



# Governing Body

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Programme, Financial and Administrative Section

**PFA**

## Minutes of the Programme, Financial and Administrative Section

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## Programme, Financial and Administrative Segment

### 1. Preview of the Programme and Budget proposals for 2024–25 (GB.346/PFA/1)

- 1. The Worker spokesperson** welcomed the framing of the Programme and Budget proposals for 2024–25 around social justice and endorsed the creation of the Global Coalition for Social Justice to contribute to the reduction of inequalities, as that was the purpose of the ILO's existence. With rising inequalities and discontent, the Organization must go beyond written commitments and spur action. His group endorsed the proposal to prepare a report on the state of social justice in the world, which must build on existing work on decent work indicators.
- While some old standards needed updating and new standards might be required, it was not necessary to modernize the normative system of international labour standards as such. The Organization should rather commit to making the system work. Tripartite cooperation and collective bargaining would play a crucial role. All outcomes and the results framework should actively promote the implementation of international labour standards. The inclusion of activities and outputs for capacity-building of social partners throughout the programme and budget was welcomed, as was the focus on partnerships, with increased emphasis on international financial institutions and trade organizations.
- Regarding the treatment of gender equality, non-discrimination and inclusion as a cross-cutting priority, he sought clarification as to how the Office would effectively ensure that all outcomes took into account gender issues. He also requested confirmation that a special ILO department or sub-department for all regular work on equalities would remain. Such expertise should not be reduced to a single project. When drafting documents, the use of language that had been adopted during recent sessions of the International Labour Conference, including references such as "insecure forms of work" rather than "new or diverse forms of work", should be respected.
- Regarding the proposals under outcome 1, his group welcomed the global ratification campaigns with a focus on the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), as well as the campaign at the national level to realize freedom of association and collective bargaining. Pre-ratification reviews should not hinder, but rather speed up, ratification and effective implementation. The modernization of the ILO normative system could be outlined more clearly. It would be important to include the international labour standards as a primary element of the Global Coalition for Social Justice. As for output 1.5 on sectoral work, he requested increased attention and resources towards monitoring and promoting the guidelines and conclusions adopted in sectoral meetings.
- Establishing a dedicated programme to further strengthen the institutional capacity of employers' and workers' organizations under outcome 2 was appreciated. The Office should outline how it would be funded and complement activities under that outcome. Enhancing the effectiveness and representational strength of workers' organizations should respect freedom of association. He called on the Office to further strengthen capacity-building work for workers' organizations in order to support the advocacy and campaigning of unions and increase their representativity.
- While it would have been appropriate to merge outcomes 3 and 4, he appreciated the reframing of outcome 3 in a broader employment policy setting. He sought clarification as to

the meaning of the “institutions of work, including social dialogue institutions” in paragraph 67. For paragraph 69, he requested a redraft of the text to reflect the conclusions of the recurrent discussion on employment and the general discussion on inequalities. Personal development, access to culture and active citizenship should also be recognized as important factors for skills and lifelong learning. He welcomed the focus on the rural economy in output 3.3, which should address more prominently the right to freedom of association. The promotion of the Right of Association (Agriculture) Convention, 1921 (No. 11), was crucial and should be added. His group would welcome further information on the online campaign for increased ratification and implementation of the Employment Service Convention, 1948 (No. 88), and the Private Employment Agencies Convention, 1997 (No. 181).

7. In outcome 4, the full list of elements required for an enabling environment for sustainable enterprises should be included. He sought clarification regarding the meaning of “collective action” in paragraphs 101 and 102. He requested the Office to align the wording and plans under that section with the recently adopted building blocks on supply chains. The tools in the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) would be more effective to address due diligence in supply chains. Paragraph 102 should also include company-union dialogue from the MNE Declaration as per the building blocks. Productivity gains should integrate wage setting and collective bargaining. It was also important for circular business models to address sustainable production and consumption.
8. In respect of outcome 5, his group welcomed the comprehensive strategy to promote a safe and healthy working environment, as well as the proposed work on wages combined with working time. However, the direct link between social transfers and the minimum living income undermined the concept of a minimum living wage. He urged the Office to keep the concept of wages and social protection separate and to remove “minimum living income” from the programme and budget until it was clearly defined. Work on wages should also address non-, late or underpayment of wages, including the ratification and effective implementation of Convention No. 95. Efforts under output 5.3 to extend labour protection to workers should not only address the most vulnerable. He suggested including workers facing insecurity in the output title.
9. While he supported outcome 6, particularly a possible new financing mechanism on social protection, efforts should focus on the adequacy of social protection to ensure income security. He welcomed outcome 7, particularly its aim to address policy coherence. The five action programmes were relevant to address social, economic and environmental global challenges. His group appreciated the renewed engagement with international financial institutions. It would be essential to integrate the promotion, ratification, implementation and monitoring of international labour standards into the action programmes.
10. Regarding the proposed enablers, he sought further information on the specific centre for evaluating public policies, innovative methods to produce and analyse statistics, the analytical work on new frameworks and tools to support the adoption of statistical standards, and the revised process to update the International Standard Classification of Occupations 2008 (ISCO-08) in enabler A. The Office should clarify the role of the innovation facility and any overlap with other ILO departments. Regarding enabler B, he requested more information on the analysis of the relevance and impact of regional meetings. The Office should avoid decision-making through electronic means and ensure documents were of the same quality in all languages. Concerning enabler C, it would be useful to know whether digitalizing internal business processes further would reduce the number of staff.

11. **The Employer spokesperson** noted that the development of a new global social contract to reinforce the ILO's social justice mandate was the cornerstone of the new Director-General's vision. However, more details would be needed, including on how it would be realized and what the Organization's role would be in the related work that had already advanced within the United Nations system.
12. Outcome 1 made reference to the fundamental role of international labour standards. The ILO Centenary Declaration for the Future of Work (Centenary Declaration) stated that international labour standards also needed to respond to the changing patterns of the world of work, protect workers and take into account the needs of sustainable enterprises, and be subject to authoritative and effective supervision. Those should be the guiding principles of the ILO standards supervisory system. The needs of sustainable enterprises should be given more prominence in the setting, promotion and supervision of international labour standards; that could improve the balance and the acceptance of the standards, and the findings and recommendations of the standards supervisory system. Legal certainty regarding the provisions of ILO Conventions required both legal clarity and broad acceptance of the meaning of terms and provisions in Conventions. Clear definitions, social dialogue and strong consensus among constituents were key. The Employers counted on the leadership of the new Director-General to bring the tripartite constituents, the supervisory bodies and the Office together to help find practical solutions as a matter of priority.
13. With regard to due diligence and supply chains, the answer was not necessarily a new standard, but it was essential to strengthen national institutional capacity in order to ensure that the strategies put in place and the systems that supported them were sustainable. Better domestic labour institutions would help tackle the root causes leading to lack of compliance with national and international standards, and informality. That would require proper investment in capacity-building for constituents. She urged the Office to adequately reflect in the programme and budget how it would build constituents' capacities to achieve the new social contract through all areas of its work.
14. She welcomed the dedicated outcome on sustainable enterprises, and outputs 4.1 and 4.3 in particular, noting that without an enabling business environment and productivity enhancement there could be no decent jobs or social justice. The Director-General's focus on the need to enhance productivity reflected the priority area outlined in the Centenary Declaration. It was more important than ever to achieve progress on economic growth, social justice and decent jobs. The Office should therefore elaborate coherent action for a productivity strategy beyond those isolated references. Action on employment policies, research and capacity-building, among others, should be deeply anchored in a productivity approach that went beyond labour productivity. That would also affect the way the ILO cooperated with other international organizations and international financial institutions. It also meant investing resources in productivity experts to support constituents.
15. Her group welcomed the inclusion of outputs 4.4 and 7.3 relating to the transition to the formal economy. Increased capacity and improved policy coherence would be key to fostering innovative ways to address that huge challenge. The group looked forward to contributing actively to the implementation of the Director-General's programme once it was set up.
16. Regarding outcome 2, her group's long-standing request for a stand-alone outcome for employers' and workers' organizations had not been met. It was important for capacity-building and support for employers' and workers' organizations to have a high profile within the Office's work and be given the necessary weight, enabling the ILO to make a real impact. However, she welcomed the dedicated programme for employer and business membership

organizations, reflecting the commitments made by the Director-General during his campaign. It was vital to mobilize the necessary resources for capacity-building and not rely solely on the relentless efforts of employers' specialists to secure additional funding. The Office should include a detailed funding strategy in the budget proposals to be submitted to the following session of the Governing Body to ensure that adequate resources were in place at the beginning of the biennium.

17. There was also no dedicated outcome on skills. Although several outputs referenced skills, that crucial area must be given greater attention in order to make a positive impact on the future of work. Appropriate resources needed to be allocated for more skills specialists in the Organization so that it could become a global leader and be better placed to provide solutions for future transformations and crises.
18. The Employers' group appreciated that output 6.2 aimed to strengthen social protection systems and ensure sustainable and adequate financing and sound governance, but it was unfortunate that the sustainability of social protection systems was not enshrined in the strategy and did not appear in the output title; that should be addressed ahead of the following session of the Governing Body. Sustainability was crucial and did not only apply to the issue of financing but to the systems themselves, which in some countries were in need of reform. It was also important to avoid conflicts of objectives when addressing informality, because if systems were not sustainable or burdens on the formal economy were too high that would have an adverse impact on reducing informality. There needed to be a comprehensive approach.
19. She welcomed the initiative to establish a Global Coalition for Social Justice, with the goal of enhancing the role and positioning of the ILO within the United Nations and wider multilateral system. She noted that it would be essential to place the tripartite constituents at the centre of the Coalition, its objectives and governance structure. With regard to the five priority areas outlined as entry points for Office-wide coordination to leverage partnerships and cooperation, she requested clarification in order to appreciate their potential added value and to contribute in a constructive way. Would the action programmes replace the existing flagship programmes? Would they function for a specific period of time and, if so, what would happen when that period expired? Would they be structured and resourced homogeneously or would each one have unique features? She asked for clarification on those points to be included in a separate section in the programme and budget proposals to be examined at the following session of the Governing Body. She also sought clarification on how efforts to reduce the total number of outcomes would help achieve greater impact and coherence. That was especially important as the programme proposals suggested that the Office intended to do more in terms of policy coverage by expanding into areas where the ILO was not necessarily best placed to respond, such as refugee integration and trade agreements, but no concrete information had been provided on exactly what that would mean for the work of the Office.
20. Turning to the section on next steps, she noted that it would not be desirable to change the results framework according to predefined population groups, as that would undermine the ILO's accountability towards constituents. Although certain groups were at greater risk of experiencing decent work challenges, the Office should ensure that results were measured in relation to changes in constituents' capacity or the policy environment.
21. The Employers' group asked the Office to ensure that the Programme and Budget proposals for 2024–25 to be submitted in March 2023 provided clear deliverables; transparency in operational budgets at both outcome and output levels for all resources, both regular and extrabudgetary; and that the resource levels for the dedicated programme for employer and

business membership organizations and workers' organizations were spelled out in very concrete terms.

- 22. Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC),** a Government representative of Colombia recognized the effort to build the programme and budget proposals on the basis of the mandates of the ILO Declaration on Social Justice for a Fair Globalization (Social Justice Declaration), the Centenary Declaration and the Global Call to Action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient (Global Call to Action) adopted in 2021. Aligning the programme and budget with the overarching priorities of the United Nations was a priority for her group.
- 23.** GRULAC had consistently called for a human-centred approach to the work of the ILO and therefore welcomed the overall objective of outcomes 3, 4, 5 and 6. The strong mandate of the ILO for a transformative agenda on gender equality, non-discrimination and inclusion should, however, be reflected in a dedicated outcome, as was the case in the current programme and budget. That would ensure integrated implementation and follow-up. The outputs of a stand-alone outcome on gender equality and inclusion, in addition to the cross-cutting vision presented under other outcomes, should address the issues identified in output 7.2 and include solutions to address structural and emerging forms of discrimination; occupational segregation and violence and harassment; the impact of intersectionality in exacerbating discrimination; the full recognition of paid and unpaid care work; and working time that enabled work-life balance. The inclusion of a dedicated outcome would also enable the ILO to address the persistent institutional challenges that had been identified during the review of the ILO Action Plan for Gender Equality.
- 24.** With regard to outcome 1, GRULAC supported the acceleration of follow-up to the recommendations of the Standards Review Mechanism Tripartite Working Group (SRM TWG) and the proposal to complete its review before 2028. More information would be appreciated on output 1.2 with regard to the proposal to modernize the ILO supervisory system, including through a modernized regular reporting system; measuring progress in compliance; technical advisory services to close normative gaps and prevent labour standards-related disputes; and for peer learning on compliant practices. GRULAC reiterated that the review of the standards supervisory system must take account of national contexts, recognize progress and be a useful instrument for addressing countries' challenges.
- 25.** GRULAC supported the overall vision of outcome 2. The components of output 2.3 relating to evidence-based research to strengthen social dialogue and to develop or strengthen labour dispute prevention and resolution systems were relevant, as was output 2.4.
- 26.** The group approved of the focus of outcome 3, with outputs 3.1 and 3.2 containing particularly important elements. It also supported outputs 3.4 and 3.5, recognizing that employment policies should tackle barriers faced by women, people with disabilities and young people. In that regard it supported the proposal to accelerate the implementation of the Youth Employment Action Plan 2020–30.
- 27.** Regarding outcome 4, GRULAC recognized the importance of an enabling environment for entrepreneurship and sustainable enterprises, particularly micro, small and medium-sized enterprises and social and solidarity economy entities, as outlined in output 4.5. They also supported output 4.2 for the ILO to advise enterprises to implement responsible business conduct practices in line with international principles and standards, as that was crucial for the promotion of decent work, fundamental principles and rights at work, productivity growth, formalization and responsible business conduct, including supply chain due diligence processes.

28. Outcome 5 was fundamental to the realization of a safe and healthy working environment as a fundamental principle and right at work. GRULAC supported the elements of output 5.4, noting that all actions under that output should be based on full recognition of the contribution of care work to the economy, to societies and to the advancement of decent work. More details would be appreciated on the proposal in output 5.5 relating to labour migration frameworks and the protection of the rights of migrant workers.
29. GRULAC supported outcome 6 on universal social protection systems that were sustainable through long-term investment policies to prevent poverty, reduce inequalities and contribute to employment creation and inclusion.
30. GRULAC welcomed the significant innovation of outcome 7 to bring together the ILO's tripartite constituents, United Nations entities, international financial and trade institutions and all interested parties, to work towards achieving the 2030 Agenda for Sustainable Development. The group looked forward to participating in the discussion on the Global Coalition for Social Justice in the coming days.
31. The three proposed enablers were tools to strengthen the Office's capacity-building and technical assistance, as well as to improve its internal leadership, governance and management. Particular attention should be given to the implementation of the Human Resources Strategy for 2022–25, focusing on competency, and gender and regional balance at all levels of the Organization.
32. **Speaking on behalf of the Africa group**, a Government representative of Cameroon expressed support for the key elements contained in the preview of the Programme and Budget proposals for 2024–25. The Office's efforts to take into account the UN Secretary-General's report *Our Common Agenda* and key ILO instruments in its development were also appreciated.
33. He welcomed the focus on the promotion of fundamental principles and rights at work, which should include support for Member States to denounce outdated Conventions and increase the ratification and implementation of up-to-date Conventions, especially the new fundamental Conventions: the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). Regarding decent work, the programme and budget proposals should contain an emphasis on assisting constituents experiencing the most harmful effects of decent work deficits and on combating under-employment, elements that should form the basis of future Decent Work Country Programmes (DWCPs). Given the different rates of informality in different regions, he requested more information on how the Office planned to efficiently address output 4.4. The proposals should also provide further clarification on the financing and implementation modalities for the Global Coalition for Social Justice. He expressed support for the Office's strategy on universal social protection and the provision of technical support to constituents in that regard, and encouraged the Office to undertake campaigns to extend social protection to all workers. The Office should take into account the Abidjan Declaration of 2019 and the Durban Call to Action on the Elimination of Child Labour when developing programmes concerning the Africa region, and social dialogue and labour institutions in the region should be given particular attention.
34. He firmly reiterated his group's position with regard to the categorizations in paragraph 151 of the document, which it deemed offensive and inappropriate. His group would only be prepared to support the draft decision if they were deleted.



