skills development, including increasing policy coherence at the national and international levels, the use of standard-setting mechanisms to develop standards for social chapters in trade agreements, and capacity building of ILO members to engage in the trade debate and the promotion of fair and equitable trade arrangements. With respect to cooperation with UNCTAD and the WTO, she asked for this cooperation to focus on the impact of trade on inclusive sustainable development and employment and not just on social protection and skills. She asked the Office to prepare a broader range of policy options for consideration by the Governing Body, and urged the screening group to consider putting a broader discussion on trade, employment and decent work on the agenda for the October 2013 session of the Governing Body. Such policy options should include support for Members and the ILO to undertake ex-ante impact assessments of trade opening and trade agreements on employment and

production structures; mechanisms that could promote inequality-reducing policy measures aimed at more equally distributing the gains of globalization; options for mechanisms that promote, at country level, industrial policies to speed up the process of structural change especially in Africa, Latin America and South Asia; the use of standard-setting mechanisms to develop standards for social chapters in trade agreements and mechanisms designed to increase efforts at country level to improve wages, working conditions and workers' rights particularly in export sectors, including in EPZs.

- 325.** *The Employer spokesperson* considered the paper and its underlying studies as useful and important, and said they were a good example of how to ensure policy coherence. She commended the ILO for its engagement in enhancing knowledge on the links between trade and employment by providing a more nuanced and balanced view of that complex relationship. The studies highlighted the uneven gains from trade and the role of well-designed systems of social protection in facilitating adjustment processes. Besides redistributive policies, human-capital formation and public goods were needed. She noted that education and skills would ensure that countries benefited from trade openness; the ILO Skills for Trade and Economic Diversification (STED) programme and its input into the G20 Training Strategy would be important contributions in that regard.
- 326.** *Speaking on behalf of the Africa group*, a Government representative of the Congo welcomed the paper and congratulated the ILO on its efforts to improve policy coherence. He noted that issues of trade and employment, trade and inequality, and trade and uncertainty were at the very heart of Africa's concerns. He proposed that there should be more technical assistance to generate more knowledge on the topic, assess the positive effects of trade on employment, and identify effective policies. The Africa group welcomed the Office's contribution towards the understanding of those issues and ILO tools that could contribute to work on it.
- 327.** *Speaking on behalf of the EU and its Member States as well as Croatia, Turkey, The former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Ukraine, Republic of Moldova, Armenia and Georgia*, a Government representative of Lithuania asserted that international trade required coherent and coordinated action by different stakeholders and drew attention to joint ILO–EU technical cooperation in that regard. Research and analysis were key to supporting countries in assessing and addressing the effects of trade on employment. The EU's trade instruments were designed to contribute to sustainable development, including decent work and the promotion of ILO core labour standards. She reiterated the strong support of the EU and its Member States for cooperation between the ILO and other international organizations on trade and sustainability.
- 328.** *A Government representative of Brazil* stated that her country did not regard free trade as an end in itself but as a powerful tool that, in association with other policies, could help reduce inequality and achieve sustainable development and social inclusion. The ILO Decent Work Agenda and the WTO Doha Development Agenda needed to advance hand-in-hand. She emphasized the fact that decent work did not imply trade barriers; trade liberalization could be a tool to promote decent work when associated with coherent social policies. The enjoyment of labour rights depended essentially on the strength of national tripartite institutions and on the development of social dialogue. She saw WTO and ILO mandates becoming mutually reinforcing towards the common and related goals of sustainable development and social inclusion.
- 329.** *A Government representative of the United States* observed that the impact of trade on employment implied benefits and costs. Governments needed to find ways to harness the benefits. She applauded the ILO for its work on labour market adjustments to trade liberalization and for having recruited credible, international experts to work on the topic.

She welcomed the continuation of collaborative work on issues such as labour market policies to ensure equitable distribution of trade benefits, efforts to assist workers displaced by trade, and the role of education and skills.

- 330.** *A Government representative of India* highlighted the fact that the effects of trade were not always positive, owing to protectionist tendencies. In order to have a fair trade regime that encouraged employment opportunities, restrictions to trade would need to be reduced and the role of labour migration considered. He highlighted several key issues including enhancing policy coherence, reducing barriers to trade in developed countries, and improving collaboration between developed and developing countries on skills training.
- 331.** *A Government representative of Trinidad and Tobago* said that, while he agreed with many points raised by the Workers' group, trade could have a positive impact if it was well managed. There could be employment without trade, but trade without employment was impossible. He commended the ILO for paving the way for more in-depth analysis on the trade–employment nexus. He emphasized the need to move labour issues to the forefront of the international debate and highlighted the importance of trade for small economies, such as those in the Caribbean.
- 332.** *A Government representative of Australia* welcomed efforts to enhance the knowledge base on trade and employment. Trade should not be used to implement protectionist measures, which would constitute a retrograde step for all. Education and training, skills development, and investment in science, infrastructure and innovation were all complementary policies. Trade and social policies needed to be pursued simultaneously, not in isolation. The Australian Government had implemented assessment and consultative processes to provide input for policy development in that area. Australia was committed to the inclusion of strong and enforceable labour provisions in free trade agreements to promote labour rights.
- 333.** *A Government representative of China* said that social protection policies were important as a buffer to external shocks and coordinated efforts were needed to balance trade policies and social protection policies. Trade protectionism was not conducive to creating high-quality jobs. He drew attention to the 2004 ILO publication *A fair globalization: Creating opportunities for all*, which emphasized the role of trade in enhancing productivity. More research and studies were needed on the issue of trade and employment. The ILO had a crucial role to play in that regard, and in holding discussions on the linkages between trade, growth and livelihoods.
- 334.** *A representative of the WTO* stated that the WTO worked to ensure that trade opportunities were transformed into growth, jobs, development and poverty alleviation. Jobs were intimately linked to skills, and strong collaboration between policy-makers active in the areas of trade, jobs and skills could therefore contribute to enhancing the benefits of trade opportunities.
- 335.** *A representative of the Director-General (DDG/P)* thanked all the speakers for their valuable comments on the high-quality work reviewed and on its usefulness to constituents. She informed the Governing Body that the Office's work on trade and employment would continue on three fronts: (i) in collaboration with other multilateral organizations; (ii) in response to requests by member governments; and (iii) on an ongoing basis as an essential part of work on the challenges that ILO constituents faced. She noted the thoughtful, complementary views that had been expressed and underscored that they would all be taken into account in future work.

336. *The Employer spokesperson* found that there was a great deal of interest in the subject among the constituents and said that she looked forward to participating in discussions on how to frame ongoing ILO research. She observed that services trade had not been mentioned in the discussions and suggested that it should be a subject for consideration.
337. *The Worker spokesperson* asserted that there was a lack of confidence in the trade agenda among working people. There needed to be a response to the issues of equitable distribution and decent work. She reiterated the call for a further paper for the October 2013 session of the Governing Body that would examine trade and employment in a much broader sense with a wider range of options for policy responses, including the role of standards. She proposed that trade and employment could be a key area for consideration in the recurrent discussion on employment in June 2014.

Outcome

338. *The Governing Body took note of the paper and invited the Office to take into account the views expressed during its discussion.*

Third item on the agenda

Prevention of occupational diseases (GB.317/POL/3)

339. *A representative of the Director-General* (Chief, Safety and Health at Work and the Environment Branch) introduced the paper and the draft decision. He drew attention to the recent ILO publication entitled *National system for recording and notification of occupational diseases: Practical guide*.
340. *A representative of the Director-General* (DDG/P) said that OSH and occupational diseases were strongly linked to the areas of critical importance, notably in relation to unacceptable forms of work as well as productivity and working conditions in SMEs, and would thus attract significant resources from the Office. The ILO's policy functions and capacity on OSH would be increased through enhanced interaction with labour inspection and better links with social security, including disability systems and health-care systems. Reform of the ILO field operations would include strengthening engagement with national institutions responsible for workplace concerns, including occupational diseases, and with the multilateral system, including the World Health Organization (WHO).
341. *The Employer spokesperson* noted that the paper recalled the importance of occupational diseases and was timely, especially since the theme of the 2013 World Day for Safety and Health at Work was occupational diseases. He challenged the allegation that occupational diseases did not receive adequate attention. The problem was not one of ignorance or a lack of will to focus on occupational diseases, but rather that they were complex and dynamic in nature. There was often a long delay between cause and effect and other factors played a large part, including genetics, an individual's health status, lifestyle and behaviour, environmental factors, the joint effects of exposure to several substances or agents, changing working environments and the challenges of identifying and measuring workplace agents and associated ill health.
342. Fatalities from diseases caused by work were not acceptable. However, they should be regarded within the context of the toll of non-communicable diseases such as cardiovascular diseases, cancer, chronic respiratory diseases and diabetes, which accounted for 36 million deaths every year according to the WHO. Nevertheless, the Employers were

convinced that a concerted effort was needed from a preventive perspective at international and national levels to tackle the problem.

- 343.** The ILO possessed a wealth of knowledge and had good information on pneumoconiosis, radiation, chemicals, ergonomics, stress and agriculture. Unfortunately, there was no easy website linkage pulling together information on specific diseases, their causes and preventive measures. National information should be evaluated and adapted for the global context in order to avoid duplication of effort. He proposed that the ILO should establish an e-based repository as a major resource to assist in the prevention and treatment of occupational diseases.
- 344.** He underlined the Employers' support for maintaining the Office's OSH-related efforts, notwithstanding the current budget constraints across the ILO. He urged the Office to integrate OSH more fully into DWCPs and to cooperate with other international organizations. He supported the areas of ILO action listed in paragraph 41, except the sixth point, since compensation was not part of prevention. On the ninth point, he suggested establishing one roster for prevention and another for updating the ILO list of occupational diseases, as they were two different areas. The Employer representatives should be fully involved in the choice of experts for the two rosters. He added that, while musculoskeletal and mental disorders were major concerns, that did not automatically make them occupational diseases. He urged the Office to improve meeting room facilities to accommodate participants' physical and health needs.
- 345.** *The Worker spokesperson* thanked the Office for the timely paper. She noted that the protection of workers against sickness, disease and injury was included in the Preamble of the ILO Constitution. There could not be decent work without respect for workers' safety and health. She noted the absence from the ILO core Conventions of a standard on safety and health, which gave the impression that OSH was optional. She called on member States to recognize and fill that gap.
- 346.** There was a strong moral and economic case for giving high priority to the prevention of occupational diseases. She welcomed the efforts to implement the 2006 ILC resolution concerning asbestos and urged the Office to promote the Asbestos Convention, 1986 (No. 162), and the Occupational Cancer Convention, 1974 (No. 139). She stated that there were many agents that could cause occupational cancer and all of them had to be adequately addressed.
- 347.** Many factors could influence the statistical outcome of occupational diseases, such as the level of training of doctors in the diagnosis of occupational diseases, employers concealing cases in order to avoid liability, workers being unwilling to report ill health, migrant and informal workers not being covered by official statistics and a lack of enforcement of national laws. Attention should be paid to emerging risks from nanotechnology, new chemicals and processes, climate change and green jobs. Infections, cancers (particularly those not related to asbestos), cardiovascular diseases, musculoskeletal disorders and mental disorders should also be examined. The ILO should use its influence on other product safety organizations to promote safe design in new technologies, particularly those which emitted radiation.
- 348.** She welcomed the recognition in paragraph 30 of the Office paper that collective bargaining was an essential tool in the prevention of occupational diseases. Emphasis should be given to functional OSH committees in the workplace. The Workers endorsed the promotion of relevant ILO Conventions, such as the Occupational Safety and Health Convention, 1981 (No. 155), the Occupational Health Services Convention, 1985 (No. 161), the Chemicals Convention, 1990 (No. 170), the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and the List of Occupational

Diseases Recommendation, 2002 (No. 194). The strengthening of labour inspection should also be a key element in prevention strategies. She proposed that an item on carcinogens should be added in paragraph 41 and that a reference to the chemical industry should be inserted in paragraph 41(4). She urged the ILO to disseminate information on occupational diseases and new risks, support education and capacity building of the social partners, and promote the collection of statistics on occupational diseases.

- 349.** *Speaking on behalf of the Africa group*, a Government representative of the Congo said that it was difficult in many African countries to prevent occupational diseases owing to a lack of relevant expertise, inadequate diagnostic tools and poor implementation of OSH programmes. He called for awareness-raising and training activities and underlined the importance of labour inspection. He supported the strategy and actions described in paragraphs 39–41 and requested ILO assistance to implement them at national level. He proposed that subparagraph (b) of the draft decision in paragraph 42 should be amended to include special emphasis on knowledge of occupational diseases in developing countries.
- 350.** *Speaking on behalf of the EU and its Member States as well as Croatia, Turkey, The former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Ukraine, Republic of Moldova, Armenia and Georgia*, a Government representative of Lithuania highlighted the prevention of occupational diseases as a key component of decent work and a requisite for sustainable development. She added that OSH played a vital role in the productivity and competitiveness of enterprises. An EU conference in November 2013 on improving safety and health at work would particularly focus on technical developments. The results of a study on the situation of occupational diseases in the EU would be published shortly and could be of interest for other regions. She supported the actions detailed in paragraph 41 but called for them to be better prioritized and explained. She supported the decision points in paragraph 42, provided her comments and suggestions were taken into account.
- 351.** *Speaking on behalf of ASEAN*, a Government representative of Viet Nam said that the ASEAN countries had made significant progress in OSH, including in the prevention of occupational diseases. He emphasized the importance of the ILO Programme on Safety and Health at Work and the Environment and called for continued ILO support to Asian countries.
- 352.** *A Government representative of Japan* underscored the importance of preventing occupational diseases, the concomitant requirement for highly technical expertise and the role of the ILO in helping countries to develop their capacities. He explained Japan's experience in preventing occupational diseases in the context of its five-year Industrial Accident Prevention Plan. He voiced strong support for paragraphs 39–41.
- 353.** *A Government representative of Australia* explained that in the Australian Work, Health and Safety Strategy 2012–22, the term “illness” was used, rather than “disease”, in order to include the prevention of work-related disorders, not only occupational diseases. The Strategy promoted healthy, safe and productive working lives. He underlined the fact that the Strategy focused on workers rather than workplaces, given that a worker could work in many places. He supported the point for decision in paragraph 42.
- 354.** *A Government representative of Algeria* supported the proposal to amend the decision made by the Congo on behalf of the Africa group. He mentioned the national OSH services and legislation in Algeria and expressed his Government's support for the point for decision in paragraph 42.

- 355.** *A Government representative of Italy* aligned herself with the EU statement. She suggested that three new regulations introduced between 2008 and 2009 updating and adding to the list of occupational diseases could be the reason for the rise in the reported cases of occupational diseases in Italy. Development of legislative tools and increased awareness among employers and workers facilitated the recognition of occupational diseases with long latency periods such as mesothelioma. She expressed appreciation for the reference in paragraph 27 to the Italian OSH legislation that explicitly included work-related stress in any risk assessment.
- 356.** *A Government representative of Egypt* highlighted the need for concerted national and international action and the importance for countries to share information on occupational diseases in order to enhance prevention. He endorsed the actions in paragraph 41.
- 357.** *A Government representative of Zambia* associated himself with the statement of the Africa group and called for more inter-ministerial coordination at national level. He mentioned that Zambia was in the process of developing and implementing a new national reporting system on occupational accidents and diseases. Zambia planned to ratify the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), in the near future. He supported the point for decision in paragraph 42.
- 358.** *A Government representative of India* said that without a safe and healthy working environment, social justice and economic growth could not be achieved. Preventive OSH measures were an integral part of good business activities. India had enacted legislation, provided guidance on OSH and ratified the relevant ILO Conventions. He supported the point for decision in paragraph 42.
- 359.** *A Government representative of Indonesia* associated himself with the ASEAN statement. His country was committed to the prevention of occupational diseases. To that end, Indonesia had enacted several laws, disseminated guidelines and standards and applied ILO guidelines to help prevent occupational diseases. His Government was in the process of ratifying the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and supported the ILO's efforts to implement a global programme for prevention and early detection of occupational diseases.
- 360.** *A Government representative of the Republic of Korea* welcomed the Office paper and the setting up of a roster of experts. The Republic of Korea had been promoting a plan to expand the criteria and scope for occupational diseases through tripartite agreement, and made efforts to comply with international OSH standards.
- 361.** *A Government representative of Canada* explained that her country also faced the challenges identified in the paper with respect to recognizing and preventing work-related diseases. Canada had assisted the ILO in the revision of its list of occupational diseases in 2010 and would be pleased to continue to do so. New standards had been published in Canada on nanotechnologies and on psychological health and safety in the workplace. Canada would be willing to share its experiences, especially in addressing emerging issues. She urged the ILO to develop international guidance based on successful national practices to strengthen national strategies and actions, and to increase collaboration at the international level. She supported the point for decision, as amended by the Africa group.
- 362.** *A Government representative of the Russian Federation* said that preventing occupational diseases was vital in order to maintain and strengthen workers' health and the working potential of the country. He supported closer ILO cooperation with the WHO. In 2012, the Russian Federation had ratified the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and planned to ratify the Safety and Health in Mines

Convention, 1995 (No. 176). A new list of occupational diseases had recently been adopted covering diseases caused by physical, chemical and other risks, which was in line with international standards. In January 2013, his Government had adopted a national policy to prevent diseases caused by asbestos-containing materials, which would be in force until 2020.

- 363.** *A Government representative of the United States* affirmed the importance of OSH as an area for ILO work. The Office's experience and expertise in that area would enable it to create real change. She supported the establishment of a roster of experts to support the work on occupational diseases and welcomed the specific steps that the Office was planning to take to increase its efforts to advance OSH. She supported the decision point.
- 364.** *A Government representative of China* supported the decision point. He emphasized key activities in strengthening national OSH systems, legislative frameworks, capacity for inspectorates and social dialogue. His country attached great importance to the prevention of occupational diseases and had a national strategy covering 2009–15. He expressed his appreciation for the collaboration with the ILO in organizing high-level conferences on work safety and occupational disease prevention.
- 365.** *A representative of the WHO* stated that the WHO had several global initiatives to improve the prevention and control of occupational diseases such as the “Workers’ health: Global plan for action, guidance to develop healthier workplaces”, which promoted worker participation and the “11th revision of the International Classification of Diseases”. In 2011, the UN General Assembly had adopted a resolution entitled “Political Declaration of the High-level Meeting of the General Assembly on the Prevention and Control of Non-communicable Diseases”, which called on the private sector to improve OSH. She reiterated the WHO’s support for ILO efforts on OSH and on the prevention of occupational diseases.
- 366.** *A representative of the Director-General (DDG/P)* acknowledged the broad support for the path that was laid out in the Office paper and the shared commitment to make progress on the challenges that caused so much human misery and social and economic loss. The Office would take into account the views that had been expressed and would consult constituents on issues requiring further exploration.
- 367.** *A representative of the Director-General (Chief, Safety and Health at Work and the Environment Branch)* urged all member States to mark the World Day for Safety and Health at Work, on the theme of occupational diseases in 2013, by taking initiatives to improve national strategies and preventive action.
- 368.** *The Employer spokesperson* supported the decision point, as amended by the Africa group. He explained that he had made his previous statements about compensation not in an attempt to shift or avoid liability, but to avoid entering into other areas of discussion and to maintain the focus on prevention.
- 369.** *The Worker spokesperson* remarked that compensation constituted a preventive measure and commended governments for their encouraging contributions. She urged the ILO to recognize OSH in its core Conventions and supported the amendment from the Africa group.
- 370.** Supporting the amendment from the Africa group, *a Government representative of France* highlighted the need to further assess and acquire knowledge on the situation regarding occupational diseases in developing countries.

371. *A Government representative of India* noted the global nature of the challenge of preventing emerging occupational diseases.

Decision

372. The Governing Body:

(a) confirmed that the prevention of occupational diseases is a central element of the Decent Work Agenda, and supported the strategy and actions for prevention of occupational diseases described in paragraphs 39–41 of document GB.317/POL/3; and

(b) requested the Director-General to intensify the Office's work on the prevention of occupational diseases reflected in paragraph 41 of document GB.317/POL/3, placing special emphasis on knowledge of these diseases in developing countries, and to take the Governing Body's suggestions into account.

(GB.317/POL/3, paragraph 42, as amended.)

Social Dialogue Segment

373. The Social Dialogue Segment was held on Monday, 18 March 2013. It was chaired by Mr Smidt (Government, Denmark), as appointed by the Chairperson of the Governing Body. Mr Woolford and Ms Fox were the Employer and Worker spokespersons.

Fourth item on the agenda

Sectoral Activities Programme 2012–13

(GB.317/POL/4)

374. *A representative of the Director-General* (Director, Sectoral Activities Department (SECTOR)) presented the paper, which comprised two sections and contained two points for decision. She explained that the outcome of the Global Dialogue Forum on the Effects of the Global Economic Crisis on the Civil Aviation Industry, held from 20 to 22 February 2013, would be reported to the Governing Body at its October 2013 session. She also drew attention to document GB.317/POL/INF/1, which contained an overview of sectoral work carried out in the second half of 2012, and asked whether the Governing Body wished to continue to receive such information.

375. *The Employer spokesperson* fully endorsed the draft decisions in paragraphs 10 and 17 of document GB.317/POL/4. His group supported the continued preparation of information papers such as GB.317/POL/INF/1.

376. *The Worker spokesperson* thanked the Office for having organized the two sectoral meetings mentioned in the first section of document GB.317/POL/4 and expressed support for the draft decision in paragraph 10. Regarding the second section of the paper, she agreed with the proposals made in relation to the two upcoming sectoral meetings and endorsed the draft decision in paragraph 17. Her group appreciated the information contained in document GB.317/POL/INF/1 and looked forward to future updates.

Decisions

377. *The Governing Body:*

- (a) *decided to forward the report of the 11th Session of the Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART) to the ILC at its 102nd Session (2013) for examination in the first instance by the Committee on the Application of Standards; and*
- (b) *requested the Director-General:*
 - (i) *to communicate the CEART report and the report of the Global Dialogue Forum on future needs for skills and training in the oil and gas industry to the governments of member States, requesting them to communicate the texts to the relevant employers' and workers' organizations, and to communicate the reports to the relevant intergovernmental and international non-governmental organizations concerned; and*
 - (ii) *take into consideration in planning and implementing future ILO activities the recommendations made by the Global Dialogue Forum and the CEART, where appropriate in consultation with the Director-General of UNESCO.*

(GB.317/POL/4, paragraph 10.)

378. *The Governing Body approved the proposals made in section II of document GB.317/POL/4 in relation to the holding of the Meeting of Experts on Policy Guidelines on the Promotion of Decent Work for Early Childhood Education Personnel, and of the Global Dialogue Forum on Initiatives to Promote Decent Work in the Chemical Industry.*

(GB.317/POL/4, paragraph 17.)

Fifth item on the agenda

Sectoral Activities Programme: Proposals for 2014–15

(GB.317/POL/5)

379. *A representative of the Director-General (Director, SECTOR) presented document GB.317/POL/5, which contained proposals developed through a consultative process with the advisory bodies and through the programme and budget programming process with other ILO units. In preparing the proposals, the Office had taken account of the findings from the high-level evaluation of the sector-specific approach to decent work presented to the Governing Body at its November 2012 session. The Office had, therefore, given particular attention to ensuring that the dual governance systems would be aligned. For this reason, the proposals made in the paper comprised not only recommendations made by advisory bodies that reflected specific requests for sectoral work, but also the recurrent and statutory work of the Office related to the sector-specific dimension of the Decent Work*

Agenda. Additional details on the Sectoral Activities Programme 2014–15, such as the composition, dates and purpose of proposed meetings, would be presented to the Governing Body at its October 2013 session. She recalled that the Global Dialogue Forum on Future Needs for Skills and Training in the Oil and Gas Industry, held in December 2012, had made a recommendation to amend the proposal developed in consultation with the sectoral advisory bodies. The Forum had recommended that, instead of a tripartite sectoral meeting, a meeting of experts should be held.

380. *The Worker spokesperson* thanked the Office for its work on sectoral activities, which was highly valued, and for having developed a comprehensive programme of sectoral activities for 2014–15. The Workers' group supported the proposals contained in the paper, as they reflected a good balance both across the eight groupings of sectors and among various activities: fostering global and national dialogue; promoting sectoral standards; developing and promoting sectoral tools, guidelines and codes of practice; building the capacity of constituents; and creating partnerships with other international organizations with a sectoral focus. Her group welcomed the fact that the programme had been developed through extensive and constructive consultations and that the Employers' group had agreed to include proposals for global dialogue forums on a number of challenging topics emerging in the world of work. One of the useful aspects of this meeting format was that it allowed for initiating global dialogue on some more controversial topics without necessarily having to reach specific conclusions. The group also welcomed the initiative taken by SECTOR to track trends in non-standard employment arrangements on a sector-by-sector basis. While the Workers welcomed efforts to integrate the sectoral approach into the overall work of the ILO, and in particular the recent initiative to link sectoral work with the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration), the sectoral approach needed to be further promoted both at headquarters and in the field, including with regard to sustainable enterprises. It was hoped that the new Office structure would help to promote even greater synergies in that respect. Steps should be taken to assess how many DWCPs made provision for sectoral activities, so as to enable the Office to identify gaps and assist it in raising awareness of the importance of taking a sectoral approach. Concerning the proposal to strengthen constituents' capacity to promote social dialogue mechanisms in the utilities sector, her group would prefer countries from northern Africa to be selected. Regarding the bracketed text in subparagraph (b) of the draft decision contained in paragraph 18 of document GB.317/POL/5, her group was in favour of holding a meeting of experts to adopt a code of practice or guidelines, as such a meeting could address the needs of the sector more effectively by providing a practical tool for the industry. Regarding paragraph 18(c), her group noted with appreciation the active participation of governments in tripartite sectoral meetings to date and welcomed efforts to encourage that further.

381. *The Employer spokesperson* said that, while much of the ILO's work targeted specific countries or regions, sectoral meetings provided an excellent opportunity for representatives of sectors from all countries and regions to come together to debate very focused and technical issues that were relevant to them all. The high value of such meetings made it worth shouldering the programming challenges resulting from the different orientation. With respect to how sectoral meetings had evolved, he said that experience and a positive process of dialogue had given rise to three different types of meeting: meetings of experts, traditional tripartite meetings and global dialogue forums. They each served a distinct purpose and were very different tools for dealing with different challenges at different stages in the evolution of an issue or an industry. Meetings of experts provided the opportunity to tackle sometimes complex issues with input from highly knowledgeable people and to emerge with solid technical guidance; traditional tripartite meetings could move decisions and recommendations forward in areas where the parties were in broad agreement; and global dialogue forums were emerging as a place where the ILO could start to wrestle with difficult issues. Often, the first step was simply

to hear what the other parties had to say, and global dialogue forums served a useful purpose in that respect. The Employers' group supported paragraphs 18(a) and (c) of the draft decision. With regard to paragraph 18(b), he would be interested in hearing the views of governments and would welcome guidance on the exact meaning of the term "extreme climatic conditions".

- 382.** *Speaking on behalf of GRULAC*, a Government representative of Colombia said that her group supported the point for decision. In relation to paragraph 18(b), her group was in favour of holding a tripartite sectoral meeting. She agreed with the Employers' group that the term "extreme climatic conditions" was very broad and asked the Office to clarify it.
- 383.** *A Government representative of the Bolivarian Republic of Venezuela*, endorsing the statement made on behalf of GRULAC, echoed calls for more information on the meaning of the term "extreme climatic conditions". With regard to paragraph 18(b), he supported the inclusion of a tripartite sectoral meeting in the programme for 2014–15.
- 384.** *A Government representative of the United Kingdom*, noting that many international projects relating to offshore safety had been initiated since the 2010 Deepwater Horizon incident in the Gulf of Mexico, expressed the view that a tripartite sectoral meeting would ensure the best use of the limited pool of offshore safety professionals and avoid any duplication of work. It would enable the ILO to identify what offshore safety work had already been initiated and whether it could contribute to such ongoing initiatives. A tripartite sectoral meeting could also identify potential gaps in current offshore safety work and consider developing future sectoral recommendations to address them, through either the ILO or other bodies. The scope of the proposed national tripartite workshop to examine good practices to achieve full compliance in the supply chain in the oil and gas industry was far wider than usual for the ILO with regard to OSH issues, and he questioned whether environmental protection fell within the ILO's remit.
- 385.** *A Government representative of Colombia* supported the statement made on behalf of GRULAC, in particular with regard to paragraph 18(b). There was a clear need to align the views of governments, workers and employers in order to overcome the serious challenges that the oil and gas industry had been facing for several years; her Government was therefore in favour of holding a tripartite sectoral meeting.
- 386.** *A Government representative of Brazil*, endorsing the statement made on behalf of GRULAC, pledged his country's continued support for the work of SECTOR. There was a need to enhance coordination and synergies between the programme of sectoral work and broader Office reforms; a sectoral approach to at least some of the areas of critical importance would be highly advisable. Brazil supported the practical approach proposed with regard to preparing for the 2016 Olympic Games. There was, however, further potential for cooperation activities in the preparation of sectoral meetings. With regard to the food, drink and tobacco sector, the ILO's role, as stated by the Office's representative to the fifth session of the Conference of the Parties to the World Health Organization Framework Convention on Tobacco Control, was to represent the common concerns of the ILO's tripartite constituents at relevant multilateral and national events where the social and economic implications of tobacco control policies were discussed. Accordingly, the Office should ensure that it did not present the views of a single constituent if they did not represent consensus. Regarding paragraph 18(b) of the draft decision, Brazil supported the option of holding a tripartite sectoral meeting. The phrase "extreme climatic conditions" was problematic in the light of the provisions of the Antarctic Treaty and related agreements, which Brazil fully supported, as the economic exploration of oil and gas in the Antarctic would always be undesirable. Discussing a code of practice that would cover such activity was, therefore, unnecessary and inappropriate. With that clarification, he expressed support for the programme put forward by the Office.

- 387.** *A Government representative of India* said that a number of decent work technical cooperation projects were under way in India, in association with the ILO. All sectors of the global economy were being affected by the financial and economic crisis in different ways, which highlighted the need for a sectoral approach. Global dialogue forums could be made more effective and inclusive by focusing more on underdeveloped and developing countries. India supported the ILO's organization of tripartite regional workshops and global sectoral meetings in 2014–15, as they could inform its future programme and provide greater understanding of sector-specific problems and solutions based on consensus. In India, a tripartite workshop had been held on the Work in Fishing Convention, 2007 (No. 188), in February 2013, with the active involvement of all stakeholders. The ILO should extend cooperation and support capacity building for constituents to facilitate exchange of experience and know-how on sector-specific issues within and across countries and regions. It should also work to replicate information and communication technology training programmes at national and regional level. Technical cooperation projects should focus on national priorities and sector-specific issues so as to promote the successful implementation of DWCPs. That could be achieved by integrating the objectives of technical cooperation projects into national programmes, thereby making work sustainable, and by promoting greater collaboration between tripartite constituents. With regard to policy coherence, differences in national situations should be taken into account, and policies should aim to meet the MDGs and poverty reduction goals. Cooperation with other organizations should be based on a realistic perception of common and organization-specific objectives and should not lead to encroachment on the ILO's mandate. The ILO had to match its performance and delivery mechanisms with emerging challenges; in that respect, the sectoral approach should be considered in DWCPs.
- 388.** *A Government representative of China* said there was increasing awareness among governments of the importance of sectoral policies in employment promotion. He asked the Office to take effective steps to encourage greater participation by governments in global dialogue forums and suggested that sectoral activities should focus more on those areas most affected by the crisis in employment caused by the international financial crisis. China supported the draft decision, favouring the option of holding a meeting of experts, in paragraph 18(b). For 2014–15, it was important for Office-wide work on the rural economy and formalizing the informal economy to reflect a sectoral approach, with particular attention being given to sectors with high levels of informal employment. Moreover, the impact of the Maritime Labour Convention, 2006 (MLC, 2006), should be examined and more attention given to environmental protection, greening the economy and those sectors most affected by changes in energy policy.
- 389.** *A Government representative of Mexico* underlined the strategic importance of the energy sector and endorsed the ILO's sectoral work in that respect. Stakeholder participation in discussions was crucial in meeting national, regional and global challenges. Mexico supported the statement made on behalf of GRULAC and, with regard to paragraph 18(b), was in favour of holding a tripartite sectoral meeting, so that the conclusions thereof could be made available to all ILO constituents.
- 390.** *The representative of the Director-General* explained, with regard to paragraph 18(b), that the wording had been proposed by the constituents in the advisory body. From the Office's perspective, the wording "extreme climatic conditions" had only geographical connotations, but guidance from the constituents as to their interpretations would be welcome. The focus of the proposed meeting would remain within the ILO's mandate, as it would consider technical matters, skills, and OSH as they related to promoting decent work. If the Governing Body could not reach a common understanding during its current session, a decision could be taken at the October 2013 session.

- 391.** *A Government representative of Trinidad and Tobago* said that some countries with a long history in the energy sector were used to sending workers around the world, including to areas with harsh climatic conditions. Therefore, while the subject matter focused on specific locations, the movement of labour involved meant that it should be addressed on an ILO-wide basis.
- 392.** *The Employer spokesperson* said that the meaning of the phrase “extreme climatic conditions” was still unclear. His group continued to deem its scope too broad, and he suggested that a final decision should not be taken at the present session.
- 393.** *The Worker spokesperson*, noting the general interest in the proposal set out in paragraph 18(b), said that there seemed to be consensus on holding a tripartite sectoral meeting. The Workers accepted that position. Her group hoped the Governing Body would approve the meeting in principle at its current session, on the understanding that the Office would provide a more precise definition of “extreme climatic conditions” in October 2013.
- 394.** *The Employer spokesperson* considered that the views of governments were of particular importance, given the concerns they had raised; further tripartite consultations were therefore necessary, and governments should take a leading role in defining the phrase “extreme climatic conditions”. The Employers shared GRULAC’s fears regarding drilling in Antarctica and did not want to see the ILO open the door to that possibility.
- 395.** *The Chairperson*, summing up, noted that a strong preference existed for holding a tripartite sectoral meeting and proposed that the purpose of such a meeting be discussed at the October 2013 session of the Governing Body.
- 396.** *The representative of the Director-General*, responding to points made, said that, before discussing the Framework Convention on Tobacco Control with the WHO, the Office would hold informal consultations with constituents on the position to be communicated. Regarding ILO work on the oil and gas sector, the Tripartite Meeting on Promoting Social Dialogue and Good Industrial Relations from Oil and Gas Exploration and Production to Oil and Gas Distribution, held in 2009, had recommended that the ILO work on environmental protection. However, the ILO would remain strictly within its remit in dealing with the issue. Regarding work in fishing, the ILO would be holding a Global Dialogue Forum for the promotion of the Work in Fishing Convention, 2007 (No. 188), from 15 to 17 May 2013 to look at future work and technical cooperation activities. In addition, the Meeting of Experts to Adopt Guidelines on the Training of Ships’ Cooks would be held in September 2013. Collaboration with the Turin Centre included an ambitious programme to find synergies on capacity building among constituents.
- 397.** *The Employer spokesperson* said that the problematic wording in paragraph 18(b) should be removed from the draft decision and the issue as a whole postponed to October 2013.
- 398.** In response to a request for clarification from a Government representative of Brazil, *the Chairperson* said that he understood that, before the October 2013 session of the Governing Body, tripartite consultations would be held to allow the phrase “extreme climatic conditions” to be more clearly defined; the ILO would take no further action in that regard until a definition had been agreed. He therefore proposed that the draft decision be amended by deleting paragraph 18(b).

Decision**399. The Governing Body:**

- (a) endorsed the proposed sectoral programme for 2014–15, subject to approval by the Conference of the corresponding allocations in the Programme and Budget for 2014–15; and*
- (b) instructed the Office to encourage the governments of all member States to participate in tripartite sectoral meetings in 2014–15.*

(GB.317/POL/5, paragraph 18, as amended.)

Technical Cooperation Segment

- 400.** The Technical Cooperation Segment was held on Tuesday, 19 March 2013. It was chaired by Mr Correia (Government, Angola), as appointed by the Chairperson of the Governing Body. Mr Rahman and Mr Gómez Esguerra were the Employer and Worker spokespersons.

Sixth item on the agenda**Technical cooperation approaches and capacity development of constituents**

(GB.317/POL/6)

- 401.** *A representative of the Director-General (Director, Partnerships and Field Support Department (PARDEV)) introduced the paper and explained that the draft decision might be reviewed, should the Governing Body decide in its Institutional Segment to put an item on technical cooperation on the agenda of the 103rd Session (2014) of the ILC.*
- 402.** *The Employer spokesperson pointed out that the development and implementation of effective capacity development strategies for constituents could be achieved only if capacity development was built into the ILO's overall organizational strategies, regardless of the sources of funding.*
- 403.** While the Turin Centre played a critical role in the capacity development of constituents, it had not been utilized adequately, in particular with regard to training, knowledge sharing, coaching and exposure. The ILO's technical cooperation programmes should reinforce the training component to be delivered in collaboration with the Turin Centre.
- 404.** The Office's method of mapping technical cooperation approaches on the basis of intervention models had its limitations because it had not included a substantive analysis of DWCPs and no account had been taken of the independent evaluations of those programmes. Also, the consideration of the question of capacity development for social partners had been limited to the roles of ACTRAV and ACT/EMP. While the intervention model approach was useful in terms of analysing how capacity was developed, it did not lend itself to the assessment of the results. Moreover, the approach had not taken into account the technical cooperation appraisal mechanism. The analysis of appraisal results could be an important source of information on the state of capacity development for constituents in technical cooperation projects.