- 35. Speaking on behalf of the Asia and Pacific group (ASPAG),** a Government representative of China said that the preview lacked an overview of regional contexts. Given that regional circumstances and priorities had significant implications for budget allocation, the Office should conduct a regional needs analysis to ensure the proper distribution of resources among regions. The proposals to be presented to the Governing Body in March 2023 should build on guidance to be provided at the upcoming 17th Asia and the Pacific Regional Meeting. The Asia and the Pacific region accounted for more than 60 per cent of the world's working population and should receive a more proportionate allocation of financial and human resources. Resources should be reallocated from back-office activities to support frontline work on the ground, including by expanding development cooperation in the region, and clear and responsive targets and measures to improve geographical diversity should be developed.
- 36.** The structure of the preview differed from that of previous programme and budget proposals. For the sake of transparency and clarity, the Office should provide a more detailed explanation of the major adjustments introduced regarding policy outcomes and outputs at the Governing Body session in March 2023 and provide a comparison of resource allocation by outcome.
- 37.** He supported the goals envisaged under outcomes 1 and 2 and expressed support for the work of the SRM TWG and the discussions of the supervisory bodies on improving their working methods. Reporting on Sustainable Development Goal (SDG) indicator 8.8.2 should be based on a refined methodology that could trace progress and reflect facts on the ground. He welcomed efforts to achieve effective social dialogue and build capacities among constituents, including those under outputs 2.3 and 2.4.
- 38.** His group endorsed policy outcomes 3, 4, 5 and 6 and their corresponding outputs, especially output 4.1. However, given the importance of allocating appropriate resources and attention to skills and lifelong learning and gender equality, he asked why those issues – which were currently stand-alone outcomes – had been integrated into other outcomes and how that would affect their budgetary allocation. He acknowledged the added value of integrated policy responses for social justice through decent work and noted with interest the proposal to establish a Global Coalition for Social Justice, requesting further information in that regard. Considering the complexity of the relationship between trade, investment arrangements and decent work, the Office should conduct evidence-based comparative research on current practices and their implications for decent work. He invited the Office to clarify the link between the Coalition and the programme and budget, in particular the financial and human resources required.
- 39.** He supported the three enablers, but called for a greater emphasis on enhancing the ILO's efficiency through effective evaluation and innovation, and encouraged the Office to redouble its efforts to improve the quality of data collection, knowledge management and research using verified evidence and a refined methodology. The proposals to be submitted to the Governing Body in March 2023 should contain more detailed indicators regarding the geographical and gender diversity of staff and allocate more resources to the matter. His group could support the draft decision provided due consideration would be given to the issues raised.
- 40. Speaking on behalf of the group of industrialized market economy countries (IMEC),** a Government representative of the United States of America welcomed the proposal to strengthen policy coherence at the national level and within the Organization. She supported outcome 1, including the mainstreaming of international labour standards into DWCPs, and suggested that the idea of further integrating ILO standards into UN frameworks and other agreements could be developed. She supported the proposal to accelerate Standards Review

Mechanism processes, but requested clarification regarding the “help desk” mentioned in paragraph 29 of the document. Her group looked forward to discussing how to ease the reporting burden on Member States while maintaining appropriate oversight of the implementation of labour standards. She requested the Office to specify the implications of “rendering data on compliant practices publicly accessible” and provide clarification on the term “new social contract”, since the concept had not been defined in the Centenary Declaration or in the Global Call to Action.

41. Turning to outcome 2, she called for a greater focus on, and increased investment in, the promotion of freedom of association and collective bargaining. She supported the development of proposals to strengthen capacities of constituents; welcomed efforts to enhance the knowledge base, including by developing a new edition of the flagship report on social dialogue; and encouraged the Office to regularly collect and analyse information on collective bargaining and its contributions to the fight against inequality. Additional information on involving civil society and private sector actors in the Organization’s work would help constituents to provide informed inputs in that regard.
42. Her group supported the proposed creation of comprehensive policy frameworks to address inequalities in the world of work and the uneven recovery of the labour market from the COVID-19 pandemic, as outlined in outcome 3. She asked how the Office intended to address challenges facing the development of decent work in the post-pandemic era, including structural transformation and just transitions, and how coordination across outcomes would be ensured to support the achievement of outcome 3. She supported the focus on micro, small and medium-sized enterprises, workers’ rights and decent work across supply chains in outcome 4, as well as the emphasis on the transition to the formal economy.
43. She welcomed the emphasis in outcome 5 on the care economy, labour migration frameworks, workers at high risk of exclusion, wages, working time and occupational safety and health, which were key to addressing inequalities in the world of work. She asked for further details on how the ILO would give effect to the new fundamental principle and right at work on safety and health and how the Office would implement a comprehensive strategy in that regard, since the current framing was quite narrow. She strongly supported the inclusion of efforts to address the range of decent work challenges in the platform economy. The Office should define the term “minimum living income” and its scope, which was not found in other ILO documents. Efforts to achieve gender equality required a singular focus that might not be achieved by including the issue within the broader category of integrated policy and institutional responses; the programme and budget should therefore continue to have a dedicated outcome on gender equality. She requested further information as to how the Office’s proposed approach would accelerate efforts to realize gender equality, how sufficient resources would be allocated and how meaningful tracking would be achieved, with clear and concrete indicators to measure results at headquarters and in the field.
44. On outcome 6, she welcomed the increased attention to universal social protection and appreciated the references to an international financing mechanism and new global commitments. She encouraged the Office to fully integrate robust advocacy for universal social protection as a necessary response to environmental crises, technological and demographic developments and labour migration. She was in favour of stepping up policy integration efforts under outcome 7 as a means of reducing inequalities and making progress toward social justice. She reiterated her group’s long-standing support for strengthening the ILO’s leadership role within the international community in terms of promoting international labour standards and social dialogue. However, it was unclear how the five action programmes would be reflected in the Office’s structure, organization, work and resource allocations.

Furthermore, several issues within outcome 7 appeared to duplicate outputs under other outcomes. Explicit articulation of the relationship between the Global Social Justice Coalition and other initiatives, such as the Global Accelerator on Jobs and Social Protection for Just Transitions and the *Our Common Agenda* report of the UN Secretary-General, was needed.

45. She supported greater involvement of the International Training Centre of the ILO (Turin Centre) in the actions envisaged in the preview and requested further information about the proposed centre for the evaluation of public policies. She welcomed the inclusion of additional outreach activities aimed at improving diversity in candidate pools and said that the Office should continue to focus on achieving gender parity at all levels.
46. The distribution of the regular budget among the various policy outcomes should adequately reflect the level of prioritization and the potential to generate additional voluntary contributions. She urged the Office to include estimates of anticipated financing from ILO participation in UN system-wide and country-pooled funding alongside the anticipated regular budget, the Regular Budget Supplementary Account (RBSA) and voluntary earmarked contributions specified by policy outcome. The Office should provide a crosswalk document comparing resource allocations to each policy area for the 2022–23 and 2024–25 biennia to enable the Governing Body to make an informed decision at its March 2023 session.
47. **Speaking on behalf of the Geneva Group of Friends to Eliminate Sexual Harassment (GoFESH)**, a Government representative of Mexico welcomed the Director-General's commitment to uphold the zero-tolerance policy with regard to sexual exploitation, abuse and harassment. However, she noted with concern the potential under-reporting of cases of sexual misconduct within the ILO owing to stigma, lack of awareness and fear of reprisals. The 2021 Multilateral Organisation Performance Assessment Network (MOPAN) assessment had flagged limitations in complaints processes and the lack of transparent monitoring of the implementation of the ILO sexual harassment policy. Efforts to prevent and respond to misconduct should be championed at the leadership and senior management levels with a victim-centred approach, and should include increased transparency and accountability. She hoped that more States would ratify the Violence and Harassment Convention, 2019 (No. 190).
48. **A Government representative of Bangladesh** said that issues related to occupational safety and health, the green, digital and care economies and climate change had been well reflected in the preview. Nonetheless, since safety and health was now a fundamental principle and right at work, Member States would benefit from an assessment of the requirements for its implementation. Developing countries would need broader support from the Office and from developed countries to make progress on decent work; she therefore asked how preferential trade and investment arrangements would be utilized to enhance support, assistance and cooperation for developing countries. With regard to outcome 2, it would be important to create space for dialogue between multinational enterprises and platform workers to establish labour rights, and employer and business membership organizations should be engaged in order to establish links with employers.
49. Under outcome 3, skills recognition mechanisms should be set up to ensure full and productive lifelong employment for migrant workers, and the systemic persecution of migrants in various social settings should be researched. The United Nations Framework Convention on Climate Change could be used to address the needs of the countries most vulnerable to climate change. The development of a strategy and action plan on decent work and the social and solidarity economy under outcome 4 was welcome. Any strategy on decent work in supply chains should set out measures to promote the responsibilities of buyers and suppliers to ensure labour rights. She asked how the Office would help constituents to increase the capacity

of financial institutions and how that would be made a priority. The ILO's advocacy and partnerships for rights-based approaches to labour migration under outcome 5 was appreciated. On outcome 6, she asked whether the Global Coalition for Social Justice would increase administrative costs and called for enhanced development cooperation from international financial institutions to help developing countries to enhance social protection coverage. It would be advisable to refrain from using the term "LGBTQI+" in the document since such terminology was not universally recognized by Member States.

50. Under enabler A, she said that developing countries should receive support to research and address domestic challenges. Promotional activities to democratize the ILO's governance should be envisaged under enabler B, and the Office should seek to achieve geographical diversity through enabler C. She supported the draft decision.
51. **A Government representative of India** called on the Office to focus on the analysis of national skills gaps to enable Member States to provide suitable training for young people; the harmonization of training curricula and recognition of certificates across countries; and the establishment of norms to ensure that migrant workers could access education, health services and social security. The Programme and Budget proposals for 2024–25 should envisage ways to build the ILO's capacities in those areas.
52. **A Government representative of the United Kingdom of Great Britain and Northern Ireland** expressed support for the focus of the outcomes in the preview and welcomed the emphasis on lifelong learning systems under outcomes 2 and 3 in particular. He commended the attention given to gender-responsive and disability-inclusive social protection systems and the focus on non-discrimination and inclusion, but expressed a strong preference for retaining a dedicated outcome on gender equality. He welcomed the inclusion of objectives related to just transitions across the outcomes, called for a special focus on the creation of decent work that could contribute to green, nature-positive economies and requested additional information on the relationship between the Global Coalition for Social Justice and the Global Accelerator on Jobs and Social Protection for Just Transitions. Reiterating the relevance of the three enablers, he stressed the importance of efficient, results-oriented and transparent management, and encouraged the Office to consider cost-efficiency during the development of the programme and budget proposals.
53. **A Government representative of Pakistan** expressed disappointment regarding the reference to controversial categories in paragraph 151 as there was no international consensus on those categories and it was therefore inappropriate to list them in the document. His Government had maintained a consistent position regarding categories relating to sexual orientation and gender identity. Such concepts were not recognized in his country, nor in international law – unlike other forms of discrimination that had achieved international consensus. Any attempt to mainstream such concepts would be counterproductive. The ILO should refrain from promoting controversial notions and mandates, since such divisive action would hinder the achievement of international consensus on its work.
54. **A Government representative of Barbados**, highlighting the challenges faced by small island developing States, supported the ILO's focus on social justice. He welcomed the Office's commitment to leverage the ILO's development cooperation portfolio to realize outcome 3 on full and productive employment for just transitions, particularly given the impact of climate change on countries like his. He indicated that the priorities set out in the preview should be the ILO's areas of focus and recognized the importance of effective communication at the global and local levels. He supported the draft decision.

- 55. Speaking on behalf of a group of countries consisting of Australia, Austria, Belgium, Canada, Czechia, Denmark, Finland, France, Germany, Iceland, Japan, the Netherlands, Norway, Portugal, Slovenia, Spain, Sweden, Switzerland, the United Kingdom and the United States**, a Government representative of Sweden stressed the importance of ending violence and discrimination on the basis of sexual orientation, gender identity and gender expression and advancing the human rights of lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI+) persons, including in the world of work. The elements contained in paragraph 151 of the document should therefore be retained.
- 56. The Director-General**, welcoming the constructive guidance provided by the Governing Body, recalled that the purpose of the discussion was to guide the Office in developing the programme and budget proposals to be submitted to the Governing Body in March 2023. The Office would organize informal group consultations on specific issues as necessary before finalizing those proposals.
- 57.** Responding to questions raised on the Global Coalition for Social Justice, he said that the aim was to maintain a high level of political commitment to ensure that the social justice dimension was incorporated into all multilateral development discussions. Subject to the guidance to be provided by the Governing Body during the discussion on document GB.346/INS/17/1, the Office would produce a biennial report on the state of social justice incorporating comprehensive and disaggregated data that could be used by Member States to fine-tune their efforts to improve social justice and could also be used to hold the multilateral system accountable. The intention was not to prepare an index or to compare performance. Producing such a report would, of course, require resources. The Office would mobilize international partners and stakeholders, including the social partners, to identify priority areas for promoting social justice, which would most likely include inequality. Social protection was another potential priority area, forming a link to the ILO's work to support the Global Accelerator on Jobs and Social Protection for Just Transitions. Other priority areas, such as equal access to education, could fall outside the ILO's core mandate, and responsibility for them might fall within the remit of other agencies. Efforts would be made to ensure that representatives of employers and workers were involved. The Office would prepare a pamphlet before the end of November providing details on the Global Coalition.
- 58.** Regarding the relationship between the five action programmes and the outcomes, he emphasized that the action programmes covered cross-cutting issues that would require the attention of different departments; the coordination role of the Deputy Director-General was intended to address internal silos, identify gaps and ensure a harmonized approach to those issues. The lack of a dedicated outcome did not indicate a lack of commitment to a particular issue; it was clear that gender equality, for example, would remain high on the agenda. The Office would provide further clarification in writing in that regard.
- 59.** Responding to the concerns raised regarding the reference in paragraph 151 of the preview to LGBTQI+ persons, he acknowledged that past discussions on the issue had been challenging. However, the term had been used in previous programmes and budgets. Furthermore, based on its mandate, the ILO had a duty to act if it received a request for technical assistance in the context of exclusion or discrimination, including in relation to LGBTQI+ groups, and to work against inequality in all areas. Although there was scope for discussing the precise terminology to be used, he hoped that the matter would not require lengthy debate in the context of the discussion on the programme and budget.
- 60.** He noted the comments made by the Employer spokesperson regarding the need for legal certainty in relation to the provisions of the ILO Conventions and said that the Office would

provide a response on that issue in due course. He agreed with IMEC on the importance of finding ways to ease the reporting burden on Member States while maintaining appropriate oversight of the implementation of international labour standards. The issue of sexual exploitation and abuse and sexual harassment was of particular importance and merited reflection; he intended to implement the commitment he had made in that regard in his vision statement. Lastly, in response to a question by the Government representative of Bangladesh, he stressed the need for advocacy to ensure that preferential trade agreements reached by Members of the World Trade Organization guaranteed the provision of fundamental principles and rights at work as a minimum requirement.

61. **A representative of the Director-General** (Director, Strategic Programming and Management Department), responding to the Employers' comments regarding the inclusion of a stand-alone outcome for the social partners, said that the intention of the Office with regard to outcome 2 was to strengthen the social partners' capacity in decision-making processes and in the implementation of decisions across the board, including in respect of labour market and social and economic policies. Recent experience had demonstrated that the consolidated outcome on tripartism and social dialogue had increased the visibility of the social partners, in particular in the context of the UN reform and the UN Sustainable Development Cooperation Framework. The Office had placed emphasis on using regular budget technical cooperation resources and the RBSA to support the social partners and would continue to do so.
62. While most of the outcome-specific issues raised would be covered in further consultations, he confirmed in respect of outcome 1 that the annual report on SDG indicator 8.8.2 would be based on the refined methodology agreed upon by the tripartite constituents at a recent meeting. Noting the request by GRULAC for additional information on the modification of the supervisory mechanisms, he suggested that bilateral discussions could be held on that subject, given its complexity and the related work being done by the SRM TWG. He acknowledged the importance of creating a space for dialogue and of promoting Conventions Nos 155 and 187.
63. He clarified that the reference to "institutions of work" under outcome 3 reflected the terminology used in the Centenary Declaration and agreed on the need to ensure the precise use of existing terminology. The term "multilateral stakeholders" was not new, and had been chosen as it encompassed the social partners and other stakeholders. With regard to outcome 4, he clarified that the collective actions mentioned in paragraphs 101 and 102 would primarily involve the social partners and governments but could include other partners where necessary, such as on supply chains issues. In response to questions asked by the Employers' group with regard to outcome 7, he said that additional information would be provided in due course.
64. Responding to the concerns expressed by the Worker spokesperson regarding the concept of the minimum living income, he explained that the concept was not limited to wage income, but could result from the combination of labour income – which included both wages and self-employed income – and social transfers. The intention behind output 5.2 was thus to explore how social transfers could be combined with minimum wages to deliver a minimum living income without having a negative impact, such as the creation of disincentives to work or low wages. It was an evolving concept that the Office was ready to discuss.
65. Further information about the possible establishment of a specific centre for the evaluation of public policies and an innovation facility would be provided to the Governing Body at its March 2023 session. He reassured the Workers' group that digitalization was not intended to lead to a reduction in staff, but to increase the efficiency and effectiveness of the Office's work. Gender

parity remained a priority issue and the diversity policy was to be implemented through the human resources strategy. The guidance provided by the Governing Body would be fully taken into account when preparing the programme and budget proposals for submission to the Governing Body in March 2023.

- 66. Another representative of the Director-General** (Treasurer and Financial Comptroller) said that a crosswalk document showing the financial allocations for 2022–23 and 2024–25, as requested by IMEC, would be provided at the briefings conducted throughout the process. The Office would include, to the extent possible, estimates of anticipated regular budget technical cooperation and RBSA resources specified by policy outcome.
- 67. The Worker spokesperson** noted with satisfaction that the position of some of the Governments reflected closely many of the proposals made by his group. He reiterated that international labour standards should be a primary element of the Global Coalition for Social Justice. He also reiterated that care should be taken to use previously agreed language. Not only was the term “insecure forms of work” preferable to “diverse forms of work” or any other phraseology, but care should also be taken when referring to transitions from the informal to the formal economy, and the term “enterprises” should be used, instead of referring to “economic units”. Furthermore, under outcome 3, reference should be made to the “primary role” of the social partners on work-related policy matters, which was clear in meaning, whereas a “differentiated role” was not. He could not accept the term “collective action” in outcome 4.
- 68.** The minimum living income and the minimum living wage were two distinct concepts. Output 5.2 focused on adequate wages and should refer only to the minimum living wage, which should be provided to all workers. As the minimum living income was an aspect of social protection, it should be included under the social protection outcome.
- 69. The Employer spokesperson** said that the Employers’ group was satisfied with the explanation of the concept of “living income” provided by the Office. On the subject of terminology, she recalled the comments she had made in her opening statement regarding the distinction that should be made between different types of workers in the platform economy.
- 70. Speaking on behalf of the Africa group**, a Government representative of Morocco said that his group’s concern about the enumeration of marginalized groups in paragraph 151 was more general than the Director-General’s response suggested. The Africa group was adamant that the list of examples in that paragraph must be cut entirely, so that the phrase ended after the words “marginalized communities”.

*(The Governing Body resumed its consideration of the item at a later sitting.)*

- 71. The Director-General** recalled that the Governing Body was not required to approve or make amendments to the preview of the programme and budget at its current session, but to provide guidance and feedback that would inform the finalization of the final programme and budget proposals to be examined by the Governing Body in March 2023. The Office had noted the comments on the document’s reference to LGBTQI+ persons and would likely suggest that the final programme and budget proposals use the language on inequalities agreed at the 109th Session of the Conference.
- 72. A representative of the Director-General** (Director, Strategic Programming and Management Department) emphasized that commitment of the Office to a transformative agenda on gender equality, non-discrimination and inclusion, including by the redeployment of resources where possible, was substantial and remained unchanged. The inclusion of

gender equality and non-discrimination among the five action programmes under outcome 7 reflected its determination to strengthen efforts in that area. The proposals set out in the document related to a change in approach to address the issue, building on the lessons learnt. The Office was aware that would be an area requiring concerted efforts to promote policy coherence at the global, regional and national levels and within the ILO. Once appointed, the new Deputy Director-General would be responsible for rolling out the action programmes and improving performance on gender equality and non-discrimination. The Office would provide information on budget allocations, baselines and targets for gender equality and non-discrimination at the Governing Body's next session.

- 73. The Director-General** said that he had campaigned strongly in favour of gender equality, diversity and inclusion, and efforts in that area must therefore enjoy sufficient resources. The term "action programme" may have caused some confusion. There was no specific outcome on gender equality because the aim was to render action in that area cross-cutting; details of the minimum resources allocated to it in each department would be provided in the final programme and budget proposals. An initiative to modernize the supervisory system had been piloted, with positive results, and work was under way to scale it up. Discussions were being held on how to enhance social dialogue in order to improve conflict resolution and so reduce the number of complaints submitted.
- 74. Speaking on behalf of the Africa group**, a Government representative of Morocco underscored his group's objection to listing particular communities in ILO documents, as in paragraph 151, noting that it had not referred specifically to any allegedly marginalized community. His group was committed to combating all forms of discrimination and therefore urged the Office to refrain from using lists, which could not be exhaustive. The 54 Member States on whose behalf he spoke requested that the first sentence of paragraph 151 of the document end after the words "marginalized communities".
- 75. Speaking on behalf of the countries of the Organization of Islamic Cooperation (OIC), with the exception of Albania**, a Government representative of Pakistan said that his group aligned itself with the statement of the Africa group. The language used in paragraph 151 of the document did not reflect the international human rights framework or represent universal values but undermined the principles of universality, equality, impartiality and objectivity. The mainstreaming and promotion of controversial concepts inconsistent with the principles of international human rights law were regrettable and it was inadvisable to single out groups on which international consensus was lacking. The Office should have been aware of the consistent position of the OIC on such groups and on sexual orientation and gender identity, and he called on it to refer only to internationally recognized forms of discrimination and refrain from promoting controversial ideas; attempts to mainstream them would undermine consensus on the ILO and its work. The OIC would support the draft decision only if paragraph 151 was deleted from the document and assurances given that the concepts contained therein would not be included in future ILO documents.
- 76. Speaking on behalf of the countries of the Cooperation Council for the Arab States of the Gulf (GCC)**, a Government representative of Saudi Arabia expressed support for the statement made on behalf of the Africa group. Given the importance of international standards in achieving social justice, it was essential to act within the framework of applicable standards, in line with the outcomes of the SRM TWG. The Office should therefore pay particular attention to how it addressed different countries and provide technical assistance aligned with their priorities and economic and social circumstances. In addition, capacity-building on labour administration based on decent work was essential, and shortcomings revealed during the COVID-19 pandemic must be addressed. The Turin Centre should make more programmes



aimed at achieving those goals available in Arabic. The Office should increase its efforts to promote youth employment and sustainable employment in the light of changes in the world of work, and studies were needed to identify risks and opportunities for all countries when developing national employment strategies. He called on the Director-General to ensure equitable geographical representation in recruitment and requested clarification as to the implementation of the new recruitment policy. There should be no discrimination whatsoever in the world of work; it was inappropriate, therefore, to single out certain groups on which the international community did not agree unanimously. The ILO should provide technical assistance to countries requesting it to address gaps relating to specific categories but should not impose an agenda on all countries. The GCC expressed serious reservations about paragraph 151 of the document.

77. **Speaking on behalf of the Arab group**, a Government representative of Algeria expressed support for statements made on behalf of the Africa group and for the Director-General's proposal to find wording acceptable to all.
78. **Speaking on behalf of GRULAC**, a Government representative of Colombia reiterated her group's call for a specific outcome on gender equality. The additional information provided was insufficient; the Office should undertake consultations and strengthen its position. Further information on the modernization of the supervisory system would be welcome, along with clarification of the procedure followed when a change to a guidance document produced by the Office was requested. Her group supported the draft decision on the understanding that it reflected the various concerns expressed.
79. **The Worker spokesperson**, while acknowledging the sentiments expressed by some Governments with regard to paragraph 151, reiterated his group's view that the ILO should work to eradicate all forms of discrimination, including against LGBTQI+ persons, who suffered significant discrimination in the world of work. His group preferred specific language that identified the most vulnerable groups, but was open to compromise. The Governing Body should avoid reopening the debate on whether to include lists of marginalized groups in ILO documents.
80. **The Employer spokesperson** emphasized the need for dialogue and consensus. The concepts included in paragraph 151 caused controversy in many Member States, and a group's disadvantaged status would change over time. Therefore, the wording in question must be generic, open and acceptable to all regions, allowing Member States and the social partners to identify the groups suffering discrimination and exclusion in a given context.
81. **Speaking on behalf of the Africa group**, a Government representative of Morocco reaffirmed his group's commitment to dialogue. While regional groups could include lists such as that in paragraph 151 in their own documentation, the wording of documents of a global body like the one at hand should be generic and enjoy unanimous agreement.
82. **Speaking on behalf of IMEC**, a Government representative of the United States recalled that the Governing Body did not amend guidance documents produced by the Office. The draft decision was sufficiently broad to note the constituents' diverging views and should be adopted without amendment to allow the Office to undertake consultations before presenting wording acceptable to all parties at the Governing Body's next session.
83. **Speaking on behalf of the Africa group**, a Government representative of Morocco said that his group could not accept the document as it stood.
84. **The Director-General** said that the continued provision of technical assistance to Member States requesting it, was not being questioned. With regard to paragraph 151, using the

language agreed at the 109th Session of the Conference would avoid further debate that could result in deadlock; no argument against doing so had been made. The draft decision stated specifically that the Governing Body's guidance must be taken into account.

85. **A representative of the Director-General** (Director, Strategic Programming and Management Department) clarified that the Office would consolidate all comments received, make the relevant adjustments to issues on which there was consensus and, in any case, organize consultations with the regional groups prior to the 347th Session of the Governing Body before finalizing the Programme and Budget proposals for 2024–25.
86. **The Director-General** emphasized the importance of finding a way forward that would not change established procedures. Further discussions would be held in order to resolve the points raised and the guidance of the Governing Body would be considered, as requested in the draft decision.
87. **The Chairperson**, recalling the comments made regarding paragraph 151 of the document, introduced an example of wording on discrimination that had previously been agreed by constituents. The Global Call to Action included a commitment to work to “execute across the public and private sectors a transformative agenda for equality, diversity and inclusion aimed at eliminating violence and harassment in the world of work and discrimination on all grounds, including race, colour, sex, religion, political opinion, national extraction and social origin, and taking into account the specific circumstances and vulnerabilities of migrants, indigenous and tribal peoples, people of African descent, ethnic minorities, older persons, persons with disabilities and persons living with HIV/AIDS”.
88. **A representative of the Director-General** (Treasurer and Financial Comptroller) explained that an example of previously agreed wording was being shared to allow further consultations among groups regarding a potential solution.
89. **A Government representative of the United States** asked whether the wording highlighted by the Chairperson was being presented to constituents as an idea regarding the way forward or as a proposed amendment to the document.
90. **Speaking on behalf of the Africa group**, a Government representative of Morocco said that the example provided also contained problematic elements that would require further consideration by his group. Furthermore, context was important; the Global Call to Action had been adopted in a specific context that was very different to that of the programme and budget.
91. **Speaking on behalf of GRULAC**, a Government representative of Colombia reiterated her earlier request for clarification regarding the procedure to be followed when constituents requested an amendment to a document submitted to the Governing Body, as opposed to a draft decision.
92. **A Government representative of Sweden** drew attention to the wording used in paragraph 8 of the resolution concerning inequalities and the world of work adopted by the Conference at its 109th Session, which could provide a way forward. He also wished to know whether the document produced by the Office was being amended.
93. **A representative of the Director-General** (Assistant Director-General for the Governance, Rights and Dialogue Cluster) said that the Governing Body was not being asked to approve or adopt the document but to provide the guidance to the Office for the preparation of the Programme and Budget proposals for 2024–25. The document would not therefore be modified at the current stage. Several constituents had suggested that the way forward would

be to find a formulation that would accommodate the concerns expressed by delegates, while ensuring that everyone could enjoy full protection from discrimination. The Office had therefore provided an example of previously agreed wording, namely that used in the Global Call to Action, and the wording used in the 2021 Conference resolution concerning inequalities and the world of work had also been suggested. Both texts had already achieved tripartite consensus and could therefore be used as a reference for the purpose of finalizing the proposals.

94. **A Government representative of Algeria** said that constituents were providing guidance based on the document in front of them, which contained a paragraph considered controversial by certain Governments. In order to reach consensus on the document and the draft decision, it would be necessary to find a universally accepted formulation.
95. **A Government representative of Nigeria** highlighted the importance of considering the context in which certain texts were agreed and adopted. Although certain wording had been accepted in the context of the Conference, the Programme and Budget proposals for 2024–25 should use more general terminology and avoid language deemed objectionable by some groups. In particular, it should not be considered a disadvantage to be of African descent. Using general language would not prevent the Office from targeting specific groups in its programmes.
96. **A Government representative of Argentina** said that all constituents must make an effort to find a consensus-based solution and overcome the impasse. However, that solution should not breach the rules of procedure. His Government supported the comments made by the Workers' group regarding the inclusion of LGBTQI+ persons as a marginalized group in paragraph 151 of the document given the discrimination that such individuals continued to face. He asked those who opposed the reference to LGBTQI+ persons in the text to provide a valid argument for that position.
97. **A Government representative of Senegal** agreed that the list of marginalized communities could be offensive or create misunderstandings that might prevent consensus; for example, some Governments in the Africa group considered the reference to "people of African descent" to be stigmatizing. It would therefore be preferable to adopt a more general statement reaffirming the ILO's mandate to combat all forms of discrimination, allowing constituents to implement their own national policies with full sovereignty.
98. **The Employer spokesperson** said that the discussion had become circular and unproductive. The Governing Body must move on with its agenda, and if constituents wished to make changes to the substance of the document, consultations should be held on the matter.
99. **The Worker spokesperson** said that the wording agreed within the General Discussion Working Party on inequalities and the world of work at the 109th Session of the Conference could provide a route to consensus.
100. **The Director-General** said that the Office was not seeking to reopen the discussion on the substance of the text, but to use what had already been agreed upon in the past where possible. The Office had presented the document for the information of the Governing Body in advance of its March 2023 session; the intention was not for constituents to suggest amendments to its content.
101. **A representative of the Director-General** (Legal Adviser), responding to the requests for clarification on procedural aspects concerning the draft decision, said that the Governing Body had been invited to comment on the preliminary information concerning the Programme and Budget proposals for 2024–25. By adopting the draft decision in paragraph 204 of the

document, the Governing Body would be requesting the Director-General to take into account the guidance provided at its current session. The term “guidance” meant all views expressed and positions taken by groups and individual constituents, which would be faithfully expressed in the minutes. By adopting the draft decision, the Governing Body would not be endorsing, neither wholly nor in part, the Office document that had served as a basis for the discussion, but would be simply consenting to the continuation of the process and the preparation of the programme and budget proposals for submission to the Governing Body in March 2023. The Governing Body could reasonably expect those proposals to accommodate, to the extent possible, all concerns, sensitivities and preferences expressed by constituents during the discussion. From a procedural standpoint, it was not possible to revise or delete specific paragraphs of the document at that stage, nor would it be helpful to abstain from adopting the draft decision and prevent the Office from following its usual procedures.

- 102. Speaking on behalf of the Africa group**, a Government representative of Morocco took note of the information provided by the Office and requested that the discussion on agenda item be deferred in order for consultations to be held.
- 103. Speaking on behalf of ASPAG**, a Government representative of the Philippines said that lengthy consultations had been held among the Government group, but it had not been possible to reach agreement. Her group wished to propose an amendment to the draft decision, which she hoped would meet with the Governing Body’s approval, that would read:

The Governing Body requested the Director-General to consider the guidance provided during the discussion, including the diverse views on various issues, and noted the Director-General’s commitment to take into account these views when preparing the Programme and Budget proposals for 2024–25 to be submitted to the 347th Session (March 2023) of the Governing Body.

- 104. Speaking on behalf of the Africa group**, a Government representative of Morocco said that the proposed amendment did not fully accommodate his group’s concerns. Nevertheless, in the spirit of consensus and compromise, his group could accept it.
- 105. Speaking on behalf of the vast majority of industrialized market economy countries**, a Government representative of the United States reiterated her group’s concern about making any changes to the draft decision. The original draft decision contained language that was sufficiently broad to capture the diverging views. Her group was profoundly disturbed by the objections that had been raised to the language used in paragraph 151 and could not support any decision that might be taken to mean that the Governing Body condoned or in any way acquiesced to demands to exclude certain marginalized groups from ILO programming. If the Governing Body could not adopt the original draft decision – trusting the Office to take its guidance into account – it should consider moving forward without a decision, as had been done in previous discussions on the preview of the programme and budget proposals. Her group expected the Programme and Budget proposals for 2024–25 to include an explicit reference to specific marginalized groups.
- 106. Speaking on behalf of GRULAC**, a Government representative of Colombia said that her group could accept the proposed amendment on the understanding that the wording used in the programme and budget proposals took into account all the views that had been raised, including those of her group.
- 107. A Government representative of Mexico** said that her Government could support the amendment in order to demonstrate flexibility; it did, however, have some procedural concerns. The Governing Body should not limit the freedom of the Office and the Director-General to make proposals on such an important issue as the programme and budget.