405. He called for the further integration of financial resources. The allocation of extra-budgetary resources to support specific outcomes was a good example of an effective strategy to build a demand-driven and results-based programme. With regard to the draft decision, he suggested that the submission of a document containing a revised technical cooperation strategy should be brought forward from November 2014 to October 2013. Finally, he requested more information on the progress made with regard to the time-bound measures to implement capacity-development strategies that had been proposed by the Office at the 310th Session of the Governing Body.
406. *The Worker spokesperson* requested the Office to define a capacity-building strategy taking into account four criteria of relevance to trade unions: first, the need to strengthen their role, functions and independence; second, the need to enable unions to face processes of change and to adapt their structures to meet workers' needs; third, the need to develop their capacity to participate effectively in tripartite and bipartite forums; and fourth, the need to meet the needs of trade unions.
407. DWCPs should be developed in consultation with constituents, allowing them to define their own capacity-building needs. He added that specific programmes should be developed for workers and employers, and tripartite and bipartite programmes should be established to support relevant social policies. He stressed that capacity building for individual constituents at the country level should be carried out through the creation of specialized teams in employer and worker organizations, supported by regional networks. He said that DWCPs should appoint focal points to liaise with the social partners, that their outcomes should include international labour standards and that they should be promoted through tripartite commissions, either existing or newly-created ones.
408. Lastly, he observed that ACTRAV's role was to promote capacity building for trade unions within the Office and to facilitate the active participation of workers in DWCPs. He also stressed the important role of ACTRAV Turin in the capacity building for trade unions, particularly in relation to DWCPs and referred to a programme developed in that respect by ACTRAV "Decent Work Cubed", which however required resources to be applied broadly. He further agreed with the points made in paragraph 8(a)–(c) and in paragraph 16 and stressed that a specific outcome on capacity building for constituents was needed and a better sensitization across departments about the capacity-building needs of trade unions. He concluded by requesting ACTRAV, ACT/EMP and the Turin Centre to continue working together to develop capacity-building programmes for constituents.
409. *Speaking on behalf of IMEC*, a Government representative of Italy said that IMEC agreed to the mapping of technical cooperation approaches, provided that the mapping remained focused on concrete outcomes and field-based results. However, not all technical cooperation programmes necessarily contained a capacity-development component and, when such a component was included, it did not necessarily apply to all constituents.
410. Concerning the recommendations in Part III of the paper, it was unclear how they were linked to the findings listed in paragraph 12. With regard to the recommendation contained in paragraph 16(a), she questioned whether constituents needed to receive training on resource mobilization. On the recommendation contained in paragraph 16(b), she said that better alignment and coordination should happen not only at the country level, but also in relation to the ILO's global and regional programmes. Steering committees should be organized only when they had an added value. Accountability should lie with ILO officials.
411. She was strongly in favour of strengthening the Turin Centre, in particular with regard to learning methods and techniques, and asked for clarification on how Office-wide programmes on capacity development under the recommendation contained in

paragraph 16(d) concretely related to the recommendation concerning the offer of capacity development on a recurrent basis and the idea of increasing the involvement of constituents in the design, implementation, governance and evaluation of DWCPs.

- 412.** She concurred with the draft decision in paragraph 17.
- 413.** *Speaking on behalf of the Africa group*, a Government representative of Zambia stated that capacity development would speed up the achievement of desired outcomes in the African region and allow for effective participation.
- 414.** He supported demand-driven capacity development efforts. South–South and Triangular Cooperation (SSTC) initiatives were key to pushing the agenda forward in the African region. In addition, mentorship and internship programmes were among the innovative and sustainable approaches to capacity development. The Office should develop indicators targeting the informal economy. The Africa group was in favour of strengthening the links between the Turin Centre and the constituents’ training and research institutions. Monitoring and evaluation remained a challenge and required particular attention. He agreed with the proposals set out in paragraph 16, in particular with regard to the decent work steering committees. He supported the draft decision in paragraph 17.
- 415.** *Speaking on behalf of ASPAG*, a Government representative of Australia stated that it was critical for the ILO to capture the effectiveness of capacity development. The ILO was encouraged to demonstrate the impact of capacity development by making use of qualitative data if quantitative data were not available. The Office should maintain a roster of experts of diverse nationalities. The ASPAG countries had great demand for capacity development. She suggested that, in implementing the recommendation to strengthen the role of the Turin Centre, consideration should be given to making training more accessible. The revised technical cooperation strategy should draw on evidence and outcomes from all sources, including the field structure review and any potential ILC discussion on technical cooperation. ASPAG supported the draft decision.
- 416.** *Speaking on behalf of GRULAC*, a Government representative of Colombia said that capacity building for constituents should be based on ensuring national buy-in to technical cooperation initiatives; non-conditionality; adapting solutions to national circumstances; stimulating exchange between countries at similar stages of development and respect for national priorities.
- 417.** Regarding the funding of technical cooperation projects, she said that indirect resources invested in activities by recipient countries and local actors should be taken into account, indicating that projects did not reflect them adequately, only taking donor funding into account. Lastly, she said that South–South cooperation was guided by the previously mentioned principles and requested that those be adequately reflected in technical cooperation strategies promoting knowledge-sharing among constituents.
- 418.** *Speaking on behalf of ASEAN*, a Government representative of Viet Nam recognized the important role of technical cooperation in providing constituents with the capacity to set and achieve their own development objectives. The Turin Centre could develop various learning methods and techniques to make training more accessible and to increase the number of trainees. He supported the draft decision.
- 419.** *A Government representative of India* stressed the need for a coordinated approach in capacity development and proposed that the Turin Centre’s training programmes could be replicated at the regional level. Intervention models needed to take local conditions and requirements into account, which required more planning and research, as well as joint, cost-efficient and innovative approaches that were aligned with outcome-based indicators.

He was disappointed to see that there had been no independent evaluations of capacity-development programmes, and asked what steps would be taken to make programmes more results-based. He supported the recommendations in paragraph 16 and the draft decision in paragraph 17.

- 420.** *A Government representative of Zimbabwe* stressed the need for technical cooperation in support of regional decent work programmes and urged the Office to collaborate with regional training institutes. He supported the development of an Office-wide demand-driven programme on the capacity development of the constituents and agreed with the draft decision.
- 421.** *A Government representative of Colombia* said that technical cooperation and capacity-building projects should be developed taking the interests of member States into account; they should be designed on a participative basis and meet national priorities. She added that her Government promoted the exchange of experiences with other countries through SSTC. By way of example, countries in the region had benefited from the experience shared by Colombia on the Special Committee for the Handling of Conflicts, which received technical assistance from NORMES. She requested the ILO to facilitate exchange between countries, acting as a source of information and central contact point, and to actively promote the creation of working groups through networks using new technologies.
- 422.** *A Government representative of China* said that China had benefited from the ILO's technical expertise and was involved in South–South cooperation. He stressed the need for demand-driven capacity development and the importance of the Turin Centre's expertise and experience in that regard.
- 423.** *A Government representative of Kenya* supported the statement by the Africa group. The ownership of capacity-building programmes should be integrated from the design stage to create commitment and sustainability. The Turin Centre was encouraged to collaborate with national universities. Duplication of ILO activities should be avoided.
- 424.** *The Employer spokesperson* supported the point made by the Workers' group with regard to the need for bipartite, as well as tripartite, capacity-development programmes on social dialogue and added that developing the capacities of employers' organizations would enhance their participation in DWCPs.
- 425.** *The Worker spokesperson* observed that there was a significant decent work deficit, and that despite efforts to create consultation committees and to open forums for social dialogue, progress remained insufficient.
- 426.** *A representative of the Director-General (Director, PARDEV)* explained that the mapping of technical cooperation approaches included not only intervention models but also progress reports and evaluations. The annual evaluation report prepared by the ILO's Evaluation Unit for 2011–12 concluded that the appraisal functions carried out by PARDEV had had positive results. Furthermore, the training courses on project cycle management run jointly by PARDEV and the Turin Centre had improved the logical framework of projects. All technical cooperation projects were linked to 19 outcomes and country programme outcomes and were thus aligned with the ILO's overall results framework. Furthermore, submitting the revised technical cooperation strategy in November 2014 would allow for the inclusion of the findings of the reviews of technical cooperation delivery, the field structure and funding partnerships. The alignment of technical cooperation strategies with the Turin Centre and the regions would be further enhanced as they were now under the same portfolio.

427. *A representative of the Director-General* (Director of the Turin Centre) took note of the call for increased outreach, which was aligned with the Turin Centre's strategy. By 2015, 30 per cent of all training activities were to be carried out in partnership with local institutions. Current examples included partnerships in Pakistan, India and Cameroon. Furthermore, the Turin Centre had established an "e-campus". The Centre's programmes on the capacity development of Worker and Employer representatives remained at the core of its work, despite the current financial constraints. Like the ILO itself, the Turin Centre was undergoing a process of reform and it was expected that, with the resulting realignment, the role of the Centre would be strengthened.

428. *The Employer spokesperson* supported the draft decision.

Decision

429. *The Governing Body requested the Office to submit a document containing a revised technical cooperation strategy with capacity development as one focus area at its 322nd Session (November 2014).*

(GB.317/POL/6, paragraph 17.)

Presentation: Technical cooperation overview

430. *A representative of the Director-General* (Director, PARDEV) presented the ILO's technical cooperation activities in 2012. Approvals for annual extra-budgetary resources for technical cooperation (XBTC) amounted to US\$270 million. The share of XBTC mobilized locally was 35.6 per cent. From 2012 to date, Regular Budget Supplementary Account (RBSA) approvals were US\$32 million. In 2012, the overall delivery rate was 75.1 per cent (80.2 per cent in the field and 63.3 per cent at headquarters). Current year XBTC allocations stood at US\$291 million.

431. In 2012, the Office had organized four staff training courses, five in-house information sessions and three thematic partners' meetings and had published four "How-to" guides, one results report and seven donor brochures. The Office had appraised 223 project proposals, of which about 60 per cent needed improvement. Also, 256 progress reports had been despatched to donors.

432. XBTC expenditure by strategic objective showed an increase in employment-related and a decrease in standards-related projects, mainly because of decreased funding for technical cooperation projects to combat child labour. In order to enlarge the technical cooperation resource base, the Office had complied with calls for greater development effectiveness and had approached new partners offering a greater variety of partnerships that were not only financial partnerships. The Office had organized a number of thematic meetings and more would follow. Finally, the Decent Work Agenda needed to be promoted within the post-2015 development framework, as that framework would redirect future development resources.

Statements on technical cooperation in the regions

433. *A representative of the Director-General* (Director of the ILO Regional Office for Africa) highlighted the significant advancements in Africa in terms of growth, but noted that the growth had not had a major impact on employment creation and poverty reduction. The

ILO Regional Office for Africa had been working with the African Union to assess progress made since the 2004 Extraordinary Summit of Heads of State and Government of the African Union on Employment and Poverty Alleviation in Africa and would provide input to the forthcoming Ninth Ordinary Session of the Labour and Social Affairs Commission of the African Union on enhancing the capacity of labour market institutions in Africa. The ILO and its social partners were closely involved in the Africa-wide consultations on the post-2015 development agenda. The outcome document from the meeting of African ministers and stakeholders that had taken place in Hammamet, Tunisia, on 11 and 12 March 2013 represented the African common position on the post-2015 development agenda and emphasized the importance of inclusive economic growth and structural transformation. That would require accelerating the pace of growth, diversifying the sources of growth, investing in fiscally sustainable programmes, reducing inequality, promoting decent jobs and promoting rural development.

- 434.** By January 2013, 29 DWCPs had been finalized in the African region, 18 were being finalized, and six were at the preparatory stage. The Regional Office had invested in the capacity building of constituents to design and implement DWCPs, and had attracted donor attention to key DWCP areas. The ILO was also paying close attention to the situation in Mali, where it was developing a youth employment programme with other UN agencies.
- 435.** In Africa, there were 198 active technical cooperation projects with a combined budget of almost US\$272 million. In 2012, the region had recorded a delivery rate of 87.2 per cent. A total of US\$110 million of fresh resources had been mobilized for Africa in 2012, of which nearly half had been mobilized locally.
- 436.** A better balance in the thematic focus of the technical cooperation programme in Africa was needed. While themes such as promoting youth employment and combating child labour attracted a relatively high level of resources, others – such as promoting tripartism and social dialogue – attracted less technical cooperation. The region was therefore allocating resources from the regular budget, the RBSA and the regular budget for technical cooperation (RBTC) to support such underfunded outcomes.
- 437.** *A representative of the Director-General* (Director of the Regional Office for Latin America and the Caribbean) highlighted that, despite the international economic crisis, regional indicators pointed to economic growth. That had been reflected in a rise in formal employment, low unemployment levels, an increase in real wages, and progress on social security coverage and poverty reduction. However, high levels of inequality and poverty linked to the informal economy remained. As a result, the governments and social partners underlined the need to access technical cooperation enabling them to make progress on their own decent work agendas.
- 438.** Technical cooperation in the region had led to higher levels of implementation and quality, and had diversified the sources and modalities of funding. By way of example, she mentioned SSTC in the region, led by Brazil and the Inter-American Centre for Knowledge Development in Vocational Training (CINTERFOR); she also mentioned the increase in the number of countries, such as Colombia, Peru and Chile, that entrusted resources to the ILO to advance their own development strategies. She also reported on progress in inter-agency projects promoting the Decent Work Agenda within the UN.
- 439.** In the interest of successful and strategic regional cooperation, two major challenges needed to be addressed: achieving balanced economic growth and environmental sustainability; and placing cooperation on decent work at the heart of the “sustainable development” paradigm, in line with the review of the MDGs beyond 2015 and Rio +20. The programme for the formalization of labour in Latin America and the Caribbean had been created to contribute to developing and strengthening national capacities to promote

formalization procedures. Lastly, she highlighted the importance of tripartite social dialogue in giving new momentum to DWCPs.

- 440.** *A representative of the Director-General* (Director of the ILO Regional Office for the Arab States) stated that the situation in her region remained difficult two years after the uprisings. In a context of rising unemployment, low investor confidence and fragile industrial relations, countries faced challenges to meet the high expectations raised by the revolutions. At the regional level, the ILO and the United Nations Development Programme (UNDP) had issued a joint report that proposed a new development paradigm for the region, which tackled both structural market deficits and deficits in social protection and social dialogue. Moreover, the ILO was assessing with the World Bank the impact of the inflow of Syrian refugees on the labour markets in Lebanon and Jordan.
- 441.** With regard to resources for technical cooperation, the amount of US\$22 million mobilized in 2012 was consistent with the amounts mobilized in previous years and supported the implementation of 60 target country programme outcomes across the region. Saudi Arabia and the Swiss Agency for Development and Cooperation were the largest contributors in the region. The increased funding from the EU – €18 million had been allocated under the European Neighbourhood and Partnership Instrument for 2014–20 – was an opportunity for the region. However, although the Arab Spring had resulted in significant donor support for North Africa, securing access to resources for the broader Arab States region remained a big challenge. Another difficulty was that only six countries in the region were eligible for official development assistance (ODA). Increasingly, multilateral cooperation in middle-income countries such as Iraq was conditional upon the establishment of co-financing mechanisms with governments, which did not always exist.
- 442.** The situation in the Syrian Arab Republic, Bahrain and Yemen had halted the development of DWCPs, while new and ongoing DWCPs were being revisited to integrate new priorities in Oman, Jordan and the occupied Arab territories. Through the assessment of a cluster of three DWCPs (for Lebanon, Jordan and the occupied Arab territories) the Regional Office was looking at how to adapt its work methods in crisis-affected countries and build a technical cooperation portfolio which could support the achievement of decent work outcomes.
- 443.** Finally, the expanding crisis called for a regional ILO agenda that would include: more systematic support for dialogue and participation; the strengthening of social and economic rights for women, migrant workers and persons with a disability; enhancing the capacities of workers and employers; a focus on youth employment, entrepreneurship and skills development; and better targeted research.
- 444.** *A representative of the Director-General* (Director of the ILO Regional Office for Europe and Central Asia) pointed out that the European and Central Asia region was facing an economic crisis where many issues, such as youth unemployment, had framed the Regional Office's interventions. Seventeen extra-budgetary technical cooperation projects were being run by the decent work technical support teams and country offices in Moscow and Budapest and the ILO Office for Turkey, focusing on areas such as employment promotion, skills development, OSH, social security, combating child labour, green jobs, promoting women's employment, vocational training, labour inspection and youth employment. In those areas, capacity building had been a key component.
- 445.** The ILO Office for the EU and the Benelux countries (ILO-Brussels) and PARDEV played a major role in developing and maintaining relations with the European Commission, which was an important donor for the ILO in the region. The EU's and the ILO's technical cooperation priorities were increasingly aligned, for example with regard to employment, migration and social protection.

446. The Russian Federation had become a new donor. With a contribution of US\$8 million, a skills development and employment project had started within the framework of the ILO–G20 Training Strategy in Armenia, Kyrgyzstan and Tajikistan as well as in Jordan and Viet Nam. Initial results were to be reported by the time of the G20 Summit, to be chaired by the Russian Federation, in September 2013. A PPP had been launched with the oil company LUKOIL that had provided US\$6 million for a project on youth employment.
447. ILO–Brussels, in partnership with PARDEV, the Turin Centre and the Human Resources Development Department, had organized training sessions on EU funding. Another challenge for technical cooperation was the fact that a high number of countries had not ratified the Convention on the Privileges and Immunities of the Specialized Agencies. Furthermore, there was limited donor interest in key priorities for the region, such as freedom of association, labour law and social dialogue.
448. The representative added that, in the region, 14 countries had held successful national consultations on the post-2015 development agenda. For instance, in Turkey, those consultations had resulted in the identification of decent work, employment and growth as one of the priority goals.

Seventh item on the agenda

Regional perspectives on technical cooperation: Asia and the Pacific (GB.317/POL/7)

449. *A representative of the Director-General* (Director of the Regional Office for Asia and the Pacific) introduced the paper and requested the Governing Body to provide guidance on how to frame the regional resource mobilization strategy.
450. *The Employer spokesperson* said that, despite Asia's sustained economic growth, challenges still remained. The changing nature of technical cooperation in the region, with an increasing number of donors, was a new and challenging situation. Countries such as India and China had become donors and the number of PPPs was increasing. He questioned whether ILO officials were equipped to cope with those changes and proposed capacity building for ILO officials in local resource mobilization.
451. Support was expressed for the expanded priorities of the Asia and the Pacific Decent Work Decade 2006–15 as adopted at the 15th Asia and the Pacific Regional Meeting held in Kyoto, Japan, from 4 to 7 December 2011. More focus should be placed on increasing competitiveness, productivity and jobs. With regard to XBTC expenditure, the region had focused more on social protection and much less on employment. Employment was the best form of social protection and there should therefore be a better balance. It was appreciated that the Office had diversified sources of funding but more clarity was requested on the PPP strategy. The Employers' priorities for ILO work in Asia were: the business environment; productivity and competitiveness; SME development; skills development; and youth employment. A number of countries in Asia were losing eligibility status to donor funding because of attaining middle-income status. However, social partners in those countries still required institutional capacity building.
452. The Employers' group supported the draft decision in paragraph 39.

453. *The Worker spokesperson* stressed the importance of the reform of ILO regional structures and technical cooperation mechanisms. However, the report did not provide sufficient information on the allocation of resources to the different constituents. He observed that many ILO technical cooperation projects were not based on the real needs and priorities of countries and of their constituents; they did not adequately integrate the principles of the ILO, respect for labour standards and rights, and tripartism; and that training activities for workers were few and far between.
454. He expressed concern that the report did not fully reflect the priorities established in the Asia and the Pacific Regional Meetings held in Busan in 2006 and in Kyoto in 2011, and omitted priorities such as the recommendation to carry out a campaign for the ratification of fundamental standards, the promotion of collective bargaining and minimum wage enforcement. While the region was receiving increased funding, not enough was allocated to strengthening the ILO's standard-setting work and to fundamental rights at work. He also objected to some of the results and examples of good practices in the report, highlighting the imbalance between decent work deficits and the projects implemented, as well as the lack of consultations with unions and union participation.
455. He pointed out that half the countries in the region had not ratified Conventions Nos 87 and 98, and he requested that resources be allocated to finance a ratification campaign. He also observed that only 18 per cent of resources were assigned to subjects related to standards and fundamental rights, and just 0.6 per cent were assigned to freedom of association, in contrast with the 60 per cent allocated to employment issues.
456. Lastly, regarding the decision under paragraph 39 on a resource mobilization strategy and action plan for Asia and the Pacific, he requested the Office to add the phrase "guaranteeing the best balance between the strategic objectives and responding to the real decent work deficits in the region".
457. *Speaking on behalf of IMEC*, a Government representative of Italy requested information on the ILO's experiences in the region with regard to UN coordination efforts at the country level. She asked the Office to ensure that the proposed effort in the field of resource mobilization for the Asia region would take place under the umbrella of coordinated and coherent overall resource mobilization efforts in order to avoid duplication. It was essential that the Office should coordinate, track and manage ILO resources appropriately.
458. *Speaking on behalf of the Africa group*, a Government representative of Zambia supported the call for a resource mobilization strategy for the region, to be aligned with the overall ILO technical cooperation strategy. The Africa group appreciated the good practice results-oriented initiatives described in the paper, which included youth employment, extending social security to the informal sector, improved labour migration management and many other experiences that should be shared among regions. He urged the Office to consider the development of a continental exchange programme between the African region and the Asia and the Pacific region. The Africa group encouraged different modalities for resource mobilization, such as SSTC and PPPs, and supported the draft decision.
459. *Speaking on behalf of ASPAG*, a Government representative of Australia expressed support for the development of a coordinated resource mobilization strategy and action plan for the region in line with the expanded priorities identified at the 15th Asia and the Pacific Regional Meeting. ASPAG encouraged the continued dissemination of best practices in technical cooperation. The success of SSTC in facilitating technical assistance was highlighted and she encouraged the ILO Regional Office for Asia and the Pacific in Bangkok to promote the important outcomes achieved under such arrangements. ASPAG supported the draft decision in paragraph 39.

460. *A Government representative of the Republic of Korea* underlined the need for a resource mobilization strategy in the region, including through modalities such as SSTC and PPPs. He suggested that the new strategy should go beyond simple funding and encompass efforts to maximize the sharing of expertise and in-kind contributions from donor countries and other related institutions. Also, stronger links between the technical cooperation activities of the ILO and bilateral ODA could lead to a more sustainable and tangible outcome. His Government would continue to lend its support to the Regional Office for Asia and the Pacific.
461. *Speaking on behalf of ASEAN*, a Government representative of Viet Nam supported the exploration of new avenues for financing technical cooperation activities with a view to achieving greater quality, efficiency and equity in the delivery of such programmes in the region. He requested the Office to expound more clearly on the workings of new cooperation modalities, namely SSTC and the creation of an SSTC trust fund. The Office should optimize the rich expertise of countries within the region for technical cooperation through the greater utilization and exchange of regional government and tripartite experts, and the use of information and communication technology as a cost-effective measure for capacity-building activities. An upgraded system of fund release, utilization and audit should be designed. That would remove obstacles to accessing funds and reduce delays in the implementation of technical cooperation projects.
462. *A Government representative of Japan* shared his Government's experiences of cooperation with the Office, which included multilateral and bilateral technical cooperation projects relating to youth employment, formalizing the informal sector and building the capacity of governments, trade unions and employers' organizations. The Government of Japan wished to expand its technical cooperation programme even under fiscal constraints, such as through the establishment of a fund for building a social safety net. He hoped that a new regional technical cooperation strategy would reflect the outcomes of the Asia and the Pacific Regional Meeting and contribute to solving the challenges in the region.
463. *A Government representative of India* requested the Office to re-prioritize technical assistance in the region to workers in the informal economy. After outlining India's experience, in particular with regard to public employment generation programmes, health insurance schemes and short-term modular programmes, he highlighted India's involvement in South-South cooperation and the organization with PARDEV of the IBSA (India-Brazil-South Africa) International Conference on South-South Cooperation held in March 2012. South-South cooperation, South-North cooperation and SSTC were important. He welcomed the increase of extra-budgetary resources and noted the need to enhance the regular budget, particularly for DWCPs.
464. *A Government representative of China* commended the ILO for its support for policy advisers on labour legislation. The Chinese Government had actively participated in SSTC and provided US\$1 million for an employment promotion project in the Asia and the Pacific region. His country was prepared to continue sharing its experiences with regard to employment promotion and the expansion of social security. He supported the draft decision.
465. *A representative of the Director-General* (Director of the Regional Office for Asia and the Pacific), in response to a comment that fewer resources were spent on standards, said that a breakdown of activities targeting workers' organizations would be provided through ACTRAV, and added that much of his time was spent on social dialogue. Also, wage issues and social protection were important work areas. Currently, donors seemed to show more of a preference for promoting youth employment than for combating child labour, which explained the decline of resources for standards. Enterprise development activities, for instance in the areas of tourism, the seafood industry and environmental sustainability,

were taking place in a number of countries. The labour-intensive project in Timor-Leste included skills development and workers' protection.

- 466.** *A representative of the Director-General* (Director, PARDEV) mentioned that the discussion on PPPs would probably take place at the October 2013 session of the Governing Body. He gave his assurances that an Office-wide resource mobilization strategy would be developed within the framework of the technical cooperation, field operation and funding partnership reviews.
- 467.** *A representative of the Director-General* (DDG/FOP) acknowledged the Governing Body's expectations with regard to the upcoming field office review and explained that an integrated approach would be taken towards reviewing effectiveness and cost-efficiency on the ground in terms of operations, resource mobilization, strategic partnerships and technical cooperation. Better harmonization in resource mobilization would also be a critical part of the upcoming review. The regional strategy had to be derived from that global strategy as well as from the discussion on PPPs in October 2013. Therefore, he proposed that the strategy for Asia and the Pacific should be finalized in March 2014 instead of in October 2013. Furthermore, the Workers' involvement in technical cooperation went beyond the Asia region and would be discussed from a global perspective with ACTRAV and other Workers' colleagues.
- 468.** *A representative of the Director-General* (Director of the Regional Office for Asia and the Pacific) acknowledged that the ratification of core ILO Conventions was slow in the region but emphasized the ongoing activities in that area. The Better Work and Better Factories Cambodia programmes were examples of integrated employment approaches that promoted social dialogue. The ILO was working with the Food and Agriculture Organization of the UN and a number of other agencies on rural employment issues. Also, exchanges were taking place with the Regional Office for the Arab States on migration issues and some African countries would also be involved.
- 469.** *Speaking on behalf of IMEC*, a Government representative of Italy reiterated her request for concrete examples of UN coordination efforts.
- 470.** *A representative of the Director-General* (Director of the Regional Office for Asia and the Pacific) mentioned Pakistan and Viet Nam as the two pilot countries in that respect. The Office was substantially engaged in UN country team deliberations and in coordination and fund-raising efforts. The ILO also benefited from UN funds. It was difficult to convince UN country team members that the ILO had a different governance body to that of other UN agencies. Another difficulty was the unpredictable nature of contributions in times of financial constraints. The Office was also involved in the assessment of UN Country Teams (UNCTs) as well as in policy debates on UN coordination.
- 471.** *The Employer spokesperson* raised two concerns with regard to the suggested changes to the draft decision. He questioned whether the four strategic objectives would continue to exist within the reformed ILO structure. Furthermore, he did not support the use of the term "decent work deficits" as such deficits did not exist.
- 472.** *The Worker spokesperson* reiterated that there was an undeniable decent work deficit in the region, as in other regions, and that the four ILO strategic objectives continued to apply during the reform, as they would in March 2014. He asked the Employers' group to accept the amendment for the discussion in March 2014.
- 473.** *The Employer spokesperson* suggested that, instead of "decent work deficits", reference could be made to the "decent work objectives" of the region.

474. *Speaking on behalf of IMEC*, the Government representative of Italy suggested that the word “guaranteeing” should be replaced by “seeking”.
475. *The Government representative of India* questioned the use of the word “real” in relation to “deficits” and wondered why the Asia and the Pacific region had been singled out in the paragraph, when the problem was a global one.
476. Both the Employers’ group and the Workers’ group reached agreement on the amended draft decision.

Decision

477. *In view of the lack of a resource mobilization strategy in the Asia and the Pacific region, as well as the changing situation indicated in document GB.317/POL/7, the Governing Body requested the Office to submit, at its 320th Session (March 2014), a regional resource mobilization strategy and action plan for Asia and the Pacific, seeking an improved balance between the four strategic objectives and responding to decent work needs in the region.*

(GB.317/POL/7, paragraph 39, as amended.)

Multinational Enterprises Segment

Eighth item on the agenda

Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration): Operational plan for promotional activities and proposal for the new survey

(GB.317/POL/8)

478. The Multinational Enterprises Segment was held on Thursday, 14 March 2013. It was chaired by Mr Dupuis (Government, France), as appointed by the Chairperson of the Governing Body. Ms Hornung-Draus and Mr Gurney were the Employer and Worker spokespersons.
479. *The Employer spokesperson* introduced her remarks by stressing that the MNE Declaration remained of great importance to the Employers and an effective follow-up mechanism was essential to its promotion. She commended the Office for its efforts to develop an operational plan for promotional activities and a new survey. However, the reform process that was under way in the Office, the vacant post at the head of the Multinational Enterprises Programme and the ongoing discussions on ILO engagement with the private sector were all inextricably linked with discussions on the MNE Declaration follow-up mechanism. The proposal for the new survey also needed to be fine-tuned. The decision concerning the operational plan and the new survey should therefore be postponed until March 2014 to give the new staff time to have some input into developing the strategy, thus giving them a sense of ownership of the follow-up mechanism. That would also give the Office time to develop a comprehensive strategy to promote the MNE Declaration and to improve the practical applicability of the survey. In addition, it would contribute to overall policy coherence, since the outcome of the consideration of ILO engagement with

the private sector could be integrated into the MNE Declaration follow-up mechanism. She read out a new proposed point for decision, which had been agreed with the Workers.

- 480.** *The Worker spokesperson* endorsed the proposal that had been read out by the Employer spokesperson. While appreciating the work the Office had accomplished, the timescale between drawing up the draft survey, piloting it and producing the paper for the current session of the Governing Body had been too short to enable proper analysis of the best mechanism for gauging the impact of the MNE Declaration. There was, however, an urgent need for the ILO to steer the debates that were taking place in other multilateral organizations on the impact multinational enterprises had on people's lives. The external work that had already been conducted into survey methodology could be built upon. He requested more detailed information on options, costs and operational proposals, including an analysis of how best to collect quantitative and qualitative data and how best to combine Office headquarters and field resources with the work of external collaborators. The Workers remained convinced that some form of voluntary universal survey was needed and that extensive work should continue on the promotion of the MNE Declaration.
- 481.** *Speaking on behalf of IMEC*, a Government representative of Denmark welcomed the operational plan for promotional activities, as detailed in document GB.317/POL/8. However, despite efforts to the contrary, the reporting burden on governments remained excessive and IMEC was concerned that the proposed questionnaire would not elicit the required information. Since much of the information requested in the questionnaire was simply not available, there was a risk that replies would be based on opinion rather than fact. That would not provide the evidence needed for credible analysis. In addition, multinational enterprises themselves should be included in the survey. Given the expected results, the estimated cost of the survey did not constitute an efficient use of the ILO budget. Moreover, there was no allocation for the survey in the Programme and Budget for 2012–13. More relevant and focused follow-up of the MNE Declaration was needed, possibly involving academia, in order to provide data that would strengthen the ILO knowledge base in that area. IMEC supported the joint proposal made by the Employers and the Workers.
- 482.** *Speaking on behalf of the Africa group*, a Government representative of Togo welcomed the operational plan for promotional activities. The establishment of a formal network of MNE focal points, the integration of the MNE Declaration into DWCPs and the proposals concerning PPPs, technical cooperation and company/union dialogue were particularly commendable. The engagement of an independent research institute to design the survey and the inclusion of a stable set of core questions and a thematic module were also praiseworthy. However, it remained unclear to what extent multinational enterprises would be involved in the survey, how much the survey would cost and how it would be financed. The Africa group therefore supported the joint proposal made by the Employers and the Workers, on the understanding that the review of the operational plan would not be postponed beyond March 2014.
- 483.** *A Government representative of India* said that, while the Office sought to promote the MNE Declaration in PPPs, it should take account of the tripartite nature of the Organization and ensure that governments were involved in all dialogue with the private sector. Under the Labour Inspection Convention, 1947 (No. 81), governments had ultimate responsibility for labour inspection; no other private or voluntary compliance mechanism administered by a multinational corporation could change that fact. Multinational corporations should adhere to national legislative frameworks with regard to national inspection mechanisms. He requested that, in the future, all information on and reports of Regional Meetings, including those concerning multinational enterprises and corporate social responsibility, should be sent officially to member States. In addition, any policy recommendations related to labour standards that were drawn up by other international

organizations should be submitted to the ILO for consideration by the tripartite constituents before steps were taken to implement them. Subject to those observations, he agreed in general with the draft decision in document GB.317/POL/8.

- 484.** *A Government representative of China* said that, since the work of multinational enterprises directly affected global economics, it was essential to continue promoting the application of the MNE Declaration. The ILO should work closely with the IOE in order to assist multinational enterprises in facing global economic risks, providing social security and establishing harmonious labour relations. He supported the operational action plan proposed by the Ad Hoc Working Group and the amended decision point proposed by the Employers and the Workers.
- 485.** *A representative of the Director-General (DDG/P)* welcomed delegates' comments and suggestions and their understanding of the fact that the Office was in the process of reform. The joint proposal made by the Employers and the Workers would allow the Office to produce a better result in the long run, while continuing its promotional work in the interim.

Decision

486. *The Governing Body decided:*

- (a) to further postpone, until its 320th Session (March 2014), the review of the proposed operational plan for putting in place the MNE Declaration follow-up mechanism and the specified promotional activities on the basis of the recommendations submitted by the Ad Hoc Working Group at its 313th Session (March 2012), in order to obtain clarification of the various options for the organization, method and costs for operationalizing the follow-up and to allow for due consideration of how this work will be integrated into the reformed Office structure including the knowledge management strategy; and*
- (b) accordingly, to further suspend, until its 320th Session (March 2014), the decision taken at its 258th Session (November 1993) to conduct surveys of the MNE Declaration every four years.*

(GB.317/POL/8, paragraph 20, new text adopted.)

Legal Issues and International Labour Standards Section

487. The Legal Issues and International Labour Standards Section was held on Monday, 18 March 2013. It was chaired by Mr Corres (Government, Argentina), as appointed by the Chairperson of the Governing Body. Ms Horvatic and Mr Cortebeek were the Employer and Worker spokespersons respectively.

Legal Issues Segment

First item on the agenda

Legal protection of the International Labour Organization in its member States, including the status of its privileges and immunities: Update (GB.317/LILS/1(Rev.))

488. *The Worker spokesperson* welcomed the new accessions by member States to the 1947 Convention on the Privileges and Immunities of the Specialized Agencies as a result of the campaign and activities of the Office and called upon the remaining Members to follow the same steps. He also welcomed the new bilateral agreements concluded in relation to the ILO's presence and operations at the national level but regretted that 28 Members still did not recognize the ILO's status, privileges and immunities or other legal protection in any standing legal framework, whether multilateral or bilateral. Moreover, all Members were called upon to fully respect their international obligations in order to guarantee the proper functioning of the ILO in the countries where it operated, and he was concerned about the situations where such guarantees were not fulfilled. The Workers' group encouraged the Office to continue its efforts to secure legal protection by promoting accession to the 1947 Convention or, subsidiarily, through bilateral agreements, and asked for information on how the support of national employers' and workers' organizations would be sought. It supported the initiative regarding the creation of an identification document for Worker and Employer members of the Governing Body and agreed with the draft decision.

489. *The Employer spokesperson* expressed appreciation for measures taken by the Office, such as the Framework Agreement for Cooperation (FAC) and the access to information resources. The Employers' group welcomed the fact that, as a result of those endeavours, in the space of one year five countries had acceded to the 1947 Convention and accepted its Annex I. They hoped that the 66 countries that had not yet done so would consider accession or comparable alternative protection as a matter of urgency. The ILO should intensify its direct engagement with the governments of the 28 countries that did not afford the ILO adequate legal protection with a view to removing any obstacles to such protection. Clauses for the legal protection of the ILO's privileges and immunities should be indispensable elements of technical cooperation arrangements with such Members. Clear strategies should be set up to deal with the practical implementation problems noted. Attempts to impose income tax on nationals, for example, were contrary to the Convention and should be strongly contested. Situations such as those reported in paragraph 8 of the document were also unacceptable and the ILO should consider suspending operations until the issues had been resolved. The Employers' group requested additional information on the measures to secure legal protection referred to in paragraphs 10 and 11 of the document

and looked forward to the discussion at the next session of the study concerning the privileges and immunities of the secretariats of the Employers' and Workers' groups of the Governing Body, since the secretariats played important roles in the world of social and labour relations, in the ILO institutional framework and in the Governing Body. The Employers' group agreed with the draft decision and suggested introducing a new subparagraph into paragraph 16 that would read: "requests the Director-General to prepare proposals for strategies on how to respond to infringements of the ILO's immunities or privileges by a member State".