Furthermore, the Office must continue to work at the global, regional and national levels to offer protection to all vulnerable groups and must ensure that its activities in that regard were included in the Programme and Budget proposals for 2024–25.

108. **A Government representative of Argentina** said that his Government supported the proposed amendment and recalled the statement that it had made previously on the item.
109. **Speaking on behalf of the Africa group**, a Government representative of Morocco clarified that his group's views were without prejudice to any specific requests for technical assistance by other members and did not reflect any attitudes towards marginalized or vulnerable groups. His group was referring to general principles in the document and was not trying to hinder the activities of specific countries or regions that might request assistance from the Office.
110. **Speaking on behalf of the Arab group**, a Government representative of Algeria expressed support for the draft decision as amended, with a view to reaching consensus.
111. **A Government representative of Barbados** also expressed support for the draft decision as amended. He expected the Office to continue to engage with the constituent groups as it refined the programme and budget proposals ahead of the Governing Body session in March 2023.
112. **A Government representative of Chile** said that he shared the concerns expressed by the Government representatives of Argentina and Mexico. It was important that a reference to vulnerable groups, including LGBTQI+ persons, should be included in the programme and budget proposals.
113. **A Government representative of Colombia** said that he could support the draft decision as amended on the understanding that the Office and the Director-General would have complete autonomy when preparing the programme and budget proposals. The fight against discrimination at work was a priority that the Organization should support.
114. **Speaking on behalf of the GCC countries**, a Government representative of Saudi Arabia reiterated that ILO documents should not make reference to specific categories of vulnerable persons that were not defined under international law. Neither should they broach controversial concepts or use wording that the constituents had agreed to remove on multiple occasions. Doing so would affect the Organization's ability to implement its projects and ensure their applicability in all regions. The Governments of the GCC countries made every effort to improve the conditions of marginalized and vulnerable groups of workers across the world. However, in order to ensure the universal protection of labour rights, the cultural, social and historical context had to be taken into account. He supported the draft decision as amended.
115. **Speaking on behalf of a group of countries consisting of Australia, Austria, Belgium, Canada, Croatia, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Israel, Lithuania, Luxembourg, Netherlands, Norway, Portugal, Slovenia, Spain, Sweden, Switzerland, the United Kingdom and the United States**, a Government representative of the United Kingdom said that the ILO must take a proactive leadership role in eliminating discrimination in the world of work and promoting full and inclusive access to the labour market. By failing to recognize certain groups who faced discrimination, the Organization could not demonstrate full commitment to its core mission. His group fully expected the Programme and Budget proposals for 2024–25 to include an explicit reference to specific marginalized groups, including LGBTQI+ persons.

- 116. Speaking on behalf of the majority of countries of Asia and the Pacific**, a Government representative of Bangladesh said that the time spent discussing the wording in paragraph 151 could have been used to address other pressing issues in the world of work. When preparing future documents, the Office should take into account previous discussions and the agreements reached on sensitive matters in order to assist the constituents in moving forward in a constructive manner. The programme and budget proposals should not include contentious wording. He urged the Office to conduct tripartite consultations prior to formulating and finalizing the Programme and Budget proposals for 2024–25. His group trusted that the Director-General would honour the commitments that he had made to avoid divisive issues and not to delay more important discussions on social justice and decent work.
- 117. Speaking on behalf of the countries of the OIC, with the exception of Albania**, a Government representative of Pakistan expressed support for the statements made on behalf of the GCC countries, the Arab group and the Africa group. He reiterated that the Office must refer only to internationally recognized forms of discrimination and expressed strong reservations over the attempts to include controversial concepts in its documents. His group could accept the draft decision as amended on the understanding that any controversial concepts that lacked consensus would not be introduced in future ILO documents. He urged the Office to conduct tripartite consultations when drafting highly important documents such as the programme and budget proposals.
- 118. A Government representative of Cuba** recalled that, upon taking office, the Director-General had stated that he was the Director-General of everybody. His Government was confident that that principle would be reflected in the Organization's future work.
- 119. A Government representative of Italy** expressed support for the statement delivered by a Government representative of the United Kingdom on behalf of a group of countries.
- 120. The Employer spokesperson** expressed her frustration that a common position could not be found within the Government group. The document had been provided for information and discussion; no substantive decision on the programme and budget was required until the March 2023 session of the Governing Body. It did not make sense to focus on just one paragraph within such a long document when there were other, more important issues to be addressed within the mandate of the ILO. Sufficient guidance had been given to the Director-General regarding the Programme and Budget proposals for 2024–25. Her group was willing to support the draft decision as amended. However, if it was not possible to reach consensus on a formulation for the draft decision, the Governing Body should agree not to adopt a decision on the item.
- 121. The Worker spokesperson**, noting the divergent views within the Government group, recalled that one of the ILO's fundamental Conventions was the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). There had been ongoing discussions regarding the extent to which the principle of non-discrimination should be applied and the ILO was moving in the right direction in that regard. Member States should not be able to pick and choose which grounds for discrimination should be taken into account; all workers everywhere should be protected against discrimination on any grounds, including sexual orientation and gender identity. As a tripartite organization, the ILO would inevitably be called upon to address contentious issues and differences of opinion, and it should not shy away from doing so. Dialogue on such subjects was about respecting opposing positions, then working to find common ground. It was inappropriate to suggest that the Director-General should not be allowed to address certain matters. In the future, a clearer distinction should be drawn between documents for decision and documents for information and discussion. It would be

preferable not to adopt a decision at the current stage. However, if a decision was to be adopted, it would be sufficient simply to state that the Governing Body took note of the document; the Director-General would then have the task of reflecting the positions expressed in the programme and budget proposals, with a view to finding a universally acceptable solution.

122. **Speaking on behalf of the Africa group**, a Government representative of Morocco reiterated that the Governments were all committed to combating all forms of discrimination. The issue was that there were different perceptions of what discrimination constituted. A significant number of Member States had expressed their concern about including an exhaustive list of vulnerable and marginalized groups and wanted those views to be taken into consideration. A great deal of flexibility had been demonstrated and there appeared to be a certain majority within the Government group. If the social partners could support that majority by taking into consideration the principle of consensus - which meant trying to find common ground - nobody would be excluded.
123. **The Worker spokesperson** said that she fully understood the difficulty faced by the Governments. Clearly, the best solution for the time being would be not to adopt a decision on the item.
124. **The Employer spokesperson** requested the Director-General to reconfirm that he was willing to take into account the diverse views that had been raised during the discussion.
125. **Speaking on behalf of ASPAG**, a Government representative of the Philippines asked for clarification of the implications of not adopting a decision in respect of the status of the preview document. Specifically, she would like to know whether the text would be deleted or whether there was a risk that it would be quoted in the future documents.
126. **The Director-General** recalled that, until recently, the Governing Body had not been invited to take decisions on previews of the programme and budget proposals. He reiterated that a document submitted by the Office for consideration by the Governing Body should not be modified. The Governing Body could disagree with the wording used by the Office, but ultimately, the Office bore responsibility for the document. He reiterated that the ILO had a duty to act if it received a request for technical assistance in the context of exclusion or discrimination, including in relation to specific vulnerable groups. For country-specific requests for assistance, it might be necessary to carry out work at the regional and global levels, in order to focus assistance more effectively. Regarding the list of marginalized communities, he suggested that the wording agreed on in the Global Call to Action and in the resolution and conclusions concerning inequalities and the world of work, both adopted in 2021, could be used. It was crucial for the ILO not to exclude any group in need. As a tripartite institution, it would be important to find consensus on the wording.
127. **The Worker spokesperson** recalled that the tripartite constituents, not just governments, could make requests for the ILO's assistance.
128. **The Employer spokesperson** reiterated that there were no first-class or second-class types of discrimination, but that cases should be addressed in each country as appropriate and at the request of the constituents.
129. **A representative of the Director-General** (Legal Adviser), responding to a request for clarification of the implications of not adopting a decision in respect of the status of the document, stated that the absence of an agreement by the Governing Body concerning the decision would not prevent the Office from preparing the programme and budget proposals for the next biennium. He recalled that the [Preview of the Programme and Budget proposals](#)

for 2018–19, which had been submitted to the Governing Body at its 328th Session (October–November 2016) for debate and guidance, did not contain a draft decision and no decision had been taken on that document or on previous preview documents. As far as the status of the current preview document was concerned, he explained that it was an Office working document that had been presented for debate and guidance; as already indicated, the text could not be amended at that stage.

130. **The Worker spokesperson** suggested that the Governing Body could simply recognize that the document was simply for information, discussion and guidance.
131. **Speaking on behalf of the Africa group**, a Government representative of Morocco said that, having heard the explanations provided, his group was prepared to take note of the document without adopting the draft decision. It could be considered an information document only and should not have any implications with respect to the document to be presented to the Governing Body in March 2023.
132. **The Chairperson** recalled that the Director-General had assured the Governing Body that he would take into consideration all the comments that had been made during the substantive and informative debate when preparing the Programme and Budget proposals for 2024–25, which would be presented to the Governing Body in March 2023. The Office's preview document would remain available as a reference document. Agreement had been reached to take note of the document, but not to adopt the draft decision contained therein.
133. **The Chairperson** said that, as previously announced, at the request of the Screening Group the Office had identified several items that the Governing Body could deal with in an expedited manner.
134. **The Worker Vice-Chairperson** said that although the Screening Group had agreed on an exceptional basis to a procedure that would expedite the treatment of several items, she objected to a process that would take away the right of members to speak or ask questions. She therefore welcomed the fact that the fast-tracked items would still be opened for discussion and gavelled separately, allowing brief interventions from members. The practice of fast-tracking items did not advance transparency and good governance: either an item was on the agenda, or it was not. The screening group did not and should not have the competence to decide which items were expected to be controversial. The Governing Body should use the full two weeks available to it to complete its agenda, if needed.

## 2. Matters relating to ILO premises

### 2.1. Update on the headquarters building renovation project (GB.346/PFA/2/1)

135. **The Employer spokesperson** supported the draft decision.
136. **Speaking on behalf of IMEC**, a Government representative of the United Kingdom thanked the Office for its work, as well as the Government of the host country for its financial contribution towards the headquarters security perimeter project. IMEC acknowledged that the Office had faced additional hurdles due to global supply chain issues and unforeseen issues with the original building, and appreciated the efforts to reprioritize works and remain within the agreed budget and on target for completion in 2025.
137. IMEC noted the removal of the proposed cover over the pathways in order to expedite the building permit process and encouraged the Organization, in collaboration with the



authorities, to find an alternative solution that took into account the topology of the site and was suitable for all users. As suggested by the Office, IMEC would like to revisit the matter at a future session of the Governing Body.

## Decision

- 138. The Governing Body requested the Office to provide an updated progress report on the headquarters building renovation project and on the headquarters security perimeter project at its 347th Session (March 2023).**

(GB.346/PFA/2/1, paragraph 12)

## 2.2. Update on the premises for the ILO Regional Office for Africa and Country Office for Côte d'Ivoire, Benin, Burkina Faso, Mali, Niger and Togo in Abidjan (GB.346/PFA/2/2)

## Decision

- 139. The Governing Body:**

- (a) **took note of the Office's decision to proceed with the redevelopment of the ILO-owned premises in Abidjan, as described in document GB.340/PFA/3, with a scope as approved in October 2020;**
- (b) **requested the Office to provide an update on progress to the Governing Body at its 347th Session (March 2023); and**
- (c) **requested the Director-General to continue the high-level collaboration with the Government of Côte d'Ivoire in support of the redevelopment project.**

(GB.346/PFA/2/2, paragraph 9)

## 3. Review of the ILO's cybersecurity framework (GB.346/PFA/3)

- 140. The Worker spokesperson** said that the issue of cybersecurity merited a more in-depth discussion. The protection of data and the confidentiality of exchanges of information between the Office and constituents was of the utmost importance, not only for the effective functioning of the Organization's diplomatic work but also for the security of many workers in countries where they were under attack.
- 141.** Her group congratulated the Office on a generally positive assessment in comparison with other United Nations agencies but remained concerned at the lack of implementation of the security guidance in development cooperation projects. That posed a risk to the entire Organization, particularly since those activities tended to be the most exposed to external collaborators. The apparent possibility that compliance with information security policies and standards established by the Information Security and Assurance Services Unit might be optional gave cause for concern. A security framework was only as strong as its weakest element, therefore a focus on development cooperation activities was required when prioritizing improvement measures.
- 142.** She welcomed the clarification from the Office that regular reports on the cybersecurity framework would be included as part of the reports on overall information technology policy. The Workers' group supported the draft decision.

- 143. The Employer spokesperson** noted that while the Organization's cybersecurity framework was good, every effort should be made to further improve it. His group supported the draft decision.

## Decision

- 144. The Governing Body took note of the information contained in document GB.346/PFA/3 and requested the Office to take into account its guidance in following up on the recommendations of the review.**

(GB.346/PFA/3, paragraph 13)

- 145. A representative of the Director-General** (Treasurer and Financial Comptroller) drew the Governing Body's attention to document GB.346/PFA/INF/1, which contained information on the collection of contributions from 31 December 2021 to 30 September 2022. In addition, since 1 October 2022, some CHF5.9 million had been received from five Member States, details of which had been provided on the Governing Body website (GB.346/PFA/Room paper).

## 4. Progress report on the development of the ILO strategy on knowledge and innovation across the Organization (GB.346/PFA/4)

- 146. The Employer spokesperson**, mindful of the importance of knowledge management and innovation to the future of work, noted that document GB.346/PFA/4 contained little information on progress on the Innovation and Knowledge Management Unit despite promises made at the 344th Session of the Governing Body in document GB.344/PFA/5. In fact, document GB.346/PFA/4 diverged from document GB.344/PFA/5 by asserting that knowledge management was already interwoven with the ILO's work and innovation was the only current focus. While confident that the shift in direction was the product of thoughtful research and analysis, his group regretted the absence of explanation for it, which represented a missed opportunity to demonstrate transparency and build confidence in the work being done by the Office. Furthermore, both documents lacked substantive strategy. His group expected the Director-General and his team to deliver a detailed strategy to the 347th Session of the Governing Body.
- 147.** Intrigued by the proposal to establish an ILO innovation facility, his group welcomed the promise of specifics on its governance, structure and action plan but nonetheless had some concerns. First, a facility was not a strategy but a mechanism to give effect to a strategy. The group wished to see a clear strategic proposal for the facility. Furthermore, effective knowledge management was essential to driving true innovation, and innovation required a solid understanding of what needed to be changed, for whom and why. Outdated and inefficient knowledge management practices would hinder such inquiry. In addition, his group wished to know what had become of the Innovation and Knowledge Management Unit and the funds budgeted for it. Second, the Employers' group warned against delegating innovation entirely to the facility, as it was important to foster a culture of innovation where many, not a select few, had access to the knowledge and opportunity to effect change. Third, the group asked for the responsibilities of the facility outlined in the document to be clarified and its objectives to be clearly outlined in the Programme and Budget for 2024–25. In addition, the intention to consult continuously with the Bureau for Workers' Activities (ACTRAV) and the Bureau for Employers' Activities (ACT/EMP) on needs for change should be made clear. External innovation must benefit governments and employers' and workers' organizations and ILO field staff while internal innovation must drive the continual improvement of organizational

efficiency and effectiveness. Lastly, in addition to the use of seed resources to mobilize voluntary funding, the group wished to see a plan for the financial sustainability of the facility in the event that donor resources were not readily available. His group expected to see a strategy and plan containing substantive details for knowledge management and innovation in March 2023.

148. Regarding the draft decision, he proposed an amendment to replace the language in subparagraph (a) with: “take into account the views expressed by the Governing Body in finalizing the ILO’s strategy on knowledge and innovation to be examined by the Governing Body at its 347th Session (March 2023);”.
149. **The Worker spokesperson** acknowledged that the strategy arose from the evolved functions of the Knowledge Management Coordination Team over time and took note of the examples of innovative approaches to facilitate implementation and scaling-up of knowledge and innovation strategies, as well as the distinction made between the ILO’s support for external and internal innovations. However, her group requested clarification on the role that the Innovation and Knowledge Management Unit would play in supporting constituents’ work, particularly in coordination with ACTRAV and ACT/EMP. She also asked whether all innovation would be read through a Decent Work Agenda lens, and which criteria would be used to decide whether policies would be supported or not. While internal innovations were clearly geared towards improving the effectiveness and impact of the Office, there was no evidence of effective consultations with the ILO Staff Union. She asked why the ILO Staff Union had not been consulted, if that was the case. There was also no evidence of whether ILO staff capacity and knowledge of the role of social partners and labour administrations had been strengthened, as outlined in the ILO-wide strategy for institutional capacity development. Regarding the responsibilities of the ILO innovation facility, she asked what an “institutional ecosystem for innovation” would look like and who would design it; which innovation initiatives would be prioritized; and to what extent the facility would be capable of, or responsible for, coordinating work done by different technical units. In that connection, she questioned the responsibility outlined under the third bullet point, which appeared to describe the role of the Partnerships and Field Support Department.
150. Her group welcomed the Office’s emphasis on the importance of adopting a rights- and human-centred approach that prioritized coordination and avoided work in silos. However, the exact nature of the work to be completed by the innovation facility remained unclear. Its goals, and the plan for achieving them, should be set out clearly.
151. She proposed deleting subparagraph (c) of the draft decision, since it would be premature to take a decision on the work of the ILO innovation facility and its inclusion in the Programme and Budget proposals for 2024–25 at the 347th Session of the Governing Body. However, her group stood ready to work towards consensus on the draft decision. She asked that the concerns and outstanding questions of the Workers’ group, as well as those of the Employers’ group, be addressed, particularly those regarding overlap and duplication of work. Her group supported subparagraphs (a) and (b) of the draft decision.
152. **Speaking on behalf of the Africa group**, a Government representative of Algeria welcomed the establishment of an innovation facility. However, its roles, responsibilities and interlinkages should be clearly defined, as should its governance structure and coordination, in order to avoid duplication of work and overlap. She took note of the Office’s intention to conduct an internal assessment of innovation efforts undertaken over the previous two years and to engage in preliminary discussions with partners that might support innovations in the world of work. To that end, she proposed that the Office, like other organizations, establish a

consultative exchange platform to facilitate interactions with partners and the establishment of partnerships.

- 153.** The Office should pursue its global, regional and national “innovation challenge calls” to deliver skills training and promote formalization through technological solutions. The use of digital platforms could also strengthen training networks, promote innovative solutions and facilitate exchanges. It was important for future action in that domain to focus on building the capacity of developing countries to use and implement new knowledge and innovation strategies in the world of work, and also the capacity of research bodies to produce knowledge and innovation relevant to current issues in the world of work.
- 154.** A successful knowledge and innovation strategy should include a robust, clearly defined and up-to-date road map; clear communication ensuring cohesion between overarching objectives and projects; a system for prioritizing activities based on impact and implementation time; a network of partners likely to suggest innovative ideas and support projects; a mechanism for mobilizing financing for implementation on the ground; support for the Turin Centre; and regular monitoring to manage and adjust knowledge and promote a culture of knowledge-sharing. The effectiveness of the strategy would depend in large part on the tools and strategies available. Her group supported the draft decision.
- 155. Speaking on behalf of GRULAC,** a Government representative of Colombia noted with interest the proposal to establish an innovation facility to find innovative solutions to social justice and decent work challenges and provide better services to ILO constituents. She asked for further information on the resources that the facility would require to be established and fully functioning and whether they would be allocated from the regular budget or voluntary contributions to be provided in the guidance document submitted to the Governing Body at its 347th Session. She also requested that due account be taken of the ILO’s zero-growth policy when including the innovation facility proposal in the Programme and Budget 2024–25.
- 156. Speaking on behalf of IMEC,** a Government representative of the United States supported efforts to develop an ILO strategy on knowledge and innovation as the ILO must continuously adapt to the changing world of work. The Office had presented plans during the 344th Session of the Governing Body to establish an Innovation and Knowledge Management Unit but was now presenting plans to establish the ILO innovation facility. He asked the Office to clarify whether the Unit had been formed and, if so, what its current status was. Noting that the Business Innovation Unit had been discontinued, he nevertheless trusted that the Office would continue to prioritize maximizing financial efficiency in its innovation work.
- 157.** He welcomed the intention to promote partnerships with the United Nations system as it presented an opportunity for learning and synergies. Furthermore, as innovation often came from the bottom up, he noted with interest the implementation of departmental innovation facilities and looked forward to learning about their impacts through the results of the internal assessment. In the light of the Office’s intention to distinguish knowledge management from innovation strategy, it was important to ensure that the two were appropriately linked and that duplication was avoided.
- 158.** Regarding the ILO innovation facility, he welcomed the focus on fostering an enabling ecosystem for innovation. While identifying and nurturing relevant innovations to increase financing and investments sounded promising, he invited the Office to elaborate on what that meant. He also invited the Office to focus on ensuring its strategy to mobilize resources to support innovations in the world of work was specific and measurable. He asked the Office to explain how the roles of the ILO innovation facility and the centre for the evaluation of public policies proposed in the preview of the Programme and Budget proposals for 2024–25 would

be coordinated. Noting that the facility would receive only seed resources for mobilizing voluntary contributions, he advised the Office that the facility should, if serving a vital function, be financed within the regular budget. Information about the facility should be reported and discussed within – not separately from – the programme and budget.

- 159.** Regarding the draft decision, he supported subparagraphs (a) and (c) and proposed deleting subparagraph (b). However, he would welcome further discussions with constituents to reach consensus.
- 160. A Government representative of China** expressed appreciation for the Office's efforts to foster knowledge management and innovation, which had consistently contributed to the attainment of strategic goals, and supported the Office's efforts to build on past experience to better meet users' needs and address current challenges in the world of work. Improving data collection and research quality would help to build a corporate culture of knowledge-sharing and innovation, and full advantage should be taken of new technologies to strengthen interdepartmental and interregional coordination, which would facilitate the provision of better services to tripartite constituents. He encouraged the Office to step up outreach efforts and actively learn from other organizations within the United Nations system. Finally, he welcomed the proposal to establish an ILO innovation facility and expressed the hope that the Office would fully consult all parties in defining the role of the facility before finalizing the document for submission to the Governing Body at its 347th Session.
- 161. A Government representative of Bangladesh** said that skills mismatches and the absence of skills recognition created barriers for migrant workers to access job markets and he therefore suggested that the Office develop, as part of its strategic approach to innovation, a mechanism to facilitate skills recognition among Member States. He expressed the hope that the ILO innovation facility would prioritize support for developing countries. He supported the draft decision but remained flexible regarding amendments, provided that the ILO innovation facility remained.
- 162. A Government representative of the Russian Federation** welcomed the Office's intention to use innovation to increase the effectiveness of the Organization, the details of which, he trusted, would be duly presented to the Governing Body. Regarding the intention to allocate core funding to the ILO innovation facility, he asked the Office to provide information on the facility's financing and staffing needs, as well as its objectives and key performance indicators. He primarily wished to know the potential extrabudgetary expenditure on the facility in 2023. He supported those delegations that had drawn attention to that issue and had asked for clarifications in their interventions.
- 163. A representative of the Director-General** (Treasurer and Financial Comptroller) said that the document represented a transitional phase to align the strategy for innovation and knowledge management with the Director-General's vision that would materialize over the following months. It was not yet comprehensive as preparations would take place between the Governing Body's current session and its 347th Session to ensure cohesive innovation and knowledge management within the Office. Work to establish the ILO innovation facility, which would examine internal and external innovation and knowledge management, would begin after the 347th Session. Noting the concerns regarding repeated discussions, he said that consultations before the following session would establish a foundation that would allow for more substantive information on the way forward. The Innovation and Knowledge Management Unit had been put on hold upon the Director-General's appointment to determine the next steps, with resources frozen. Regarding funding between regular budget sources and extrabudgetary sources, a proposal would be presented for consideration by the

Governing Body at its 347th Session, to ensure that necessary funding was included within the Programme and Budget for the 2024–25 biennium. He noted the questions about aligning innovation work with the Turin Centre, alignment across different parts of the house, and duplication. The ILO innovation facility would seek to facilitate the work of all units that wanted to innovate, providing them with information to help them progress, rather than directing innovation itself. Knowledge management and innovation in the Office should be encompassed within the work of individual units.

- 164. The Employer spokesperson** reiterated his group's concern regarding the lack of specific information on the strategy, which had been requested at the Governing Body's 344th Session. While he appreciated that there had been a leadership transition and various related issues, discussions on the ILO innovation facility's details must be within the context of a substantive strategy. Therefore, the expectations in the draft decision should be clearer. There should be a proposed knowledge and innovation strategy and detailed information on the innovation facility.
- 165. The Worker spokesperson** said that many of the issues resulted from the number of gaps that had not been closed in the progress update. While her group took into account the Organization's transition, there were no clear answers to some of the concerns raised. The Office must define what it wanted. Her group would appreciate a clearer strategic direction. If the ILO innovation facility was to be included in the programme and budget, further discussions and clarification would be appreciated. The Office had not yet responded to the query on the Staff Union's involvement. Better engagement with union colleagues would have brought clarity on a number of questions.
- 166. The Director-General** said that many matters had to be addressed during a transition in leadership. The Office had been unable to finalize all consultations in time for submission to the Governing Body and it was important to hear the Governing Body's views before finalization. Innovation should go beyond management; the Organization needed to consider its delivery, mandate and how it could innovate regarding matters such as social dialogue and productivity. The ILO's partners could serve as a reference for innovation.
- 167.** When the Office needed to finalize the paper, it had the choice of accelerating the process, which would have affected its quality, or waiting for mid-term reports, allowing for dialogue with the Governing Body. As the Workers' group had highlighted, information on the ILO innovation facility would have to be approved in parallel with the Programme and Budget proposals for 2024–25. Removing subparagraph (b) of the draft decision would integrate proposals on the ILO innovation facility into the programme and budget. The Office would have discussions with the Staff Union.
- 168.** Recruitment had been put on hold to determine exactly what the Office wanted to achieve, the profiles required before finalization and key performance indicators. The Office aimed to use various programme and budget resources and also to try to mobilize resources. Acknowledging the richness of the discussion during the Governing Body's 344th Session, he hoped that the Organization would realize its objectives. It was necessary to move away from traditional innovation towards innovation that integrated people, divisions and departments. There was no need for two subparagraphs in the draft decision where the outcome of one would depend on the other.
- 169. The Employer spokesperson** said that he appreciated the difficulty of taking action in a short period and welcomed the Office's commitments. Subparagraph (a) of the draft decision should reflect the aim of finalizing the strategy. He therefore proposed that subparagraph (a) should be amended to replace "further developing the ILO's strategic approach to innovation" with

“finalizing the ILO strategy on knowledge and innovation to be examined by the Governing Body at its 347th Session”. He accepted the Office’s commitments and was hopeful that they were the beginning of an impactful initiative.

- 170. The Worker spokesperson** welcomed the Office’s commitments to engage with the Staff Union and follow up on closing the various gaps presented. Her group would reconsider its proposed amendment given its understanding that a specific document on the ILO innovation facility would not be presented for the guidance of the Governing Body at its following session. She noted the possibility of holding interim discussions for greater clarity. Her group could move towards aligning with IMEC’s proposals if progress continued in that vein.
- 171. A Government representative of India** suggested integrating the ILO innovation facility with the existing UN Innovation Network to boost its effectiveness. Another suggestion was to examine how the ILO innovation facility and UN system institutions could collaborate with incubation centres at the regional and national levels to create a multifaceted global innovation system.
- 172. A representative of the Director-General** (Treasurer and Financial Comptroller) suggested that subparagraph (a) should be amended as proposed by the Employers’ group. He also suggested applying IMEC’s proposal to remove subparagraph (b). He reassured the Workers’ group that there would be opportunities to discuss the ILO innovation facility’s make-up, funding and focus in January 2023 prior to the programme and budget’s finalization and during the Governing Body’s 347th Session. The amended draft decision would take into account the views of the Governing Body and allow the Office to work towards its objectives and discuss further details by the following session, if necessary.

## Decision

- 173. The Governing Body took note of the overview of progress in knowledge management and innovation in the ILO contained in document GB.346/PFA/4 and requested the Director-General to:**
- (a) **take into account the views expressed by the Governing Body in finalizing the ILO’s strategy on knowledge and innovation to be examined at its 347th Session (March 2023); and**
  - (b) **include the proposed work of the ILO innovation facility, with details on its programmatic activities, structure and funding, in the Programme and Budget proposals for 2024–25, to be examined by the Governing Body at its 347th Session (March 2023).**

(GB.346/PFA/4, paragraph 22, as amended by the Governing Body)

## 5. Other financial questions

*(No other financial questions were submitted to the Governing Body at this session.)*

## Audit and Oversight Segment

### 6. Annual Evaluation Report 2021–22 (GB.346/PFA/6(Rev.1))

- 174. The Worker spokesperson** commended the progress made by the Office in implementing the Evaluation Strategy 2018–21, as indicated by the achievement or partial achievement of 95 per

cent of its sub-outcomes. With regard to Part I of the report, she noted the continued efforts to build staff evaluation capacities under indicator 1.2.1, despite the challenges of the COVID-19 pandemic. The Office should continue that crucial work by further pursuing the goal of indicator 1.2.2 to ensure a fully functioning evaluation network based on a strategic assessment of the added value of evaluations performed. Acknowledging efforts to train constituents and to develop capacity-building materials on the monitoring and evaluation of DWCPs and development cooperation activities, she said that the goals of sub-outcome 1.3 should receive further attention under the updated evaluation strategy. It was positive that the milestones set under indicator 2.1 on cluster evaluations had been met; the use of cluster evaluations could improve staffing and cost efficiencies and provide a more aggregated view of ILO interventions regarding a particular issue or region. Regarding sub-outcome 2.3 on impact evaluations, she looked forward to the new framework for assessment to support credible impact evaluations based on the agenda for impact evaluations in the ILO. She also observed, under indicator 3.3.3, that evaluation outcomes and recommendations were increasingly used to guide the work of the Office.

- 175.** Despite the progress made, the findings of the independent evaluation of the ILO's evaluation function contained in document GB.346/PFA/8 indicated clear gaps in terms of the use of evaluations for strategic planning. She encouraged the Office to strengthen its efforts in that regard and ensure that constituents were fully involved in the follow-up and dissemination of evaluation results.
- 176.** She noted recommendation 1 concerning the high-level evaluations to be conducted in 2023, 2024 and 2025. This recommendation anticipated the start of a new cycle of recurrent discussions and proposed outcome-based evaluations for 2024–25. However, the programme and budget for that period had not yet been finalized, and the Governing Body was still due to discuss the follow-up to the resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work, and the agenda of future sessions of the Conference. Given the potential evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization in the context of the new Global Coalition for Social Justice, the topics proposed should be aligned more closely with the decisions made on those agenda items. While the topics for 2023 could be decided now, and her group supported the proposed topics of rural employment and fundamental principles and rights at work, the decision regarding topics for 2024 and 2025 should be deferred to a future session.
- 177.** On Part II, she noted that it was positive that the results showed that the ILO was recovering in the areas of strategic relevance and sustainability. However, the promotion of the ILO's normative mandate in project design and implementation continued to receive a low score, despite some improvement in 2022, and she urged the Office to increase efforts in that regard. The Office should develop a clearer strategy on integrating environmental sustainability and disability inclusion into its development cooperation work, as the long-standing weaknesses reported in those areas were concerning. The systemic issues listed in table 5 should be addressed as per recommendation 2.
- 178.** In relation to Part III, she welcomed the incorporation of the findings of the independent evaluation of the evaluation function into the outline for an updated ILO results-based Evaluation Strategy 2023–25. She noted that discussion of the proposals should also take into account the debate under the agenda item on the independent evaluation. The strategic initiatives for the enabling environment would be particularly important in the updated strategy; in particular, advancing a strong evaluative culture would counter the more



concerning findings of the independent evaluation with regard to the uptake of evaluation results, which was crucial to ensure the relevance of the Organization's evaluation function.