- 490.** *Speaking on behalf of GRULAC*, the Government representative of Colombia recalled GRULAC's detailed comments on the subject at the 313th Session of the Governing Body, when the group had expressed views and concerns regarding the FAC, which had not been presented for approval by the Governing Body, and had submitted suggestions for improvement. She encouraged the Office to further examine the text, and remained available for any follow-up consultations. One issue that raised particular legal concerns for her group was the provision whereby a government would agree to give effect to the provisions of the 1947 Convention even though it had not acceded to the Convention at multilateral level, as that would represent a breach of the accession procedures set out under national law. Instead, her group believed that the goal should be formal accession to the 1947 Convention and acceptance of its Annex I. It regretted the situations described in paragraphs 7 and 8 of the document but was unable to comment given the lack of specific information provided. The group also considered that the Office should strengthen its efforts in relation to the priority countries mentioned in paragraph 11 to secure their accession to the Convention or, subsidiarily, their conclusion of agreements affording the ILO the required legal protection. Her group supported points (a), (b), (c) and (d) of the draft decision as well as the request for a detailed proposal in relation to an identity document for the Employer and Worker members of the Governing Body set out in paragraph 16 of the paper, but she specified that such a document could only be issued for any period during which the members exercised their functions. She looked forward to the detailed legal study by the Office requested in March 2012 that would examine the possible privileges and immunities of the Employers' and Workers' secretariats, recalling that its scope should be limited to situations where the secretariats participated in official ILO missions defined in a tripartite manner. Moreover, she stressed that while officials of the IOE and the International Trade Union Confederation (ITUC) exercised an important function in relation to the work of the Governing Body, they were not ILO officials.
- 491.** *Speaking on behalf of the Africa group*, a Government representative of Botswana welcomed the five new accessions to the 1947 Convention but regretted that, despite repeated requests by the Governing Body and the Director-General, 66 Members, including some members of the Governing Body, had not yet acceded to the Convention, and she urged those States to do so. Her group supported the draft decision and commended the Office for its continued campaign to promote the ILO's legal protection in its member States, including the immunities of Workers and Employers in the Governing Body.
- 492.** *Speaking on behalf of IMEC*, a Government representative of Canada supported the measures to secure the ILO's legal protection in its member States on the basis of the 1947 Convention and its Annex I, and asserted that those rights could also be provided by bilateral agreements according equivalent protection. Measures were most needed in those States that did not grant legal protection to the ILO under any standing legal framework. The IMEC group agreed to consider ways to reinforce the implementation of the Convention and in particular of its Annex I. A proposal for an identification document for Employer and Worker members of the Governing Body would pose little difficulty. However, it could not be an "identity document", it could only have declaratory value as personal identity could only be proven by a national identity document. Neither could the

document have the same value as the UN laissez-passer. As the paper presented did not describe in detail the difficulties linked to the lack of identification cards, it was difficult to assess whether the additional administrative work and costs entailed were warranted, particularly as such cards would not address the problem of countries that had not acceded to the Convention. Regarding the study on a possible extension of privileges and immunities to the secretariats of the Employers' and Workers' groups, her group believed that that would call for an amendment of Annex I, which was not a realistic scenario. The IMEC group supported the draft decision subject to three amendments: in point (b), after "urges ILO Members", it proposed adding the words "which do not provide equivalent legal protection and"; in point (c), after "measures indicated", it proposed adding the words "in paragraphs 10 and 11"; and in point (e), it proposed replacing "identity" by "identification" and, after "Governing Body", adding the words "as described in paragraph 14".

- 493.** *A representative of the Director-General (Deputy Legal Adviser)*, in response to the points raised, explained that the content of point (b) of the draft decision was based on a 1948 ILC resolution that invited Members to accede to the Convention, without any mention of the possibility of replacing the Convention by according equivalent protection in a different way. Moreover, it would be difficult to ascertain whether protection through a bilateral agreement could be considered equivalent to protection under a multilateral framework. Point (c), if adopted with the proposed amendment, would be understood not to impede the Director-General from providing more information relating to the identification document as envisaged in the draft decision before the Governing Body, or as requested by the Governing Body in its March 2012 decision. With regard to the 28 countries in which the ILO enjoyed no standing legal protection, priority was being given to their situation through a number of measures, including bilateral discussions in capital cities and legal protection workshops. Concerning the FAC, the Office welcomed again GRULAC's invitation, which had already been followed up after March 2012, and reiterated again its availability to meet. It looked forward to discussing any concerns with the group as a whole, having already held some discussions on a country-specific basis. The Deputy Legal Adviser stressed that some clauses in the FAC, such as the clause on privileges and immunities, were essential. Regarding the ability to commit bilaterally to applying the provisions of the Convention without accession to the Convention at multilateral level, such a situation was entirely compatible with international law. There was a long and consistent member State practice of doing so – 35 of the 66 States that had not yet acceded to the Convention had agreed bilaterally to apply its provisions to the ILO – and a similar practice had been followed by States in relation to other UN agencies and programmes, such as the UNDP and its Standard Basic Assistance Agreement. It was possible for a member State to provide such protection in that way in so far as it was decided by a national authority with the power to do so and was compatible with the national constitutional order. With regard to paragraphs 6–9 of the document, the Office had been asked to identify practical difficulties in giving full effect to legal protection frameworks, and it had outlined cases of particular concern that breached the ILO's immunities from jurisdiction and execution in relation to national courts and other authorities; some of those cases had proceeded at national level even though they had been dealt with by the ILO's own dispute resolution system. Regarding the identification cards, the Deputy Legal Adviser clarified that they would indeed not be like the UN laissez-passer but rather would provide a practical means for assisting States in recognizing the immunities already in place under the Convention as it applied to the ILO. Concerning the questions of issuance and period of validity of the card, particularly in relation to the immunities granted with respect to the acts performed in an official capacity, she further explained that, while the card would not be renewed when membership ended, section 14 of the Convention incorporated by reference into Annex I guaranteed ongoing immunity for acts performed in an official capacity during the members' mandate, and ensuring such immunity for Worker and Employer Governing Body members was essential to the

functioning of the Governing Body. With regard to the Employers' suggested amendment concerning proposals for responding to infringements, she understood that it related to difficulties in implementation of legal protection and that, if the amendment was adopted, the Director-General would prepare proposals in due course as needed.

- 494.** Consensus was achieved in relation to all the proposed amendments except the one concerning point (b). The Workers' group did not agree with that proposal, recalling that the objective of accession to the 1947 Convention was one of universal ratification. The Employers' group also disagreed with the proposed amendment to point (b) as it was not in line with the 1948 ILC resolution that had specifically called for Members to accede to the 1947 Convention.

Decision

495. The Governing Body:

- (a) reaffirmed the importance of legal protection in the ILO's relations with member States and, in particular, its privileges and immunities recognized in the 1947 Convention on the Privileges and Immunities of the Specialized Agencies and Annex I relating to the ILO;*
- (b) urged ILO Members which had yet to do so, and in particular those represented on the Governing Body, to accede to the 1947 Convention and apply its Annex I and urged all Members to give full effect to the ILO's privileges and immunities;*
- (c) requested the Director-General to continue efforts to promote the legal protection of the ILO through the measures indicated in paragraphs 10 and 11 of document GB.317/LILS/1(Rev.), and to report periodically on the legal situation of the ILO in its member States, with a view to taking further measures as necessary;*
- (d) affirmed the necessity of ensuring for the ILO basic legal protection essential for the fulfilment of its purposes in the context of in-country activities with the member States concerned;*
- (e) requested the Director-General to prepare proposals for strategies on how to respond to infringements of the ILO's immunities or privileges by a member State; and*
- (f) requested the Office to prepare a more detailed proposal relating to a possible identification document for Worker and Employer members of the Governing Body as described in paragraph 14 of document GB.317/LILS/1(Rev.), to be submitted to its 319th Session (October 2013).*

(GB.317/LILS/1(Rev.), paragraph 16, as amended.)

Second item on the agenda

Promotion of the ratification of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986 (GB.317/LILS/2)

- 496.** *A representative of the Director-General (Deputy Legal Adviser)* announced that, since the publication of the Office paper, Myanmar had also ratified the 1986 Instrument of Amendment. Consequently, there were 100 ratifications to date, of which two were from Members of chief industrial importance. Thus, a further 24 ratifications were still needed for the Amendment to come into force, of which three were still required from Members of chief industrial importance. She noted that another 85 Members had not yet ratified the 1986 Amendment (not 61 as stated in paragraph 6 of the document). Those changes did not affect the draft decision.
- 497.** *The Employer spokesperson* was satisfied with the Office report and requested the Office to continue reporting to the Governing Body at regular intervals on the matter until the entry into force of the 1986 Amendment. Her group supported the draft decision in paragraph 7.
- 498.** *The Worker spokesperson* welcomed the five new ratifications of the 1986 Amendment but noted that 24 more ratifications, including at least three from Members of chief industrial importance, were still required, despite the lapse of 27 years since the adoption of the Amendment. In his view, there was undue delay in the ratification and entry into force of the Amendment, which was in open contradiction to the principle of tripartism and conveyed a negative image of the Organization's capacity to adapt its structures. The Workers' group urged States that had not yet done so, in particular the remaining eight Members of chief industrial importance and the remaining Governing Body members, to ratify the Amendment in the near future. Following the example of the information session at the 15th Asia and the Pacific Regional Meeting in 2011, similar sessions could be held in the context of the Conference, regional meetings and the Governing Body. The Workers' group supported the draft decision.
- 499.** *Speaking on behalf of the Africa group*, the Government representative of Botswana commended the five new ratifications, four of which came from African countries. Recognizing with acclaim that India and Italy had ratified the Amendment in 1988 and 1989 respectively, the group regretted the absence of further ratifications by Members of chief industrial importance and appealed to them and to other Members that had not yet ratified the Amendment to do so. Considering that the Amendment enhanced equity, transparency and democracy, her group commended the Office's promotional measures and called for them to be continued. She invited the Office to hold a special information session during the Ninth European Regional Meeting in April 2013, similar to the one held during the Asia and the Pacific Regional Meeting in 2011. The group supported the draft decision in paragraph 7.
- 500.** *A Government representative of Switzerland* recalled that her country had ratified the Amendment some 25 years ago, in 1987. Welcoming the new ratifications, Switzerland encouraged particularly the Members of chief industrial importance and the other 13 members of the Governing Body that had not yet ratified the Amendment to seriously consider doing so. Her delegation supported the draft decision.

501. *A Government representative of Ghana*, supporting the statement of the Africa group, added that the principal objective of the Amendment was to make the Governing Body more representative in light of the various geographic, economic and social interests of its constituent groups. Recalling that her country had ratified the Amendment in 1988, she emphasized that the renewed promotional campaign was timely as the Organization was in the process of restructuring to better respond to the needs of its constituents, drawing on its principles of social justice and fairness.
502. *A Government representative of Zimbabwe*, supporting the statement of the Africa group, added that, in his Government's view, the democratization of the governing structures of the ILO that the Amendment would represent was long overdue.
503. *A Government representative of Algeria* considered the question of the 1986 Amendment crucial for his State as a developing African country and for the other developing countries. Furthermore, the ongoing reform process of the Organization would not have its full effect without the entry into force of the Amendment, which reinforced the transparent and democratic character of the Organization. Algeria requested the Office to continue its promotional efforts in all relevant forums.
504. *A Government representative of Niger*, supplementing the statement of the Africa group, requested the Office to further reinforce its measures for a more intensive ratification campaign.
505. *A Government representative of Kenya*, endorsing the statement of the Africa group, added that the Office should explore new strategies to promote ratification of the Amendment, particularly vis-à-vis Members of chief industrial importance.

Decision

506. *The Governing Body:*

- (a) *welcomed the new ratifications of the 1986 Amendment of the Constitution of the International Labour Organisation;*
- (b) *again invited the Members that had not yet ratified the 1986 Amendment, and in particular the eight remaining Members of chief industrial importance and the other 13 Members represented on the Governing Body through their governments, to do so;*
- (c) *encouraged ILO constituents to intensify efforts at the national and regional levels aimed at further ratifications of the 1986 Amendment, by the Members that had not yet ratified it;*
- (d) *requested the Director-General to continue efforts to promote the ratification of the 1986 Amendment, and to report periodically to the Governing Body on new activities and ratifications; and*
- (e) *invited the Director-General to follow the guidance in respect of action aimed at the promotion of the ratification of the 1986 Amendment, that the Governing Body provided during its debate.*

(GB.317/LILS/2, paragraph 7.)

International Labour Standards and Human Rights Segment

Third item on the agenda

Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2014 (GB.317/LILS/3)

- 507.** *A representative of the Director-General* (Director, NORMES) said that since the 2012 General Survey had dealt with the eight fundamental Conventions, the Office was now proposing a limited number of instruments dealing with the right of association in agriculture and rural workers' organizations to be the subject of the next General Survey, considering that their examination could, in a way, complete the law and practice review of all the related instruments dealing with fundamental principles and rights at work.
- 508.** *The Worker spokesperson* welcomed the proposal to carry out a General Survey on Conventions Nos 11 and 141, and on Recommendation No. 149, which he deemed necessary and opportune, as it could shed light on the plight of rural and agricultural workers in respect of freedom of association. Quoting from the 2008 report on the promotion of rural employment for poverty reduction, he referred to the legal impediments and practical challenges, notably poverty, informality, dependency on the employer, the large number of women workers in agriculture and the often atypical employment relationships, such as migrant, seasonal or casual workers, faced by rural workers in order to assert their right to freedom of association. He also drew attention to the numerous complaints before the Committee on Freedom of Association related to issues affecting agricultural workers, such as violence, harassment, the non-recognition of trade unions and the dismissal of trade union officials. He underlined the importance of effectively promoting the right to organize and the right to collective bargaining in that area to guarantee full and effective protection against anti-union discrimination and to allow agricultural workers to improve their working conditions. He noted that since agriculture was largely dependent on seasonal and temporary workers, a large number of whom were migrants, governments should adopt the measures necessary to ensure that they were not prevented from exercising their right to freedom of association. A General Survey on that subject could also shed light on examples of legislation and measures aimed at facilitating the establishment and development of strong and independent organizations of rural workers, and on the obstacles to the ratification and application of the Conventions in question. Furthermore, given that the rural economy featured among the areas of critical importance in the programme and budget proposals, he considered that such a Survey could also be useful to the Office as it carried out activities in that area. He expressed his desire for the discussion that would follow the creation of the General Survey to also allow the shortcomings of labour inspection in rural areas, as well as the pressing need to strengthen it, to be addressed, and measures to guarantee the ratification and application of Convention No. 129 to be adopted. His group supported the draft decision in paragraph 13.
- 509.** *The Employer spokesperson* said that her group supported the selection of Conventions Nos 11 and 141 and Recommendation No. 149 for the General Survey to be submitted to the ILC in 2015. The Employers' group agreed with the rationale behind the choice of the proposed standards, as set out in paragraphs 6–12 of the document, considering that agriculture was a significant sector of the world of work, which deserved more attention than it usually received. Also, the report form adequately reflected the contents of the

instruments in question, as required by article 19 of the ILO Constitution. The Employers therefore agreed with the draft decision in paragraph 13.

- 510.** *Speaking on behalf of the Africa group*, a Government representative of Botswana acknowledged that General Surveys were an important source of information on the law and practice of member States and could highlight their needs and the areas to be targeted by ILO technical assistance. While several General Surveys had been carried out in the area of freedom of association and collective bargaining, only one had specifically examined the global picture of law and practice in relation to rural workers' organizations under Convention No. 141. The Africa group thus deemed it appropriate that governments be requested to submit reports under article 19 of the ILO Constitution on Conventions Nos 11 and 141 and on Recommendation No. 149, and also agreed with the report form concerning the right of association and the instruments on rural workers' organizations proposed in Appendix I. The Africa group therefore agreed with the draft decision in paragraph 13.
- 511.** *A Government representative of Kenya* said that his Government aligned itself with the statement made on behalf of the Africa group, acknowledging that General Surveys added greater value to the review of instruments both in law and in practice. Since agricultural and rural workers were persistently denied the right to associate and bargain collectively, it was only fair to focus on that category of workers, who not only suffered from a deficit of freedom of association but were, in most cases, beyond the reach of labour inspection services. In that regard, he considered that the role of labour inspection in agriculture and the rural sector should be promoted and sustained to create an integrated and standardized approach, and that, for example, minimum working conditions (including OSH and wages), which provided a basis for collective bargaining in the first instance, should be addressed from a holistic perspective. Furthermore, a strategy whereby the social partners worked in partnership with already existing structures (such as cooperatives, farmers' associations and others), would add value and reap maximum benefits. The gender dimension was also critical in that respect, as in many countries the majority of rural workers were women. The Government representative of Kenya therefore supported the draft decision in paragraph 13.

Decision

512. *Against this background, the Governing Body:*

- (i) *requested governments to submit reports for 2014, under article 19 of the Constitution, on the Right of Association (Agriculture) Convention, 1921 (No. 11), the Rural Workers' Organisations Convention, 1975 (No. 141), and the Rural Workers' Organisations Recommendation, 1975 (No. 149); and*
- (ii) *approved the report form concerning the right of association and rural workers' organizations instruments which is contained in Appendix I to document GB.317/LILS/3.*

(GB.317/LILS/3, paragraph 13.)

Programme, Financial and Administrative Section

513. The Programme, Financial and Administrative Section of the Governing Body met on 11–13 and 21 March 2013. It was chaired by the Chairperson of the Governing Body, Mr de Robien. Mr Mdwaba and Ms Sundnes were the Employer and Worker spokespersons.

514. The order of discussion proposed in document GB.317/PFA/TOB was agreed.

Programme, Financial and Administrative Segment

First item on the agenda

Programme and Budget proposals for 2014–15 (GB.317/PFA/1 and GB.317/PFA/1/1)

515. *The Director-General* presented his Programme and Budget proposals for 2014–15 (his statement is reproduced in Appendix I).

516. *The Chairperson*, upon agreement of the order of discussion proposed in document GB.317/PFA/1/D1, opened the debate on the executive overview (paragraphs 1–37).

517. *The Worker spokesperson* commended the Director-General's reform agenda, noting that change was necessary within the Office if the ILO was to have the capacity to play a significant role in rebalancing the global economy and securing global social justice. The Workers' group therefore approved of the expected results of the organizational reform outlined in figure 8. The review of the field structure should include an examination of ways of strengthening technical capacity in the regions with regard to macroeconomic policies, standards, industrial relations, working conditions and wages. She trusted that the staff and the Staff Union would be consulted about the reform process.

518. She was pleased that the ILO Declaration on Social Justice for a Fair Globalization would guide the 2014–15 programme. The Workers' group was in favour of continuing work on the 19 outcomes and hoped that their linkage with areas of critical importance would facilitate teamwork and promote a more focused approach. It was, however, crucial to have labour standards and gender mainstreamed into all eight of those areas. ACTRAV should be fully involved in the design and delivery of those areas and of the 19 outcomes. The role of, and capacity building for, employers' and workers' organizations should be a central feature of the Office's work. New working arrangements were required to successfully deliver on the eight areas, as was the need to ensure that each task team included the highest technical expertise and critical mass. She looked forward to receiving more information on the implementation of each area of critical importance.

519. The Workers' group agreed with the nominal increase in the budget of 0.3 per cent, which took full account of the prevailing conditions in member States. Having taken note of the proposed resources allocated to the various outcomes presented in table 4, it wished to underscore in particular the decrease in estimated resources for outcomes 12 and 18. It

believed that the additional resources earmarked for employment promotion should be used to enhance the Office's macroeconomic capacity. It was in favour of allocating funds from the RBSA to the areas of critical importance. For that reason the speaker called upon other donors to contribute to the account. Her group supported the idea of SSTC featuring prominently in the ILO technical cooperation strategy. It expected, however, that the foreseen technical cooperation review would allow for better targeting of extra-budgetary resources towards the Decent Work Agenda and building the capacity of workers' organizations. Lastly, the speaker welcomed the intention to improve reporting information on the achievement of the outcomes, as that was deemed necessary, especially in respect of ILO work at country level.

- 520.** *The Employer spokesperson* welcomed the reform spirit reflected in the proposed budget and the clear commitment to focus on Members' realities and needs, as expressed by the Director-General in his presentation. The global employment crisis made it vital to give priority to job creation by supporting constituents' efforts to foster an enabling business environment allowing companies to grow and employ people. The Employers' group was therefore pleased about the introduction of an area of critical importance entitled "Promoting more and better jobs for inclusive growth". The areas of critical importance should be more sharply defined in order to ensure that they led to real policy changes within the Organization. Greater focus should also be placed on an enabling environment for job creation. As the budget was allocated to outcomes rather than to those areas, and as there were no stand-alone targets set for them, there was a danger that work under the areas of critical importance might lead to a mere relabeling of some existing activities under the 19 outcomes. The workplans for those areas should ensure greater interdepartmental cooperation.
- 521.** Since the new approach to the programme and budget was constrained by the need to implement the existing Strategic Policy Framework (SPF), it was essential to start early the drafting of the new SPF and to ensure that constituents were closely associated with the process. Regional Meetings could also provide an opportunity to offer input to it and for that reason in the future their timing should be aligned with the SPF cycle. The speaker welcomed the announcement that the Office would introduce more detailed reporting on the achievement of the expected results under each outcome, given that the current SPF indicators did not provide the Governing Body with enough data to assess the impact of ILO action on the ground.
- 522.** As building the capacity of social partners was crucial to the proper implementation of the programme and budget and as ACT/EMP played a key role in that regard, it was disappointing that the funding of ACT/EMP had not improved. The prioritization on key areas and the fact that ACT/EMP was the focal point for private business made a budget readjustment even more pressing. Reform activities in the field of governance and internal management over the previous six months had been impressive. He encouraged the Office's new leadership to continue at that pace. It was clear that the reform of the Office meant that the budget had to be allocated to the outcomes and not to the sub-items. However, a more detailed breakdown of allocations should be provided as soon as possible. The Employers wished to know whether, when and how the Office would discuss detailed budget allocations with constituents.
- 523.** *Speaking on behalf of GRULAC*, a Government representative of Colombia expressed support for the Director-General's proposals and acknowledged the underpinning effort to rationalize resources and adapt the structures of the ILO to the challenging context. The envisaged reforms should enable the ILO to be positioned as a key actor in rebalancing the global economy; to that end the Organization should be guided by its strategic objectives and its action should be based on strengthened analytical and statistical capacity, as mirrored in the proposals. By the 2014–15 biennium, the share in total output of emerging

and developing countries would equal, and in some cases overtake, that of advanced countries. The new UN scale of assessed contributions for funding international organizations witnessed the beginning of such a shift. If that entailed even greater attention by emerging and developing countries in respect of the use of resources, it would not imply a restrictive position by them on the regular budget. GRULAC expected, however, that emphasis would be placed on the application, rationalization and optimal use of existing measures through better governance and greater efficiency. That included an improved use of internal control mechanisms and of the recommendations of internal and external auditors, as well as the effective application of results-based management (RBM).

524. GRULAC was concerned in respect of five issues. First, the fact that the resources allocated to employment had increased by only US\$2 million seemed not to take account of the impact of the international economic crisis on jobs. Second and related to the previous point, it might be appropriate to align resource distribution in the proposed programme and budget with the prevailing economic context, on the one hand, and the ongoing reform, on the other. Third, it was hard to see how expenditure from the regular budget tied in with extra-budgetary expenditure. Fourth, more information was needed about the connection between ongoing reforms, their implementation and the budget's viability. Fifth, it might be wise to examine each area's relevance to a general strategy to address the effects of the crisis on employment and to make job creation a central goal of economic recovery.

525. *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran commended the Director-General's holistic approach to efforts to reform the ILO. The 2014–15 biennium offered a unique opportunity to make the ILO better attuned to current challenges in the world of work and to their repercussions on workers and enterprises. It was to be hoped that the proposed programme and budget would enable the ILO to play a proactive role in promoting strong economic growth coupled with social justice. It was also to be hoped that a thorough discussion of the proposed programme and budget would result in the Office devising a realistic, time-bound plan of action and that any lessons learnt during the 2014–15 biennium, including in respect of governance arrangements, resource allocations and areas of critical importance, would feed into the programme and budget for the following biennium. A budgetary gap might impact on the ILO's strategic goals and hamper the programme's implementation.

526. Internal audit and oversight and an independent oversight advisory body were indispensable executive tools for ensuring transparency, accountability and efficiency at headquarters and at regional levels. ASPAG fully supported the Human Resources Strategy for 2010–15 and was in favour of a comprehensive review of recruitment and selection procedures with a view to achieving efficiencies, improving career development and securing a more diverse and balanced workforce. The group fully endorsed the programme and budget proposals.

527. *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe welcomed the budget proposals and the detailed supporting information provided. A clear understanding of the prevailing context was essential in addressing issues within the world of work. The continued coherence with the Strategic Policy Framework 2010–15 and introduction of eight areas of critical importance were particularly welcome, although social dialogue should have been given more prominence across all areas. He expressed support for the nominal increase in the budget of 0.3 per cent and commended the priority given to the four strategic objectives in allocating resources, but cautioned that reducing management costs should not compromise the Office's ability to fulfil its mandate. He particularly welcomed the increase in proposed expenditure on employment, as well as the proposed estimated extra-budgetary expenditure of US\$111 million in Africa. Noting the decline in the estimated expenditure for RBSA, he acknowledged the continued support

provided by many donors through that funding modality and expressed the wish that more resources would become available to the Organization as the economic situation improved. He called on the Office to consult member States on the reform process, given that, as recipients of the technical assistance the ILO delivered through its field offices, they had a lot of experiences to share. Lastly, he expressed interest in the workplans to be prepared before the start of the biennium, underscoring their importance for accountability purposes.

- 528.** *Speaking on behalf of IMEC*, a Government representative of the United Kingdom welcomed the timely availability of the document and its shorter but comprehensive executive overview. Economic challenges faced by many governments required funding for international organizations to be scrutinized carefully. A number of IMEC members supported the proposed nominal increase of 0.3 per cent in the budget, but others favoured zero nominal growth. The Office should continue to seek further savings through the reform process. IMEC remained concerned about the baselines used to calculate changes in the budget, and requested a report to the Governing Body in March 2014 on potential budget reductions in 2015 and beyond and the implications thereof. Efforts to reflect the focus of the 19 outcomes on eight areas of critical importance were welcome, as was the inclusion of support for a standards review mechanism in the strategy of outcome 18. In terms of reform, robust and fair human resources policies would enhance the Organization's reputation and credibility.
- 529.** *Speaking on behalf of ASEAN*, a Government representative of Viet Nam expressed appreciation for the significant increase in proposed expenditure on employment and suggested that more attention should be devoted to work on social protection, given the impact of the economic downturn on both areas. With the proposed nominal increase of only 0.3 per cent, all programmes and projects should be implemented as cost-effectively as possible, focusing on optimal results in areas of critical importance. ASEAN supported the proposal to concentrate funding from the RBSA primarily on those areas, with an emphasis on countries less endowed with extra-budgetary resources. Effective implementation of the programme for 2014–15 would depend on the efficient functioning of the Office, which should thus take all possible steps to achieve the overarching objective of the reform process.
- 530.** *Speaking on behalf of the Nordic countries*, a Government representative of Denmark supported the IMEC statement and made the following additional comments. First, the Organization needed once again to make its activities more effective and relevant in 2014–15. In that respect, the proposed programme and budget was on the right track, but further focus on delivering outcomes and on their impact was needed. Second, the Nordic countries fully supported efforts to implement the reform. More information was needed in respect of how the reorganization of GENDER would help promote gender equality at work. Third, further cost savings might be made by reviewing ILO representation in Europe. Fourth, the emphasis in the budget on employment and on jobs and skills for youth and the eight areas of critical importance was welcome. The importance of social dialogue as a cross-cutting component of all areas deserved to be underscored. Fifth, additional information was needed on the background for the 42 per cent estimated share of the strategic budget linked to the areas of critical importance. Sixth, the expected decrease in RBSA resources was disappointing. The Director-General's views on that trend were sought, as well as on plans to reverse it. Seventh, the Nordic countries supported the proposed nominal increase of 0.3 per cent in the budget.
- 531.** *A Government representative of Italy* supported the IMEC statement and expressed appreciation for the proposals and the briefings held with ILO constituents in advance of the Governing Body's discussion. Her Government supported the proposed budget and welcomed plans for structural reform at the headquarters to help the Organization face the challenges of the economic crisis. It particularly appreciated the emphasis placed in the

proposals on the integration of the International Training Centre of the ILO in Turin (Turin Centre) within the wider ILO structure. Further involvement of the Centre should be sought, particularly in technical cooperation delivery, training of ILO staff, and research, statistics and publications, so as to maximize its full potential.

- 532.** *A Government representative of Germany* supported the IMEC statement and elaborated on two reasons underpinning his Government's support to the proposed 0.3 per cent growth budget. On the one hand, the proposed budget showed the lowest increase since 2000 and reflected the critical situation of national budgets in many countries. On the other, the new UN scale of assessed contributions for funding international organizations was favouring countries with stagnating economies. While the lack of a recruitment and selection plan associated to the budget was regrettable, it was understood that the Office would present and report on such a plan in due course.
- 533.** *A Government representative of the Netherlands* supported the IMEC statement and that made by the Nordic countries. Welcoming the focus on a limited number of areas of critical importance, he stressed that the ILO should focus on areas where it could have the greatest impact and where it had the greatest expertise. The emphasis on employment promotion, social protection floors and standards in the programme was particularly welcome. With regard to the budget, his Government would have preferred a zero nominal growth budget but was willing to accept the proposed increase of 0.3 per cent so as to give the Organization the flexibility to pursue its reform agenda.
- 534.** *A Government representative of Mexico* aligned himself with the GRULAC statement. He acknowledged the prudent and realistic approach taken in preparing the proposed budget and welcomed efforts to maintain funding levels for the strategic objectives by reductions management costs, including those expected from the reform of the Governing Body and the ILC. He highlighted the importance of SSTC and the need for more such projects. His Government was confident that the process of change and reform would lead to enhanced complementarity between headquarters and the regions, increased collaboration across the administrative structure and improvements in the management of human resources, hence increasing the impact of ILO actions. Efforts in that area should be continued and strengthened.
- 535.** *A Government representative of India*, commenting on the areas of critical importance, indicated that more emphasis might be placed on those related to employment generation and rural and informal economies. Social protection floors should be determined by countries themselves, in accordance with national circumstances. The Office should provide technical assistance and capacity building to member States on several issues, including workplace compliance. Expressing concern at high staff costs within total expenditure, he noted that the allocation of resources, including staff, to the Asia and the Pacific region did not reflect its share of the global workforce. ILO work in the region should place greater emphasis on employability and skills, particularly for young people, and on promoting the Decent Work Agenda in the informal economy. Outcome indicators presented in the proposals were welcome; however, they should measure the contribution of the ILO rather than combining it with the initiatives of national governments.
- 536.** *A Government representative of Japan* supported the IMEC and ASPAG statements. Despite the preference for a zero nominal growth budget, his Government could exceptionally support the 0.3 per cent nominal increase in the budget. Such a decision took account of the role that the ILO was expected to play to address the challenges faced by constituents, as well as the Director-General's efforts to reform the Organization, including by identifying eight areas of critical importance and by reducing costs.

- 537.** *A Government representative of Switzerland* supported the IMEC statement and welcomed the focus of the proposals on reforms and new methods of work around eight areas of critical importance. More than the proposed 42 per cent of the strategic budget, however, should be allocated to those areas if they were to be considered as real priorities. Her Government's top four priorities vis-à-vis the ILO were as follows: decent working conditions and respect for international labour standards; promoting social dialogue; encouraging competition, productivity and good working conditions in SMEs; and responsible management of resources, with due budgetary rigour. In the future, the Office should also provide information on variations in essential financial indicators over a five-year period to enable identification of trends in the evolution of the budget. A nominal increase of 0.3 per cent in the budget was acceptable for her Government. However, the budget should take due account of the reform process.
- 538.** *A Government representative of Australia* supported the ASPAG and IMEC statements. She expressed strong support for the proposed budget, which recognized the need to use available resources to better effect. She welcomed the reform agenda and the progress made in its implementation, along with the selection of eight areas of critical importance, which would provide a good foundation for the development of a more focused and concise SPF beyond 2015.
- 539.** *A Government representative of the United States* supported the IMEC statement, along with the proposed focus on eight areas of critical importance. She noted with appreciation the shift of resources from management services to the strategic objectives. Information on the distribution of estimated RBSA by outcome would have been a useful complement to information already presented in table 4. Further information was needed on the proposed 42 per cent share of the strategic budget allocated to the areas of critical importance. Notwithstanding its strong support for the ILO, her Government would continue to seek a zero nominal growth budget for all international organizations.
- 540.** *A Government representative of China* supported the ASPAG statement and made four observations. First, the clarification provided in the proposals on the relationship between the eight areas of critical importance and 19 outcomes was welcome. His Government applauded efforts to reduce the costs of management services and urged the Office to pursue them. That, combined with the application of strict rules and improved RBM, provided the potential to harness resources to strengthen technical cooperation in developing countries. Second, equally welcome was the focus on employment, even though the increase in proposed expenditure would come mainly from extra-budgetary resources, hence requiring an innovative approach by the Office to mobilize necessary funds. Third, the low number of targets proposed for the Asia and the Pacific region was incommensurate with the needs of the region. Fourth, SSTC was a healthy complement to traditional technical cooperation and should therefore be appropriately resourced. The increase in China's assessed contributions to the ILO was not without difficulties for the country. However, his Government was willing to comply with its obligations and supported the budget proposals.
- 541.** *A Government representative of France* supported the IMEC statement and welcomed the information provided by the Director-General on the reform process. The ILO had a key role to play in promoting social justice and the social dimension of globalization, especially in light of the harsh conditions prevailing in many countries. His Government exceptionally supported the budget proposals at the 0.3 per cent nominal growth level despite existing financial constraints. That was meant to provide enough leeway to the Director-General to implement the reform agenda and reorient the priorities of the Organization, which would impact positively on the modernization of the ILO. His Government attached immediate importance to results in relation to four specific points, namely: the transformation of the Office into a centre of excellence for knowledge and

research; a realistic cost plan for the building renovation project; the modernization of the structure and functioning of the ILO, including a human resources strategy; and adequate resourcing of the ILO programme in respect of youth employment and the social protection floors. Referring to a letter jointly addressed by the Governments of Germany and France to the Director-General, he urged the ILO neither to be inward-looking nor to restructure itself for mere budgetary reasons. What was needed was an ILO playing its rightful role in a world where employment was at the heart of global concerns.

- 542.** *A Government representative of Canada* supported the IMEC statement and welcomed the process leading to the development and presentation of the proposals to the Governing Body. He noted that his Government's position on budgets in the UN system was well known. Much like national governments, the Office should continue to look for efficiencies and savings on an ongoing basis, especially during difficult economic circumstances. His Government was satisfied with the approach of the ongoing reform process and had confidence in the Director-General's capacity to address the current challenges facing ILO Members. Issues deserving particular attention included: the transformation into an internationally recognized centre of excellence for research and knowledge; a realistic cost plan for the building renovation project; modernization of the Organization through optimized use of resources, including a human resources strategy; and adequate resources for the functions of audit, evaluation, and standards and supervisory mechanisms.
- 543.** *Speaking on behalf of the Gulf Cooperation Council*, a Government representative of Qatar welcomed ongoing efforts to pursue reforms that would lead to improved performance and increased resource allocations to the strategic objectives. The proposed increase in allocations for the regions was welcome, as was the support foreseen for the Arab States region in respect of labour law and DWCPs. Further support to the region was needed in the context of prevailing difficult conditions.
- 544.** *A Government representative of Kenya* aligned himself with the Africa group's statement and supported the programme and budget proposals, which reflected ongoing efforts by the Office to achieve higher-value services for constituents through the concentration of resources in eight areas of critical importance and other cost-cutting measures. His Government supported the ongoing reform process as a way to enhance efficiency and effectiveness, but cautioned that cost-saving efforts should not compromise the Organization's ability and delivery standards. The emphasis of the proposals on youth employment, the rural economy and formalization of the informal economy was appreciated, as were efforts towards the realization of SSTC.
- 545.** *A Government representative of Hungary* supported the IMEC statement and welcomed the programme and budget proposals, highlighting in particular the need for the Office to improve its knowledge base and analytical capacity so as to serve as the centre of excellence on all matters in the world of work. She also supported the proposal to focus on the selected areas of critical importance, as that could help achieve more within the available resources and through seeking further efficiency savings. She encouraged the Office to commit to deliver with greater efficiency and quality, and through RBM.
- 546.** *The Chairperson* opened the discussion on the strategic framework (paragraphs 38–228) and on institutional capacities (paragraphs 229–260).
- 547.** *The Employer spokesperson* reiterated his group's support for focusing the Organization's work through the areas of critical importance. Jobs should be a priority across all areas. The dramatic employment situation in many countries around the world did not allow the ILO to continue with business as usual. Decisive steps had to be taken to ensure that the Organization promoted an enabling environment for companies to create new jobs as

rapidly as possible. While the introduction of the area entitled “Promoting more and better jobs for inclusive growth” was appreciated, the area lacked focus. The fact that the outcome on sustainable enterprises was not listed among the principal outcomes contributing to that area was an additional concern. The area should therefore be revised with a clearer focus on promoting an enabling environment for companies, which was characterized by employment-friendly labour law which enabled companies to create new jobs as early and as rapidly as possible; by fewer bureaucratic burdens and red tape; by efficient administration which allowed the registration of companies as quickly as possible; by high mobility and secure transition of employees within a company, or between companies; by good education and training systems that matched labour market needs, and by effective and financially sustainable social protection systems with sufficient incentives for rapid inclusion in the world of work. RBSA should be allocated to activities in that area as a priority. The Office should mainstream a job-creation approach through its workplans and should assess the activities of the Organization in light of their impact on employment. In addition, specific targets should be developed for the areas of critical importance, and lessons learnt from their operationalization should inform the drafting of the next SPF. To that end, the Office should conduct an evaluation of the extent to which those areas had resulted in stronger teamwork across the Office.