- 179.** Reiterating her support for cluster evaluations, she asked for further details on how the proposed pooled funding mechanism for evaluations would work in practice. Her group was also in favour of maintaining the three outcomes, in line with UN Evaluation Group norms and standards, and updating them to reflect developments and findings from reviews. Those updates could be discussed in greater detail at a later stage. Specifically, under outcome 2, she questioned whether the review of how the Office could foster a more participatory approach needed to consider the transaction costs of such action; efforts to increase the involvement of workers' representatives in both centralized and decentralized evaluations should be a key consideration in the updated strategy. Stressing the need to carry out additional consultations with constituents prior to finalization of the ILO results-based Evaluation Strategy 2023–25, she expressed support for recommendation 3 and the draft decision.
- 180. The Employer spokesperson** commended the high completion rate of independent evaluations and the improvement in completing internal evaluations. On recommendation 1, his group supported the proposed topics of rural employment and fundamental principles and rights at work for the high-level evaluations for 2023. However, the scope for the latter topic should focus on how the ILO had worked to support Member States in relation to all principles and rights at work in the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022, not solely those related to child labour and forced labour. That would contribute to input and recommendations for the newly added fifth principle on a safe and healthy working environment. For 2024, given that more than one constituent group had expressed a preference for an evaluation on international labour standards, the Office should remove "social dialogue" from the table showing the rolling work plan in future documents. In evaluating the application of international labour standards, it would be important to review the capacity of the International Labour Standards Department to provide all required assistance and functions with respect to the ILO supervisory bodies and to establish whether there was adequate support for current efforts to modernize the Department's working methods. The evaluation should also review the proportion of resources allocated to the various standards-related functions of the Organization. Further to the selection of the high-level evaluation topics, he expressed concern regarding the approach of the Evaluation Advisory Committee, which had requested that "contribution to recurrent discussions" be used as a selection criterion. Topics for high-level evaluations should primarily be selected through consultation with constituents. In addition, focusing on recurrent discussions would make evaluation topics broad in scope, removing the opportunity to conduct high-level evaluations on more focused policy issues.
- 181.** On sub-outcome 1.2, development of the evaluation capacity of ILO staff should be further encouraged and incentivized through managers. Equipping staff with enhanced evaluative capacities would enable broad-based understanding of the key elements required to design impactful capacity development activities for constituents. He noted the limited uptake of monitoring and evaluation training by employers' organizations indicated under sub-outcome 1.3. He said that the relevance of the training to employers could be improved by engaging them from the outset in the design of DWCPs and development cooperation projects. The training should also allow participating organizations to monitor and evaluate their own programmes and activities delivered within their constituencies. On sub-outcome 2.3, he stressed the importance of better coordination between bodies. Under sub-outcome 3.3, there had been a stark decline in the number of evaluation recommendations that had been addressed, demonstrating that recommendations were not acted upon by the Office. It

was important to remember that the return on investment of evaluations came from following up on evaluation findings and recommendations, which would allow the Office to boost organizational learning and accountability.

- 182.** Turning to Part II, he expressed concern regarding the visible drop in constituent support to below 50 per cent in 2021. Although the preliminary results for 2022 showed a rise in that figure, the 2021 result indicated that there had been a general failure to engage constituents in the design and implementation of development cooperation projects during the COVID-19 pandemic, raising significant governance issues in relation to why development cooperation projects were being approved if they were not supporting constituents. Of equal concern was the low percentage of projects in 2021 that offered capacity-building, embedded tripartite processes and took a normative approach. In addition, development cooperation activities conducted in 2021 did not convincingly implement the ILO Development Cooperation Strategy 2020–25, which clearly indicated that development cooperation was founded on tripartism, social dialogue and normative action, and that the Strategy aimed to ensure that ILO services were relevant to constituents' needs and were nationally owned and driven. Lastly, his group underscored the importance of recommendation 2; the recurrent systemic issues identified should be addressed as a priority.
- 183.** In relation to Part III, he observed that outcome 2 should support the embedding of more participatory approaches for relevant ILO departments and offices to increase the quality and relevance of evaluations; that would lead to higher completion rates of evaluation recommendations and enhance the overall use of evaluations.
- 184. Speaking on behalf of the Africa group,** a Government representative of Malawi stated that evaluation was one of the most important items for the Office. He noted with appreciation the improvements in the output and quality of evaluations, despite the challenges arising from the COVID-19 pandemic, and highlighted the usefulness and accessibility of the *i-eval* Discovery dashboard. He urged the Office to continue using evaluations to inform strategic guidance and reporting, as outlined in table 4 of the document. It was concerning that promotion of the ILO's normative mandate in project design and implementation had scored very poorly, given that the area should be a priority; he therefore hoped there would be significant improvements in that regard. Nevertheless, the Office's agility in adapting its interventions during the pandemic was commendable. Resolving the must-address systemic issues listed in table 5 should be prioritized and should form the basis of the next evaluation strategy. The outline for an updated ILO results-based Evaluation Strategy 2023–25 and key strategic initiatives for the enabling environment were welcome. He supported the draft decision.
- 185. Speaking on behalf of GRULAC,** a Government representative of Colombia noted that submission targets for internal evaluations had not been met and requested a plan of action to address such delays. Regarding the proposal to evaluate social protection measures in Latin America and the Caribbean, she requested further details on the feedback received on the scope of the skills evaluation and its timing. She expressed appreciation for the Office's flexibility in adapting its initiatives during the pandemic and for the relatively high level of implementation achieved in all policy areas. The Office must continue to address the identified recurring and systemic issues, in particular in the areas of gender equality mainstreaming, results-based management, the achievement and sustainability of results, and resource-leveraging and adequacy of resources. Time frames should be established for the swift implementation of those activities. Specific action would be needed to improve the significant weaknesses reported in the areas of disability inclusion and environmental sustainability in the design and implementation of projects. It would be interesting to explore the linkages and

synergies between the Evaluation Strategy and the proposed strategy on knowledge and innovation across the Organization.

- 186. Speaking on behalf of IMEC**, a Government representative of the United States welcomed the progress made in the implementation of the Evaluation Strategy 2018–21. He also welcomed the inclusion of a comparative thematic and geographic assessment for performance and encouraged the Office to further analyse the results of that assessment to facilitate learning, sharing of best practices and understanding of systemic issues. He noted the challenges to internal evaluations and endorsed the selection of topics for future high-level evaluations. He applauded the Office’s agility in strengthening the evaluation capacity of staff in regions and departments and encouraged the strengthening of monitoring and evaluation capacity of technical cooperation projects. ILO constituents had an important role to play in the Evaluation Strategy; the Office should therefore continue to mainstream monitoring and evaluation of DWCPs and development cooperation activities into regular capacity-building programmes for constituents. He welcomed the progress made in the establishment of the clustered evaluation modality.
- 187.** His group hoped to see continued improvement regarding gender equality, including in the percentage of reports meeting the requirements of the United Nations System-wide Action Plan on Gender Equality and the Empowerment of Women (UN-SWAP). Disability inclusion must also be improved, including through meaningful engagement of persons with disabilities in the design and implementation of all ILO programmes. Emphasis should be placed on improving effectiveness, sustainability and impact, including in the achievement of the outputs and immediate objectives of ILO projects, as well as the ability to leverage resources. He encouraged the Office to implement the recommendations contained in the document in order to incorporate more learning elements into the draft ILO results-based Evaluation Strategy 2023–25. The Office should also consider how to harmonize its Evaluation Policy with existing donor policies on evaluation and learning to avoid duplication of efforts and inefficient use of resources. He supported the draft decision.
- 188. A representative of the Director-General** (Director, Evaluation Office) thanked constituents for their feedback and support for the recommendations contained in the three parts of the document. He clarified that Part I related to the performance of the evaluation function against its strategy; Part II assessed the overall performance of the ILO based on information distilled from evaluation reports; while Part III provided an outline on the way forward based on the recent five yearly evaluation of the evaluation function.
- 189.** He appreciated the acknowledgement of the good progress made against the strategy. The dip in the performance of management responses to evaluation recommendations was likely to be an anomaly as past trends had always been positive. Good news was the strong performance on evaluation quality with close to 95 per cent of the independent evaluation reports receiving a satisfactory rating by external reviewers (up from 25 per cent in 2015). He agreed that improvements needed to be made so that evaluations would better capture the issues of gender, disability inclusion and environmental sustainability, regardless of whether such issues were part of the project design. Regarding the UN-SWAP requirements on evaluation quality, the ILO evaluation function set itself very high standards by having the evaluation reports assessed externally, which was not the practice at all UN organizations.
- 190.** The strong support for clustered evaluations was appreciated. To do more cluster evaluation, ex-post and impact evaluation, flexibility was needed in the use of resources. Currently the evaluation function had mostly regular budget resources for evaluation and small pockets of evaluation budgets (2 per cent) scattered over multiple projects. A pooled fund or trust fund

for evaluation was a modality that would allow those small pockets of funds to be pooled into a trust fund. That would improve efficiencies, provide economies of scale and reduce the overall cost of evaluation at the ILO. Regarding Part II of the report, the issues identified had been around for a while. They were systemic and the Office had to examine how they could be incorporated better into programme and project design. Regarding Part III, he expressed appreciation for the strong support for the strategic initiatives in the evaluation strategy, particularly those related to capacity development. He affirmed that the emphasis on the enabling environment was indeed crucial for making evaluation a powerful tool for learning and organizational improvement.

## Decision

### **191. The Governing Body endorsed the recommendations of the annual evaluation report 2021–22 (paragraphs 10, 101 and 112) for implementation by the ILO.**

(GB.346/PFA/6(Rev.1), paragraph 113)

## **7. High-level evaluations of strategies and Decent Work Country Programmes (GB.346/PFA/7(Rev.1))**

**192. The Worker spokesperson** noted with satisfaction the Office's quick adaptation and response to the COVID-19 outbreak outlined in the first evaluation, in particular the increased support to constituents and greater collaboration within and outside the ILO. However, the sustainability and prominence of the ILO's role, as outlined in key finding 7, needed to be addressed. She fully supported recommendation 1, which recognized that social dialogue was the vehicle for the formulation and implementation of crisis-related policies. However, lack of capacity was often not the main issue; labour rights violations, particularly of freedom of association and collective bargaining, and political space for social dialogue needed to be addressed. The Office should provide further support to constituents in that regard and also implement recommendations 2, 3 and 4 on preparedness. In establishing a crisis response strategy, constituents must be fully included in the ILO's activities. Her group fully supported recommendations 5 to 8 on policy action. However, the Office should act on policy-based recommendations only in the context of wider policy discussions among ILO constituents at the Governing Body and the Conference.

**193.** Turning to the evaluation of the ILO's programme of work in Central Asia, she noted the satisfactory responses from constituents on the quality of services provided, acknowledged the support provided by the Office during the pandemic and on issues such as occupational safety and health and child and forced labour, and welcomed the ratification of ten ILO Conventions during the evaluation period. However, the limited presence of ILO specialists in Central Asia was concerning; key finding 19 highlighted limitations on influencing policy formulations which might not be endorsed by the government. Her group supported recommendations 2 and 3 on strengthening freedom of association and other international labour standards. Given the current conflicts in the region and the specific risks, a special focus on the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), should be a priority issue for the Regional Office. The Office should consider a special technical cooperation project to provide further capacity-building for the social partners. The Workers' group supported the draft decision.

**194. The Employer spokesperson** noted that the evaluation on the ILO's response to the COVID-19 pandemic provided an opportunity for the ILO to learn lessons and ensure that it was fully

prepared for any future crisis. His group did not agree that the policy framework adopted during the COVID-19 pandemic recontextualized an endorsed policy direction rather than changing it; the four pillars did not take full account of the urgent need to encourage productive employment through efficient policies or the need for skills development, and they did not reflect the contributions of the tripartite constituents. The Office must consult with constituents, especially in times of crisis.

195. Significant resources had been channelled into the COVID-19 response in 2020 and 2021, yet development cooperation projects involving constituents in their design and implementation had low output and capacity-building efforts were insufficient. With regard to support provided to constituents during the crisis, the evaluation had focused on individual results rather than adopting a whole-of-Organization approach. On action promoting universal social protection, cash transfers were not a long-term solution to establishing sustainable social protection systems, nor did they build constituents' capacity or address root causes. Taking account of the lessons learned from COVID-19, in the future the Office should not use cash transfers as a means of supporting crisis-affected countries.
196. The findings on the relevance, coherence and efficiency of the ILO's work were favourable for most of the evaluation criteria, but those on impact and sustainability were again the weakest points. To ensure that its work was sustainable in the long term, the Office should incorporate into the design of every intervention a clear theory of change and the desired result, and a capacity-building element. As to lessons learned, the Office should document more fully what had worked and what had not. Furthermore, recommendation 1 should be reformulated to fully reflect the concerns and priorities of employers and workers in post-pandemic recovery policies and actions globally, regionally and nationally. His group agreed with the Office response that the ILO Institutional Capacity Development Strategy adequately addressed the actions recommended by the evaluation.
197. The findings of the evaluation of the ILO's programme of work in Central Asia accurately reflected the ILO's performance under all criteria. He welcomed the fact that surveys, diagnostics and analytical reports had been used in support for constituents and had helped guide the establishment of national priorities and policies, and that progress had been made in building the constituents' awareness, capacity and ownership of reforms in order to promote the sustainability of ILO interventions.
198. **Speaking on behalf of the Africa group**, a Government representative of Rwanda took note of the key findings and recommendations of the two evaluations, and welcomed the fact that the Office was committed to taking appropriate actions to implement them. Some areas needed further attention to achieve greater effect in terms of relevance, coherence, effectiveness, efficiency, impact and sustainability, and the overall assessment levels. The efficient implementation of the recommendations would help to achieve the goals set out in policy and strategy documents adopted during the COVID-19 pandemic, including the Global Call to Action, the inclusion of a safe and healthy working environment as one of the fundamental principles and rights at work, the Global Accelerator on Jobs and Social Protection for Just Transitions, and the ILO Regional Social Protection Strategy for Africa. On the evaluation of work in Central Asia, the Office should take into account the lessons learned and best practices identified to further its work in promoting decent work globally. His group supported the draft decision.
199. **Speaking on behalf of the Association of Southeast Asian Nations (ASEAN)**, a Government representative of Indonesia expressed support for the policy measures taken by the ILO in response to the COVID-19 pandemic. She encouraged the Office to fully implement the eight

recommendations of the evaluation to better serve ILO constituents and support Member States' recovery from the pandemic. The Office should strengthen its collaboration with regional organizations to ensure that its strategies and DWCPs were aligned with existing regional initiatives, such as the ASEAN Comprehensive Recovery Framework. The findings of both evaluations would generate positive inputs for the future work of the ILO. Her group supported the draft decision.

- 200. A Government representative of the Russian Federation** welcomed all initiatives aimed at improving the efficiency of the Organization. However, he questioned whether it was necessary to develop an Organization-wide crisis response strategy as proposed in recommendation 2 of the evaluation of the COVID-19 response, as the ILO already had a business continuity plan, which could be updated. The Office supported new work practices in the secretariat, including remote working; in his view, however, the pandemic had shown that not all activities could be carried out remotely and that face-to-face interaction was the most efficient and appropriate way of working.
- 201. A representative of the Director-General** (Officer-in-charge, Jobs and Protection Cluster) thanked the Governments and the social partners for their collaboration during the evaluation period, during which the Office had improved its response to the pandemic over time. The Governing Body's comments had shown that process was as important as content, and the Office had noted the call for improved consultation in times of crisis. One of the new action programmes would address decent work in crisis and post-crisis situations, and the Office would review how it handled such situations in the future on the basis of the Governing Body's guidance.
- 202. Another representative of the Director-General** (Director, ILO Regional Office for Europe and Central Asia) welcomed the positive comments on the evaluation of the programme of work in Central Asia. In view of the Office's limited presence on the ground, the high scores on relevance and efficiency were particularly pleasing. The combination of virtual and in-person methods of working had been successful during the COVID-19 pandemic and would continue. Work in the region would continue to focus on child and forced labour, noting that Europe is the only region having ratified all eight fundamental Conventions; therefore keen on promoting prompt ratification of the Conventions on occupational safety and health that had recently been classified as fundamental; prioritize freedom of association; and provide further capacity-building for the social partners, with a view to enhancing their cooperation with the UN country teams at the national level. The DWCPs in the region had already been aligned with the UN common framework.
- 203. Another representative of the Director-General** (Director, ILO Evaluation Office) stressed that these two high-level evaluations contained hundreds of pages of findings and that additional events would be organized to ensure dissemination and learning. As no questions had been raised about the evaluation methodology, he would refrain from adding further comments.

## Decision

- 204. The Governing Body requested the Director-General to take into consideration the recommendations of the two independent high-level evaluations presented in document GB.346/PFA/7(Rev.1) (paragraphs 82–89 and 108–114) and to ensure their appropriate implementation.**

(GB.346/PFA/7(Rev.1), paragraph 125)

## 8. Summary of findings of the independent evaluation of the ILO's evaluation function (GB.346/PFA/8)

- 205. The Worker spokesperson** acknowledged the progress that had been made in respect to 9 of the 13 recommendations that had been made in the previous independent evaluation of the ILO's evaluation function in 2016. She noted with satisfaction the finding that the evaluation function was well established in the Office, its independence was assured and the quality and credibility of the evaluations were recognized. The Workers' group therefore supported recommendation 1 regarding the location of the Evaluation Office within the Office and supported the recent decisions made by the Director-General in that regard.
- 206.** However, some ongoing challenges and issues of concern had been identified, including the limitations on the staffing and resources to carry out the multitude of evaluations each biennium. She urged the Office once again to address those challenges. Greater efforts should be made to strengthen the capacity of staff and the ILO constituents to contribute actively to the evaluation function and that objective should be a key focus of the next update of the evaluation strategy. Her group agreed that the usage of cluster evaluations should be further optimized. Recalling that her group had voiced its concerns in the past on the uptake and utility of evaluation results in future decision-making and planning processes, she said that greater efforts still needed to be made to disseminate evaluation results and foster a culture in which evaluations were seen as a learning opportunity rather than an administrative task. The Office should therefore focus more strongly on the uptake of evaluation results in subsequent theories of change, in line with recommendation 6.
- 207.** As noted in the document, there was a need to explore better ways to include workers' representatives in both the centralized evaluation function and in project evaluations, in order to establish the buy-in of the constituents throughout the project cycle. It was perplexing not to see that issue reflected in the recommendations.
- 208.** She noted with concern the lack of progress on gender-responsive evaluations to the point that the evaluation function had not met the requirements of the United Nations System-wide Action Plan on Gender Equality and the Empowerment of Women (UN-SWAP). Although the evaluation had identified opportunities to mainstream gender and cross-cutting issues more systematically at all evaluation stages, the issue had once again been ignored, both in the recommendations and in the management response. The Office must put in place effective measures to ensure gender sensitivity in all aspects of its operations.
- 209. The Employer spokesperson** welcomed the generally positive evaluation, particularly with regard to its effectiveness in achieving the goals of the evaluation strategy. Evaluation was an essential tool to promote tripartism and social dialogue, and for capacity-building among all ILO constituents. However, the document also flagged some continuing challenges as to the utility of evaluations and underscored the need to foster an enabling environment for evaluation. He noted with concern the low uptake of evaluation findings. Based on the sheer volume of evaluations carried out between 2017 and 2021, the Office should be in a good position to improve the use of the results for accountability and learning purposes at different levels. If the importance of evaluation was not underlined in strategic decision-making and in capacity-building activities, then the financial and human resources spent on evaluations would go to waste.
- 210.** In its 2020 assessment of the ILO, MOPAN had found the ILO's independent evaluation function to be highly satisfactory, but it considered that the Organization's ability to deal with poor performance was weak and its capacity to draw on lessons learned was a real problem.

The Office must take specific measures to tackle those challenges. In terms of relevance, the Office could benefit from a clearer strategy and a single evaluation plan, as well as from better coordination and consultation with policy departments and field offices and with ACT/EMP and ACTRAV. The conclusions noted that the evaluations did not always ask the right questions and that there were opportunities for a more practical and nuanced approach. In that regard, the Employers' group once again called for a more participatory approach, which would improve not only the quality and relevance of evaluations but also ownership of and support for outcomes and follow-up. In that connection, the group reiterated the proposal it had made at previous sessions for the directors of ACTRAV and ACT/EMP to be involved in the Evaluation Advisory Committee, with a view to improving follow-up to evaluations and increasing the impact on employers and workers. That involvement would also improve internal and external coherence and enable more strategic use of the Evaluation Advisory Committee, as stipulated in recommendation 1. He asked the Office to provide a specific response to his group's proposal in that regard.

- 211. Speaking on behalf of the Africa group,** a Government representative of Nigeria expressed appreciation for the independent evaluation. The findings showed that Africa was one of two regions covered by the largest share of the evaluations to date, which demonstrated the importance the region placed on them. The evaluation function enabled States to be sufficiently informed and to better appreciate both the evaluations themselves and the projects, programmes and other tools provided for support. The Africa group welcomed the evaluation reports relating to Africa and requested that they be disseminated more broadly, including to local administrations, in particular those responsible for employment, work and social protection. Doing that would help to address the issues raised in conclusion 3 and recommendation 8. His group took note of the recommendations and conclusions contained in the document and underscored their relevance with regard to improving the impact of the ILO's evaluation function and updating the Evaluation Strategy 2022–25. The group supported the draft decision and expressed the hope that an analysis would be carried out in the future of the ILO's evaluation policy and the related financial considerations.
- 212. Speaking on behalf of GRULAC,** a Government representative of Colombia welcomed the summary of findings that would serve as the basis for the next update of the Evaluation Strategy 2022–25. Her group appreciated the quality of the evaluations presented, which were very useful for decision-making. However, the impact of evaluations was undermined by a lack of financial and staffing resources and the prevailing operating environment did not facilitate equal participation in evaluation activities. One of the main issues was the large number of evaluations, which affected the Office's ability to use their results in decision-making processes. There was therefore a need to be more flexible and perhaps reduce the number of evaluations conducted.
- 213.** GRULAC recognized the progress that had been made since the previous independent evaluation in 2016. However, greater attention needed to be paid to the question of integration, from the project design stage, with a greater sensitivity to gender, disability, environmental sustainability and other issues. GRULAC supported the draft decision while remaining mindful of those recommendations that could have financial implications and the options presented to establish a flexible financial process.
- 214. Speaking on behalf of IMEC,** a Government representative of Sweden welcomed the assessment that the ILO's evaluation function was being well developed and able to ensure that the Organization's decision-making, programming design and implementation could be underpinned by robust evidence. However, it was important to address the barriers, challenges and missed opportunities that had been noted. The findings confirmed that there



was a strong appetite to use evaluations to assess impact and a commitment to comply with evaluation responsibilities, but the accountability role of the evaluations remained more visible than learning and improvement. The main barrier appeared to be a weak evaluation culture, and the large number of evaluations. IMEC therefore urged the ILO to encourage an enhanced focus on strategic learning and supported more streamlined and clustered evaluations focusing on the most relevant issues in order to reduce the burden on evaluation staff and enable increased uptake and learning. Improved learning and strategic evidence-based decision-making was key to the relevance, efficiency, results and sustainability of the ILO's work.

- 215.** The Evaluation Advisory Committee could also be used more strategically to generate dialogue around evaluation insights. Investing in evaluation skills among ILO staff at all levels was essential to strengthen results-based management. An enabling environment could not be created without adequate resources so policy decisions must be matched with resources. IMEC urged the Office to secure sufficient resources for evaluations in both the regular budget and project budgets. It also supported increased flexibility and pooled funding to enable clustered strategic evaluations.
- 216.** It was a concern that gender was still not fully mainstreamed throughout evaluations and that only 14 of 55 ILO evaluations had met UN-SWAP requirements in 2021. Gender-responsive evaluations were a powerful tool to generate evidence, strengthen learning and inform project and programme design and contribute to the achievement of gender equality.
- 217.** IMEC supported continued commitment to increased coordination within the UN evaluations system, to increase efficiency and enhance joint learning and programming. IMEC also joined the call for evidence on impact, including for beneficiaries, and suggested the ILO take that point into account when developing its new evaluation strategy.
- 218. A representative of the Director-General** (Director, Evaluation Office) thanked the members of the Governing Body for their comments. Such an evaluation every five years was a good practice and helped to hold the ILO's evaluation function accountable. The evaluation had confirmed that the evaluation function had a firm foundation, with the necessary independence, quality and credibility. That had also been confirmed by the 2020 MOPAN assessment. However, he acknowledged the challenges and issues that had been identified. Accountability and organizational learning went hand in hand, but attention had perhaps been focused more on accountability than on learning. Those issues would be addressed in the evaluation strategy.
- 219.** Staffing was indeed an issue, in the sense that many of the evaluation managers were certified volunteers, so the system was rather precarious. Cluster evaluations made it possible to conduct fewer evaluations in a more strategic manner. It might be possible to reduce the number of evaluations as recommended by increasing the threshold for when a project needed to be independently evaluated, but that would require careful consideration, as it would give more importance to internal evaluations. That presented a challenge in terms of completion rates and would need to go hand in hand with improving internal capacity along with efforts to strengthen evaluation culture in general. Learning from evaluations should also be better linked to the Office's initiative to improve innovation and knowledge building. The involvement of constituents was indeed critical. Although the evaluation reconfirmed that, it was not carried through into a specific recommendation. Nevertheless, it was part of the outline for the evaluation strategy and would not be ignored. The outline of the evaluation strategy also made reference to a more participatory approach involving constituents in

evaluation, not only in conducting evaluations but also in designing terms of reference and evaluation questions, among other things.

- 220.** The enabling environment was crucial, and he welcomed the support for pooled funding where possible, which would hopefully lead to more ex-post evaluations and impact-oriented evaluations. The Evaluation Advisory Committee had been the subject of discussions with the Director-General that would hopefully lead to a new role that would be aligned with the evaluation findings and potentially include a role for the workers and the employers. Finally, the need for more gender-sensitive evaluations was linked to the need to strengthen the enabling environment but the Evaluation Office undertook to improve its response in that regard.

## Decision

- 221. The Governing Body requested the Director-General to take into consideration the recommendations of the independent evaluation presented in document GB.346/PFA/8, and to ensure their appropriate implementation.**

(GB.346/PFA/8, paragraph 45)

## 9. Matters relating to the Joint Inspection Unit (GB.346/PFA/9)

- 222. The Worker spokesperson** supported the draft decision.
- 223. The Employer spokesperson** also supported the draft decision.
- 224. Speaking on behalf of IMEC**, a Government representative of Japan said that he understood that the pilot fast-track process aimed to find ways to improve the Governing Body's efficiency and time management. IMEC looked forward to reviewing the process at the March 2023 session and exploring whether singling out items such as the recommendations of the Joint Inspection Unit (JIU) enriched the Governing Body's deliberations on matters of oversight and audit or created an atomized view of governance across the Organization. It was important that Governing Body members were not discouraged from speaking on any item, if they had valid issues to raise.
- 225.** IMEC appreciated the work of the JIU, which was important for efficiency, accountability and transparency within the United Nations system, as well as for creating system-wide coherence. Oversight and follow-up to the JIU recommendations by governing bodies of UN agencies was important.
- 226.** The ILO had internal audits, external audits, an oversight committee and JIU recommendations. It would be useful to have an overall picture of all the different recommendations in order to have a comprehensive understanding of the ILO's oversight mechanism and to help set the Governing Body agenda more effectively. The views of the Office would be welcome in that regard. In addition, there were two kinds of JIU recommendations: those for the Office and those for the Governing Body. It would be helpful to have a separate list that made clear which recommendations were intended for the attention and guidance of the Governing Body. That would help the Governing Body to deliberate more effectively and efficiently. It would also mean that there would be room for more constructive discussions if there were recommendations that had been under consideration for many years due to a lack of resources.
- 227.** In terms of follow-up to JIU recommendations, one of the key recent cross-system reports was the Review of the ethics function in the United Nations system (JIU/REP/2021/5). However,

there had been no follow-up to that important report in any Governing Body documents. IMEC requested clarification from the Office on the term limit for the head of the Ethics Office, the presentation of annual ethics reports to the Governing Body and the development of a mandatory ethics course.

- 228.** With regard to the JIU recommendations on strengthening the investigation function, little progress appeared to have been made on recommendations 3 and 7, due in 2022 and 2021, respectively, since the previous year. He requested details about the timeline for future implementation of those recommendations.
- 229.** IMEC thanked the Office for its responses regarding the JIU recommendations on environmental mainstreaming. With regard to the two recommendations that had not been accepted, IMEC would be interested to hear the Staff Union's views on the recommendation to incorporate environmental sustainability and behaviours into recruitment and selection processes. The group also requested the Office to provide details on whether any environmental or sustainability considerations were given to matters of information and communications technology, in view of the commitments in the Strategy for sustainability management in the United Nations system, 2020–2030.
- 230.** IMEC had high expectations of internal control and governance matters and encouraged further reflection on how to improve the key oversight function of the Governing Body. In view of time constraints, IMEC would be open to receiving clarifications from the Office in writing.
- 231. A representative of the Director-General** (Treasurer and Financial Comptroller) said that the Office would provide IMEC with answers in writing.
- 232. The Director-General** said that the Office would return to the issue, perhaps with a paper for discussion at the next session of the Governing Body, to propose a systematic way forward, not only in terms of implementing the JIU reports, but also on making the Governing Body more effective and efficient without jeopardizing its responsibility to oversee the work of the Office.

## Decision

- 233. The Governing Body took note of the information contained in documents GB.346/PFA/9, GB.346/PFA/9/REF/1 and GB.346/PFA/9/REF/2 and provided guidance to the Office.**

(GB.346/PFA/9, paragraph 19)

## Personnel Segment

### 10. Statement by the Chairperson of the Staff Union

The statement by the staff representative is reproduced in [Appendix II](#).

### 11. Amendments to the Staff Regulations (GB.346/PFA/11)

#### Appraisal of ILO officials designated as members of United Nations country teams

- 234. The Worker spokesperson** noted that the ILO Staff Union had been thoroughly consulted on the amendments to the Staff Regulations – under which ILO officials in United Nations (UN) country teams would be appraised by resident coordinators, in addition to their ILO supervisors – provided that overall responsibility for assessing ILO officials' performance in

delivering on the ILO's mandate remained with their responsible ILO chiefs. That condition was of great importance, and the impact of the amendment must be monitored closely as it could generate increased pressure on ILO officials owing to conflicting or accumulating expectations. His group supported the draft decision.

- 235. The Employer spokesperson** expressed his group's support for the proposed changes to the Staff Regulations on the understanding that resident coordinators' appraisals would relate specifically to the ILO's contribution to joint UN activities and that overall responsibility for ILO officials' performance in delivering on the ILO's mandate lay with their responsible ILO chiefs. The amendments would better align performance management and accountability within the common system while providing an additional mechanism to manage ILO officials' performance. It would also contribute to upgrading the skills and competences of ILO managers and enable them to advance the Decent Work Agenda by participating more effectively in country teams. The Office should therefore regularly take stock of resident coordinators' appraisals of ILO officials in order to better understand the latter's performance and identify areas where training might be valuable. Furthermore, the Office should provide an analysis of the operational results of introducing appraisals by resident coordinators in its regular reports on UN reform to the Governing Body.
- 236.** It would also be useful to receive regular reports on the implementation of the revised Management and Accountability Framework, which recognized the importance of trade unions and employers' organizations as strategic partners and facilitated their engagement in common country analysis and UN Sustainable Development Cooperation Framework processes. Similarly, it would be appropriate to examine whether resident coordinators were fulfilling their responsibilities in terms of engaging with strategic stakeholders such as employers' and workers' organizations.
- 237. Speaking on behalf of the Africa group,** a Government representative of Senegal noted that the amendments would contribute to improving governance, performance and productivity, while the revised Management and Accountability Framework would allow trade unions and employers' organizations to help implement Cooperation Framework processes. His group supported the proposed amendments, which were in line with UN standards, and supported the draft decision.
- 238. Speaking on behalf of GRULAC,** a Government representative of Colombia said that the ILO's increased participation in UN country teams improved understanding of its tripartite structure and allowed it to be fully integrated in the UN system. While the proposed amendments were necessary, it would be important to consider their implications, for example the procedure to be followed in the case of contradictory appraisals by ILO chiefs and resident coordinators, and where responsibility for decisions would lie if a resident coordinator deemed an official's performance unsatisfactory.
- 239. A representative of the Director-General** (Officer-in-Charge, Human Resources Development Department) clarified that the amendments formalized an existing practice and would allow the ILO to consider resident coordinators' appraisals, which related to one specific output, within its normal internal performance evaluation system. Any diverging views on an official's performance would be subject to the internal review and rebuttal process and would ultimately be referred to the ILO Reports Board, which is the ILO internal body that reviews performance appraisal of ILO officials.