- 548.** Turning to the outcome strategies, the speaker made the following comments. On outcome 1, the Employers’ group was of the view that the strategy focused on macroeconomic frameworks with public programmes as the main tool for job creation, thereby failing to recognize the role of the private sector and of regulatory environments in that respect. Outcomes 1, 2 and 3 should not be seen as separate paths to achieve the objective of getting people back to work; to that end, the three outcomes should work together, through the areas of critical importance, in the pursuit of job creation. On outcome 2, the proposed focus was too narrowly confined to training in rural communities, disability and public employment services. More emphasis should be placed on mobilizing the social partners in respect of anticipating and better matching skills with enterprise needs. Under outcome 3, the focus should not be restricted to SMEs but should address an enabling environment for businesses more broadly. The Employers’ group expected an outcome entirely dedicated to the components of the 2007 ILC conclusions concerning the promotion of sustainable enterprises, promoting an enabling environment for enterprises of all sizes as a key driver for job creation. The significant overlap between outcomes 3 and 5 in respect of working conditions in SMEs was noteworthy. The target of one member State only for indicator 3.4 was not serious in light of the Governing Body’s decision concerning a promotional campaign on the ILO MNE Declaration. On outcome 5, it was disappointing that neither the social partners nor sustainable enterprises were referred to in the strategy, and it was difficult to see how the Office would contribute to the improvement of working conditions by ignoring the key actors. Improving the quality of the Organization’s research work on wages was an issue requiring urgent attention. On outcome 6, the strategy was commendable for its clear connection with sustainable enterprises and productivity, as well as its focus on the development of tools emphasizing social dialogue. The target of ten countries, however, was not sufficiently ambitious. On outcome 12, it was regrettable that the strategy did not refer to the recurrent discussion item on social dialogue due in June 2013, which would lead to important guidance of the Organization in that field. The promotion of social dialogue to keep enterprises competitive should also be reflected in the strategy. On outcome 13, sectoral activities allowed sectoral social partners to address their sector-specific challenges, and should therefore not be linked to priorities in DWCPs. It was important to ensure that sectoral social partners maintained the flexibility to choose the most urgent issues for their sector, irrespective of DWCP or programme and budget priorities. More information was sought on the impact, in terms of resources available for sectoral activities, of the extension of the Better Work Programme. On outcome 14, the strategy should not portray collective bargaining as the only form of bargaining, as other forms such as individual agreements existed. Neither should work related to EPZs be

limited to freedom of association; rather, it should encompass their role in promoting national development and growth in the wider economy. More information was sought on how information collection under that outcome would fit within the broader knowledge base of the ILO and how ACT/EMP would be involved in that work. On outcome 15, employers' organizations should be associated with work to reduce forced labour; paragraph 185 should be revised accordingly. On outcome 18, the term "unacceptable forms of work" should be replaced by a clearer description of what was meant, meaning forms of work which comprised conditions that denied fundamental principles and rights at work, put at risk the lives, health, freedom, human dignity and security of workers or kept them in extreme poverty. The commitment to implement an effective standards review mechanism was welcome, and was key to having standards in place which were in line with the realities of the world of work. Indicator 18.3 should make it clear that ratification also meant proper implementation of those Conventions and seek to measure that to some extent.

549. The speaker noted with appreciation the next step in the implementation of the knowledge strategy, namely the upgrading of the quality and credibility of ILO analysis. That was a crucial issue for Employers, on which the Organization would be assessed during the biennium. He asked for more information on how that would be achieved, emphasizing that much better fact-based research and knowledge was urgently needed.

550. *The Worker spokesperson* supported the strategic framework as defined in paragraph 39 and the texts on social dialogue and social protection. Concerning employment, the text should also focus on the promotion of employment-centred macroeconomic policies with reference to the Global Employment Agenda, the ratification of the standards listed in the annex to the 2007 ILC conclusions concerning the promotion of sustainable enterprises and the 2012 ILC conclusions on the youth employment crisis: A call to action, as well as the ratification of the Employment Policy Convention, 1964 (No. 122). Concerning standards and fundamental principles and rights at work, the first sentence should refer to the ratification of international labour standards in addition to their application. As to decent work priorities in the regions, the ILO should focus on addressing decent work deficits and the low rate of ratification of fundamental Conventions, notably Conventions Nos 87 and 98, particularly in Asia and the Pacific and in the Arab States.

551. Her group welcomed the changes made to the areas of critical importance since November 2012 and had the following comments: (i) the area on promoting more and better jobs for inclusive growth should help strengthen ILO macroeconomic work and include, in the case of developing countries, a focus on industrial policies and mechanisms for industrial development and structural transformations; (ii) concerning jobs and skills for youth, the ILO should target youth unemployment as part of its general strategy to reduce aggregate unemployment; (iii) collective bargaining was important in SMEs, hence the need to link the related area to outcomes 12 and 14 and to the MNE Declaration; (iv) concerning decent work in the rural economy, emphasis should be placed on promoting the right to organize and collective bargaining, and on improving wages, working conditions, productivity and health and safety in agriculture; (v) the area on formalization of the informal economy should address the extension of social protection, a minimum wage, labour law coverage and labour inspection; (vi) as to strengthening workplace compliance through labour inspection, care should be taken not to undermine the role of public labour administration and inspection; and (vii) the area on protection of workers from unacceptable forms of work should include freedom of association and collective bargaining among its main outcomes.

552. The Workers' group welcomed the reference to standards in the outcome texts but would have preferred to see them reflected more systematically in the outcome indicators. While some indicators referred to the core and governance standards, other relevant standards

should also have been included. She requested clarification on whether the promotion of ratification of up-to-date standards would be an integral part of the ILO's work over the next biennium.

- 553.** Concerning outcome 1, the Workers' group noted with satisfaction that the work on pro-employment macroeconomic policies and industrial and sectoral strategies was in line with the 2010 recurrent discussion on employment. However, additional financial and human resources would be needed for the strategy to be successful. Further information was sought as to where the additional US\$2 million earmarked for that outcome would be allocated. Concerning youth employment, too much emphasis was still being placed on supply-side measures. The ILO should focus on promoting policies aimed at providing young people with decent wages, decent working conditions and stable employment. Moreover, the need for developing countries to promote structural change towards sustainable dynamic economies should be expressed more clearly in the measurements of the indicators. Her group was of the opinion that there were too many indicators under that outcome and that there was insufficient overlap between them and the three priority areas in paragraph 52.
- 554.** Concerning outcome 2, it was regrettable that indicator 2.4 covered only six member States; the target should be increased. Indicator 2.5 seemed to fit better under outcome 1. Outcome 3 appeared to be closely linked to the area of productivity and working conditions in SMEs. Indicator 3.1 should include all the standards contained in the annex to the 2007 ILC conclusions concerning the promotion of sustainable enterprises. The target of one member State in indicator 3.4 was unacceptably low and should be increased. The measurement of indicator 3.2 should include a focus on rights at work, wages, working conditions, and health and safety.
- 555.** Her group supported the strategy outlined in outcomes 4 and 5 and looked forward to the paper on gender-sensitive language in the Social Security (Minimum Standards) Convention, 1952 (No. 102), and the continued publication of the *Global Wage Report*. The speaker also called for ratification of the Domestic Workers Convention, 2011 (No. 189). Concerning outcome 6, it was regrettable that no reference was made to the promotion of ratification of OSH. The area on protection of workers from unacceptable forms of work should also cover hazardous sectors. The role played by trade unions in prevention and the promotion of safe working conditions should have been acknowledged in the strategy. As to outcome 7, her group would have liked to see higher targets under the two indicators. In indicator 7.2, reference should also be made to the Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). Her group also supported outcomes 8 and 10 and called upon the Office to involve ACTRAV in the implementation of the areas of critical importance and the delivery of the 19 outcomes. With regard to outcome 11, the Office should increase the number of staff working on labour inspection and intensify its efforts to promote the ratification of the Employment Relationship Recommendation, 2006 (No. 198), as well as the Labour Inspection Convention, 1947 (No. 81), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Labour Administration Convention, 1978 (No. 150). More resources should be allocated to outcome 12 to enhance the impact of the work already carried out in that area. The target for indicator 13.1 should be increased, as should the target for the Arab States in indicator 14.1 and the overall target in indicator 14.2. Referring to the earlier comment from the Employers on collective bargaining, she recalled that individual agreements should not be used to undermine collective bargaining. She referred to the jurisprudence of the ILO supervisory mechanism.

- 556.** The Workers' group supported outcomes 15, 16 and 17. Referring to paragraph 213 under outcome 18, she noted that there was mention of the promotion of "voluntary mechanisms at country level" and warned that such a mechanism could be beneficial, but that care should be taken when agreeing on its modalities, bearing in mind the relationships with national courts and the ILO supervisory bodies. It was regrettable that only the ratification of core and governance standards was mentioned in indicator 18.3. Clarifications were sought on whether the restructuring within the ILO would free up resources that could be allocated to the promotion of standards. Concerning outcome 19, the ILO should ensure that partnerships were based on the promotion of pro-employment macroeconomic policies and respect for ILO values.
- 557.** Turning to institutional capacities, the Workers' group was concerned about the sustainability of the Turin Centre as the training arm of the ILO focused on the Decent Work Agenda, given the significant drop in the number of workers, employers and governments participating in its activities. Over the next biennium the social partners should adequately benefit from the Centre. Given the importance of independent and evidence-based research, the work of the International Institute for Labour Studies was welcome. Further information was sought on the links between the work of the Institute and that carried out elsewhere in the ILO.
- 558.** *Speaking on behalf of GRULAC*, a Government representative of Colombia said that GRULAC wished to see additional resources allocated to the regional offices, including in Latin America, given that the teams in the field were instrumental in achieving national priorities, and in particular to her region, given its importance for the ILO in terms of its budgetary and substantive contributions. Her group welcomed the fact that promoting more and better jobs for inclusive growth appeared among the areas of critical importance and that the informal sector, SMEs and the rural economy had also been established as priorities. Clarifications were sought on the methodology and criteria used to determine outcomes, indicators and targets, as well as on the relationship between regional targets and national programmes. Concerning outcome 14, GRULAC wished to underscore once again the need for the ILO supervisory bodies to afford equal treatment to all situations in which freedom of association was not respected, and recalled its position with regard to the disproportionate application of the supervisory machinery in the region. With regard to outcome 19, GRULAC maintained its position that the design and implementation of decent work indicators should be fully agreed upon with constituents. As to targets in general, further information was sought on how resources were allocated to each of the targets, as well as on the perceived lack of harmonization between the regular budget and extra-budgetary resources.
- 559.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe said that the decent work priorities highlighted in table 5 mirrored the needs of the region, as reflected in the resolutions of the 12th African Regional Meeting in 2011. His group would have liked social dialogue to be considered as a cross-cutting component of the 19 outcome strategies along with gender equality and non-discrimination. The areas of critical importance, and particularly the area on promoting more and better jobs for inclusive growth, addressed the needs of African economies. However, some of the outcomes covered similar issues and could have been merged to allow more focused interventions to take place. His group welcomed the priority given to promoting employment in the rural and informal economies, and underscored the need for action to tackle youth unemployment.
- 560.** The Africa group supported outcome 1 and noted that its strategic budget allocations reflected the importance the ILO attached to it. Concerning outcome 2, greater focus was needed on providing skills in the rural sector, since many African people lived in rural areas and worked in the informal sector or in SMEs. Accordingly, a fair number of African

countries should be included in the targets for indicator 2.4. Concerning outcome 4, his group welcomed the initiative to translate into action the 2012 ILC resolution concerning efforts to make social protection floors a reality worldwide, and called on the ILO to assist African countries in setting up social protection systems. The ILO should also make use of best practices available within regions, particularly with regard to the systems envisaged in indicator 4.3. His group supported the proposed means of action under outcome 7 and emphasized that support should be provided in the form of developing labour migration policies and institutional frameworks in regions where intraregional migration existed. The increase in the regular budget allocations by US\$1 million to outcome 8 was noted with satisfaction, even though the reduction of the extra-budgetary allocation by US\$3.5 million was a concern. The Office should strengthen partnerships with organizations working in that area with the aim of leveraging more resources for that outcome. While the initiatives under outcomes 8, 9, 10 and 11 were welcome, the budget for outcome 11 appeared to be insufficient. The focus on supporting regional initiatives in setting up and strengthening social dialogue frameworks was equally welcome. The Africa group was of the view that the sectors prioritized in DWCPs should be the focus of outcome 13. He called for clear operational modalities for that outcome in order to avoid duplication of effort and for synergies to be developed between outcomes 7 and 15, since migrant workers were most at risk of subjection to forced labour. Concerning targets, his group appreciated the significant number of African countries targeted, especially in indicators 1.1, 3.1, 3.2, 14.1, 16.1 and 16.2. Lastly, more technical cooperation was needed in all areas of labour administration. The Africa group expected that, as a result of the reform, the Organization would be better placed to assist its constituents.

- 561.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran called for consideration over the biennium of how the areas of critical importance and the 19 outcomes could be further refined and prioritized. He urged the Governing Body to adopt the incorporation of the standards review mechanism mentioned in outcome 18. The Office should indicate which means of action were funded under extra-budgetary resources in order to identify those that might depend on additional donor support. The Office should allocate regular budget resources to areas of greater importance, such as employment, and extend its reach by strengthening its capacity to disseminate products such as toolkits and databases. With regard to Asia and the Pacific, it was particularly important that the Office allocate appropriate levels of funding to address youth unemployment, and the Director-General should monitor any future recruitment of retired staff members on short-term contracts. Regarding outcomes 2, 3 and 5, he called for the revitalization of the Palestinian Fund for Employment and Social Protection. In the context of the field structure review, the Office should address in particular the disconnect between headquarters and the regions and rebalance the ratio of technical to administrative staff. In particular, it should consider allocating more financial resources and deploying more technical experts and senior staff to the Asia and the Pacific region.
- 562.** *Speaking on behalf of IMEC*, a Government representative of the United Kingdom said that in the next strategic framework, the ILO should focus on fewer critical areas where it could make a difference. Given that both youth unemployment and work on social protection floors were addressed under several outcomes, she called on the Director-General to ensure that those important issues received sufficient resources overall. The programme and budget document should include specific reference to the ILO supervisory system and NORMES, with an indicator and targets for those functions. She urged the Office to ensure that its publications review was comprehensive and resulted in the wise use of all publications resources. IMEC would welcome further information on the plans to expand the Better Work Programme and the large technical cooperation programmes by the end of 2015. Some indicators, for example indicators 3.3 and 3.4, should include measurements that more clearly reflected the quality or appropriateness of ILO action. Additional information was also sought on how the US\$1.3 million allocated to continue

work on the ILO history project would be spent and when the project would be completed. A progress report in that regard should be submitted to the Governing Body.

- 563.** *Speaking on behalf of the Nordic countries*, a Government representative of Denmark said that the indicators for the 19 outcomes under the strategic framework were useful to document how the work of the ILO was integrated into national strategies and policies and how the ILO assisted with capacity building, increased information and improved the knowledge base. However, the indicators did not measure changes in the overall outcomes. Such information would facilitate an assessment of the real impact of the work of the Office and its constituents, which would in turn enable the ILO to develop better responses and assistance in the areas of critical importance. She asked for further information on what baselines would be used and how progress would be reported in those areas.
- 564.** *Speaking on behalf of the Gulf Cooperation Council*, a Government representative of Qatar supported the focus on the eight areas of critical importance for priority action in 2014–15, together with the continuation of work on the Strategic Policy Framework 2010–15. In order to avoid any duplication of effort, the Office should develop a detailed plan of action. It would be useful to have a simplified periodic report on progress made on the SPF by the end of 2014 or the beginning of 2015.
- 565.** *A Government representative of the Bolivarian Republic of Venezuela* supported the GRULAC statement and welcomed the inclusion of all four ILO strategic objectives in the proposed programme and budget. The Office should provide a more complete table 5 on selected decent work challenges that included data on all the regions. He commended the focus on the areas of critical importance, but observed that the text referred to “informal businesses”, which in practice did not exist, while the aim was to promote transition to formality. Regarding institutional capacities, he called on the ILO to take an inclusive and representative approach encompassing different global and regional forums. The Office should not encourage comparison between States based on decent work statistics that were not standardized or objective.
- 566.** *A Government representative of the Republic of Korea* aligned herself with the IMEC and ASPAG statements and commended the Office for its focus on promoting more and better jobs for inclusive growth. Given the prevailing economic climate, those efforts should focus on improving income distribution and increasing workers’ incomes. The ILO should continue to support vulnerable groups such as young people, those working in SMEs and in the informal economy, as well as promoting employment for women. The term “unacceptable forms of work” should be more clearly defined. She stressed the need for effective coherence between the areas of critical importance and the principal outcomes.
- 567.** *A Government representative of Japan* supported the IMEC and ASPAG statements and welcomed the areas of critical importance, which were expected to increase coordination between sectors and result in more efficient delivery. The selection of those eight areas was appropriate and timely given the global economic situation. He expressed appreciation for the balance in the budget between headquarters and the regions; the Asia and the Pacific region expected that the reform of field activities would result in a substantial increase in its resources. His Government would welcome further information on why the proposed budget for outcome 6 was so low, particularly since OSH encompassed issues such as the prevention of occupational diseases and psychosocial disorders.
- 568.** *A Government representative of the United States* supported the IMEC statement and welcomed the focus on eight areas of critical importance. The work of ILO supervisory bodies was key to protecting workers against unacceptable forms of work, rather than complementary to it. The ILO’s standards-related work was at its core. The Office should ensure that, within the overall budget, sufficient resources were allocated to the work of

the ILO supervisory system and NORMES. Concerning trafficking-related work under outcome 15, the ILO should focus its efforts on trafficking for the purpose of forced labour. On outcome 11, clarification was sought on the disconnect between the targets set out in the strategy text and those in the indicator table. As similar discrepancies existed under other outcomes, such as outcome 4, further information would be welcome on the methodology used to develop targets. Some measures of progress should be refined to reflect quality and value, in keeping with efforts to strengthen RBM. Efforts to upgrade ILO statistical and analytical capacity were appreciated, as was ILO engagement with partners inside and outside the UN system. The Office should focus on a smaller number of regular, high-quality, timely and relevant publications and conduct an online user survey of the NORMLEX database to inform future decisions on its structure and content.

- 569.** *A Government representative of India* drew attention to the focus in outcome 13 on extending the experience of the Better Work Programme. The programme contained an element of purchase preference based on labour standard compliance, which constituted a direct linkage between trade and labour standards. As such, it contradicted the provisions of the ILO Declaration on Social Justice for a Fair Globalization.
- 570.** *A Government representative of Canada* supported the IMEC statement and welcomed the commitment to prepare workplans for the biennium establishing clear accountabilities and time frames and the intention to introduce more detailed reporting on the achievement of results, which should facilitate the development of more meaningful indicators and targets. The commitment to reach out and work with the multilateral system and other partners was also appreciated, in part because it would help avoid duplication of efforts. The proposed programme and budget should include specific reference to and provide resources for the Office's key role in supporting international labour standards, including through its supervisory system. Within the reform agenda, savings could be made by ensuring: the optimal assignment of technical expertise in the field, including by reviewing the offices located in developed countries; reviewing the distribution of hard copies of documents; assessing the cost and value added of regional conferences; further reducing travel expenses; and ensuring that services such as staff health services were delivered through cost-effective means.
- 571.** *A Government representative of China* aligned himself with the ASPAG statement and supported the focus on the proposed areas of critical importance, indicating that resources should be devoted to key areas such as employment and social protection. He welcomed ILO work with international organizations to promote fundamental principles and rights at work, but cautioned that they should not be used as conditions for aid. Other areas for action should include: youth employment, especially in developing countries; strengthening the protection of migrant workers, including by developing an international skills certification framework for migrant workers; and capacity building on collective bargaining. The Office should pursue the effective implementation of the human resources strategy, expand the influence of the ILO website by making it available in more languages and explore new ways of cooperation and research, also drawing on the experience of constituents.
- 572.** *The Chairperson* opened the discussion on governance, support and management (paragraphs 261–281).
- 573.** *The Worker spokesperson* supported the effective and efficient use of ILO resources in line with the ILO's values and mandate. She called upon the administration to engage with the Staff Union on the new elements of the human resources strategy. While noting a substantial increase in the budget for information technology (IT), her group was concerned that some functions, such as the Integrated Resource Information System (IRIS) roll-out to the regions, were behind schedule, with potential implications in terms of

service delivery to constituents. On technical cooperation, the Workers' group supported multi-year framework agreements and funding through the RBSA, but cautioned that support should be ensured for all elements of the Decent Work Agenda, including capacity building for the social partners. PPPs should be consistent with the principles of the MNE Declaration and collaboration within the UN system should be grounded in the ILO's unique tripartite structure and rights-based approach. She drew attention to: the need to guarantee good health and safety standards and working conditions during the building renovation work; the continued use of RBM; the role played by the Expenditure Review Committee, while stressing the need to enhance the use of resources and not simply to cut them; and the importance of the internal and external audits and independent evaluations as means to enhance performance and accountability.

- 574.** *The Employer spokesperson* supported the Office's efforts to increase effectiveness and efficiency and drew attention to four areas of particular concern. First, further details were sought on the human resources strategy and on the Office's timeline for that, stressing that the strategy should enable the Office to recruit and retain staff with the appropriate skills to help constituents respond to the realities of the world of work. The discussion on the continuation of the interim agreement concerning the selection panels to take place later in the Programme, Financial and Administrative Section clearly showed that efforts had to be speeded up. Second, the Employers' group appreciated recent changes to the management of the building renovation project and would welcome an update on progress at each session of the Governing Body. Third, the Employers' group shared the view of the Independent Oversight Advisory Committee (IOAC) that risk management should be given the highest visibility and encouraged the Office to strengthen its work in that area and to report regularly to the Governing Body on that matter. Fourth, with regard to the field structure review it was essential to establish clear governance structures and responsibilities that increased the responsibility, transparency and accountability of the field offices. The recent decision to anchor responsibility for the field at the highest level in the Office was appreciated. Efforts in that area should lead to more coherence in the work of the Organization.
- 575.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe supported the initiatives undertaken to enhance the efficiency and effectiveness of the Organization. He highlighted four points of particular importance for his group: first, in implementing the human resources strategy, the Office should be guided by the Organization's principles and values and therefore act as an exemplary employer; second, ILO offices in Africa should not be the last in the IRIS roll-out to the field given the imperative to deliver effective and timely operations; third, he welcomed the linking of technical cooperation work with decent work outcomes, and the introduction of a risk register for 2014–15, which should be regularly revised; fourth, the Africa group supported further work with other development partners to enhance the predictability of voluntary funding.
- 576.** *Speaking on behalf of GRULAC*, a Government representative of Colombia welcomed the increased level of resources allocated to SSTC and called for improved harmonization between RBSA and extra-budgetary resources. More resources should be allocated to the regions, in particular to strengthen the capacity of the regional offices and to promote regional meetings. She cautioned that savings in staff costs should be pursued in line with the Organization's values and principles. GRULAC was in favour of a reform process also covering the supervisory bodies. The programme and budget proposals maintained the Conference and Governing Body budgets at the 2012–13 level, with the former almost three times higher than the latter. In turn, the proposed Governing Body budget was five times higher than resources allocated to Regional Meetings, which seemed to indicate a centralization of activities in Geneva. The Office expected that further savings would result

from the reform of the Conference. That meant that further improvements in the use of resources were dependent on the reform.

- 577.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran fully endorsed the proposal for more collaborative working methods, streamlining of structures, and greater visibility and accountability of senior managers. The Office should continue to seek further savings, and reflect those resulting from the ongoing reform in the 2016–17 budget. ASPAG endorsed the proposed organizational reform, underscoring its support for: upgrading statistical, research and analytical capacities; a better link between technical cooperation and capacity building of constituents; and solid integration of the Turin Centre into the work of the Organization. It appreciated the intention to strengthen management and administrative performance, develop the human resources policy and improve the measurement of results. It was equally important, however, to devise concrete deliverables for the Organization in a limited number of key areas such as employment. ASPAG also welcomed the proposed increase in budget allocations to employment, SSTC as well as IT and communications. Further information was sought on the provision of US\$1.3 million for the ILO history project and on the reasons and justifications behind the reduction in the budget for outcome 6. It was regrettable that ASPAG continued to be underrepresented among ILO staff and that the language requirements for new recruitment worked to the disadvantage of many candidates. The speaker called upon the Office to arrive at a more equitable geographical distribution of staff and to ease language requirements in recruiting new staff.
- 578.** *Speaking on behalf of IMEC*, a Government representative of the United Kingdom supported the Office's work to explore opportunities to harmonize policies and practices across the UN system. The Expenditure Review Committee had an important role to play in driving improvement and should draw on the experience of other international organizations and member States. Measures to enhance efficiency and effectiveness, in paragraph 264, should cover both headquarters and field operations and address expected cost reduction as well as risk management imperatives. IMEC would welcome a commitment in the programme and budget proposals in respect of a full and transparent field review to identify opportunities for efficiencies and savings. Referring to savings in travel expenditure, she highlighted three points: first, all travel paid for by the Office, including that of Employer and Worker representatives, should be in economy class; second, under indicator 1.5, the target for reducing travel expenditure should be quantified and a baseline for electricity consumption should be added; and third, under indicator 1.4, the target for the renovation project should be "timely implementation of the headquarters renovation project within budget". In respect of the Office's commitment to increase recycling, IMEC was in favour of a review of all ILO publications with a view to significantly reducing printed materials, as well as their distribution. The importance of the IOAC should be recognized through the establishment of an additional governance indicator aimed, for example, at measuring the time taken to respond to its advice. Likewise, all ILO programmes and work units should be subject to regular evaluations and a governance indicator should be added to that effect.
- 579.** *A Government representative of Switzerland* endorsed the IMEC statement and drew particular attention to three points. First, it was important to develop a new human resources strategy covering staff both at headquarters and in the regions. Second, the Office should continue to cover the costs of maintaining ILO buildings. Third, sufficient resources should be allocated to the audit and evaluation functions, while ensuring coherence and complementarity among them. The Office should provide further information on how those functions could be rationalized, including related cost efficiencies, in a future Governing Body document. She underscored that the high-level risks 1–3 in the risk register deserved the full attention of constituents.

- 580.** *A Government representative of the United States* supported the IMEC statement. She commended the Office's commitment to increasing effectiveness, efficiency and good governance, and in particular the plans to increase staff effectiveness, efficiency, satisfaction and accountability. She also appreciated the greater attention given to risk management but noted that further discussion on that issue was needed. While also welcoming the continued emphasis on enhancing the ILO's evaluation and oversight capability, she requested further information on how the Office intended to maintain those functions given the proposed reduction in resources allocated to them.
- 581.** *A Government representative of Mexico* endorsed the GRULAC statement and welcomed ongoing reform efforts in respect of governance and management. Among other things, that required the ILO to equip itself with a comprehensive strategy on workforce and succession planning, as recommended by the External Auditor. It was equally important to expand funding sources for technical cooperation; to that end his Government welcomed the Office's plans to engage with new donors, including through PPPs. At the same time, the Office should report regularly to the Governing Body on the implications for the Office of the UN quadrennial comprehensive policy reviews and associated costs and savings. The Office's efforts towards the implementation of International Public Sector Accounting Standards (IPSAS) were noteworthy as a key means to improve harmonization within UN system organizations.
- 582.** *A Government representative of Japan* supported the IMEC and ASPAG statements and added his Government's appreciation for the emphasis placed by the Office on good governance and the effective and efficient use of its resources. He called for more efforts to improve cost management, including through the reform of the Conference and the Governing Body, and through the work carried out by the Expenditure Review Committee.
- 583.** *A Government representative of China* supported the ASPAG statement and commended the reform work led by the Director-General since his election. His Government supported the proposed measures to reduce costs, including through videoconferences. It was also in favour of the implementation of the human resources strategy, especially to increase staff mobility and to ensure diversity and balance among staff by enhancing representation from underrepresented countries.
- 584.** *The Chairperson* proposed deferring the discussion of the draft resolution (paragraphs 282–288) to Thursday, 21 March, when the Director-General would provide his detailed response to the issues raised during the current debate.
- 585.** The Governing Body reconvened on 21 March. The Director-General introduced his proposals for adjustments to the Programme and Budget proposals for 2014–15.¹ The Director-General's statement is reproduced in Appendix II.
- 586.** *The Employer spokesperson* expressed appreciation for the favourable adjustment made to the budget of ACT/EMP. That was an important sign that tripartism would be better served, even though it should be seen only as one step in the right direction. Enabling ACT/EMP to fulfil its role, including in respect of the areas of critical importance and as the focal point for private businesses, would remain one core priority of the Employers' group in the future. The intended shortening of Governing Body meetings was welcome; the shortening of the ILC was equally expected. His group was pleased with the redeployment of additional resources to regional activities on social dialogue and OSH, as well as to the strengthening of research capacity. It was regrettable, however, that the Office had not revised outcome 1 as suggested by the Employers' group in their previous

¹ GB.317/PFA/1/1.

interventions. Sustainable jobs were created sustainably by enterprises, hence the need to refocus the first area of critical importance and outcomes 1, 2 and 3 accordingly. That issue should be revisited in two years' time in the context of the debates on the programme implementation. The speaker noted with appreciation the Office's intention to start work on the next SPF at the October session of the Governing Body. The Director-General's participation in the ILO–IOE–Business Africa Roundtable on Sustaining Growth and Job Creation in Africa during the previous week was appreciated as a clear signal to put into practice an ILO working not only for, but also with the constituents.

- 587.** *The Worker spokesperson* welcomed the proposed resource adjustments, particularly to strengthen technical capacities in the fields of statistics, economic analysis, OSH and social dialogue. With regard to OSH, resources should target the promotion and ratification of standards. Emphasis should be placed on hazardous sectors and links should be established with the area of critical importance entitled “protection of workers from unacceptable forms of work”. All work should acknowledge the role played by the trade unions in respect of prevention and in organizing for safe and healthy working conditions at all levels. With regard to social dialogue, resources should be used to strengthen the capacity of social partners to engage in collective bargaining. It was equally important to enhance the ILO's knowledge base on industrial relations and collective bargaining, as well as the ILO's capacity to provide policy advice on pro-employment macroeconomic and industrial policies, especially as part of ILO advice on crisis recovery. In engaging with private enterprises, the Office should establish a clear link with ACTRAV. The management of PPPs should also be discussed at the October session of the Governing Body. The proposed savings from shortening the duration of the Governing Body were noted, although it was important to ensure that sufficient time was allocated to reach agreement on the programme and budget. The Workers' group was pleased with the Director-General's statement on the standards-related work and emphasized that consensus was required on the necessary conditions to engage in the process of the standards review mechanism. The fact that international labour standards would be an essential element of all the areas of critical importance and all objectives was welcome; it was the group's expectation that in the next biennium progress would be made in the ratification and application of up-to-date standards. At the same time, the adoption of standards should continue. With reference to the proposal concerning fewer but higher-profile publications, the Workers' group underscored the importance of maintaining important publications such as the *Global Wage Report* and the *World of Work Report*.
- 588.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe welcomed the document on the adjustments to the Programme and Budget proposals for 2014–15 and the clarifications provided by the Director-General. He expressed appreciation for the Office's effort to respond to the issues raised during the discussion of the proposals, while managing reductions in cost increases, along with increases in the allocations to the regions. The Africa group would welcome a disaggregated tabulation of the proposed increases in line with the 19 outcomes to ascertain whether the redeployment of resources met the priorities and needs of the region. The proposed adjustments to strengthen the employers' activities were equally appreciated.
- 589.** *Speaking on behalf of GRULAC*, a Government representative of Colombia welcomed the Director-General's statement and reiterated her group's interest in balancing resource distribution among regions within a zero nominal growth scenario, as well as in the areas of critical importance. GRULAC was committed to working closely with the Director-General to pursue the goals of the Organization. It appreciated the fact that the proposed resource adjustments took into account issues raised during the debate, as well as the increase in resources for the regions stemming from a reduction in management costs and savings from the reform of the headquarters structure. The group noted with appreciation the commitment to redeploy between US\$15 and US\$20 million to meet

technical needs of the regions and headquarters by the end of next biennium. GRULAC supported the proposed adjustments to the Programme and Budget proposals for 2014–15.

- 590.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran underscored the constructive approach pursued in the proposed resource adjustments. ASPAG welcomed the improved geographic balance in the allocation of resources, along with the proposal for equitable regional representation in human resources, and endorsed the focus on strengthening technical capacities, particularly in the field of statistics and of economic analysis.
- 591.** *Speaking on behalf of the Gulf Cooperation Council and of Jordan*, a Government representative of the United Arab Emirates welcomed the fact that the comments made during the debate had been taken into account, as well as the clarifications provided by the Director-General. Resources for the Arab States region should be increased. He supported the Programme and Budget proposals for 2014–15 and the draft decision point.
- 592.** *A Government representative of Japan* expressed appreciation for the Director-General's efforts to further reduce the total budget level. He commended the emphasis of the proposed resource adjustments on regions, including Asia and the Pacific, and took note of the increase in resources for OSH.
- 593.** *A Government representative of the United States* noted with appreciation the Director-General's proposed resource adjustments, which reflected concerns expressed in the course of the debate. The proposed additional professional positions addressed the need to strengthen ILO research and statistical capacity and its ability to deliver in the areas of OSH and social dialogue. Her Government welcomed the shift of resources from publications and the Century Project, the redeployment of resources resulting from the shortening of the March session of the Governing Body in odd years, and the Director-General's commitment to further savings. It strongly urged the harmonization of travel arrangements for Employers' and Workers' delegates of the Governing Body with those applied by the UN. While noting with appreciation the slight decrease in the budget compared to the original proposal, her Government, however, had to abide by a zero nominal growth policy for all international organizations. Such a position was due to domestic fiscal constraints and should in no way be seen as a lack of support for the ILO. Her Government commended the Director-General's leadership and his vision for the ILO and looked forward to working with him and the Office.
- 594.** *A Government representative of the United Kingdom* noted with appreciation the proposed resource adjustments and supported the draft decision point. Her Government's priority was the implementation of the reform programme. It was confident that further efficiencies would be realized, including by introducing changes in travel arrangements for the Employers' and Workers' delegates of the Governing Body.
- 595.** *A Government representative of Colombia* aligned herself with the GRULAC statement, noting with appreciation the Director-General's effort to take account of the views expressed in the course of the debate. Her Government supported the Programme and Budget for 2014–15 with its proposed resource adjustments, as well as the draft decision point.
- 596.** *A Government representative of Canada* welcomed the Director-General's proposed resource adjustments to the programme and budget proposals, in particular the redeployment of resources through savings identified internally. With regard to the budget level, efforts under way to increase the relevance and impact of ILO work were appreciated, as was the Director-General's recognition of the impact of the financial crisis on member States. His Government, however, was of the view that the Office should seize

the opportunity to return to a zero nominal growth budget, especially considering the relatively small difference it would make with respect to the proposed zero real growth budget. It was confident that the Director-General and the Office would be able to realize further savings and efficiency gains, and supported earlier calls for harmonizing travel arrangements for Employers' and Workers' delegates in the Governing Body with those for staff. His Government was also greatly satisfied with the progress on the reform and encouraged the Director-General to pursue its implementation.

- 597.** *A Government representative of Trinidad and Tobago* aligned himself with the GRULAC statement. Commending the Director-General's effort to approximate a zero nominal growth budget, he supported the proposed resource adjustments and the reform process. His Government also supported the draft decision point.
- 598.** *A Government representative of India* commended the Director-General for his focused adjustments to the programme and budget proposals. His Government welcomed the emphasis placed on research and statistical capacities and on OSH, the proposal for a more equitable geographical representation in the human resource policy of the ILO and the improved geographical balance of resources in the regions.
- 599.** *A Government representative of the Bolivarian Republic of Venezuela* aligned himself with the GRULAC statement. His Government was pleased with the Director-General's resource adjustments to his programme and budget proposals and supported the draft decision point.
- 600.** *A Government representative of Brazil* supported the GRULAC statement and welcomed efforts to allocate more resources to work in the regions. She underscored that, as a result of the amendment made to article 18 of the Standing Orders of the Governing Body, the Officers of the Governing Body would hold consultations with the Government group in respect of exercising the authority delegated to them. Her Government was confident that the Director-General would advance the strategic objectives and the areas of critical importance in a transparent, coherent and inclusive way, while ensuring that the voices of the tripartite constituents were duly and equally heard.
- 601.** *A Government representative of Egypt* supported the Africa group's statement and thanked the Director-General for his explanations. His clear leadership would improve the performance of the Organization in the future. ILO technical assistance was essential for member States and should be based on constant dialogue to achieve the objectives of the Organization. His Government supported the draft decision point.
- 602.** *A Government representative of Mexico* supported the GRULAC statement and thanked the Director-General for his attention to the concerns expressed in the course of the discussions. The Governing Body's support to the programme and budget was an implicit contract to endow the Organization with the necessary means to fulfil its mandate and complete the ongoing reform. The challenge was to turn that commitment into reality. Her Government supported the proposed resource adjustments and the draft decision point.
- 603.** *A Government representative of Germany* expressed appreciation for the proposed resource adjustments and supported the programme and budget proposals as revised. He called on the Office to apply the travel arrangements of the UN to all members of the Governing Body in order to generate considerable savings, which could be redeployed to technical work. His Government's position on that matter had been coordinated with the Governments of France, Hungary, Italy and the Nordic countries.

- 604.** *A Government representative of Italy* supported the budget and related adjustments as presented by the Director-General. The expectations of her Government in respect of ILO delivery had been voiced in the course of the debate during the previous week. Her Government supported earlier statements concerning the harmonization of travel arrangements for all Governing Body members.
- 605.** *A Government representative of Hungary* expressed appreciation for the proposed resource adjustments, which reflected the comments made during the discussions, and welcomed in particular the proposed increases to reinforce statistical, research and knowledge capacities in the areas of critical importance. Her Government supported earlier statements concerning the harmonization of travel arrangements for Governing Body members and was looking forward to further improvements resulting from the reform.
- 606.** *A Government representative of China* supported the ASPAG statement and expressed appreciation for the resource adjustments proposed by the Director-General, especially in respect of efforts to strengthen technical areas of work, including OSH.
- 607.** *A Government representative of France* supported the proposed revised budget and expressed his Government's satisfaction with the increased level of resources allocated to strengthen the areas of statistics, economic analysis and OSH. His Government supported earlier statements regarding changes to travel arrangements applied to Governing Body members.

Decision

- 608.** *Subject to the positions taken during the course of the discussion, as noted in the minutes of its 317th Session (March 2013), the Governing Body:*
- (a) *recommended to the ILC at its 102nd Session (2013) a provisional programme level of US\$864,006,872 estimated at the 2012–13 budget exchange rate of 0.84 Swiss francs (CHF) 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; and*
- (b) *proposed to the Conference at its 102nd Session (2013) a resolution for the adoption of the programme and budget for the 74th financial period (2014–15) 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 74th financial period, ending 31 December 2015, 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.317/PFA/1/1, paragraph 9, as amended by the Governing Body.)

Second item on the agenda

Building questions: Headquarters building renovation project (GB.317/PFA/2)

- 609.** *The Employer spokesperson* welcomed the new Project Manager and noted with satisfaction that he reported directly to the Deputy Director-General for Management and Reform. He said that it was important for the Project Manager to receive the support of the leadership of the Office and that the work of the Project Manager was not constrained by overly bureaucratic procedures. With regard to procurement and contracts, the project team should be sufficiently staffed and procedures streamlined in order to ensure smooth management of the renovation project.
- 610.** The speaker recalled the previous lack of cooperation between the Office and the Swiss authorities. He requested clarification with respect to the composition of the working group established with the Swiss authorities, and also regarding the frequency and outputs of their meetings. He asked for an update on the land issue and the status of consultations between the Office and the Swiss authorities. The Employers' group wished to know whether relocation arrangements had been agreed with the International Social Security Association (ISSA) and if there were other units or departments affected by the move. He requested more information and clarification on where the Office stood with regard to the appointment of a general contractor.
- 611.** *The Worker spokesperson* requested a full update from the Office on the building renovation project, similar to the comprehensive plan for the renovation that was approved by the Governing Body in November 2010.
- 612.** She asked for clarification regarding the composition of the project team and the involvement of the Staff Union. She drew attention to the importance of a communications strategy that would include appropriate staff participation. With regard to the risk register, the classifications of close, medium and far proximity should be better explained. She observed that safety evacuation measures fell short of local safety standards and requirements for a building of that size. Concerning the financial report, clarification was also requested with respect to the cost of temporary offices and moving costs, considering that those costs would only apply to a small number of staff.
- 613.** She considered that the process of consultation with staff and negotiation with the Staff Union were important elements for success and welcomed the inclusion of the Staff Union in the Steering Committee.
- 614.** *Speaking on behalf of GRULAC*, a Government representative of Colombia noted with satisfaction the progress made on the replacement of the elevators. Her group welcomed the fact that the work would be completed before the initial deadline but more information was needed on the terms of the guarantee offered by the supplier.
- 615.** Concerning governance, she emphasized that it was important for the Office to have clearly defined terms of reference for the governance of the project and harmonization with existing rules and procedures. The group welcomed the establishment of a communication strategy, the appointment of a Project Manager and the participation of the staff throughout the project. She asked for a more detailed budget and sought clarification regarding the maintenance costs in the field offices. The decision not to build a temporary building should be reflected in the savings. The Office should report to the next session of the Governing Body in June on all progress made since the beginning of the year.

- 616.** The group recommended taking all necessary measures to avoid delays that could result in an increase in the approved budget for the renovation of the headquarters building.
- 617.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe noted with satisfaction the progress made on the replacement of the elevators and the renovation of the kitchens. He hoped that the work would continue at the same pace, in view of what still needed to be done.
- 618.** Although the group appreciated the assurances that steps were being taken to ensure clarity of the roles and responsibilities of the various Office units, he requested more information on those measures. Noting the role of the newly appointed Project Manager, he asked for more details of the reporting structure and recommendations to the Director-General, so as to avoid discord in the reporting system.
- 619.** The group noted with satisfaction that the first phase of the project remained within the approved budget level of CHF89.1 million and that the Governing Body would be kept informed with a more detailed budget in the next report and also a full detailed analysis, taking into account all constraints linked to having the building “in full working order” while the works were in progress.
- 620.** *Speaking on behalf of ASPAG*, a Government representative of Japan thanked the Office for the progress report, which included an updated risk register with lower overall risks. The group noted with appreciation that the works were progressing according to schedule, that a reporting strategy had been established and that the project still remained within the approved budget level. He requested information on the schedule of works and reiterated his interest in seeing progress in the negotiations with the host country concerning the rezoning of plots which the ILO was considering selling in order to help finance the completion phase.
- 621.** *A Government representative of Mexico* emphasized the importance of the risk register and reiterated his confidence that the Office would ensure that the project remained within the approved budget of CHF89.1 million.
- 622.** He emphasized the importance of the Project Manager taking all necessary measures to ensure that the building complied with the relevant health and safety regulations and security standards and that it would be accessible by people with disabilities.
- 623.** *A Government representative of Switzerland* expressed her satisfaction with the development of the contacts concerning the rezoning of the plots of land and the establishment of a coordinating committee.
- 624.** Regarding the risk of an unexpected delay in implementing procedures in consultation with the host country and the difficulties of bringing the building into line with local fire safety and accident standards, her delegation considered that the establishment of a coordination committee would minimize those risks.
- 625.** The ILO should request the necessary authorizations to ensure that the renovation of the building would conform with the legislation and safety regulations in force. Her delegation reiterated its full support for the advancement of the project.
- 626.** In his reply, *a representative of the Director-General (DDG/MR)* introduced the new Project Manager and commented on his positive impact on the project.

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- 627.** The speaker explained that the new governance arrangements included a governance committee chaired by himself and comprising a small group of senior officials. It maintained a steering committee including Staff Union representation and other officials in a consultative role. It was his responsibility as chair of the Governance Committee to refer issues to the Director-General, as needed. The new governance structure also included a project team, headed by the Project Manager. That team would deal with the technical aspects of the day-to-day management of the project. A user representatives committee had also been established, with a representative from each of the departments, to provide a conduit for information to and from each department. The Staff Union would also have a representative on the committee.
- 628.** The proposed governance structure sought to provide mechanisms for effective governance, management, communication and consultation for the project.
- 629.** With regard to relations with the Swiss authorities, he stated that there had been positive discussions with the Swiss Government, with respect to both the land and building issues. The Office had an agreement with the Swiss authorities which would allow the lifting of opposition to rezoning of the land and it was now awaiting the implementation of the required measures. He confirmed the benefits of a coordinating committee referred to by the Swiss delegate and said that he would act on that as quickly as possible. There had been regular contact with the authorities, including from the Director-General.
- 630.** With regard to some of the safety issues raised, the Office had made it clear that both during and after the construction phase the building had to meet all relevant safety standards. He confirmed that safety was of paramount importance and that the ILO had to be seen to be providing an appropriate and safe workplace both for staff and for other users of the building.
- 631.** He said that since the Project Manager's appointment, monthly progress and expenditure reports, including forecasts, were being prepared. With an early warning system of that sort there would be plenty of notice in the event of any budgetary issues.
- 632.** Concerning the need to create space for the renovation work, he stated that the Office would require external accommodation for approximately 100 staff during the renovation period in order to relocate other staff within a reduced space. He confirmed that staff belonging to ISSA would move out during the works. Another unit, still to be decided upon, would also have to relocate. The intention was to find temporary accommodation in close proximity in order to minimize any disruption to the work of the Office.
- 633.** *Another representative of the Director-General* (Project Manager, Building Renovation Project) stated that the issue of the appointment of a general contractor was still being analysed. He expressed concern at the use of a general contractor on the project, in view of the nature of the works and the fact that ILO staff would remain in the building as the work was carried out. Renovation works often gave rise to unforeseen elements, which usually ended up generating extra costs and, in the event of working with a general contractor, such costs would be difficult to manage. Having to shuffle staff around during the works could lead to conflicts with the work schedule and could also generate additional costs or claims from a general contractor. Those issues could be mitigated or absorbed using a construction management approach.
- 634.** With regard to the communications strategy, information sessions had taken place during the previous week in order to inform staff of the vision and scope of the project, its mission statement and progress to date. He assured the Governing Body that information sessions would continue and that two-way communication with the staff was planned for the duration of the project, including with the help of the departmental user representatives.

635. While acknowledging the potential confusion arising from the wording in the risk register regarding the proximity of risks, he pointed out that the terms were the same as those used in all previous risk register reports. He would review the format of the register prior to the next report. The contents of the risk register were the same as those presented in November, although some probabilities had been lowered, in line with the project's progress.
636. With regard to the concerns over safety standards, he said that the headquarters building did not comply with current legislation for new construction. New safety measures were being worked on as part of the project. There was no change in the approach to staff safety, which was of paramount importance and would be greatly improved once the project had been completed. He looked forward to finalizing those matters with the Swiss authorities.
637. The project team was still working on project design and a more detailed budget would be available by mid-September, at the end of the detailed design phase. The detailed budget would be reported to the Governing Body at its October session.
638. He stated that the teething problems in the replacement of the elevators had had no impact on the cost of the works, as all issues were covered by the contractor.

Outcome

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

Third item on the agenda

Delegation of authority under article 18 of the Standing Orders of the International Labour Conference (GB.317/PFA/3)

640. *The Employer spokesperson supported the draft decision.*
641. *The Worker spokesperson supported the draft decision.*

Decision

642. *The Governing Body delegated to its Officers, for the period of the 102nd Session (2013) of the ILC, the authority to carry out its responsibilities under article 18 of the Conference Standing Orders in relation to proposals involving expenditure in the 73rd financial period ending 31 December 2013.*

(GB.317/PFA/3, paragraph 3.)

Fourth item on the agenda

UN system coordination and common services: Financial implications for the ILO (GB.317/PFA/4)

643. *The Worker spokesperson* recalled the group's past reservations regarding the benefits to ILO constituents, and especially trade unions, from ILO participation in UN system operational activities. Trade unions faced difficulties at country level in obtaining recognition by Resident Coordinators. Other UN agencies and Resident Coordinators tended to treat issues of freedom of association as internal matters for the country and not as their concern, and refused to intervene or speak on them. Many Resident Coordinators showed a complete lack of understanding of the ILO's tripartite structure or standard-setting mandate.
644. ILO involvement in United Nations Development Assistance Frameworks (UNDAFs) had mostly been in connection with poverty reduction initiatives, and only rarely touched on international labour standards or fundamental principles and rights at work. While the ILO received some US\$36 million a year in monetary benefits from participation in UNDAFs, it also paid US\$11 million to support work through UNCTs. Any further cost for the Resident Coordinator system would be in addition to that amount.
645. The Workers' group therefore supported the statement in paragraph 24 of the Office paper that costs incurred by the ILO through participation in UN development cooperation should remain at reasonable levels. The ILO would be obliged to contribute to the costs, but any decision on such support should be based on the benefits that would derive from it. The Workers accordingly supported the draft decision in paragraph 25.
646. *The Employer spokesperson* stated that the issue was difficult since the Office paper gave no clear guidance on what was expected from the Governing Body. It was logical for the ILO to contribute financially to the Resident Coordinator system, since it mobilized a significant amount of funds each year. It would however be useful, before taking any final decision on such support, to learn what other agencies, programmes and funds received each year and the basis for the calculation of individual agencies' contributions.
647. The benefits of participating in the system had to be offset by the costs incurred, but the latter were not entirely clear from the Office paper. More information on the nature of such costs would therefore be welcome.
648. Full participation by the ILO in the work of UNCTs gave it access to consultations and dialogue on the post-2015 development framework at national level. A higher profile for the ILO in UNCTs would also enhance that of ILO constituents in the preparation of national development agendas that would follow the post-2015 framework. It was therefore necessary for the ILO to stay within the system, but in negotiations on the terms of such participation the ILO needed to be recognized as a unique UN agency in which social dialogue and the role of employers' and workers' organizations were of key importance.
649. *Speaking on behalf of GRULAC*, a Government representative of Colombia recognized the work of the UN system in promoting national development priorities. The best possibility for the ILO to promote the Decent Work Agenda in national contexts was through cooperation with other agencies. The Quadrennial Comprehensive Policy Review (QCPR) resolution called for the UN Secretary-General to make proposals for the financing of the Resident Coordinator system, which, however, would have to be negotiated with the

programmes, funds and agencies and take account of the recognized objective of ensuring that Resident Coordinators had the necessary resources to perform their role effectively on a stable and predictable basis without using funds intended for programmes. Such proposals must be equitable and involve all agencies concerned on the basis of the services they actually used. The Governing Body's role was therefore to determine whether ILO constituents wished to add criteria to the ILO's involvement in such negotiations. The issue went beyond costs, since it also involved governance. The basic framework for ILO activities remained the ILO Declaration on Social Justice for a Fair Globalization, which proposed that ILO activities to promote DWCPs should be conducted in the framework of the UN system, and advocated effective partnerships with the multilateral system to strengthen ILO programmes and operational activities. The ILO should support the measures proposed in the QCPR resolution to make the UN Resident Coordinator system more effective and efficient. The ultimate aim was a more open, participatory and cooperative system.

- 650.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe recognized the benefits to the ILO of participation in the UN system, particularly in view of the resources mobilized by Multi-Partner Trust Funds, of which Africa had been the largest beneficiary. Such funds represented a significant proportion of extra-budgetary resources. The costs of participating were significantly lower than those benefits and so the ILO should continue to participate in the UN system. Further information would, however, be welcome on how costs were calculated for the participation of individual agencies, funds and programmes in UNCTs. The UN system bodies should establish an agreed modality for such calculations to replace the current ad hoc funding arrangements. In Africa, the ILO offices had been active in many UNDAFs, in most of which the DWCPs had been taken into account. That was an effective way of ensuring that ILO policies and objectives were followed through at national level.
- 651.** *Speaking on behalf of IMEC*, a Government representative of Italy reaffirmed her group's commitment to making the UN development system more relevant, coherent, efficient, effective, transparent and accountable to member States. To increase the quantity and quality of funding for UN system operational activities it was necessary to improve RBM and further harmonize reporting on outcomes. UN agencies should increase their efforts to use development resources more effectively in accordance with the Delivering as One approach.
- 652.** The ILO had received significant benefits from the UN system over the past five years. The added value of UN system coordination went beyond financial benefits: through their involvement in UNCTs, the ILO and other agencies could help move the teams towards a more standard-setting agenda to make the UNDAFs a vehicle for principles and standards. Such involvement was also essential to ensure that the ILO's concerns were taken fully into account in the post-2015 development framework. There were some concerns, however, about what priority was given to the ILO's agenda, principles, standards and policy orientations by Resident Coordinators, and further information was requested on examples of the ILO's experience in that respect, and on how coordination affected the ILO's ability to conduct its programmes effectively. While the ILO should work with UNCTs, at the same time it needed to seek extra-budgetary funding for its programmes at country level directly. The IMEC governments supported such efforts, provided they were made in a transparent manner as part of a comprehensive and coordinated resource mobilization strategy. The UN Secretary-General would submit his initial proposals on the funding of the Resident Coordinator system in May. The speaker encouraged the ILO to participate actively in negotiations on modalities for funding the Resident Coordinator system in order to arrive at a workable cost-sharing formula. However, the ILO's contribution to the system should not entail any increase in the budget ceilings for 2014–15.

- 653.** *A Government representative of the Bolivarian Republic of Venezuela* supported the statement made by GRULAC. ILO cooperation with the UN system offered several advantages, including access to extra-budgetary funds received through the UN system, but also implied a cost. The QCPR adopted by the UN General Assembly in December 2012 requested the Secretary-General to present concrete proposals for Resident Coordinator system funding modalities. The current programme and budget proposals included no provision for such funding. Specific proposals would be necessary to ensure stable and predictable funding in a context where the Resident Coordinator system was facing cuts. The costs incurred must be maintained at a reasonable and proportional level, and should be defined in the programme and budget in a transparent manner.
- 654.** *A Government representative of Japan* stressed that cooperation with the UN and the Resident Coordinator system at the country level was essential for the ILO, which was expected to play a more significant role in UN system operational activities, particularly in relation to the post-2015 development agenda, where it was essential to emphasize the key importance of employment. Effective cooperation between the ILO and the UN system was therefore needed. Specific examples of good coordination with other UN agencies would be welcome, as would greater clarity on the benefits and costs of ILO participation.
- 655.** *A Government representative of Switzerland* reaffirmed that the strengthening of the Resident Coordinator system was one of the core elements of the QCPR resolution. At the same time, the ILO, like other specialized agencies, must retain its operational autonomy. The ILO participated in many joint programmes in the pursuit of its strategic objectives, including through UNCTs, and it should therefore support the Resident Coordinator system, as should all the specialized agencies. The ILO's full participation in coming discussions on the subject at the UN level was encouraged. Solutions to incorporate additional costs had to be found without increasing the overall budget presented in the programme and budget proposals, and in that regard she supported the statement by the IMEC group. Savings generated by the ILO reform could serve to fund the Resident Coordinator system. A separate budget heading for UN coordination should be created in the programme and budget.
- 656.** *A Government representative of India* noted that the recent QCPR resolution was not legally binding on specialized agencies like the ILO. The Office paper was consistent with the UN system-wide coherence objective. Any single source of funding at the UN level could be a source of procedural concerns, since funds could be approved with restrictions imposed on their use by the ILO at country level; some programmes could be rejected by the Resident Coordinator system owing to a shortage of funds or simply because of perceived lower priority. Centralized funding could create delays in the implementation of programme activities, and would create difficulties for the internal auditing system of the ILO, as the latter could become redundant if the principle of a single auditing agency was adopted. Changes in the current funding system were a source of concern because of possible legal complications and participating countries' reluctance to change.
- 657.** In the light of the ILO's limited resources, he asked what mechanisms the UN secretariat would suggest as a basis for calculations, what the total amount of such funding would be and what conditions would apply to its distribution. He also inquired about the position of other UN organizations regarding the ILO's contribution and the annual cost to the ILO, and whether that would depend on contributions to the UNDAFs. However, the issue was not exclusively financial, since it also touched on aspects of governance.
- 658.** *A representative of the Director-General* (Director, Programming and Management Department (PROGRAM)), replying to the discussion, thanked the Governing Body for its clear contributions. Since the ILO was a member of the UN, the issue was how to maximize the benefits for the ILO while keeping the costs at a reasonable level. In reply to

the Employers, he stated that the fees that could be charged to each UN agency for participation in the Resident Coordinator system were the subject of discussions in the United Nations Development Group (UNDG), and also in the Finance and Budget Network of the High-Level Committee on Management. The Secretary-General was requested in the QCPR to make proposals to the UN Economic and Social Council (ECOSOC) and the General Assembly in July and September 2013, respectively. The modalities of funding the coordination costs of the UN system were still being discussed in different interagency forums and estimates still varied, including in relation to the figure given in the Office paper. He acknowledged that it raised a number of governance issues. The ILO benefited as a member of the UN system from UNDAFs and joint programmes, and from the funds raised by UNCTs. That opened opportunities for the ILO to promote its agenda, and to increase understanding among Resident Coordinators and UNCTs of ILO values, tripartism, the role of employers and workers, and the Decent Work Agenda. It was important to retain the autonomy of the DWCPs, and the ILO's participation in UNDAF and joint programming processes should go hand in hand with activities to promote social dialogue. Once the modalities for joint funding of the Resident Coordinator system were clear, the Office would communicate them to the Governing Body for decision.

- 659.** *Another representative of the Director-General* (Director, Financial Services Department (FINANCE) and Treasurer and Financial Comptroller (TR/CF)) stated that the ILO's annual share of the costs of supporting the Resident Coordinator system, estimated at US\$2.5 million, was based on a comparative analysis of expenditure and headcount across UN organizations.

Decision

- 660.** *The Governing Body provided its guidance to the ILO on the cooperation with the UN in operational development activities as summarized in paragraph 24 of document GB.317/PFA/4, particularly as regards the financial implications of coordination, and confirmed that future arrangements for the financing of UN Resident Coordinators and UNCTs, relative to their possible implications for the ILO, should be referred to the Governing Body for decision.*

(GB.317/PFA/4, paragraph 25.)

Fifth item on the agenda

Other financial questions

Report of the Government members of the Governing Body for allocation of expenses (GB.317/PFA/5)

- 661.** *The Employer spokesperson* supported the points for decision.
- 662.** *The Worker spokesperson* supported the points for decision.
- 663.** *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe supported the points for decision.

Decisions

664. *The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the UN, to propose to the ILC that the contribution of the Republic of South Sudan to the ILO budget for the period of its membership in the Organization during 2012 and 2013 be based on an annual assessment rate of 0.003 per cent.*

(GB.317/PFA/5, paragraph 7.)

665. *The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the UN, to propose to the ILC that the contribution of the Republic of Palau to the ILO budget for the period of its membership in the Organization during 2012 be based on an annual assessment rate of 0.001 per cent.*

(GB.317/PFA/5, paragraph 10.)

666. *The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the UN, to propose to the ILC the adoption of the draft scale of assessments for the years 2014 and 2015 as set out in column 3 of the appendix to GB.317/PFA/5, subject to such adjustments as might be necessary following any further change in the membership of the Organization before the Conference is called upon to adopt the recommended scale.*

(GB.317/PFA/5, paragraph 13.)

Audit and Oversight Segment

Sixth item on the agenda

Follow-up to the report of the Chief Internal Auditor for the year ended 31 December 2011

(GB.317/PFA/6)

667. *The Worker spokesperson* said that the revised Director-General announcement on the roles and responsibilities of ILO senior managers should ensure that all relevant staff were made aware that only serving ILO officials could serve as officers-in-charge during the absence of an office director. The group wished to be informed of measures being taken to ensure that goods and services provided by suppliers complied with ILO standards. She noted that the Director-General had requested that executive and regional directors took more responsibility for the timely implementation of internal audit recommendations and she looked forward to swifter follow-up on recommendations, particularly in the field.

668. *The Employer spokesperson* welcomed the move to review risk management practices but was unclear on where the responsibility for risk management would be assigned. He looked forward to information on the cost-benefit analysis for possible risk management resources as proposed by the Chief Internal Auditor. He supported the move to establish a formal process for business continuity planning and wished to know who would have

overall responsibility. Regarding the cost-sharing initiative with the UN, the Office should indicate the cost to the ILO. Lastly, he stressed that it was essential that internal audit recommendations were implemented in a proper and timely manner.

- 669.** *Speaking on behalf of the Africa group*, a Government representative of Egypt said that business continuity planning was increasingly important in securing effectiveness and sustainability, and stressed the importance of harmonization with UN agencies and cost effectiveness. In line with the Director-General's vision for the next biennium, adequate attention and resources should be given to staff development. Training should take account of staff needs, responsibilities and locations. He expected that completion of the implementation of the recommendation on performance management would resolve compliance issues. The updated procedure on follow-up to the Chief Internal Auditor's recommendations reflected the Office's commitment, but the group wished to know why the recommendation on the appointment of a focal point had not been accepted.
- 670.** *Speaking on behalf of IMEC*, a Government representative of the Netherlands requested further information on the status of the risk management framework and the role of the risk management committee, as well as clarification regarding the connection with the recommendation for the appointment of a risk management officer. She also welcomed cooperation with the UN Office in Geneva. The group attached great importance to adequate personnel management and staff development and wished to know whether Office-wide training on governance and accountability would be obligatory and, if so, for whom; when it would be operational; and how its impact would be measured. The Office should monitor staff compliance with duties at each stage in the performance management cycle, taking disciplinary action for persistent non-compliance. Moreover, performance cycle requirements should be met in 2013 in anticipation of the electronic system that should be available for all staff for the 2014–15 performance cycle. She asked that a progress report on the electronic system be presented in October 2013 and urged the Office to ensure proper and timely follow-up on recommendations.
- 671.** *A Government representative of India* observed that, in view of the ongoing implementation of recommendations on risk management, business continuity planning, staff development and performance management, a common training programme could be developed to include all those components. He hoped that the implementation of the recommendations would strengthen control and procedural functioning.
- 672.** *A Government representative of China* noted that under the reform plan, a direct reporting line between the Office of Internal Audit and Oversight (IAO) and the Director-General had been established. Internal performance assessment enabled management to understand staff work, identify problems and make improvements.
- 673.** *A representative of the Director-General* (Director, FINANCE and TR/CF) explained that the ILO general terms and conditions for contracts required contractors, subcontractors or personnel to respect international labour standards. No formal compliance evaluation procedure existed within the procurement function, and any non-compliance could be grounds for contract cancellation.
- 674.** He clarified that the Office paper had been written prior to the Director-General's announcement that the Treasurer would assume overall responsibility for enterprise risk management. The risk management framework and governance documents had been amended following the Director-General's reform announcements in February 2013, and would soon be finalized. Responsibility for business continuity management had also been transferred to the Treasurer. Under the business continuity management cost-sharing initiative, the ILO was receiving the equivalent of two work-months per year of the

services of the expert from the UN Office in Geneva, amounting to some US\$40,000 per year.

675. The recommendation to formally identify focal points in each office had been rejected because the Director-General's instructions clearly placed responsibility for implementation of recommendations on the executive or regional directors. The Office considered that responsibility had to remain at a senior level. There had, nonetheless, been a lack of adequate follow-up and that would continue to be monitored closely.

Outcome

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

Seventh item on the agenda

Report of the Chief Internal Auditor for the year ended 31 December 2012 (GB.317/PFA/7)

677. *The Employer spokesperson* said that proper risk management was a high priority and the establishment of a new position of risk officer should ensure Office-wide implementation of risk management policies within the ILO management system, while avoiding becoming a "silo". The Office should ensure better and more timely implementation of recommendations. The 50 per cent implementation rate in New Delhi was totally unacceptable. He wished to be informed of the reasons for such a poor performance, the consequences of the findings and how the Office would address the issue of implementation of recommendations.
678. *The Worker spokesperson* said that the ILO should provide training on reporting requirements for implementing partners, and in particular for trade unions. Given the seriousness of possible external attacks on the ILO's IT environment, proper measures should be implemented to avoid such risks. The report's identification of the danger of financial mismanagement as a result of using obsolete accounting systems reflected the urgency of IRIS roll-out to all offices. The inconsistent follow-up on internal audit recommendations was of great concern and she looked forward to seeing regional directors taking more responsibility for swift follow-up to recommendations.
679. *Speaking on behalf of the Africa group*, a Government representative of Egypt said that the independent investigative function of the IAO was crucial to ensuring accountability and compliance. The Office should inform the Governing Body of the measures taken to address the two areas identified by the IAO regarding project execution. The speaker called for a special focus within staff development on operations training in regional and country offices, and on the different needs of staff members based on responsibilities and location.
680. *Speaking on behalf of IMEC*, a Government representative of the Netherlands requested further information on mitigating controls in those cases where access to the ILO's external office financial management system (FISEXT) was not given in anticipation of IRIS roll-out. He asked how many offices had no access to either FISEXT or IRIS. He encouraged the Office to follow up on the recommendation to appoint a risk officer and welcomed any other innovative ideas to strengthen risk control. The focus on staff development echoed a stance long held by IMEC, which looked forward to receiving more

information on a revised human resources strategy. Identifying, addressing and remedying perceived abuses was central to the ILO's reputation and, to that end, the IAO's investigative work was to be encouraged. He supported the recommendations for better technical guidance for monitoring of implementing agents. Concerned at the low implementation level of audit recommendations in field offices, he called for measures to ensure follow-up, such as taking disciplinary action in cases of persistent failure to implement recommendations. He reiterated a previous suggestion that the annex containing the main recommendations should be formatted in such a way as to distinguish between those of critical priority and those requiring longer-term actions. The annex should be written so that it did not require recourse to the main text.

- 681.** *A Government representative of India* indicated that cybersecurity concerns at headquarters required prompt attention. Risk management policies would be instrumental in decisions to allocate resources to ILO projects. Proper attention should be given to improving activity planning, monitoring implementing partners, and compliance with ILO financial rules and procedures.
- 682.** *A Government representative of China* said that auditing work should focus on the authenticity, legality and effectiveness of expenditure. The Director-General should urge the offices being audited to duly implement recommendations.
- 683.** *The Chief Internal Auditor* took note of the formatting suggestion made by IMEC. Regarding the appointment of a risk officer, the role would involve coordinating risk management across the Office. The recommendation of a focal point had been reiterated because the Office had made it clear who was responsible for following up internal audit recommendations, but the recommendation was intended to address the means of achieving that goal. A formal delegation would assign responsibility and accountability for ensuring proper coordination in the region or in departments at headquarters.
- 684.** *A representative of the Director-General* (Director, FINANCE and TR/CF) said that the Office would provide the Governing Body with a comprehensive reply to the Chief Internal Auditor's recommendations at a future session. He explained that FISEXT was the accounting system which had been used in the field offices for the past 18 years and was being progressively replaced by IRIS functionality. All ILO offices, but not all projects, were already using FISEXT or IRIS. It was expected that all ILO offices and projects would eventually use IRIS or an IRIS-like application and it was therefore considered an inefficient use of resources to implement FISEXT for only a limited period of time.

Outcome

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

Eighth item on the agenda

Report of the Independent Oversight Advisory Committee (IOAC) (GB.317/PFA/8)

- 686.** *The Chairperson of the Independent Oversight Advisory Committee (IOAC)* noted that the report of the IOAC was a transitional report, in the sense that it contained the work and recommendations of both the former and new members of the Committee.

687. She affirmed that the Committee's role was: to provide the Governing Body and the Director-General with a high-level, independent view on matters within the Committee's mandate; to question, validate or disagree with actions taken; and to report whether policies and procedures were working well.
688. Of particular interest to the Committee was the Director-General's reform programme, the Programme and Budget proposals for 2014–15 and the risk management processes of the Office. At its May meeting, the Committee would focus on the financial statements and the report of the External Auditor. The speaker solicited input from the Governing Body on where the Committee should focus its attention.
689. *The Employer spokesperson* congratulated the members of the new IOAC on their assignment and wished the new IOAC and its new chairperson Hilary Wild success. The group always appreciated the very clear and sharp recommendations of the IOAC. However, it felt that the current report was more vague than the reports in the past. The group acknowledged that it was only the first report of the new IOAC. However, the Employers would welcome a sharper report once again in the future. The speaker supported the IOAC's request for clear objectives for skills mapping data collection and its usage, as well as a better definition of what data was to be collected and by when. If the skills mapping was to be successful, the Office had to be very clear on the use of the data. He shared the IOAC's concern with regard to the number of recommendations of the Chief Internal Auditor that had not been fully implemented, and requested that the Director-General take urgent follow-up action.
690. He supported the recommendation to have a business champion for IRIS, and requested clarification as to whether the Deputy Director-General for Management and Reform had that role.
691. The speaker requested the IOAC to elaborate on its recommendation 2 (2013), concerning the implementation of an internal management process. He supported the recommendation to give risk management the highest visibility, and requested that the IOAC provide more information about its recommendation to establish the position of a risk management officer. The risk officer should have a support function with the objective of ensuring implementation of risk policies within ILO management and should avoid a role which became a silo within the ILO.
692. *The Worker spokesperson* was pleased that the IOAC was satisfied with the work of the External Auditor, the Internal Auditor, the use of RBM, and the implementation of IPSAS. She looked forward to receiving additional information on the roll-out of IRIS and its cost estimates, and particularly more details on the "total cost of ownership" approach.
693. *Speaking on behalf of the Africa group*, a Government representative of Egypt encouraged the Office to maintain its active follow-up on the recommendations related to integrated IT solutions for skills mapping.
694. The speaker supported the recommendations on leadership training and measures to enhance the quality and timeliness of implementation of internal and external audit recommendations. As to recruitment, he sought the Committee's views on measures to enhance the representation of non-represented or underrepresented States in the structure of the Office.
695. He noted the IOAC's satisfaction with the risk-based internal audit workplan for 2012–13, and progress made in the implementation of IPSAS. The positive views of the IOAC on the changes made to the structure of Office management were also noted.

- 696.** *Speaking on behalf of IMEC*, a Government representative of the United Kingdom expressed support for all the recommendations made in the report. He noted that while the IOAC was generally satisfied with the follow-up to the March 2012 recommendations, the Office should implement in full recommendations 2 and 3 on skills mapping and an integrated IT solution.
- 697.** With respect to recommendation 5, the speaker shared the IOAC's concern about the quality and timeliness of responses. The Committee's recommendation should be implemented if improvements were not quickly realized. It was noted that the Committee was satisfied with the methodology used for the risk-based internal audit workplan for 2012–13, and with the coverage of the external audit plan for 2012.
- 698.** He noted the IOAC's encouragement that the Office and the External Auditor review and improve the understandability of the financial statements, including by considering the inclusion of a comparison of key financial indicators over a five-year period to enable readers to see important trends.
- 699.** He expressed concern with the lack of specifics on the total cost of ownership estimates and cost–benefit analysis for the field roll-out of IRIS provided to the Committee, and requested the Office's response to that and its comments on the recommendation calling for a business owner to oversee IRIS.
- 700.** He endorsed the ongoing project to develop new administrative procedure manuals, but noted the Committee's view that there was still a need to establish clear ownership of the project. The Office was urged to implement an internal management process in line with the Committee's recommendation.
- 701.** The progress made by the Office to implement effective risk management and to establish standard operating procedures for business continuity management was appreciated. The Office was encouraged to develop an effective performance management system.
- 702.** *Speaking also on behalf of the Government of France*, a Government representative of Germany stated that the IOAC's report should have been focused more directly on its main missions, as stated in the terms of reference, and offer qualitative assessment and advice to the Governing Body. What was expected was a critical yet constructive assessment of the performance of the Office in key areas, suggestions on improvements to be made, analysis of lessons learned, and observations on key aspects of the ongoing reforms.
- 703.** Given the recent appointment of four of the five members of the IOAC, he was surprised that the Committee felt it was already in a position to express satisfaction with respect to the information provided by the Office in many areas, and with the remedial or other actions undertaken by the Office. Also, given the complexity of many Office operations, it had been expected that the IOAC would have indicated issues needing confirmation and follow-up in the coming months, and areas where more scrutiny was necessary. He requested that future briefings and reports link recommendations with possible budget implications.
- 704.** *A Government representative of India* recalled the selection process for members of the IOAC, and commended the tripartite selection committee for observing the criteria of equitable geographical distribution in the selection process.
- 705.** He noted that the recommendations made by the IOAC touched upon core functional issues involving financial and administrative systems, RBM, IPSAS, risk management and human resources, as well as internal and external audit. The speaker cautioned that the

work of collecting skills mapping data and the implementation of an integrated IT solution required particular attention.

- 706.** *A Government representative of the Republic of Korea* shared the IOAC's concerns about the implementation rate of audit recommendations in the regional offices. She expressed doubts about the effectiveness of Office measures to date to improve the implementation of recommendations. The Office was asked to consider whether it would be appropriate to include the implementation rate of recommendations in performance indicators.
- 707.** *A Government representative of France* described the role of the IOAC as one of helping the Governing Body to make sense of key issues and to establish reform priorities. He noted that the IOAC had to depend on the work of internal and external auditors, who had the resources to go into the details.
- 708.** *The Chairperson of the IOAC* responded that future reports would have a sharper focus, and the inputs received from the Governing Body would guide the Committee's priorities, as well as the format and presentation of its reports. The issue of implementation of audit recommendations was very high on the IOAC's agenda. The Committee was not convinced that sign-off by the regional directors was the solution, and felt that the focus should be placed on ways to determine whether recommendations had been implemented. The Committee's role would not be confined to indicating whether progress was good or not good, but would include advising on mechanisms to improve the level of implementation.
- 709.** With respect to recommendation 2 (2013), the Committee was looking for a means by which to ensure that operations manuals, which included elements that were the responsibility of different functions within the ILO, were completed on time by having someone with overall ownership and responsibility for their completion.
- 710.** She explained that the Committee's recommendation for a risk management officer was precisely to help ensure effective coordination of Office-wide risk management activities in order to avoid having that becoming an island or "silo".
- 711.** The IOAC would follow up on the question of the field roll-out of IRIS, including the details of the total cost of ownership. She confirmed that the role of the IOAC was to put the pieces together in order to make it clear to the Governing Body how the various elements fitted together and what was at stake.
- 712.** *A representative of the Director-General (DDG/MR)* confirmed that he was the business owner for IRIS, and that actions were being taken with respect to the delays in follow-up to audit recommendations. The reform programme related to recommendation 2 (2013) was also part of his area of responsibility. More details on the process and mechanism of reform, including those related to human resources and performance management, would be provided at the following Governing Body session.
- 713.** With respect to recommendation 3 (2013), the Director-General had put the responsibility for managing enterprise risks and business continuity management under the Treasurer and Financial Comptroller.
- 714.** *Another representative of the Director-General (Director, FINANCE and TR/CF)* noted that reminders had been sent regarding the follow-up to audit recommendations, and that the topic would be further addressed at the Global Management Team meeting later that week. He expected that by the September meeting of the IOAC improved compliance statistics could be delivered.

Outcome

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

Personnel Segment

Ninth item on the agenda

Statement by the staff representative

716. The statement by the Staff Union representative is reproduced in Appendix III.

Tenth item on the agenda

Amendments to the Staff Regulations: Review of recruitment and selection procedures (GB.317/PFA/10)

717. *The Employer spokesperson* noted that the Office paper contained two proposals: firstly, that the Director-General report on the issue again in October 2013; and secondly, that the interim arrangements relating to recruitment and selection procedures should continue to be applied until the full process of human resources reform had been completed and presented to the Governing Body. That was the third consecutive Governing Body session at which the same message had been presented; such a pattern of repeated promises without accomplishment should stop. While recognizing that the full review and reform of human resources policies was a major undertaking, it should be conducted in a coherent manner and within firm deadlines. To ensure that there were consequences for non-accomplishment, he recommended that in the event of further failure to deliver, the interim arrangements on recruitment and selection should be discontinued.

718. The Employers' group concurred with the need for a recruitment process that was fair, neutral and transparent, and that had the confidence and trust of the employees, their Staff Union and the managers of the ILO. However, the group continued to have a fundamental objection to a Staff Union representative observing the technical assessment of candidates. Several governments had voiced similar concerns during previous Governing Body discussions and alternative suggestions had been made as to other ways in which all parties could be assured a fair selection process. The group did not support that provision in the interim agreement and demanded that the Office submit other proposals to increase transparency in the recruitment and selection procedures. He therefore proposed an amended point for decision requesting a clear and reasonable timeline for the Office to present to the Governing Body revised proposals on recruitment and selection, as well as on other areas of the human resources reform, by March 2014, failing which the interim arrangements would lapse.

719. *The Worker spokesperson* noted that while she considered that the trade union observer role was important in the context of transparency, her group supported the point for decision as amended by the Employers' group. A 12-month period seemed to be a reasonable time within which to reach agreement and she doubted that anyone would wish to return to the previous agreement that had existed prior to the interim arrangements.

720. *Speaking on behalf of the Africa group*, a Government representative of the United Republic of Tanzania expressed his appreciation of the Director-General's reform agenda, which was geared towards a comprehensive human resources reform. He called upon the Office to continue its discussions with the Staff Union to achieve transparency, accountability and efficiency in recruitment and selection, due consideration being given to the special circumstances concerning Africa, which was underrepresented in the Office. He therefore proposed that that concern be reflected in the point for decision.
721. *A Government representative of Kenya* supported the proposal of the Africa group and requested that additional concerns be taken into consideration in the review of human resources policies and practices: diversity and equitable geographical coverage should apply to regular budget and technical cooperation alike; affirmative action should be considered in respect of candidates from disadvantaged regions or backgrounds; and linguistic requirements should be adjusted for candidates who spoke several languages, but not the three main languages of the Organization.
722. *Speaking on behalf of ASPAG*, a Government representative of Japan noted that consideration of recruitment and selection had already been deferred twice previously and expressed his disappointment that the issue would now be delayed even further to a future session of the Governing Body. At the same time, he acknowledged that wide-scale human resources policy reforms took time and was hopeful that they would bring the desired results. Referring to the Office paper entitled "Composition and structure of the staff",² he noted that many countries in the Asia and the Pacific region continued to be non- or underrepresented within the ILO staff and that special measures needed to be taken to resolve that long-standing problem. He therefore also urged the Office to take into account the aspect of equitable geographic representation in the context of the reform.
723. *Government representatives of China, Islamic Republic of Iran and India* supported the statement made by Japan on behalf of ASPAG. The Government representative of China recalled that priority in the recruitment and selection of Professional staff should be given to the relevant professional and technical expertise, taking also into account the importance of adequate geographical representation. The Government representative of the Islamic Republic of Iran also stressed the importance of recruiting staff of the highest standards of competence, efficiency and integrity, from a wide geographical base, at all levels. Opportunities had to be given to all member States to achieve the geographical, cultural, political and philosophical diversity that was vital to the ILO's success. He encouraged the Director-General to review geographical representation on a regular basis and to reduce underrepresentation.
724. *A Government representative of Switzerland* thanked the Office for having circulated a recent note of the UN Joint Inspection Unit entitled "Staff recruitment in UN system organizations: A comparative analysis and benchmarking framework", which contained the information she had requested in November with respect to the practice of other UN organizations concerning participation of staff representatives in recruitment and selection bodies. Switzerland encouraged the Director-General to continue with a coherent and comprehensive review of human resources policies and practices in the spirit of social dialogue, and therefore supported the amended point for decision submitted by the Employers and supported by the Workers.
725. *A representative of the Director-General (DDG/MR)* noted that the human resources reform was an extremely wide and complex issue of which the presence of the Staff Union on recruitment panels was only a detail. Ensuring geographic diversity, a matter to which

² GB.317/PFA/INF/2.

the Office attached great importance, was a good example of such complexity, as were other elements under review, such as mobility or workforce planning. The comprehensive reform of inextricably linked human resources policies went far beyond the issue of recruitment and selection, and therefore needed to be reviewed holistically, which required time. In order to reflect in the point for decision the concern expressed by several governments with respect to equitable geographical balance between countries and regions, he suggested adding the text proposed by the Africa group to the amended point for decision submitted by the Employers' group.

726. *The Employer spokesperson* suggested that the issue of geographical representation qualify the whole package of human resources reform and not be limited to recruitment and selection.

727. *The Worker spokesperson* wondered whether a reference should also be made to other aspects related to diversity, such as gender, or recruitment of staff with trade union or employer organization experience.

Decision

728. *The Governing Body requested the Director-General to provide its 320th Session (March 2014) with proposals to reform recruitment and selection procedures, taking into account the views already expressed by the Governing Body with respect to transparency in recruitment processes, as well as a complete proposal regarding policies and practices in all areas of the Director-General's human resource reform, taking into account the aspirations of under-represented regions so as to reflect an equitable geographical balance. If these proposals were not presented at that time, the interim arrangements would be discontinued and former practices would be reinstated.*

(GB.317/PFA/10, paragraph 7, as amended by the Governing Body.)

Eleventh item on the agenda

Pensions questions

Report of the Board of the Special Payments Fund

(GB.317/PFA/11)

729. *Speaking on behalf of the Africa group*, a Government representative of the United Republic of Tanzania expressed appreciation to Ms Gabrielle Stoikov for her six years of service as a member of the Board of Trustees of the Special Payments Fund, and welcomed the appointment of Ms Margaret Kearns, in view of her long service for the ILO in the Regional Office for Africa.

Decision

730. *The Governing Body appointed Ms Margaret Kearns as a member of the Board of Trustees of the Special Payments Fund, effective 1 April 2013.*

(GB.317/PFA/11, paragraph 6.)

Twelfth item on the agenda

Matters relating to the Administrative Tribunal of the ILO

Composition of the Tribunal (GB.317/PFA/12)

731. *The Employer and Worker spokespersons supported the point for decision.*

732. *Speaking on behalf of the Africa group, a Government representative of the United Republic of Tanzania supported the point for decision.*

Decision

733. *The Governing Body:*

- (a) proposed to the Conference the renewal of the terms of office of Mr Rouiller (Switzerland) and Mr Frydman (France) for three years each;*
- (b) delegated to its Officers, in the event of a vacancy before the 102nd Session of the ILC, on a one-off basis, the authority to propose directly to the Conference the appointment of a further candidate, following consultation with the Director-General before June 2013;*
- (c) thus decided to propose the following draft resolution for possible adoption by the Conference:*

The General Conference of the International Labour Organization,

Decides, in accordance with article III of the Statute of the Administrative Tribunal of the International Labour Organization, to renew the appointments of Mr Rouiller (Switzerland) and Mr Frydman (France) for a term of three years.

(GB.317/PFA/12, paragraph 5.)

High-Level Section

Working Party on the Social Dimension of Globalization

734. The High-Level Section met on Friday, 22 March. It was chaired by the Chairperson of the Governing Body. Mr Rønneest, Mr Yuma and Mr Megateli (Employers) and Mr Cortebееck (Worker) were the spokespersons for their respective groups.

First item on the agenda

The post-2015 sustainable development agenda (GB.317/WP/SDG/1)

735. *The Director-General* welcomed the panellists. When introducing Mr Martin Schulz, he pointed out that it was the first time that a President of the European Parliament had addressed the Governing Body. He noted the rising importance of the European Parliament in EU decision-making and the need for the EU to be a key player on the global stage. Broad support for the ILO in Europe was important in order to face the twin challenges of defending and modernizing the European social model while also building a stronger worldwide social dimension into globalization.

736. Brazil was a leader by example of social development. Ms Campello, that country's Minister of Social Development and Hunger Alleviation, had been one of the initiators of the *Bolsa Família* programme. He also welcomed Professor Deepak Nayyar, who was well known for the outstanding contribution which he had made to the World Commission on the Social Dimension of Globalization ten years earlier. It would be interesting to hear his perspective on how the ILO's Decent Work Agenda could be integrated into a truly global framework for sustainable development.

737. *The representative of the Director-General* (DDG/FOP) explained that since progress towards the achievement of the MDGs had varied from one country to another, the ILO was doing its best to assist countries to reach those goals. The Governing Body had started to reflect on the post-2015 agenda in November 2012. The concept note on jobs and livelihoods produced thereafter had proved to be useful. He asked constituents to share their experiences of the many national consultations that had taken place. Although the design of targets and indicators for employment-related development goals covering informal employment and equity across gender and generations could be challenging, many countries had, or would have, basic data for indicators in a number of areas. The active engagement of the social partners in the post-2015 process was vital.

738. *Mr Schulz* said that the European Parliament had frequently stressed the need to balance budgetary discipline with policies to promote growth, but regrettably insufficient heed had been paid to that view. The global economic and social crisis had exposed the fragility of inadequately regulated markets, which had put at risk the solidarity and social justice that were the cornerstones of European democracies. The ILO and the EU shared the same concern for inclusive growth and decent work and both were opposed to austerity-driven politics. It was vital to invest in education, international cooperation and research and

development. The European Parliament had rejected the recent Multiannual Financial Framework because it proposed cuts in investment in those areas.

- 739.** The European Parliament's commitment to promoting good working conditions in all countries needed to be reflected in legally binding social standards, which should also be incorporated into future free trade agreements with third countries through the inclusion of provisions to secure better respect of workers' rights and sustainable development. Monitoring was also important, as without it there would be nothing but rhetoric. The European Parliament was pushing for the application of corporate social responsibility clauses to European companies doing business in third countries. It was playing an active part in the preparation of the post-2015 agenda, and the ILO was one of its main partners.
- 740.** *Mr Nayyar* noted that the MDGs had successfully placed poverty at the centre of the development agenda and had captured the popular imagination, much as the Human Development Index had done. In practice, however, the MDGs did not quite serve their main strategic purpose of changing the discourse on development. The MDGs had focused on outcomes without reflecting on processes. They had been set without reference to initial conditions and they ignored distributional outcomes. While some framework was necessary for the future, structural flexibility was also needed at the national level, so that national goals could be formulated using global norms as a point of reference while taking into account initial conditions and national priorities. Inequality had to be borne in mind and the focus should therefore be on the poorest section of the population in order to foster inclusion and improve well-being. Lastly, although it was necessary to resist the temptation to prescribe particular policies, possible means of achieving development objectives should be outlined within strategies formulated by national actors.
- 741.** The speaker called for a rethinking of development strategy to centre on employment and livelihoods and for recognition of the need to balance external and internal factors and of the critical importance of public action. Moreover, developing countries needed greater access to markets and technologies, as that was more important for development than foreign aid. Furthermore, there needed to be more flexibility and an enlarged policy space based on more equal partnership between industrialized and developing countries.
- 742.** *Ms Campello* said that social and environmental agendas must be combined with a focus on poverty reduction and inclusion. Past experience with fiscal austerity policies in Latin America had shown that the austerity measures taken in order to contend with the current global economic crisis entailed a risk of greater suffering and increased poverty.
- 743.** Brazil's development strategy in recent years, which had centred on the inclusion of millions, had brought prosperity. In the past decade there had been significant gains in earnings and poverty had been reduced, particularly among the poorest quintile. The factors which had contributed to those outcomes included the formalization of the labour market, significant real increases in the minimum wage and the extension of the social protection floor, of which *Bolsa Familia* was just one example. Those policies had resulted in more equitable development, more jobs and an expansion of the domestic market. The President of Brazil was committed to furthering opportunities for the poor by increasing access to health and education, from pre-school to university. She insisted that the poor did not want favours; they wanted opportunities, and it was the State's responsibility to create those opportunities. Lastly, she invited tripartite participation in the forthcoming Third Global Conference on Child Labour, to be held in Brasília in October 2013.
- 744.** *The Employer spokesperson* noted that although the business world had not been consulted on the development of the MDGs, achievements in that field had been due to firms' involvement in creating wealth and jobs and facilitating access to food and water. He did

not support the suggestion in paragraph 11 of the document that a virtuous spiral for economic development had been set in motion by increasing workers' incomes. For the sustainable development goals to be successful, priority had to be given to creating the right regulatory environment, developing entrepreneurship, creating robust infrastructure and investing in skills and education. For most countries, competitive markets were the main source of growth. Furthermore, greater emphasis should be placed on enhancing skills in science, mathematics and engineering, as well as on vocational training. Governments and businesses should work together to design strategies to develop those skills. Wealth creation was not a political dictate, but was the result of hard work by individuals. Any ILO policies formulated for the post-2015 agenda should be referred to the Governing Body for decision.

- 745.** *The Worker Vice-Chairperson* emphasized that the discussion on the post-2015 sustainable development agenda was of critical importance for his group. In order to frame the discussion, it would be useful to learn from experience with the MDGs. He therefore asked the Office to provide a full review of progress in meeting the MDG target 1B on achieving full and productive employment and decent work for all, including women and young people, in time for the next Governing Body discussion of the post-2015 agenda. While the MDG process had been a positive step forward, the time had come to shift the focus from poverty reduction to development. The post-2015 development framework should address five key objectives: eradication of poverty in developing and developed countries; protection of basic human rights; inclusive and equitable development; sustainable development that reconciled the economic, social and environmental dimensions; and sustainable development goals that were universally applicable, while at the same time taking into account different levels of development and respecting national priorities, as agreed in the Rio +20 outcome document.
- 746.** The Workers believed that the ILO's role should not be limited to making decent work and employment a key goal of the post-2015 framework. It was also important to set other goals, including goals related to global governance, equity, productive and green jobs, a just transition to a green economy, environmental sustainability, structural transformation, global governance and universal access to quality public services. He asked the Office to develop concept notes on those goals in collaboration with ACTRAV and ACT/EMP. Workers' organizations should be involved in the post-2015 consultations. Social dialogue should be used to help design and implement the new agenda.
- 747.** *Speaking on behalf of the Africa group*, a Government representative of Algeria stressed that when reflecting on the post-2015 agenda, consideration needed to be given to the consequences of the substantial changes which had affected the global economy since 2000 when the MDGs had been set. Those changes included the rise of emerging economies, the structural crisis of the international financial system, increasing income gaps between North and South and within some countries and the growing role of information and communication technologies in the production of goods and services. His group felt that it was necessary to draw upon the lessons of the MDGs and to recognize the challenges faced by developing countries, especially those in Africa. Much remained to be done to fight poverty, improve health indicators and education, create jobs for new entrants into the labour market and implement social protection floors to ensure that populations were provided with a minimum of social services. Key frameworks had been put in place in the region for development, climate change and poverty alleviation, namely, the New Partnership for Africa's Development (NEPAD), the African Peer Review Mechanism and the African Union/NEPAD African Action Plan.

748. The Africa group encouraged the Office to ensure that the ILO's voice was heard in the relevant international forums and urged the ILO and its constituents to redouble efforts to promote employment as a strategic objective in the post-2015 period. It was also necessary to provide emergency aid for the inclusion of the climate dimension in policies and development projects. For Africa, agriculture needed to be a priority as well.
749. *Speaking on behalf of the EU and its Member States as well as Croatia, Turkey, The former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Bosnia and Herzegovina, Norway, Ukraine, Republic of Moldova and Armenia*, a representative of the EU to the UN regretted the fact that increasing inequality in many countries was undercutting efforts to achieve the MDGs. The EU supported the incorporation of full and productive employment and decent work, including social protection floors, in the post-2015 agenda, despite the complexity of the process. He asked the Office to provide constituents with an analysis of the May 2013 report of the High-Level Panel of Eminent Persons to the Secretary-General. The Office's experience and the lessons learned in respect of measuring decent work should be valuable when it came to devising workable indicators for the post-2015 goals in cooperation with other organizations.
750. *Speaking on behalf of ASPAG*, a Government representative of Australia expressed support for the ILO's strategy in regard to the post-2015 development agenda, a strategy which should focus on reinforcing core ILO messages. While the ILO would obviously need to retain a degree of flexibility in its strategy and approach, ASPAG would welcome further updates on how the Office intended to engage with the post-2015 agenda negotiation process. The group broadly agreed with the examples given in paragraph 27 of the paper and felt that the Office's position in discussions would be strengthened if it referred to actual examples of good practice drawn from the implementation of the Decent Work Agenda. It would be better to make information in future concept notes more closely related to the context of the post-2015 agenda framework and for the Office to draw upon quantitative data in order to demonstrate policy and programmatic successes. The Office should quickly define its strategy, notify the Governing Body of related time frames and planned concept notes and ensure that future consultations included relevant parties outside the UN system, including the G20. In order to retain linkages and convergence between the MDGs and the post-2015 goals high priority had to be given to attaining unfulfilled MDGs. ASPAG would therefore also welcome an update from the Office on progress in assisting countries which were lagging behind in meeting the existing MDGs.
751. *Speaking on behalf of GRULAC*, a Government representative of Colombia said that the ongoing debates and consultations on the post-2015 period were intended to complement and not constrain the outcomes of the intergovernmental process that would start at the United Nations General Assembly in September 2013. The analysis contained in the Office paper coincided with the vision of the countries in her region and with their practices in fighting poverty and inequality and pursuing sustainable, inclusive and equitable economic growth.
752. GRULAC had several suggestions for consideration by the Office. In the light of the outcome document of the Rio +20 Summit, *The future we want*, her group wished to see greater attention to the protection of migrant workers' rights, and it called for a sharper analysis of the issues of SMEs and the informal economy. With reference to paragraph 10 of the Office paper, GRULAC was of the opinion that the issue of productivity in agriculture did not arise exclusively in developing countries. It recalled that there was no agreement on the methodology to measure decent work. Lastly, it was pleased that the concept note on the post-2015 period prepared by the Office adopted the terminology which had been suggested by GRULAC when referring to the transition towards sustainable development.

- 753.** *Speaking on behalf of ASEAN*, a Government representative of Viet Nam said that the global economic crisis had had a deep negative impact on efforts to secure decent work and productive employment in the ASEAN region. Against that backdrop, the ILO's collaboration within the UN system and with social partners to identify issues and formulate strategies for action with a view to their incorporation in the post-2015 development agenda was indeed welcome. During the November 2012 session of the Governing Body the Office had been asked to assist countries that were lagging behind in meeting MDG targets; ILO regional offices should play a role in ensuring that those countries got back on track. A focus on promoting sustainable livelihoods through decent work would be a critical component of the post-2015 sustainable development agenda, as would investments in human capital, which were the only reliable means of promoting long-term economic security for all. He reaffirmed ASEAN's full support in implementing that agenda.
- 754.** *A Government representative of Zimbabwe* said that young people must have a say in discussions on the post-2015 development goals. The role of decent jobs in a society could not be underestimated, and the fact that DWCPs and many UN Development Assistance Frameworks prioritized that issue underscored that fact. Emerging issues, such as social protection floors, support to SMEs, promoting jobs in the informal and rural economies, and encouraging economic initiatives that actually generated employment, should take priority in the post-2015 era. It was necessary to close gaps in the implementation of MDGs and to assist countries that were lagging behind. Lastly, the speaker requested further details on the mechanisms to promote a post-2015 agenda that took into account regional and national circumstances.
- 755.** *A Government representative of Trinidad and Tobago* noted that, while the jobs crisis had reinforced the need for a sustainable development agenda, many Caribbean countries would need to supplement that agenda with pro-poor policies and efforts to tackle the specific challenges of small island nations. The ILO's excellent new reform agenda should bring much-needed new perspectives, a more efficient use of resources and stronger linkages between headquarters and the field. He commended outreach efforts in connection with the post-2015 discussions and encouraged the ILO to keep working to place labour at the heart of those debates and to expand the discussions to include other international organizations. He urged the ILO to convene a global meeting on decent work in the context of the sustainable development agenda in order to ensure that all important issues were discussed on ILO terms. He supported recent ILO initiatives to advance the status of women, because such efforts were also about protecting certain inalienable and universal rights.
- 756.** *A Government representative of Ghana* noted that many countries, especially in Africa, were still off track in achieving the MDGs, and praised the ILO's commitment to assist those countries in line with the conclusions of the 316th Session of the Governing Body. Efforts undertaken by his Government to place employment and decent work at the centre of national development policy included plans for reforming the informal economy and ensuring that the oil industry produced jobs for its citizens. Growth in Ghana had been positive owing to strong export performance, but that had not translated into jobs. Additional priorities might include the promotion of cooperatives, the development of labour market information systems, the training of labour inspectors and enhancing respect for labour standards, the promotion of equal pay for equal work, skills training that was better oriented to labour market demand and environmental sustainability. Lastly, it was to be hoped that the delegations present would generate useful guidelines for informing the post-2015 agenda.

- 757.** *A Government representative of the United Republic of Tanzania* noted that when the MDGs had been adopted in 2005, the focus had been on partnership between developed and developing nations with a view to building a better world. The United Republic of Tanzania, while making progress towards those goals, continued to face challenges in achieving certain targets. The speaker thanked the UNDP for providing support for a national dialogue on the post-2015 agenda and the ILO Office in Dar es Salaam for ensuring that the voices of the social partners were heard. That had made it possible to reach national consensus on the need to prioritize decent work in the post-MDG agenda. She urged the ILO and its member States to sustain its efforts to ensure that decent work remained a key consideration after 2015.
- 758.** In her response to the discussion, *Ms Campello* stated that one of the main messages she would take away was that inclusion and environmental sustainability could lead to long-term and democratic growth. It was also clearly vital to work with employers and workers, who had an important role beyond their social responsibilities. Public policies had to be carefully built to strengthen decent work, alleviate poverty and promote democracy. Experience in Brazil in the 1970s showed that growth did not automatically produce inclusion. It was therefore necessary for everyone to work towards inclusive development and growth.
- 759.** *A Government representative of Switzerland* stressed the importance of full employment and decent work for the post-2015 development agenda and thanked the Office for its efforts to include that issue in various international forums. He encouraged member States to engage in discussions at the national and international levels and asked the Office to keep them informed on developments in order to help them do so. Switzerland supported the EU request that the Office should analyse the report to be submitted by the High-Level Panel of Eminent Persons to the Secretary-General of the UN in May 2013 and should inform constituents of its conclusions regarding the report.
- 760.** *A Government representative of Indonesia* welcomed the role which the ILO had played in the post-2015 discussions, including its collaboration with the UNDG and its engagement with the diplomatic community, as noted in paragraph 19 of the paper. As the host of the next meeting of the High-Level Panel of Eminent Persons on the post-2015 agenda, Indonesia would be actively engaged in the discussions concerning a global partnership to eradicate poverty and achieve prosperity. Indonesia would continue to support the ILO's work in the context of wider UN and multilateral efforts, and would appreciate further concept notes and briefings in that regard.
- 761.** *A Government representative of France* underscored the fact that the development of the post-2015 agenda should be formulated in a participatory manner and should be universal in scope. France supported the merging of the multilateral process aimed at the revision of the MDGs for the post-2015 period with the intergovernmental process concerning the sustainable development goals launched during the Rio +20 Conference of June 2012 in order to create a single agenda. That agenda should be made relevant to all countries by taking into account the specific needs of developing countries. Goals and targets should be applied to all countries irrespective of their level of development. The ILO had a key role to play in the preparation of the post-2015 agenda, because its expertise was also necessary for defining goals and specific indicators. France supported the Decent Work Agenda, particularly the extension of social protection (the Social Protection Floors Recommendation, 2012 (No. 202)) and more generally the effective application of ILO Conventions.

- 762.** *A Government representative of Italy* supported the plan of action presented by the ILO Director-General to ensure that decent work, including social protection floors, was placed at the centre of the post-2015 development agenda. Italy concurred with the priorities outlined by the Office concerning access to job-related training for youth, the absorption of small enterprises into the formal economy, and tackling discrimination at work. The first article of the Italian Constitution highlighted the relationship between work and human dignity. She stressed the need to reaffirm the value of work and ensure that full employment became the pillar on which collective efforts toward global development were based.
- 763.** *A Government representative of the Republic of Korea* said that the MDGs had created a new paradigm for social development transcending the previous narrow focus on economic prosperity. However, the MDGs had disregarded inequality, human rights and differing national contexts. The post-2015 development agenda should address those limitations. The ILO's strategy for mainstreaming decent work into the post-2015 discussions should be two-pronged. First, decent work should be included as a specific goal in recognition of the fact that job creation was rarely an automatic result of economic growth. Moreover, the decent work concept needed to be simplified so as to secure greater popular enthusiasm for it and an understanding of its importance globally. The use of decent work indicators could be helpful when specifying decent work goals as part of the post-2015 agenda. Second, a framework for setting nationally appropriate development goals was needed, as mentioned in paragraph 26 of the paper. New development goals should also apply to higher-income countries as a means of supporting economic growth, promoting social integration and protecting the environment.
- 764.** *A Government representative of India* said that his Government supported the promotion of full and productive employment and decent work as a cross-cutting theme in the post-2015 agenda but perceived the need for a greater focus on women and young people. Countries should give equal importance to the economic, social and environmental pillars of sustainable development. The fact remained, however, that not all countries were at the same stage of development. There was also a need to adopt collective measures to help the least developed countries overcome structural challenges. On the role of emerging economies in international development cooperation, South–South cooperation could supplement, but not replace, North–South cooperation in the post-2015 agenda. His Government was also against the use of labour issues as protectionist measures, especially in trade agreements. As to the inclusion of decent work in the post-2015 agenda, he noted with concern the lack of consensus on indicators and methodology. His suggestions for the post-2015 agenda included structural flexibility at the national level; sufficient flexibility in assessment norms; simple and comprehensible targets; and sufficient flexibility to ensure that strategies were both country-led and country-owned.
- 765.** *A Government representative of the United States* commended the ILO on its active role in the parallel processes under way within the UN system, in the discussions about the post-2015 framework and in considering potential sustainable development goals. Her Government had found the concept note on jobs and livelihoods to be a useful contribution and would welcome further concept notes from the Office. It also agreed that the six elements identified in the document could sharpen the focus on jobs and livelihoods in the post-2015 agenda. In that connection, the agenda should also focus more on fundamental principles and rights at work. The ILO's long experience in social protection and skills training could be brought to bear in developing implementation strategies. If decent work were adopted as a post-2015 development goal, there would be a need for clear, focused and feasible targets and indicators that could work in a variety of contexts.

- 766.** A *Government representative of Egypt* said that his Government fully supported the inclusion of decent work and fully productive employment in the post-2015 agenda. In particular, he emphasized the need for all development goals to be country-owned; for the three pillars of sustainable development to be afforded equal importance; and for international goals to account for the differences between the economies of different countries, as well as social and cultural aspects.
- 767.** A *Government representative of China* recalled that, despite the progress achieved at the global level, some MDGs had not yet been reached. For that reason, the MDGs should feature in the post-2015 agenda. His Government endorsed the six elements for sharpening the focus on jobs and livelihoods and underlined the importance of productive employment, social protection floors and green jobs. Lastly, he stressed that development goals should be measurable and tailored to the situation of individual countries. He trusted that the Office would provide constituents with the necessary support to achieve those goals.
- 768.** A *Government representative of Kenya* commended the ILO for its efforts to promote inclusion and social dialogue within the multilateral system. Inclusive partnerships would prove essential for moving forward with the global development agenda beyond 2015. There was a need for specific indicators for employment and decent work that would track progress and inform the action to be taken by stakeholders. He agreed with the points raised in paragraph 7 of the document, underscoring the importance of green jobs. The only way to address inequality and differences in wages was to implement social protection safety nets. Labour migration initiatives should also be discussed in relation to the post-2015 agenda. His Government agreed with the next steps set out in paragraphs 24–28 of the document and stressed the need for an integrated and holistic approach to achieving them. Lastly, he called for the strengthening of institutions, especially in the areas of labour administration, labour inspection, employment services and national statistics, as only strong institutions would be able to achieve outcomes.
- 769.** In his response to the debate *Mr Nayyar* said that the world had changed significantly since the year 2000, when the MDGs had been set. The financial crisis persisted and rates of growth had slowed down in both industrialized and developing countries. Climate change also posed a threat, and it was necessary to adopt a different approach to the design of the post-2015 agenda. It was widely acknowledged that both absolute and relative deprivation were on the rise, and that social protection had been eroded. It was clear that those were no longer problems of developing countries alone. Moreover, economic inequalities between countries, within countries and among people were growing. It was therefore imperative that those changes be reflected in the post-2015 agenda.
- 770.** In addition, the ageing of industrial societies, the significant rise in the share of developing countries in the world economy, and the need to reformulate policies, redesign strategies and rethink development should all be taken into account when discussing the post-2015 agenda.
- 771.** The post-2015 agenda should be characterized by equal opportunities, the transformation of economic growth into the well-being of the people and a move from global norms to national priorities. Furthermore, there was a need to move beyond outcomes and to preserve policy space for latecomers. As to the international agenda, rules should be made fairer and asymmetries should be reduced, if not eliminated. The post-2015 development framework should focus on addressing poverty, inequality and exclusion in both industrialized and developing countries.

772. *The Worker Vice-Chairperson* said that the example of Brazil showed that making decent work central to development was possible and that it could yield positive results. Calling on the Office to take note of the points raised during the discussion, he stressed the importance of adopting a rights-based approach to the post-2015 development framework.
773. *The Director-General* said that the debate had proved useful in showing the Office the way forward. The intervention of the President of the European Parliament and the Minister of Social Development and Hunger Alleviation of Brazil had added much value to the discussion, and the example of Brazil in particular had demonstrated what could be achieved when key issues were effectively addressed. Similarly, the comments made by Mr Nayyar had reminded the Office of what the focus of the post-2015 agenda should be.
774. While the Office's activities aimed at assisting countries in achieving the current MDGs were amply documented, he recognized that the Governing Body wanted the Office to step up and better focus its efforts. Furthermore, when setting the post-2015 agenda, it would be important to draw upon the lessons learned from the MDGs thus far. He noted with satisfaction that the current discussion had demonstrated an even firmer commitment to implementing the decision taken in November 2012 to develop and implement a strategy for the adoption of full and productive employment and decent work as an explicit goal for the global development agenda. Highlighting some of the elements to be integrated into the objectives, targets and indicators of the post-2015 agenda, he recalled the Employers' comment on the need for them to be few in number, simple and comprehensible.
775. The Director-General stressed that measurable targets and indicators would be essential for moving forward with the post-2015 agenda. Indeed, the question of how decent work could be measured required much discussion, but there was no reason for that to create political controversy. There were many existing indicators that could be used and that were subject only to the availability of data.
776. He agreed that the Office would have to work hard to ensure that employment and decent work issues were not artificially separated from other issues. Decent work was not the exclusive responsibility of the ILO, and there were other targets that could be of interest to it. He noted three institutional factors underpinning the post-2015 process: (1) its complexity; (2) the crowded field of players pushing different goals; and (3) its competitiveness. He agreed with the call to ensure that human rights firmly embedded in the post-2015 agenda were taken on board in the pursuit of an employment objective. He also recognized the importance of including the private sector in the discussions along with governments, international organizations and other public actors.
777. The next major landmark in the post-2015 process would be the publication of the report of the High-Level Panel at the end of May, and the Director-General promised to provide information to constituents, perhaps including concept notes, on what it meant for the common agenda. The Governing Body in October 2013 would also be an occasion to inform constituents about the outcome of the General Assembly in New York in September and reflect on how to proceed.

Second item on the agenda

Tackling the global economic and employment crisis (GB.317/WP/SDG/2)

778. *A representative of the Director-General (DDG/P)* noted that growth had continued to weaken since the discussion on the global economy at the November 2012 session of the Governing Body. The employment outlook was a serious concern in many European countries. In most developing countries, the challenge was to create jobs fast enough to stay ahead of a growing workforce. While the economic circumstances of each country varied, all countries faced major employment-creation challenges.
779. She recalled the substantial differences in situations across the developing regions. In Africa, there had been relatively strong and steady growth, although speakers from several African countries in the morning sitting had noted that growth had been largely jobless in their countries. In the light of weakening export demand and domestic priorities, a number of developing countries, particularly in Asia and Latin America, were placing more emphasis on maintaining domestic demand, including through extensions of social protection and increases in minimum and other wages. In South Asia, there was an emphasis on the need for infrastructure to lay the foundation for faster and sustainable growth. The Arab States continued to feel the reverberations of the political changes, and employment growth remained a problem. She also recounted the action taken by the Office since the call by the Governing Body Officers in November to intensify efforts to promote policy coherence between all relevant international and regional organizations in order to promote growth, decent and productive employment and social inclusion.
780. *The Employer spokesperson* noted the positive news within an overall negative picture presented in the paper. There had been a reduction in poverty worldwide, a decline in inequalities in income among different countries and an increase in real wages, especially in Asia and Latin America. From a global perspective, market systems had been able to overcome the gravest shocks and growth in developing countries had even accelerated. The Employers felt that the paper's macroeconomic analysis was lacking: there was too much emphasis on the income-to-GDP ratio and not enough consideration of factors such as productivity, inflation, debt and infrastructure investment or even education. Citing recent studies, the spokesperson stressed that the lack of appropriate skills was dampening growth in a number of countries. The Employers believed that more time was needed for austerity policies to create a sustainable recovery and that relying wholly on consumption to raise output was inappropriate. Private sector investment, enterprise creation and entrepreneurship had to be understood as the engines of economic growth. The Employers agreed with the paper on the need to address youth unemployment and believed that education and training were essential means to do that.
781. *The Worker Vice-Chairperson* stressed that austerity policies had worsened the crisis, especially in Europe, where budget consolidation had skewed growth and led many countries into a debt trap. For that reason, the Workers had repeatedly called for an income-led growth strategy. The increasing gap between productivity and wages had been reflected by the steady decline of the wage share in national income and an increase in inequality for most countries. He regretted that various government and non-governmental institutions had been recommending labour market reforms that involved weakening social dialogue and social protection. Workers had been calling for measures to strengthen minimum wage fixing, progressive taxation policies, extension of social protection to protect workers in the informal economy, and employment guarantee schemes.

- 782.** Referring to the proposed workplans of the Office outlined in paragraph 53 of the paper, the Workers were surprised by the lack of reference to labour standards. ILO action must be rights-based. There also needed to be more coordinated action to address the impact of austerity policies. Furthermore, the Office should provide top-quality policy advice to foster growth and job creation and focus more on assisting developing countries on the process of structural transformation from low productive sectors to high productive sectors. Lastly, the Workers wanted to see the Office actively promote social dialogue as a key instrument to ensure inclusive growth.
- 783.** Speaking as one of the four country representatives, along with Brazil, China and the United Republic of Tanzania, requested to provide examples of innovative policies to confront the crisis, *a Government representative of Australia* noted that the Australian Government had taken policy measures that were consistent with the Global Jobs Pact, including investment in infrastructure, innovation, education, skills and training, along with deregulation, tax and workplace relation reforms. The Government had provided substantial funding for new infrastructure projects in schools, which had produced short-term effects on effective demand and job creation, as well as long-term dividends from human capital investment. Through the Compact with Young Australians and Youth Connections programmes, training was being provided for young people, including at-risk and disadvantaged youth. Those measures were complemented by others to bring together employers and jobseekers and to provide training in priority employment areas. Additional measures included the Fair Work Act, which was designed to improve workforce participation by giving workers the right to explore flexible work arrangements with their employers. Lastly, he mentioned his Government's investment in an independent Centre for Workplace Leadership, which would encourage higher performing, innovative workplaces and stronger leadership capability to boost productivity.
- 784.** *A Government representative of Brazil* provided the second country example. He outlined the Brazilian Government's recent measures to boost domestic demand through cutting labour, capital and materials costs, which had been accomplished without reducing labour rights. The Government had provided assistance to small and micro-enterprises, which had led to their greater formalization and growth. Ninety-five per cent of new jobs in the previous three years had been generated by small and micro-enterprises, and their formalization had provided social benefits to more workers. The Brazilian Government had also been reforming its tax system, which was being made simpler and more efficient for small businesses. Those measures came under the theme of sustainable enterprises and had been incorporated in the National Plan for Employment and Decent Work launched by the Government in May 2010.
- 785.** *A Government representative of China* said that his Government regarded the expansion of domestic demand through both wage increases aligned with labour productivity and steps towards universal social security coverage as a priority. His country's experience supported the points raised in the Office paper about the impact of more even income distribution on the sustainability of economic growth. Surplus labour in rural areas, rapid urbanization, the low quality of the labour force and skills mismatches were obstacles to employment generation in China. His country was willing to engage in efforts aimed at closer international coordination under the ILO framework, for instance by reducing protectionism, sharing employment promotion experiences and strengthening international cooperation, including South-South cooperation. In realizing decent work, developing countries engaged in social dialogue in a variety of ways. China looked forward to the ILO playing a bigger role in that regard.

- 786.** *A Government representative of the United Republic of Tanzania* called for all countries to continue taking concerted measures to address youth unemployment and expressed her gratitude for the support her country received from the ILO. The United Republic of Tanzania had embarked on a National Youth Employment Creation Programme which included mapping youth groups; providing them with financial support; analysing skills gaps; enhancing micro-credit, business development services, entrepreneurship and self-employment; and strengthening labour market information systems. Her delegation looked forward to comparative research by the Office and support to national policy dialogue on those matters. Effective application of the Global Jobs Pact and the ILO Declaration on Social Justice for a Fair Globalization remained pertinent and practical means to tackle the global employment crisis. She urged the Office to maintain a priority focus on Africa and looked forward to action under the areas of critical importance as reflected in the Programme and Budget proposals for 2014–15.
- 787.** *Speaking on behalf of the EU and its Member States as well as Croatia, The former Yugoslav Republic of Macedonia, Montenegro, Iceland, Serbia, Albania, Ukraine, Republic of Moldova and Georgia,* a representative of the EU to the UN recalled that the upcoming European Regional Meeting in Oslo in April 2013 would provide the opportunity for in-depth discussion of the European dimension of the current economic and employment situation. He encouraged the ILO to continue its contributions to the G20 and ECOSOC on the basis of its expertise, as well as to increase cooperation with the IMF, the World Bank and the OECD to achieve policy coherence. He welcomed the Office's strong involvement in the preparation of the forthcoming G20 meeting of labour and finance ministers in July 2013. He recalled the EU initiatives for improved economic governance through the involvement of the social partners and the series of initiatives to address the youth unemployment challenge, in particular the youth guarantee scheme. Lastly, he expressed his support for the plans of the Office as described in paragraph 53 of the paper.
- 788.** *A Government representative of Romania* highlighted her country's gradual economic recovery and the slight reduction in unemployment, noting that the severe austerity measures introduced by the previous Government had been phased out. Through social dialogue and transparent negotiations, the new Government had conceived a well-balanced budget for 2013, emphasizing development, modernization and decentralization. While maintaining a cautious financial stance, the Government had increased salaries and indexed pensions. Tripartite social dialogue would continue in order to review labour legislation and its conformity with European practice and labour market requirements. Measures had been taken to address youth unemployment through a comprehensive national plan. Her Government was looking forward to opportunities to work together with the ILO and the European Commission in order to ensure that national policies were aligned with ILO international labour standards and European legislation.
- 789.** *Speaking on behalf of the Africa group,* a Government representative of Egypt emphasized that the crisis had had a major impact on investment and employment in the region, referring to several major reports on that topic by UNCTAD, the UN and the African Development Bank. He underlined the worrisome decline in the share of exports and industrial production in Africa. Over 60 per cent of African workers were still in the agricultural sector, and there were 200 million Africans living below the international poverty line of US\$2. As emphasized at the African Union Summit on the theme of youth empowerment in July 2011, the challenge of poverty eradication and the creation of decent jobs was even more critical in the context of high population growth rates. Fluctuations in international commodity prices added further uncertainty to economic prospects for the region.

- 790.** The Africa group believed that dealing with the effects of the global economic and financial crisis was among the most critical challenges, together with climate change, food security and persisting conflicts in some African States. Attention should be paid to supporting the countries in the region in moving up along global supply chains. Protecting migrant workers was another issue that required attention in the global development agenda.
- 791.** A *Government representative of Zimbabwe* stressed that while economic growth in sub-Saharan Africa had averaged around 5 per cent, its impact on employment had been disappointing. She called for greater efforts to promote global economic recovery through a coordinated effort within the decent work framework. The ILO should continue to instil the decent work concept within the UN system, as a main means of action towards poverty reduction, and strengthen its cooperation with regional and multilateral organizations. Decent work should be mainstreamed in existing frameworks for regional cooperation, as had been done in the 2004 African Union Ouagadougou Declaration on Employment and Poverty Alleviation in Africa. Her country supported the ILO plans described in paragraph 53 of the Office paper and called for greater policy coherence among ministers of labour, social partners and ministers responsible for economic planning and finance, with the involvement of the ILO, UN agencies, Bretton Woods institutions and other multilateral structures.
- 792.** A *Government representative of Trinidad and Tobago* recalled that the crisis had engendered unprecedented changes among countries. One example was the contribution and weight of the economic growth of emerging and developing countries over the previous years. The ILO needed to consider the implication of those changes for its own work. One needed to look beyond traditional models of technical cooperation and recognize that there could be not only SSTC, but also South–North cooperation. Policies from the South could become new models for development. He welcomed the Office’s focus on labour migration, noting that the labour community must promote understanding of the nexus between migration and development and craft policies that facilitate structured labour migration.
- 793.** A *Government representative of Colombia* recalled that the crisis had not affected his country or other countries in Latin America to the same degree as elsewhere. Unemployment, while still high, had been falling. He noted the measures his country had taken to reduce structural unemployment, tackle youth unemployment, extend social protection and reform the pension system. In the area of the formalization of the informal economy, his Government believed that sectoral approaches were useful.
- 794.** A *Government representative of Argentina* reiterated the importance of the Global Jobs Pact for countries to address the crisis. Argentina had introduced a set of policies to increase formalization of jobs, reinforce social protection, provide employment programmes for vulnerable groups, particularly youth, improve public employment services, support small enterprises and promote social dialogue. Her country supported the activities outlined in paragraph 53 of the paper.
- 795.** A *Government representative of Sudan* emphasized that the global crisis had greatly affected his country, resulting in high unemployment. He highlighted government measures to tackle youth unemployment and support small enterprises. He called on the ILO and the international community to help Sudan achieve the 2015 goals. His country was seeking to boost the economy by encouraging foreign investment and entrepreneurship. He called for making it easier for developing countries to become members of the WTO. His country supported the activities proposed in paragraph 53 of the paper.

- 796.** *A Worker member from Colombia* expressed the Workers' appreciation for the Governing Body's recognition of both the existence of the crisis and the importance of social dialogue as a means to overcome it. Coming from Latin America, he was concerned about structural problems such as unemployment and informal employment. Instruments like the Global Jobs Pact, the Decent Work Agenda and the fight for the elimination of child labour created expectations that were subsequently frustrated. He drew attention to the need for structural solutions, failing which societies of beggars and poor people would be created.
- 797.** *A Government representative of Kenya* recalled the major challenge of high unemployment for youth, which stood at 72 per cent of those below 30 years of age. Kenya had in fact been partially cushioned by the informal economy at the outset of the crisis. Since then his Government had implemented measures to put the country on a better footing, including the new Kenyan Constitution in 2010, which called for fair incomes and wages, a new employment policy in 2012, an SMEs bill, an education act and an integrated social protection system. In the case of the latter, South–South cooperation with Brazil had been helpful.
- 798.** *A Worker member from China* commended the Office on the organization of tripartite meetings with the IMF. Given the differing priorities of the ILO and the IMF and World Bank, a clear roadmap was needed to ensure that a job-rich and inclusive growth orientation was mainstreamed in recovery policies.
- 799.** *A Government representative of the Russian Federation* updated the Governing Body on the focus of the G20 under her country's presidency. She cited three priorities: (1) investment to foster growth and employment; (2) confidence and transparency; and (3) effective regulation. She highlighted the joint statement of ministers of finance and labour that would be produced during the July 2013 meeting.
- 800.** *A Worker member from France* recalled that European countries were in a downward spiral of slowing growth, rising unemployment and austerity, which entailed great social and political risks. He regretted that labour costs had become an adjustment variable for the globalized world's market economies since the 1980s. The ILO must raise its voice and make it clear that social protection and rights were not the enemy of growth.
- 801.** *A Government representative of the United States* recalled the continued unemployment problems in his country. Corporate profits had soared while wages stagnated. He outlined the policy areas currently being pursued to address unemployment: (1) the Federal Reserve's commitment to accommodative monetary policy until unemployment fell below 6.5 per cent, unless inflation reappeared; (2) tax reform to promote growth; (3) entitlement reform to better focus on working poor and families; (4) a federal minimum wage increase; and (5) skills training activated by local demand. He thought the ILO and other organizations should consider asking countries to present their employment strategies and not just labour policies. He also believed that the relationship between the ministries of labour and those responsible for other economic and finance policies should be further developed and commended the ILO on its work with the international financial institutions in that regard. The United States endorsed paragraph 53 of the paper outlining the proposed work of the Office.
- 802.** *A Worker member from South Africa* cautioned that the Organization must move with speed against the continued crisis or the credibility of the ILO would be at stake. Very few governments had reported on the Global Jobs Pact, and it would be good to know if countries had taken it into account. He recalled that economic growth without addressing unemployment, poverty and inequality was not real economic growth.

- 803.** *A Government representative of Japan* noted with appreciation the ILO's work and its enhanced role in international forums. It was essential for countries to realize that employment policy must be at the heart of all policies. In particular, financial and employment policies must go together. Accordingly, his Government viewed with satisfaction the upcoming joint G20 meeting of finance and labour ministers in July in the Russian Federation. He requested that the ILO monitor the economic and social situation of countries and provide information on how they could realize policy coherence.
- 804.** *A Government representative of France* expressed appreciation of the joint work the Office had undertaken with the IMF and the World Bank as a positive step forward for creating an international agenda focused on employment and social dialogue. He highlighted the significance of the upcoming joint G20 meeting of finance and labour ministers for international policy coherence. The ILO had an important role in the development of analytical capacity and dissemination of good practices in the areas of employment and social protection. The ILO was the instrument best suited to promoting social dialogue.
- 805.** *A Government representative of India* underscored the great challenges his country faced, with 10 million people entering the labour market each year. Nonetheless, India had been able to avoid the worst of the recession with initiatives such as the National Rural Employment Guarantee Scheme and the launch of the skills development programme. It was currently increasing social protection with the introduction of a national health insurance scheme for the most vulnerable segments of the population and the direct delivery of funds to beneficiaries through a major cloud computing system.
- 806.** *A representative of the Council of Europe* described how the Council used its instruments, such as the European Social Charter, the collective complaints procedure and the European Code of Social Security, to preserve the vitality of the European social model. He provided information on recent cases brought through the complaints mechanism concerning violations of social and labour rights enshrined in the European Social Charter.
- 807.** *The Employer spokesperson* characterized the discussion as very rich and noted that employment growth should be encouraged, particularly in developing countries. The private sector had always contributed to the creation of wealth and would continue to do so.
- 808.** *A representative of the Director-General (DDG/P)* drew a few conclusions from the debate that should inform the Office's thinking. Firstly, differences in countries' views over financial, fiscal and monetary policies had made policy coordination among international organizations difficult. The discussion had also revealed differences in views with regard to labour policies. Through its upgrading of research and empirical data, the Office aimed to develop evidence-based policy options. Secondly, there were examples of success in dealing with the crisis which were instructive for the ILO's efforts to provide country analysis. Thirdly, the calls to share policy information among countries had been heard, and the ILO had launched two relevant projects in that regard aimed at addressing employment challenges in low- and middle-income developing countries and in countries with very high unemployment rates in Europe. Lastly, the importance of social dialogue and securing rights at work were cross-cutting commitments at the heart of the ILO's work.

Appendix I

Statement by the Director-General to the Programme, Financial and Administrative Section of the Governing Body (317th Session – 11 March 2013)

A little less than six months after taking office, it is my task today to present to the Governing Body my Programme and Budget proposals for 2014–15.

The context for the proposals is ongoing change and reform inside our Organization, and continuing crisis in the world of work. It is crucial, therefore, not only that the proposals are coherent with the direction of the reform process but that the two are mutually reinforcing components driving organizational change towards objectives which we all share – those of making the ILO:

- the efficient provider of useful, relevant and high-quality services that you, its constituents, require it to be;
- the credible and influential advocate of decent work on the international stage that our circumstances require;
- the centre of excellence in all matters to do with the world of work upon which all else depends; and
- the faithful instrument of the historic mandate of social justice – needed today as much as ever, if not more than ever, in the world.

It is equally crucial that the substance of the issues that we address as priorities, and on which we concentrate resources and efforts, are truly those that matter. Our impact will suffer (it has suffered) if we fail to prioritize. My proposals do that. But we must choose priorities well. And I believe that last November's discussion of the preview of the proposals now before you enable us to do so. And due democratic process demands too that the proposals before you reflect the positions upon which I campaigned and was elected by you as your Director-General.

It is both cause and consequence of the crisis in the world of work that public finances in many member States are constrained – sometimes severely. I understand that, and so do all of my colleagues. And so, in deciding on the level of the budget proposals before you, I want to acknowledge that it has been a struggle to reconcile that recognition of the efforts that are having to be made in the public administrations of many of your countries with the needs and ambitions which we all have for the ILO.

In this light, and after the many conversations I have held with you, I believe it is right and reasonable to submit to you a zero real growth budget, that is one that contains the same US dollar amount as for 2012–13 plus a provision for forecast cost increases. Applying exactly the same methodology as in the past, and drawing upon the best available forecasting sources, this works out at a cost increase of US\$2.4 million or 0.3 per cent of the previous budget.

Generally low rates of inflation means that the difference between zero real and zero nominal growth (to which I know some Members remain attached) is much less than in most previous biennia. The relatively small scale of the effort that my proposals imply will, I hope, be acceptable to you as an investment in an Organization which is demonstrating concretely its commitment to deliver better value for money in confronting the enormous challenges in the world of work today.

I would see in this situation an implied contract. From the Governing Body, a statement and a vote of confidence and support from constituents in the Organization, its mandate and its future. And from the Office, the commitment to take on the responsibility for greater efficiency and quality and relevance and to deliver results. I know – we know – that we must work to win your support, and to keep it.

Let me turn to the allocation of resources in my proposals.

These proposals, as is right, have been framed both by the priorities and orientations on which I campaigned and by the guidance the Governing Body provided in our discussion in November. I have listened carefully to you and I have acted on what I have heard.

As a result, you will see that management expenses have been reduced, both at headquarters and in the regions. Overall allocations for the strategic objectives have been correspondingly increased, albeit modestly. Changes between those four strategic objectives mean that additional resources go to employment, with only minor adjustments to the others – social protection, standards and social dialogue.

I want to place on record at this point that I will continue to strive for lower management and administrative expenditures, which I recognize as being a precondition for resourcing of more technical work at headquarters and in the regions. This is and will remain a central driver of the implementation of the reform agenda.

During our discussions last November, the most appropriate balance between change and continuity in the programme proposals emerged as an important and, in some regards, uncomfortable issue.

At the heart of that debate was, and is, the tension, inevitable I think, between on the one hand the obvious imperative to move to rapid and significant change, and on the other the reality of the parameters set by the ongoing Strategic Policy Framework (SPF) up until 2015 – the end of this biennium we are considering.

It was clear in November that – despite the disadvantages identified by some – it was simply not advisable or practical to jettison the Framework in mid-stream. Not only would the construction of an alternative in the time available have been hazardous in the extreme – if not impossible – but it would have entailed too the loss of the basic architecture of our established results-based management system with all of the related consequences that that would have meant for accountability in programme delivery.

This is why the proposals before you retain the 19 strategic outcomes of past biennia which constitute the framework of the SPF. I would recognize that this visible and important element of continuity has an effect of potentially masking the very significant elements of change in the proposals, along with those generated by the reform process. I have described that as an optical illusion – or “disillusion” – precisely because it can obscure the essential and innovative shifts that the proposals contain and which are underpinned by the process of organizational change.

These are to be found, first and foremost, in the proposed areas of critical importance – and these were discussed in significant detail in November, and have been adjusted in the light of that debate. Their importance is in terms of both method and substance.

As regards method, the areas of critical importance respond to the consensus among constituents on the need for prioritization, focus, critical mass and greater impact. Together with changes under way through the reform process, they will allow for greater teamwork across established structures and will promote multidisciplinary inputs on key issues.

It has to be underlined once more that the new eight areas of critical importance do not stand outside or in addition to the 19 strategic outcomes. Rather, each of them actually draws on and integrates several outcomes and interlocks with them. In concrete terms, as you will observe, proposals under each of the strategic outcomes are grouped into two major areas of work, one of which is shared with other strategic outcomes. It is these transversal shared areas of work which constitute the eight proposed areas of critical importance.

In this way, the areas of critical importance are vehicles to knit together specialist inputs from different disciplines and structures across the Office, both in Geneva and in the field, to address big issues that matter to member States. They will work to a common workplan, with critical mass, and with the perspectives required for quality work and real impact. I think you will find in them a credible response to your demands for relevance, usefulness and quality, and I would intend to start work on them as soon as we have your approval for them.

That brings me to the content of the proposed areas of critical importance – they are now eight, one more than the number originally tabled in November owing to the separation of those addressing the rural economy on the one hand and the informal economy on the other.

It was encouraging that in November there was wide support for the subjects chosen. Nevertheless, necessary adjustments have been made, notably in redesigning the area now entitled “Promoting more and better jobs for inclusive growth”. With these modifications, I believe that we are in a position to channel the necessary effort and resources to addressing these issues – jobs and growth, jobs and skills for youth, social protection floors, small and medium-sized enterprises, the rural economy, the informal economy, labour inspection and unacceptable forms of work – on which the ILO must respond to the needs and demands of its constituents to make a difference. And this we must do – and we can do it – by the complementary processes of:

- compiling data on the nature and scope of the challenges;
- gathering and disseminating good practices in addressing these challenges in their specific country and regional settings;
- promoting social dialogue informed by these elements to shape the best policy responses;
- providing quality technical support to constituents grounded in this needed up-to-date evidence base;
- drawing the lessons from hands-on experience.

Making all of this work will not be easy, and a key precondition will be equipping the Office with the necessary data, research and knowledge management capacities. We are working on this as the imminent next step in the reform process – it is vitally important.

The proposals before you, through the mechanisms I have described, take forward the task of implementing the Decent Work Agenda and properly reflect, I believe, the interconnected and mutually reinforcing nature of its four strategic objectives. This is what the 2008 Declaration on Social Justice for a Fair Globalization mandated us to do.

Getting the world back to work is the overarching goal at a time when some 200 million of our fellow citizens simply have no work to go to and many more are struggling in poverty, underemployment and informality. That is why employment runs through the proposals, but without losing the balances and linkages with the other strategic objectives. Attention to social protection, to standards and fundamental rights and to dialogue stands full square in support of employment creation – it is not a distraction from it.

Let me add here that when I speak of crisis in the world of work I am conscious that circumstances vary very widely across the regions. I am finding in some of the member States that I have visited since taking office unprecedented feelings of optimism and dynamism. Our global economy is changing, rebalancing.

We must address and understand all of this as we move forward. Equally, we must – as we focus on getting the world of work back to work – understand that the challenges that we face are complex. The spectre of unemployed predominates. But so does that of unacceptable and growing inequalities and reduced social mobility. We are not going to get out of this with simplistic approaches. Those based solely and exclusively on more austerity or increased labour deregulation or on more public spending – such simplistic approaches have fallen and will fall short. Something more complex, more challenging is before us, and the ILO has to rise to that challenge. We need to preserve the integrity of the Decent Work Agenda. We need to ensure that an authoritative standards system provides its backbone, and we have urgent work pending in that regard. We cannot – under pressure – step back from a historic mandate, nor can we cut loose from historic values. The simple solutions – attractive though they may appear – are invariably wrong. That too is a message from our history.

You have before you under a separate agenda item a progress report on the reform process in the ILO, so I will not dwell on the details here. But some remarks are necessary because they are pertinent to your discussion of the programme and budget itself.

The fact of the matter is that the programme and budget proposals have necessarily been elaborated at the same time as reform has proceeded, and that inevitable circumstance has not always been easy to manage. It means, for one thing, that you have less detail before you than is customary, and I appreciate your understanding of why that is so.

On 12 February, I announced the restructuring of the Office in Geneva. This restructuring will, I am convinced, complement and facilitate the achievement of the objectives of my proposals. But the reform process is far from complete. Next steps will address field operations, funding partnerships, technical cooperation delivery, the human resource strategy, communications, administrative systems and, as I have mentioned, data and research matters. I can honestly tell you that we are progressing well, but we have a long way to go, and we are determined to get there, so that delivery in 2014–15 will be such that constituents do get more for the resources they put into the ILO.

I ask for your indulgence if I focus briefly on two concrete developments which are emerging from the reform process.

The first is the arrival of Deputy Director-General Gilbert Houngbo, whom I want to greet warmly, as you have done. He brings great talent, experience and commitment to our leadership team, and I am delighted he has decided to join us.

The second concerns the renovation works on our building, which will be a very present feature in our lives in 2014–15 and beyond. I will not hide from you the fact that on arrival I saw a clear need for immediate reformulation of the management procedures and structures of the renovation project. A high-level Project Governance Committee is now in place, chaired by Deputy Director-General Greg Vines. A Project Manager started work in October. We are consulting closely with the Swiss authorities and I have myself met with Minister Schneider-Ammann in Bern last month.

I am determined to bring in the first phase of the project on time and within budget, and you will be regularly and fully informed of progress and issues arising.

Let me conclude this introduction with three quite simple but, in my view, necessary messages.

The first message is that my colleagues and I are acutely aware of the responsibility we have to serve women and men in the world of work, particularly when so many continue to feel the effects of a crisis ignited by failures and excesses in the world of finance. Part of that responsibility is to assume the challenges of change and of improvement. We will do that.

The second is that while the ILO's mandate for social justice places us at the centre of national and international policy debate and issues, mere possession of that mandate is no sufficient guarantee of the future success and influence of our Organization. Everything depends on us demonstrating the capacity of a nearly 100-year-old tripartite Organization to bring added value to the resolution of today's world of work challenges in all countries. Hence, again, the imperatives of usefulness, relevance and quality and the need to respond to the challenge of change.

Thirdly, self-evidently, the ILO works **for** its constituents. That is axiomatic. But it is no less important that we work **with** you. I have said from the outset that the ILO needs to be firmly rooted in the everyday realities of the world of work, close to its constituents, listening to them, learning from them so that we truly can respond effectively to the rapidly changing needs of governments, employers and workers.

If we succeed in meeting this triple challenge, I believe that the ambition and optimism for the future of the ILO which I expressed when you elected me will not be misplaced. There is no doubt that we have major challenges ahead as we travel towards the ILO's centenary in 2019 via the critical rendezvous of the post-2015 development agenda.

We will need along the way an early occasion to set our course towards the centenary and, as I have indicated in the preface to my proposals, the discussion of my Report to the Conference this June will provide the opportunity for that.

In the meantime, I look forward to your reactions to the proposals before you. In line with what I have said, I and my colleagues will be listening to you very carefully and of course we stand ready to respond and to make whatever adjustments may be needed. We have worked together so far in an excellent spirit of openness and transparency, which I know will continue, and it is in that same spirit that I commend my Programme and Budget proposals for 2014–15 to you for your review, comment and adoption.

Appendix II

The Director-General's response to the issues raised by Governing Body members during the discussion of the Programme and Budget proposals for 2014–15 (317th Session – 21 March 2013)

I would like to begin my response to last week's discussion of my Programme and Budget proposals for 2014–15 by thanking the Governing Body for the very constructive and encouraging debate that took place.

It is precisely this type of engagement between constituents and the Office that offers us real opportunity to move our Organization forward. And the programme and budget for the next biennium, implemented against a backdrop of change and reform, will be the key drivers of progress. So it is important that we get it right.

I told you at the beginning that all of us on this side of the table would, as always, be listening carefully to what you had to say, and that is what we did. My task now is to react to what we heard with a view to putting the Governing Body in a position to recommend a programme and budget for adoption by the International Labour Conference in June.

A great deal of what we heard was supportive of the proposals before you, and in that regard two fundamentally important messages emerged.

The first – and you will, I hope, understand if I start with it – was that notwithstanding often severely constrained financial circumstances, and notwithstanding the concerns expressed by some Governments, the Governing Body is, I believe, ready to accept a zero real growth budget as proposed. So I will not now be proposing any significant alteration to the level of the budget.

The second and connected message is that this investment of financial and political capital is predicated on the clear expectation of an improved return on that investment. The Governing Body has thus placed the onus of responsibility on the Office, my colleagues and I, to respond in all of the ways that have been made clear during your debate: by increasing the relevance, usefulness and quality of its work; by maximizing impact; by prioritizing and bringing critical mass to bear; and by working on our efficiency, to meet the imperatives of giving the greatest value for money.

This is the “implicit contract” I spoke of when introducing last week's debate. It is a contract that I hope we can now make “explicit” and one which I feel confident we are equipping our Organization to fulfil. I say this because the clear signals from the Governing Body are that the thrust of the reform process meets with your approval and that the thrust of the programme – and particularly the eight areas of critical importance (ACIs) – does capture the substance of your shared priorities.

This, if I am right, is a good platform for progress – a good point of departure, though really it is only that because there is a long road ahead and we do need to move speedily along it.

Moreover, we heard also a number of concerns and questions, which I want to react to now.

A number of these concerns and questions addressed matters of method in the framing of the proposed programme, its targets and its indicators, and the measurement of the results to be obtained.

In this regard, I would recall, we remain within the existing Strategic Policy Framework, with everything that implies. But, as some have suggested, it is not too early to begin to work on what comes afterwards. The agreed areas of critical importance offer some possible signposts, and I propose that the Governing Body hold a first discussion on how we should approach this ILO post-2015 challenge already in October.

A significant number of members of the Governing Body asked questions or expressed concerns about the way targets have been set for a number of the 19 outcomes, and said that some needed to be adjusted – generally upwards. Other comments addressed the robustness of indicators.

As regards target-setting, it is important to recognize that this is not an arbitrary process, but rather grounded in an objective assessment of the probability of achievements on the basis of past experience and of planned resource inputs. This said, the Office will re-examine all of those that have been the subject of specific comments and we will examine the scope for adjustments that could be included in the documents to be presented to the Conference in June.

To those who have drawn attention to the need for more robust indicators to measure the real quality and the real impact of ILO activities, I would simply recall that this is far from being a new matter but rather one of ongoing work, an integral part of our efforts to strengthen results-based management. We know that we need to persist with this, just as we know that there are no ready-made solutions to be inserted conveniently in the proposals before you. Unfortunately, but realistically, the job is more complicated than that.

Several of you asked also how the Office arrived at the estimate of 42 per cent of the strategic budget dedicated to the areas of critical importance. This is an indicative planning estimate resulting from the sum of all resources across the 19 outcomes contributing directly to the areas of critical importance as recorded in the ILO strategic management module in our IRIS system. It is an aggregate estimate across all areas of critical importance, but not necessarily applicable for each ACI taken separately. In addition, it is a minimum estimate which we hope and think will grow as the new methods of work gain momentum. There is nonetheless important work carried out under each of the 19 outcomes which will not be linked to the areas of critical importance and we are equally committed to delivering on those results as well.

Underlying these specific points is perhaps a further more general question in your minds: does this 42 per cent reflect the appropriate degree of focus and prioritization given the full range of ILO responsibilities? My answer there is that we will find out, we will find out above all through experience, by doing, and we can come back to the issue later, with the benefit of the lessons learned.

It was pointed out also, in respect of the ACIs, that they do not have any stand-alone indicators. I should explain that this is because these areas of critical importance, as I have just indicated, are composites of a number of outcomes which do have indicators and it would not therefore make sense to endow them with their own. But I do welcome the idea of tracking progress made with the areas of critical importance, and subjecting them here to early review.

Mr President, members of the Governing Body,

It is heartening that the idea of focusing around the areas of critical importance has met, I believe, with the consensus approval of the Governing Body. We all see the advantages they can bring if they are made to work as we envisage.

The subjects of these areas of critical importance have also been very widely welcomed, although with some important comments directed to the specific content of some. The Governing Body was united in setting the priority on employment, although

contrasting views were expressed on how best to achieve this. There is nothing new in the different emphases placed on the different aspects of the policy issues involved – the enabling environment for sustainable enterprises, on the one hand, and the macroeconomic and demand factors on the other, with of course a range of policies, programmes and measures in between. The answer cannot be to pursue any one of these to the exclusion of others.

The reality is that these issues raise numerous and complex questions which the ILO has to be able to respond to more effectively. So the ILO needs to rise to its announced ambition of upgrading its analytical capacities to deliver top quality empirical research which helps answer credibly the key question of “what works?” in any given situation. And that is precisely why our statistical, research, and knowledge agenda is so critically important. I have to add that the discussion that took place yesterday in the Board of the Institute was very helpful in fleshing out these ideas further.

There is also an important regional dimension to all of this, and I see the clear need for the ILO to strengthen cooperation with regional institutions in delivering on its substantive agenda.

As in the case of the targets attached to outcomes, my colleagues will look again at those elements of proposed outcome strategies which were commented on specifically and introduce those adjustments which appear appropriate in the documents to be presented to the Conference for June. But there are in addition some cross-cutting considerations which apply to them all and which I should highlight specifically.

Firstly, international labour standards must be an essential point of reference for all areas of critical importance and all objectives, and this need has been recognized and acted upon in the recent process of restructuring here in Geneva.

But we are all aware that we have major issues before us in respect of our standards-related work. We need to resolve the issues which divide opinion in respect of the application of standards and which can only detract from the ILO’s authority, and we must register progress on this without delay. One reason – and only one – for this is that we need to create the conditions within which the standards review mechanism budgeted for the 2014–15 programme proposals can have a real chance of success. Let me be clear: everybody’s efforts are needed because the mechanism needs to be bedded firmly in the conditions of trust that are themselves dependent on consensus on the essentials. Without that we will not progress as we wish.

Secondly, and similarly, social dialogue and the full involvement of each of the ILO’s tripartite constituents is a crucial ingredient in the success of our work; this in all areas. Their input must be concrete and substantive, not just formal, and so capacity building must remain, as many of you said, a major part of our efforts. And we must be particularly vigilant, particularly rigorous in ensuring that these capacity-building efforts really do bring lasting results. This week’s discussion in the Technical Cooperation Segment was instructive in that regard.

And thirdly, the ILO’s good record in addressing the gender dimension in all areas of its activity needs now to be built upon. The structural changes recently introduced in this area give us real opportunity to move forward in this way. From what has been achieved already, the ILO needs to relate its very visible advocacy on gender equality to the perhaps even more demanding task of identifying and promoting those specific labour market policy interventions that really do bring progress. We will give increased emphasis to this in the future. The question, once more, is “what works?” and how to deliver it. Our new structural arrangements place us in a better position to give the answers.

Mr President, members of the Governing Body,

Many of the interventions last week underlined the importance to the implementation of the 2014–15 programme proposals of issues which are under ongoing review in the reform process. Notwithstanding progress in some areas of reform, the calendar of events has not allowed the results of many of these to be incorporated yet in the proposals before you for the simple reason that they are not yet known. But you have quite rightly pointed to the critical significance of many of them: statistical, research and knowledge capacities; field operations and technical cooperation arrangements; human resources; and reform of the Conference. We are working hard on each and every one of them.

As regards field operations and technical cooperation arrangements, and without prejudging the results of review processes now beginning, let me stress that the overall intent is to strengthen services to constituents in their countries and in their regions. In my first visit to your regions I have seen first-hand the importance you attach to the efficient delivery of relevant, useful and quality services.

With respect to human resources, let me say a few words in the light of a number of concerns expressed under different points of the PFA Section agenda last week. You have set us a clear time frame to resolve outstanding recruitment and selection questions. Moreover, you have stated that in so doing we must address existing situations of under-representation of certain regions and countries inside the Organization and at all levels.

That message is abundantly clear to me. It will be built into the overall human resource strategy. The ILO can only benefit from that, because it is by taking the fullest advantage of the talents, perspectives and experiences in all member States and constituencies that our Organization will become stronger.

By the time the 2014–15 biennium begins, we will be able to benefit from further improvements resulting from continuing reform. They cannot all be anticipated fully or in detail, but they will be forthcoming. Indeed, it is with this in mind that I wish to turn now to the issue of the proposed resource adjustments that I am proposing in response to your debate of last week.

I said last Monday that I am committed to the reduction of management and administrative spending so as to allow the redeployment of resources to technical work in the field and at headquarters, and this within the zero real growth scenario for the next biennium upon which I believe the Governing Body can agree. The reform process under way has already yielded some cost savings of this nature and shows that more can be had.

In this context I am proposing now the following redeployment of resources, reflected in the financial information now before you in document GB.317/PFA/1/1:

- In line with the insistence of many members of the Governing Body on the critical importance of reinforcing our statistical and analytical capacities, I propose to make provision for additional Professional positions in the field of statistics and of economic analysis. This comes, I recognize, in advance of the completion of the reform process in these areas, but I am convinced, and I believe that you will be too, that it represents a wise move – in the right direction. Each position will absorb some **US\$527,000**.
- I propose to add one Professional position to the Bureau for Employers' Activities (ACT/EMP). This responds, of course, to a long-standing demand of the Employers' group and I believe it to be justified at this stage by the extra demands that can be expected to be made of the Bureau as a result of the increased engagement that I hope the ILO will construct with private enterprises. It will not fall to ACT/EMP itself to conduct the activities concerned but there will be an important role for it in ensuring the smooth management of the process.

- In the light of the emphasis placed in many interventions on the need to reinforce funding to the regions, and also on the importance of occupational safety and health and on social dialogue, I am proposing to increase allocations to the regions on each of these subjects by some **US\$317,000**. The precise destination and use of these funds will have to be decided in the light of the ongoing review of field operations.

I propose to finance these changes through the following redeployments:

- A reduction in the duration of the programme and budget session of the Governing Body (i.e. March 2015) to the standard duration of “normal” sessions, with savings of **US\$500,000**. The experience of our current session shows clearly, I think, that this is both realistic and necessary. My best-selling point for it here is to tell you that if this reform were applied to the current session you could all be going home tomorrow.
- The rationalization of publications and their dissemination and distribution, with fewer, higher profile products, shorter products, and better-calibrated print runs can bring us immediate and initial savings of **US\$160,000**.
- As regards the Century Project for which, in the interests of transparency, I have insisted on the need for a clear and explicit budget line, I would propose a reduction of some **US\$342,000**. We are working now on a coherent plan of activities and will revert to the Governing Body with it at a future session.

In addition, since my original programme and budget proposals were published, I announced on 12 February the restructuring of the ILO headquarters secretariat and this has already contributed to an “early harvest” of cost savings.

In this context, I can now announce a redeployment of **US\$1.2 million** resulting directly from the reforms announced on 12 February. They result from a consolidation of structures and the reprofiling of a position as indicated in paragraph 8 of the document before you.

The resulting total amount of **US\$2.2 million** I therefore propose to redeploy now is a modest figure. I recognize this, but it is – I repeat – a first dividend of reform. More will follow and while it would be wrong to anticipate still unrealized gains at this stage in larger scale redeployments I am committed to ensuring that we will soon be in a position to redeploy resources on a larger scale as reform takes hold.

My commitment is to redeploy resources of at least **US\$15 to US\$20 million** to meet technical needs in the regions and at headquarters by the end of the next biennium. We need to do this to be equal to our programme ambitions, and we will do it.

In that regard, I would recall that, following recent changes to travel arrangements for staff, it was suggested that corresponding adjustments be made to the rules governing Worker and Employer members of the Governing Body and participants at other meetings. That would generate savings of **US\$514,000** in a full biennium. I brought this matter to the attention of the Officers on Tuesday, and believe that it is proper to allow them to consult their respective groups before going any further with the matter.

Mr President, members of the Governing Body,

The debate on the programme and budget proposals has set out in the clearest terms where you want to see the ILO towards the end of 2015 and how you want the Organization to perform. Beyond specific wording, beyond specific budget adjustments, I believe we have together a strong understanding of the direction of change we must pursue.

With these remarks I commend my revised Programme and Budget proposals for 2014–15 to the Governing Body for transmission to this year's session of the International Labour Conference.

Thank you for your attention.

Appendix III

Statement by the Chairperson of the Staff Union Committee to the Programme, Financial and Administrative Section of the Governing Body (317th Session – 13 March 2013)

Monsieur le Président,
Director-General,
Members of the Governing Body,

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

Mr Chairperson,

To say that the ILO is going through a period of great change would be both a terrible understatement and a repetition of my last address to the Governing Body.

The Chairperson of the Staff Union Committee has precious few opportunities to address the Governing Body – so few that I really cannot afford to simply repeat the “change” mantra that permeated my statement to you just last November.

It has been a common theme in the statements made by yourselves within these walls in recent months, and indeed will be so for the months and years to come.

Just yesterday, we heard your calls to enhance the ILO’s effectiveness; its credibility. We heard you calling for the establishment of an internationally recognized centre of technical excellence for the world of work, to be the first-choice provider of policy analysis and quality services, and a credible and influential advocate in the international policy arena for its enduring goal of social justice.

If I can take a moment to share a personal reflection here: What you described yesterday is the ILO where I want to work. An ILO based on the principles of social justice, freedom of association, equality, healthy industrial relations and a rights-based approach to development, not to mention the idea that “labour is not a commodity” – that is the ILO to which I applied as a young professional. That is the ILO that I am, that our Union is, and I feel confident that the staff are fully committed to building together with the Director-General and his Administration.

I would nevertheless ask you to consider the extent to which our staff are affected by change today. The recently announced restructuring in headquarters aims to reorganize our work in the areas of policy, management and reform, as well as field operations and partnerships. A similar review will soon begin and will soon have an impact on our colleagues across the regions.

Moreover, there is the building renovation, during which most of us will still be occupying two-thirds of the building, while others will be sent elsewhere. We still have not determined whether they are the *lucky* or the *unlucky* ones, but we will follow these developments closely. In addition to this, there are many, many changes on the horizon in relation to our human resource policies, as well as a review of the common system compensation package.

However, this should not by any means downplay the serious and significant and, in some cases, drastic changes being faced by your own public services. Our Union’s participation in the 29th World Congress of our own global union federation, Public

Services International, which took place last year in Durban, South Africa, brought that reality home to us in very real terms.

We fully recognize the gesture of confidence by you, our Governing Body, to provide for a zero-growth budget during a period of austerity and immense job losses in many national contexts. We also recognize the impetus for us to deliver. My colleagues throughout the House are fully committed to working with you in order to find credible and sustainable solutions to the crises that we all face.

The numerous references to social dialogue made by you and by our Director-General are also very encouraging because, for us, it is not only about what changes are required, but also about *how* those changes are introduced.

And here we need to identify some very positive developments.

Firstly, with regard to the headquarters renovation; we welcome the appointment of a professional specialist Project Manager, as well as the fact that the Union has been involved in the Project Steering Committee and that the voice of the staff has been effectively represented and taken into account in the decisions on office layout following the renovation.

We also recognize the important gains in transparency in the calls for expressions of interest for director positions. This was a long-standing campaign issue for the Union, and this, coupled with the retention of internal candidates meeting the minimum requirements, can only be lauded as a positive step. While we are on the question of recruitment and selection, I would just like to remind you that it was on the express demand of the Governing Body that the Staff Union and the Administration resorted to mediation in 2011. We understand that the outcome of this mediation may not be to the liking of some members of the Governing Body. To avoid a repetition of the difficulties faced in 2010, all we can do is to remain available to the Administration to continue negotiations or return to the mediator.

On a more positive note, contact with the Director-General and his Deputy-Directors-General has been regular, which in and of itself is an improvement on past practice and has provided valuable opportunities for the Staff Union Committee to voice its concerns and to exchange information. We have raised several issues in relation to the implementation of the current restructuring and look forward to finding positive solutions. We met with the Deputy Director-General for Field Operations and Partnerships just this week and we were very encouraged by his openness.

One area that has given us cause for concern in relation to the reform is the nature of the consultations. We recognize that the restructuring decisions were based on a consultative process that involved a select number of staff, and that these decisions remained the responsibility of the Director-General. However, and we mean no disrespect to our hard-working and dedicated colleagues, we have heard from many sources that the criteria used to select those who would be consulted, and the outcomes of those consultations, raised questions as to the inclusiveness of the process.

The Union made several overtures with a view to consulting on the proposed structures, not in an effort to co-manage, as it recognizes that the final decision was the prerogative of the Director-General, but because we felt that our knowledge, our networks and our experience could have added value to the process.

The Union was, and remains, committed to consulting on the obvious impacts that the restructuring will have on the staff. For example, up to now, at least, the redistribution of positions seems to be based on “thematic” areas, rather than on the job descriptions, professional profiles or interests of the staff affected. This is even more pronounced for our General Services colleagues, who may be faced with considerable duplication in functions, and who have, until now, had no involvement in identifying suitable options – including

through retraining – in the new structure. We are encouraged by the Director-General’s statement to the effect that the next stages of the reform will be carried out in full compliance with the ILO’s own guidelines on managing change and restructuring processes, and by management’s willingness to find ways to deal with problems at the earliest possible stage.

The fact of the matter is that when things are going wrong, we – the Union – receive the questions, the complaints and the fears of the staff. Even managers – the leaders of the various work units – have raised concerns in recent weeks, when they should themselves be in a position to address the worries of their own teams.

We regret that the Union has not been fully involved in the consultations on the restructuring, or on the numerous project teams that are consulting the staff on their terms and conditions. This is indeed a pity, as many of these changes have to do with how people work, how they approach their work and how their terms and conditions are established, which requires buy-in from the people themselves. By choosing the staff who were consulted directly, the elected representatives have been replaced with *selected* representatives.

While we would have liked to have been more involved from the outset, there is still an opportunity to involve us. As the ILO itself preaches, it is always better to prevent than to react at a point where conflict is present. Of course, management has respected its undertaking to negotiate with the Union over any changes in terms and conditions, and these preliminary consultations are about informing their own position. The Union will take the necessary measures to ensure that we are prepared to represent our members, to be “à l’écoute” – to listen to their concerns and to build our positions around them.

In a way, this is the thinking behind the Union’s “ONE ILO” campaign, launched just last month. You may have noticed the posters when you entered the building, or the pins worn proudly by the staff. However, this campaign is about much more than posters and pins, it is designed to break down barriers, to bridge gaps and to promote equity, transparency and merit within the ILO.

ONE ILO means an end to discrimination against Technical Cooperation staff; it means equal treatment for local staff in the field; it means security for all without distinction; it means equal pay for work of equal value, based on a negotiated classification system; it means an end to precarious work; it means maternity protection for ILO staff, in line with international labour standards; it means a workable, incentivized mobility policy, including between the ILO and the Turin Centre; it means the return of the ILO to a lead role in the UN system when it comes to the terms and conditions of work, based on good faith and collective bargaining.

As I said, ONE ILO will inevitably involve consulting broadly with the staff on the very issues on which the Administration has already begun direct consultations. Would it not have been preferable to engage in this consultation together? In spite of this, the Staff Union Committee will continue to fulfil the responsibilities for which it was elected.

It will do so through its commitment to solidarity, both throughout the Office and with the world of work at large. As a well-known figure from the American labour movement noted: “If the basic elements, identity of interest, clarity of vision, honesty of intent, and oneness of purpose, or any of these is lacking, all sentimental pleas for solidarity, and all other efforts to achieve it will be barren of results.” Our participation in the PSI World Congress focused our own Union on the organizing principle of “working in the people’s interest”, which aims to advance social justice through quality public services.

Why am I raising this with you today? Simply because I am – because we are – committed to these principles – these interdependent principles – of solidarity, of good human resource policies, and of collective bargaining. Where we can find solutions, not only to the crisis, making the ILO more relevant and effective, but from the crisis,

recognizing the importance here in the Office itself of where we can return to a model of clear and effective industrial relations.

I say this because I want to avoid, at all costs, you finding yourselves here in October wondering why there have been cases submitted to the Tribunal, why there is a general sense of demotivation among the staff, and why their representatives are having to question the reform process because of a lack of frank and healthy consultation from the beginning.

Should this occur, I will point to today's statement, and I will recall that we were here offering to be part of the solution, to be a partner in the very change that you have – and indeed we have – been seeking.

Thank you.

Appendix IV

Update of member States' contributions received between 1 and 13 March 2013

Since 1 March 2013, contributions for 2013 and prior years amounting to 19,864,527 Swiss francs (CHF) have been received from eight member States as follows:

Member States	Contribution received for 2013	Contribution received for arrears	Total contributions received in CHF
Argentina	–	651 200	651 200
Guatemala	97 241	–	97 241
Kiribati ¹	–	6 044	6 044
Morocco	203 288	–	203 288
Philippines	304 676	–	304 676
Saudi Arabia	2 896 006	–	2 896 006
Sri Lanka	67 760	–	67 760
United States	–	15 638 312	15 638 312
Total	3 568 971	16 295 556	19 864 527

¹ Kiribati has regained its right to vote.

Including contributions received between 1 and 13 March 2013, the total contributions received in 2013 amount to CHF153,076,029. Of this amount, CHF122,925,346 represents contributions for 2013 and CHF30,150,683 represents contributions for arrears.

The balance due as of 13 March 2013 is CHF287,594,095.

Appendix V

Scale of assessments of contributions to the budget for the 2014–15 financial period

State	ILO	UN	Draft ILO scale of	Increase (Decrease)
	assessments	assessments	assessments	(Diff. between
	2013	2013-2015	2014-15	cols 3 and 1)
	Col.1	Col.2	Col.3	Col.4
	%	%	%	%
1 Afghanistan	0.004	0.005	0.005	0.001
2 Albania	0.010	0.010	0.010	-
3 Algeria	0.128	0.137	0.137	0.009
4 Angola	0.010	0.010	0.010	-
5 Antigua and Barbuda	0.002	0.002	0.002	-
6 Argentina	0.287	0.432	0.432	0.145
7 Armenia	0.005	0.007	0.007	0.002
8 Australia	1.934	2.074	2.075	0.141
9 Austria	0.852	0.798	0.798	(0.054)
10 Azerbaijan	0.015	0.040	0.040	0.025
11 Bahamas	0.018	0.017	0.017	(0.001)
12 Bahrain	0.039	0.039	0.039	-
13 Bangladesh	0.010	0.010	0.010	-
14 Barbados	0.008	0.008	0.008	-
15 Belarus	0.042	0.056	0.056	0.014
16 Belgium	1.076	0.998	0.999	(0.077)
17 Belize	0.001	0.001	0.001	-
18 Benin	0.003	0.003	0.003	-
19 Bolivia, Plurinational State of	0.007	0.009	0.009	0.002
20 Bosnia and Herzegovina	0.014	0.017	0.017	0.003
21 Botswana	0.018	0.017	0.017	(0.001)
22 Brazil	1.612	2.934	2.936	1.324
23 Brunei Darussalam	0.028	0.026	0.026	(0.002)
24 Bulgaria	0.038	0.047	0.047	0.009
25 Burkina Faso	0.003	0.003	0.003	-
26 Burundi	0.001	0.001	0.001	-
27 Cambodia	0.003	0.004	0.004	0.001
28 Cameroon	0.011	0.012	0.012	0.001
29 Canada	3.208	2.984	2.986	(0.222)
30 Cape Verde	0.001	0.001	0.001	-
31 Central African Republic	0.001	0.001	0.001	-
32 Chad	0.002	0.002	0.002	-
33 Chile	0.236	0.334	0.334	0.098
34 China	3.190	5.148	5.151	1.961
35 Colombia	0.144	0.259	0.259	0.115
36 Comoros	0.001	0.001	0.001	-
37 Congo	0.003	0.005	0.005	0.002
38 Costa Rica	0.034	0.038	0.038	0.004
39 Côte d'Ivoire	0.010	0.011	0.011	0.001
40 Croatia	0.097	0.126	0.126	0.029
41 Cuba	0.071	0.069	0.069	(0.002)
42 Cyprus	0.046	0.047	0.047	0.001
43 Czech Republic	0.349	0.386	0.386	0.037
44 Democratic Republic of the Congo	0.003	0.003	0.003	-
45 Denmark	0.736	0.675	0.675	(0.061)
46 Djibouti	0.001	0.001	0.001	-
47 Dominica	0.001	0.001	0.001	-
48 Dominican Republic	0.042	0.045	0.045	0.003
49 Ecuador	0.040	0.044	0.044	0.004
50 Egypt	0.094	0.134	0.134	0.040
51 El Salvador	0.019	0.016	0.016	(0.003)
52 Equatorial Guinea	0.008	0.010	0.010	0.002

State	ILO	UN	Draft ILO scale of	Increase (Decrease)
	assessments	assessments	assessments	(Diff. between
	2013	2013-2015	2014-15	cols 3 and 1)
	Col.1	Col.2	Col.3	Col.4
	%	%	%	%
53 Eritrea	0.001	0.001	0.001	-
54 Estonia	0.040	0.040	0.040	-
55 Ethiopia	0.008	0.010	0.010	0.002
56 Fiji	0.004	0.003	0.003	(0.001)
57 Finland	0.566	0.519	0.519	(0.047)
58 France	6.126	5.593	5.596	(0.530)
59 Gabon	0.014	0.020	0.020	0.006
60 Gambia	0.001	0.001	0.001	-
61 Georgia	0.006	0.007	0.007	0.001
62 Germany	8.021	7.141	7.145	(0.876)
63 Ghana	0.006	0.014	0.014	0.008
64 Greece	0.691	0.638	0.638	(0.053)
65 Grenada	0.001	0.001	0.001	-
66 Guatemala	0.028	0.027	0.027	(0.001)
67 Guinea	0.002	0.001	0.001	(0.001)
68 Guinea-Bissau	0.001	0.001	0.001	-
69 Guyana	0.001	0.001	0.001	-
70 Haiti	0.003	0.003	0.003	-
71 Honduras	0.008	0.008	0.008	-
72 Hungary	0.291	0.266	0.266	(0.025)
73 Iceland	0.042	0.027	0.027	(0.015)
74 India	0.534	0.666	0.666	0.132
75 Indonesia	0.238	0.346	0.346	0.108
76 Iran, Islamic Republic of	0.233	0.356	0.356	0.123
77 Iraq	0.020	0.068	0.068	0.048
78 Ireland	0.498	0.418	0.418	(0.080)
79 Israel	0.384	0.396	0.396	0.012
80 Italy	5.001	4.448	4.450	(0.551)
81 Jamaica	0.014	0.011	0.011	(0.003)
82 Japan	12.535	10.833	10.839	(1.696)
83 Jordan	0.014	0.022	0.022	0.008
84 Kazakhstan	0.076	0.121	0.121	0.045
85 Kenya	0.012	0.013	0.013	0.001
86 Kiribati	0.001	0.001	0.001	-
87 Korea, Republic of	2.261	1.994	1.995	(0.266)
88 Kuwait	0.263	0.273	0.273	0.010
89 Kyrgyzstan	0.001	0.002	0.002	0.001
90 Lao People's Democratic Republic	0.001	0.002	0.002	0.001
91 Latvia	0.038	0.047	0.047	0.009
92 Lebanon	0.033	0.042	0.042	0.009
93 Lesotho	0.001	0.001	0.001	-
94 Liberia	0.001	0.001	0.001	-
95 Libya	0.129	0.142	0.142	0.013
96 Lithuania	0.065	0.073	0.073	0.008
97 Luxembourg	0.090	0.081	0.081	(0.009)
98 Madagascar	0.003	0.003	0.003	-
99 Malawi	0.001	0.002	0.002	0.001
100 Malaysia	0.253	0.281	0.281	0.028
101 Maldives, Republic of	0.001	0.001	0.001	-
102 Mali	0.003	0.004	0.004	0.001
103 Malta	0.017	0.016	0.016	(0.001)
104 Marshall Islands	0.001	0.001	0.001	-
105 Mauritania	0.001	0.002	0.002	0.001
106 Mauritius	0.011	0.013	0.013	0.002
107 Mexico	2.357	1.842	1.843	(0.514)
108 Moldova, Republic of	0.002	0.003	0.003	0.001

State	ILO	UN	Draft ILO scale of	Increase (Decrease)
	assessments	assessments	assessments	(Diff. between
	2013	2013-2015	2014-15	cols 3 and 1)
	Col.1	Col.2	Col.3	Col.4
	%	%	%	%
109 Mongolia	0.002	0.003	0.003	0.001
110 Montenegro	0.004	0.005	0.005	0.001
111 Morocco	0.058	0.062	0.062	0.004
112 Mozambique	0.003	0.003	0.003	-
113 Myanmar	0.006	0.010	0.010	0.004
114 Namibia	0.008	0.010	0.010	0.002
115 Nepal	0.006	0.006	0.006	-
116 Netherlands	1.856	1.654	1.655	(0.201)
117 New Zealand	0.273	0.253	0.253	(0.020)
118 Nicaragua	0.003	0.003	0.003	-
119 Niger	0.002	0.002	0.002	-
120 Nigeria	0.078	0.090	0.090	0.012
121 Norway	0.872	0.851	0.852	(0.020)
122 Oman	0.086	0.102	0.102	0.016
123 Pakistan	0.082	0.085	0.085	0.003
124 Palau	0.001	0.001	0.001	-
125 Panama	0.022	0.026	0.026	0.004
126 Papua New Guinea	0.002	0.004	0.004	0.002
127 Paraguay	0.007	0.010	0.010	0.003
128 Peru	0.090	0.117	0.117	0.027
129 Philippines	0.090	0.154	0.154	0.064
130 Poland	0.828	0.921	0.922	0.094
131 Portugal	0.511	0.474	0.474	(0.037)
132 Qatar	0.135	0.209	0.209	0.074
133 Romania	0.177	0.226	0.226	0.049
134 Russian Federation	1.603	2.438	2.439	0.836
135 Rwanda	0.001	0.002	0.002	0.001
136 Saint Kitts and Nevis	0.001	0.001	0.001	-
137 Saint Lucia	0.001	0.001	0.001	-
138 Saint Vincent and the Grenadines	0.001	0.001	0.001	-
139 Samoa	0.001	0.001	0.001	-
140 San Marino	0.003	0.003	0.003	-
141 Sao Tome and Principe	0.001	0.001	0.001	-
142 Saudi Arabia	0.830	0.864	0.865	0.035
143 Senegal	0.006	0.006	0.006	-
144 Serbia	0.037	0.040	0.040	0.003
145 Seychelles	0.002	0.001	0.001	(0.001)
146 Sierra Leone	0.001	0.001	0.001	-
147 Singapore	0.335	0.384	0.384	0.049
148 Slovakia	0.142	0.171	0.171	0.029
149 Slovenia	0.103	0.100	0.100	(0.003)
150 Solomon Islands	0.001	0.001	0.001	-
151 Somalia	0.001	0.001	0.001	-
152 South Africa	0.385	0.372	0.372	(0.013)
153 South Sudan	-	0.004	0.004	0.004
154 Spain	3.178	2.973	2.975	(0.203)
155 Sri Lanka	0.019	0.025	0.025	0.006
156 Sudan	0.010	0.010	0.010	-
157 Suriname	0.003	0.004	0.004	0.001
158 Swaziland	0.003	0.003	0.003	-
159 Sweden	1.065	0.960	0.961	(0.104)
160 Switzerland	1.131	1.047	1.048	(0.083)
161 Syrian Arab Republic	0.025	0.036	0.036	0.011
162 Tajikistan	0.002	0.003	0.003	0.001
163 Tanzania, United Republic of	0.008	0.009	0.009	0.001
164 Thailand	0.209	0.239	0.239	0.030
165 The former Yug. Rep of Macedonia	0.007	0.008	0.008	0.001
166 Timor-Leste	0.001	0.002	0.002	0.001

State	ILO	UN	Draft ILO scale of	Increase (Decrease)
	assessments	assessments	assessments	(Diff. between
	2013	2013-2015	2014-15	cols 3 and 1)
	Col.1	Col.2	Col.3	Col.4
	%	%	%	%
167 Togo	0.001	0.001	0.001	-
168 Trinidad and Tobago	0.044	0.044	0.044	-
169 Tunisia	0.030	0.036	0.036	0.006
170 Turkey	0.617	1.328	1.329	0.712
171 Turkmenistan	0.026	0.019	0.019	(0.007)
172 Tuvalu	0.001	0.001	0.001	-
173 Uganda	0.006	0.006	0.006	-
174 Ukraine	0.087	0.099	0.099	0.012
175 United Arab Emirates	0.391	0.595	0.595	0.204
176 United Kingdom	6.607	5.179	5.182	(1.425)
177 United States	22.000	22.000	22.000	-
178 Uruguay	0.027	0.052	0.052	0.025
179 Uzbekistan	0.010	0.015	0.015	0.005
180 Vanuatu	0.001	0.001	0.001	-
181 Venezuela, Bolivarian Republic of	0.314	0.627	0.627	0.313
182 Viet Nam	0.033	0.042	0.042	0.009
183 Yemen	0.010	0.010	0.010	-
184 Zambia	0.004	0.006	0.006	0.002
185 Zimbabwe	0.003	0.002	0.002	(0.001)
TOTAL	100.000	99.961	100.000	0.000

Appendix VI

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

317^e session – Genève – mars 2013
317th Session – Geneva – March 2013
317.^a reunión – Ginebra – marzo de 2013

Liste finale des personnes assistant à la session Final list of persons attending the session Lista final de las personas que asisten a la reunión

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Membres employeurs titulaires Titular Employer members Miembros empleadores titulares	p. 194
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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:

M. G. DE ROBIEN (France)

Allemagne Germany
Alemania

Mr R. BRAUKSIEPE, Parliamentary Secretary of State, Federal Ministry of Labour and Social Affairs.

substitute(s):

Mr K. GÜNTHER, Head, ILO and UN Section, Federal Ministry of Labour and Social Affairs.

Mr W. SCHOLZ, Social Affairs Adviser, Permanent Mission, Geneva.

accompanied by:

Mr H. SCHUMACHER, Permanent Representative, Permanent Mission, Geneva.

Mr T. FITSCHEN, Ambassador, Deputy Permanent Representative, Permanent Mission, Geneva.

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**Emirats arabes unis United
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Miembros empleadores titulares**

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Secrétaire adjoint du groupe des employeurs: Deputy Secretary of the Employers' group: Secretario adjunto del Grupo de los Empleadores:	Sr. R. SUAREZ SANTOS (IOE)

Mr S. ALLAM (Egypt), Chairman of Labour Committee, Federation of Egyptian Industries.

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

Sr. D. FUNES DE RIOJA (Argentina), Presidente del Departamento Política Social, Vicepresidente del Consejo de Administración de la OIT, Funes de Rioja y Asociados.

Ms R. GOLDBERG (United States), Executive Vice-President, United States Council for International Business.

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

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

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

Ms J. MUGO (Kenya), Executive Director, Federation of Kenya Employers.

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

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- Mr A. JEETUN (Mauritius), Director-General, Mauritius Employers' Federation.
- Sr. A. LINERO (Panamá), Consejo Nacional de la Empresa Privada.
- Ms H. LIU (China), Deputy Director, China Enterprise Confederation.
- Mr S. MARTONO (Indonesia), Deputy Chairman, The Employers' Association of Indonesia.
- Mr M. MDWABA (South Africa), Chairman and CEO, Tzoro Industries.
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Finlande Finland Finlandia

- Ms P. KAIRAMO, Ambassador, Permanent
Representative, Permanent Mission,
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- Mr A. RYTÖVUORI, Minister, Deputy
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- Ms L. HEINONEN, Government Counsellor,
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- Ms P. KANTANEN, Ministerial Adviser, Legal
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- Mr T. KIVELÄ, Counsellor, Ministry for
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- Mr S. TERÄVÄINEN, Senior Officer, Ministry
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- Ms H. LEPPÄNEN, Assistant, Permanent
Mission.

Gabon Gabón

- M. B. NDONG ELLA, Ambassadeur,
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- M. F. MANGONGO, Conseiller chargé des
Questions sociales et des Relations avec
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Grèce Greece Grecia

- Mr G. PAPADATOS, Minister Counsellor,
Permanent Mission, Geneva.

Guatemala

- Sr. C. CONTRERAS SOLORZANO, Ministro
de Trabajo y Previsión Social
- Sra. C. RODRIGUEZ MANCIA, Embajadora y
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- Sra. A. CHÁVEZ BIETTI, Representante
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- Sra. M. BRAN, Primer Secretario, Misión
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- Sra. S. BARRIOS, Primer Secretario, Misión
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- Sr. J. BENARD, Segundo Secretario, Misión
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- Sra. A. TOLEDO ORDOÑEZ, Tercer
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Honduras

- Sr. E. DIAZ ARRIVILLAGA, Embajador,
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- Sr. M. PÉREZ ZEPEDA, Consejero
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Iraq

- Mr M. ALHAKIM, Ambassador and
Permanent Representative, Permanent
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- Mr S. MOHAMED, Second Secretary, Ministry
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- Mr Q. MAHAL, Attaché, Permanent Mission,
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Irlande Ireland Irlanda

Mr G. CORR, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Mr L. KELLY, Principal Officer, Department of Jobs, Enterprise and Innovation.

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

Ms E. O'CARROLL, First Secretary, Permanent Mission, Geneva.

Ms M. MCMAHON, Higher Executive Officer, Department of Jobs, Enterprise and Innovation.

Ms E. SOBANSKA, Attaché, Permanent Mission, Geneva.

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Jordanie Jordan Jordania

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

Ms M. HATTAR, First Secretary, Permanent Mission, Geneva.

Mr S. DAJANI, Counsellor (ILO Affairs), Permanent Mission, Geneva.

Lettonie Latvia Letonia

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

Mr E. KORCAGINS, Director, Legal Department, Ministry of Welfare.

Ms I. DREIMANE ARNAUD, First Secretary, Permanent Mission, Geneva.

Libye Libya Libia

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

Luxembourg Luxemburgo

M. J. HOSCHEIT, Ambassadeur, Représentant permanent, Mission permanente, Genève.

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M^{me} A. WEBER, Attaché, Mission permanente, Genève.

Malaisie Malaysia Malasia

Mr D. MAZLAN MUHAMMAD, Ambassador and Permanent Representative, Permanent Mission, Geneva.

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

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

Malawi

Ms E. MAKANGALA, Minister of Labour

Mr J. KALILANGWE, Secretary for Labour, Ministry of Labour.

Mr W. MUSUKWA, Deputy Labour Commissioner, Ministry of Labour.

Mozambique

M. P. COMISSARIO, Ambassadeur, Représentant permanent, Mission permanente, Genève.

M. J. SIÚTA, Inspecteur général, Ministère du Travail.

M. E. CHIMELA, Directeur général, Institut national pour l'Emploi et la Formation, Ministère du Travail.

M. J. DENGGO, Premier Secrétaire, Mission permanente, Genève.

**République de l'Union
du Myanmar Myanmar
República de la Unión de
Myanmar**

Mr M. WAI, Ambassador and Permanent Representative, Permanent Mission, Geneva.

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

Mr K. TUN, Minister Counsellor, Permanent Mission, Geneva.

Mr C. AYE, Counsellor, Permanent Mission, Geneva.

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Ms L. LWIN, First Secretary, Permanent Mission, Geneva.

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Namibie Namibia

Mr S. MARUTA, Chargé d'Affaires a.i., Permanent Mission, Geneva.

Ms S. NGHINAMUNDOVA, First Secretary, Permanent Mission, Geneva.

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Ms S. KATJINGISIUA, Second Secretary, Permanent Mission, Geneva.

Népal Nepal

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

Mr G. BHANDARI, Second Secretary, Permanent Mission, Geneva.

Nigéria Nigeria

Dr A. OLAOPA, Permanent Secretary, Federal Ministry of Labour and Productivity.

Mr O. ILLOH, Permanent Secretary, Federal Ministry of Labour and Productivity.

Ms T. TYBANGS, Director, Finance and Administration, Federal Ministry of Labour and Productivity.

Ms E. ESSIET, Director (Employment and Wages), Federal Ministry of Labour and Productivity.

Ms T. BRAIMAH, Director (PM), Federal Ministry of Labour and Productivity.

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Mr E. ESSAH, Chief Labour Officer, Federal Ministry of Labour and Productivity.

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

Norvège Norway Noruega

Ms G. KVAM, Director-General, Ministry of Labour.

Ms C. VIDNES, Senior Adviser, Ministry of Labour.

Mr M. TORBERGSEN, Adviser, Ministry of Foreign Affairs.

Mr D. TONSETH, Minister, Permanent Mission, Geneva.

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**Nouvelle-Zélande
New Zealand
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Ms J. RUSSELL, Senior Adviser, International Strategy and Partnerships, Trade and International Environment, Ministry of Business, Innovation and Employment.
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Pérou Peru Perú

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

Mr E. GARCIA, Ambassador, Permanent Representative, Permanent Mission, Geneva.
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Ms M. VALDERRAMA, Labour Attaché, Permanent Mission, Geneva.
Ms H. BADILLES, Administrative Staff, Permanent Mission, Geneva.

Pologne Poland Polonia

Mr R. HENCZEL, Ambassador, Permanent Representative, Permanent Mission, Geneva.
Ms R. LEMIESZEWSKA, Counsellor to the Minister, Social Dialogue and Social Partnership Department, Ministry of Labour and Social Policy.
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Portugal

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**République dominicaine
Dominican Republic
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Sr. H. HERNÁNDEZ SÁNCHEZ, Embajador, Representante Permanente, Misión Permanente, Ginebra.
Sr. P. MEDINA JIMÉNEZ, Ministro Consejero, Misión Permanente, Ginebra.

Sénégal Senegal

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M^{me} N. LO, Premier Conseiller, Mission permanente, Genève.

**Singapour Singapore
Singapur**

Ms Y. TAN, Ambassador, Permanent Representative, Permanent Mission, Geneva.
Mr A. LIM, Divisional Director, Workplace Policy and Strategy Division, Ministry of Manpower.
Mr S. PANG, Deputy Permanent Representative, Permanent Mission, Geneva.
Ms C. CHIA, Deputy Director, Workplace Policy and Strategy Division, Ministry of Manpower.
Ms C. LEE, Deputy Head, Prosecution Team D (OSH), Legal Services Department, Ministry of Manpower.
Ms C. LEE, First Secretary, Permanent Mission, Geneva.

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 Mr D. DUNSFORD, Manager, Ops Policy, Labour Relations and Workplaces Division, Ministry of Manpower.
 Mr P. SHANTHIKUMAR, Desk Officer, International Organisations Directorate, Ministry of Foreign Affairs.

Soudan du Sud South Sudan Sudán del Sur

Mr M. SAMUEL, Permanent Mission, Geneva.

Suède Sweden Suecia

Mr J. KNUTSSON, Ambassador and Permanent Representative, Permanent Mission, Geneva.
 Mr C. ERIKSSON, Director, Special Expert, Ministry of Employment.
 Mr O. EKÉUS, First Secretary, Permanent Mission, Geneva.
 Mr P. LINNÉR, Second Secretary, Permanent Mission, Geneva.
 Ms K. JAKOBSSON, Permanent Mission, Geneva.

Swaziland Swazilandia

Ms T. DLAMINI, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Mr A. MAMBA, Counsellor, Permanent Mission
 Mr A. LUKHELE, First Secretary, Permanent Mission.
 Mr L. DLAMINI, Minister of Labour and Social Security.
 Mr S. MATSEBULA, Deputy Attorney General, Attorney General's Chambers.
 Mr M. HLOPHE, Legal Adviser, Ministry of Labour and Social Security.

République tchèque Czech Republic República Checa

Ms K. SEQUENSOVÁ, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Ms M. HOMOLKOVÁ, Second Secretary, Permanent Mission, Geneva.

Tunisie Tunisia Túnez

M. M. BAATI, Ambassadeur, Représentant permanent, Mission permanente, Genève.
 M^{me} C. KOCHLEF, Premier secrétaire, Mission permanente, Genève.

Turquie Turkey Turquía

Mr L. GENÇ, Adviser, Permanent Mission, Geneva.
 Mr H. OYMAN, Expert, Permanent Mission, Geneva.

**Représentants d'autres Etats non Membres assistant à la session
Representatives of non-member States present at the session
Representantes de otros Estados no Miembros que asisten a la reunión**

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

M^{gr} M. DE GREGORI, Attaché, Mission
permanente, Genève.

M. P. GUTIÉRREZ, Mission permanente,
Genève.

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

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

Ms A. ROUDIES, Livelihoods Officer, Operational Solutions and Transition Section, Division for Programme Support and Management.

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

Ms P. LANTZ, Director, Geneva Office.

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

Ms A. TUTWILER, Special Representative of FAO to the United Nations Organizations in Geneva.

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

Dr A. CASSELS, Director, Office of the Director-General.
Mr P. MERTENS, Coordinator, Management, Office of the Director-General, Partnerships and UN Reform Department.
Ms I. MILOVANOVIC, External Relations Officer, Office of the Director-General.
Ms J. MC KEOUGH, Principal Legal Officer, Office of the Legal Counsel.
Ms F. MOURAIN-SCHUT, Senior Legal Officer, Office of the Legal Counsel.
Mr X. DANNEY, Senior Legal Officer, Office of the Legal Counsel.

**Banque mondiale
World Bank
Banco Mundial**

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

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

Mr J. MONTEIRO, Economic Affairs Officer, Trade and Environment Division.
Ms M. JANSEN, Counsellor, Economic Research and Statistics Division.

Union africaine

African Union

Unión Africana

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

Organisation arabe du travail

Arab Labour Organization

Organización Árabe del Trabajo

Mr A. LUQMAN, 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.

Ligue des Etats arabes

League of Arab States

Liga de Estados Arabes

Mr H. CHFIR, Second Secretary, Permanent Delegation of the League of Arab States in Geneva.

**Conseil des ministres du Travail et des Affaires sociales des Etats
du Conseil de coopération du Golfe**

Council of Ministers of Labour and Social Affairs in Gulf Cooperation Council States

**Consejo de Ministros de Trabajo y Asuntos Sociales de los Estados
del Consejo de Cooperación del Golfo**

Mr K. BOHAZZA, Labour Affairs acting Director.

Union européenne

European Union

Unión Europea

Ms M. ZAPPIA, Ambassador, Head, Permanent Delegation of the European Union in Geneva.
Mr D. PORTER, Minister Counsellor, Deputy Head, Permanent Delegation of the European Union in Geneva.
Mr M. FERRI, First Counsellor, Permanent Delegation of the European Union in Geneva.
Ms R. KAUFMANN-BUEHLER, First Counsellor, Permanent Delegation of the European Union in Geneva.
Ms A. KNORR, Press Officer, Permanent Delegation of the European Union in Geneva.
Ms E. PICHOT, Administrator, Unit for External Relations, Neighbourhood Policy, Enlargement, IPA, Directorate General for Employment, Social Affairs and Inclusion, European Commission.
Mr S. MORITSCH, Permanent Delegation of the European Union in Geneva.
Ms M. TEJERINA, Permanent Delegation of the European Union in Geneva.

Parlement européen
European Parliament
Parlamento Europeo

Mr M. SCHULZ, President of the European Parliament.
Mr A. STUTZMANN, Diplomatic Adviser, Office of the President of the European Parliament.
Mr A. MACHMER, Spokesperson for President of the European Parliament.
Mr M. JÜTTEN, President's Staff Member.
Mr F. BRUNAGEL, Head, Protocol Services.

Conseil de l'Europe
Council of Europe
Consejo de Europa

Mr P. DUMITRIU, Ambassador and Permanent Observer.
Ms D. MURTATI.
Mr J. LÓPEZ JIMÉNEZ.

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

Fédération syndicale mondiale
World Federation of Trade Unions
Federación Sindical Mundial

Mr M. MONTERO BISTILLEIRO.
Mr M. ALIGISAKIS.
Mr N. GHIOKAS.
Mr Y. MOHD.
Mr O. SALMAN.
Mr A. AL BINALI.
Mr A. DIRIEH.
Mr H. MOUSSA.

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

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

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

Mr O. LAKEMFA, Secretary-General.
Mr A. MEZHOU, Assistant Secretary-General.
Mr H. SUNMONU, Adviser.
Mr A. DIALLO, Permanent Representative to the ILO and UN Offices in Geneva.

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

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

Confédération syndicale internationale
International Trade Union Confederation
Confederación Sindical Internacional

Ms R. GONZALEZ, Director, Geneva Office.
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**Mouvement de libération
Liberation movement
Movimiento de liberación**

Palestine Palestina

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

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