## Decision

- 240. The Governing Body approved the amendments to Chapters II and VI of the Staff Regulations relating to the organization of the staff and advancement, appraisal and change of grade, as set out in the appendix to document GB.346/PFA/11.**

(GB.346/PFA/11, paragraph 5)

## 12. Matters relating to the Administrative Tribunal of the ILO: Review of the jurisdictional set-up of the United Nations common system (GB.346/PFA/12(Rev.1))

- 241.** The Governing Body had before it an amendment to the draft decision, which had been proposed by the Workers' group and circulated by the Office to all groups, to insert the words "and of the comments of the judges of the International Labour Organization Administrative Tribunal on these proposals" after "(A/77/222)" in subparagraph (a).
- 242. The Worker spokesperson,** recalling that the ILO and the Director-General were the custodians of the ILO Administrative Tribunal, requested clarification of the Office's mandate to engage with the working group that had been established by the United Nations Legal Advisers Network to review the jurisdictional set-up of the UN common system. She noted the three proposals that had been developed by the working group, which were outlined in the UN Secretary-General's report on the review (document A/77/222) and set out in the Office document, concerning submissions from the International Civil Service Commission (ICSC) during judicial proceedings, guidance by the ICSC following tribunal judgments involving its recommendations or decisions and the establishment of a joint chamber. She wished to know whether proper consultation had been undertaken with the ILO Administrative Tribunal and the staff unions during the development of the proposals and what exactly was being requested of the Governing Body. As recognized in the Office document, it was for the Governing Body to assess whether any action was required in relation to the implementation of ICSC decisions and recommendations. However, the Governing Body was not in a position to address discussions taking place within the United Nations. If the Governing Body was being asked to give a mandate to the Office to continue to work with the UN Secretariat, clarification was required as to how the Office would proceed if the Governing Body was unable to reach consensus on the proposals.
- 243.** It was perplexing that the document did not make reference to the strong criticism of the proposals by the judges of the ILO Administrative Tribunal that had been included in the appendix at the request of her group, which supported those views. Changes to the ILO Administrative Tribunal's competence could only be made via a change to its Statute through a decision of the Conference, after the Governing Body had adopted a decision to place the matter on the Conference agenda. She noted the openness of the judges of the ILO Administrative Tribunal to engage with those of the UN Appeals Tribunal and encouraged the Director-General to involve the judges of both tribunals in exploring further solutions. The Coordinating Committee for International Staff Unions and Associations of the United Nations System (CCISUA) had expressed support for the second proposal, provided that the process to allow respondent organizations to notify the ICSC was strictly limited to informing it of the judgment, and that once such notification had taken place, staff federations could participate fully in the discussion of the judgment at the next regular ICSC meeting. Her group shared the CCISUA's concerns that the third proposal could lead to delays, increase costs and threaten the tribunals' independence.

244. She urged the Director-General to convey to the UN Secretary-General her group's view that lengthy and complex debates and negotiations, resolutions and additional legal structures were unnecessary and would only divert resources that should be invested in more pressing matters. Furthermore, the ILO Staff Union and the CCISUA had expressed concern at the inadequate consultation with the staff federations, and she hoped that the Office would undertake proper consultation with the ILO Staff Union when drafting future reports on the subject. Excessive effort was being made to identify a perfect legal solution to an issue that could not be completely resolved without causing disruption to the ILO Administrative Tribunal.
245. The proposals, particularly the third one, risked doing more harm than good. The Office should explore further the second proposal and take up the offer of the ILO Administrative Tribunal to enhance communication and understanding between the two tribunals. Turning to the draft decision, she explained that the purpose of her group's amendment was to reflect the relevance of the judges' views. Her group supported subparagraph (b) on the understanding that the Director-General would take fully into account its objection to some of the proposals.
246. **The Employer spokesperson** asked the Office to clarify the details of the mandate given to the UN Secretary-General by the UN General Assembly in resolution 75/245B and to explain why the Governing Body was being invited to take a decision on the report by the UN Secretary-General that had already been presented for discussion at the 77th session of the General Assembly in November 2022.
247. She considered the first proposal to offer the least intrusive approach, as it created no new obligations for the organizations or the ICSC nor required any changes to the existing legal framework. The second proposal had received support from most stakeholders and was built on existing practice. Regarding the third proposal, she noted that the UN Secretary-General had given a clear instruction in document A/77/222 to proceed with the establishment of a joint chamber. She asked the Office to clarify why the ILO representative in the working group on the matter had supported that proposal when the judges of the ILO Administrative Tribunal had expressed their opposition. She also asked the Office to clarify how a new joint chamber would consolidate the two bodies of jurisprudence and effectively administer dispute settlement across the UN common system. Furthermore, a joint chamber could entail increased litigation costs and cause delays to final decisions. It could also, overall, be a disproportionate solution to the actual needs of current practice. More information should be made available to assess those needs, such as the average time to settle a case through the ILO Administrative Tribunal and the average litigation cost of each case. Focusing on conflict prevention and early resolution, instead of litigation, could be more financially efficient.
248. She supported the amendment proposed by the Workers' group and proposed a further amendment to replace the word "cooperate" in subparagraph (b) of the draft decision by the word "engage", as "cooperate" implied that the ILO must comply with decisions taken or requests made by the UN Secretariat, which might limit the Office's ability to apply the decisions of the Governing Body.
249. **Speaking on behalf of GRULAC**, a Government representative of Colombia emphasized the importance of the Office's continued participation in the evolution of the issue to ensure that the solution took into consideration the priorities of the ILO's constituents and encouraged the Office to engage in consultations with the judges of the ILO Administrative Tribunal. She supported the draft decision.
250. **Speaking on behalf of the Africa group**, a Government representative of Libya supported the initiative to change the methods for adjudicating cases relating to ICSC decisions or

recommendations before the tribunals. The new mechanism should prevent disputes, protect the UN common system and enhance cooperation between the tribunals. Conflicting decisions, even if rare, risked undermining the cohesion of the UN common system. Her group appreciated the working group's efforts to submit proposals in consultation with organizations within the UN, the ICSC, the tribunals, staff unions and the UN Internal Justice Council. Her group supported the draft decision.

- 251. Speaking on behalf of ASPAG**, a Government representative of the Philippines recognized the need to resolve inconsistencies in the current jurisdictional set-up of the UN common system and, while respectful of the vital independence of the ILO Administrative Tribunal, encouraged the Office to seek appropriate and viable arrangements to ensure equal conditions of service for all staff across the system. She also encouraged the Office to continue to support discussions of the UN Secretary-General's proposals, to explore the legal, procedural and financial considerations of each proposal, and to share those considerations with stakeholders. She further encouraged the Office to engage in consultations on the proposals with all relevant stakeholders with a view to building mutual trust and understanding. Noting that the UN General Assembly would be discussing the proposals on the jurisdictional set-up as well as the issue of the determination of the post adjustment by the ICSC simultaneously to the Governing Body discussions on those items, she asked the Office to communicate to the Governing Body in a timely manner any new developments from the UN deliberations. Her group remained committed to future discussions on the issue and supported the draft decision. Regarding the amendment proposed by the Worker's group, her group remained flexible.
- 252. Speaking on behalf of IMEC**, a Government representative of Canada said that the recent divergence in judgments by the two tribunals had seriously undermined the cohesion of the UN common system and justified the search for new mechanisms to prevent further such divergences. The Office should continue to cooperate with the UN Secretariat in exploring ways forward and, in so doing, should prioritize both the principle of judicial independence and the cohesion of the UN common system. Widespread support would be crucial. In that regard, she called on the judges of the ILO Administrative Tribunal to engage constructively in further discussions on the issue and called on the Office to engage closely with the judges as discussions with the UN Secretariat continued. Noting that the ILO Administrative Tribunal had expressed willingness to engage in periodic informal dialogue with the UN Appeals Tribunal on the issue of consistency and cohesion within the UN common system, she asked the Office to further explore that idea and to facilitate such dialogue as appropriate. Her group supported the draft decision.
- 253. A Government representative of the Russian Federation** said that an appropriate solution must be found to protect the UN common system and the benefits it provided. However, the issue at hand was not the amendment of the ICSC Statute, but rather the fact that the judgments of the ILO Administrative Tribunal could not be appealed. The proposals outlined in the UN Secretary-General's report offered some solutions, the most promising of which was the third, to establish a joint chamber that should be empowered to issue appellate rulings, as it would prevent a repeat occurrence of divergent judgments by separate tribunals. However, empowering a joint chamber to issue only preliminary rulings would further complicate the process of the adoption in the UN common system of ICSC recommendations and decisions and should be avoided. The bureaucratic difficulties involved in establishing a joint chamber could be overcome if the Member States and the Office were united in their determination to do so. He fully supported the first proposal, as that would serve to bring balance to the positions of parties during hearings. However, the second proposal would be ineffective. The Office should explain why the ILO's position had not been included alongside those of other

organizations in the UN common system in annex V to the UN Secretary-General's report. In that context, he urged the Office to coordinate closely with the UN Secretariat during the preparation of the subsequent report.

- 254. A representative of the Director-General** (Legal Adviser) said that the Office had taken note of all the comments and gave his assurances that it would be guided by the Governing Body in its continued cooperation with the UN Secretariat. It was clear that, for any proposal to be successfully implemented, the full collaboration of both tribunals was indispensable. The review was a work in progress and the Office could submit an information paper, if needed, to the Governing Body at its March 2023 session to keep it apprised of developments.
- 255.** In response to the questions raised by the Worker spokesperson, he recalled that he had represented the Office in the working group at the request of the previous Director-General since late June/early July 2020, notably with a view to ensuring the accuracy of information concerning the ILO Administrative Tribunal. All relevant information in that respect was to be found in paragraphs 3–5 of the UN Secretary-General's report. Paragraphs 7–32 of the same document provided detailed information on the extensive consultations held with staff unions and other stakeholders. As to why the proposals had not been presented to the Governing Body sooner, he explained that they had only recently been sufficiently refined for the Governing Body to be able to consider them and provide guidance. He recalled that, in the absence of elaborate proposals, the Office had submitted only information documents on the subject to the Governing Body at its March 2021 and March 2022 sessions.
- 256.** Responding to another question, he clarified that the Governing Body was being invited to provide its guidance on the UN Secretary-General's proposals so that the Office could convey the views and concerns of the ILO governance organ to the UN Secretariat. In previous discussions with the UN Secretariat, the Office had indicated that it could not express any views before receiving such guidance, as was reflected in a footnote in annex V to the Secretary-General's report. He confirmed that the General Assembly was currently holding discussions simultaneously on the issue of jurisdictional set-up and on the issue of the amendment of the ICSC Statute. In his view, the two issues were distinct, since the possible amendment to the ICSC Statute would help resolve the current impasse concerning the implementation of post adjustment multipliers, whereas the possible establishment of a joint chamber would act preemptively so as to prevent a recurrence of the inconsistent application of ICSC decisions due to conflicting judgments of the two tribunals.
- 257.** He went on to clarify that the Office had not commented on the views of the judges of the ILO Administrative Tribunal as, in its view, that had not been the purpose of the document. The judges had made three critical observations: first, the joint chamber would represent a major change in their terms of appointment; second, it was unclear what the applicable law that the joint chamber should draw upon would be; and third, if made binding, the rulings of the joint chamber would subvert the independence of the judges. In that connection, he recalled that any change in the role of the judges and the ILO Administrative Tribunal's jurisdiction would be based on a proper amendment to the Statute adopted by the Conference, and therefore the legality of the new arrangement could not be questioned. Furthermore, interpretative or preliminary rulings, despite their name, would contain authoritative guidance and would not compromise the judicial independence of the judges. That said, the current discussion was not the appropriate time or venue for providing a comprehensive response to the comments of the judges of the ILO Administrative Tribunal.
- 258.** In response to the concerns that a joint chamber could entail increased costs, he said that the costs would be shared among all the UN common system organizations and the chamber



would be convened only when necessary, perhaps remotely, and would accept written submissions only, thereby minimizing costs. It was estimated that the cost of the joint chamber could be absorbed by the existing budgets of the two tribunals. As to concerns about delays, he said that it was proposed that the rules of procedure of the chamber should establish a time frame of three months for handing down rulings.

- 259.** Turning to the comments by the Employer spokesperson, he stressed that the members of the working group had conducted technical work that consisted of designing a mechanism for effectively mitigating the risk of conflicting judgments in the future. The average duration of an ILO Administrative Tribunal case, from the submission of the complaint until the judgment delivery, ranged from two to three years and the standard cost per case had varied in recent years between CHF20,000 and CHF25,000. The Office would keep the Governing Body informed of developments in the deliberations by the UN Secretariat, as requested by ASPAG, and would continue to engage closely with judges of both tribunals in the ensuing months and to facilitate the exploration of a periodic informal dialogue between the judges of the ILO Administrative Tribunal and those of the UN tribunals, as suggested by IMEC. While acknowledging the importance that the Russian Federation attached to the joint chamber's power to issue appellate rulings, he noted that the UN Secretary-General had specifically noted that an appellate function for the joint chamber would not be conducive to the prevention of conflicting judgments and was therefore not recommended.
- 260. The Director-General** emphasized the importance of drawing lessons from the Geneva post adjustment case in order to avoid any divergent judgments in the future by different tribunals on the same issue, be that regarding decisions or recommendations of the ICSC or any other matter. It was important that the Governing Body should send a strong message of its intention to continue looking for a solution. Another important step towards resolving the issue was to encourage dialogue between the two tribunals with a view to finding a solution, a point that he would make clear to the UN Secretariat. Lastly, he appealed to Government representatives to communicate their views to their counterparts at the UN in New York so that those views might be considered during the deliberations in the context of the General Assembly.
- 261. The Worker spokesperson** supported the Employers' proposal to replace "cooperate" with "engage" in subparagraph (b). She reiterated that it would be impossible to prevent all problems in the future and there were no acceptable legal solutions. However, there could be better procedures. Some progress had already been made in that regard. She agreed with the Legal Adviser that the issues of jurisdictional set-up and the amendment of the ICSC Statute were distinct. In the case of the ILO Administrative Tribunal, the Office had to combine its responsibilities as both the employer and the custodian. Given that sensitive combination, she would have expected that any criticism by the ILO Administrative Tribunal would have been addressed by the Legal Adviser prior to his discussions with the UN. The ILO Administrative Tribunal was not a stakeholder and asking for its views was no substitute for consultation with staff unions and other stakeholders. It remained unclear how the views of the Governing Body would be conveyed to the UN Secretariat in a timely way.
- 262.** Collaboration between the tribunals was essential if any proposal was to be accepted. The Governing Body's collaboration and its support for changes to the Statute of the ILO Administrative Tribunal were also indispensable. She hoped that the ICSC would make further progress in improving its methodology, consultation methods and composition to reduce potential conflicts and cases before the ILO Administrative Tribunal. The Office could not overhaul the longstanding jurisprudence and principles of existing tribunals. Her group remained open to further discussions and to finding a different approach if necessary. Noting

that the Governments represented in the Governing Body might also be involved in the discussions at the UN General Assembly, she stressed that the ILO had to protect the ILO Administrative Tribunal as a tripartite constituency.

- 263. The Employer spokesperson** said that she fully agreed with the Worker spokesperson. She questioned whether a joint chamber would be a proportionate response and solve the problem at hand or whether a major institutional change was required.
- 264. Speaking on behalf of IMEC**, a Government representative of Canada thanked the Office and the Director-General for the additional information. IMEC could be flexible with regard to both of the proposed amendments.
- 265. Speaking on behalf of ASPAG**, a Government representative of the Philippines supported both proposed amendments.
- 266. A Government representative of the Russian Federation** said that his Government did not object to the amendments. Discussions on the matter with the UN Secretariat needed to continue. He agreed that the problem needed to be solved, but the ILO could determine the specific parameters in the future.
- 267. Speaking on behalf of GRULAC**, a Government representative of Colombia said that her group could support both proposed amendments.

## Decision

### 268. The Governing Body:

- (a) **took note of the proposals set out in the UN Secretary-General's report on the review of the jurisdictional set-up of the United Nations common system (A/77/222) and of the comments of the judges of the Administrative Tribunal of the International Labour Organization on those proposals; and**
- (b) **requested the Director-General to continue to engage with the United Nations Secretariat taking into account the views expressed during the discussion of document GB.346/PFA/12(Rev.1), and to prepare an updated report for its consideration at its 349th Session (October–November 2023).**

(GB.346/PFA/12(Rev.1), paragraph 25, as amended by the Governing Body)

## 13. Other personnel matters: Recent developments concerning the determination of the post adjustment by the International Civil Service Commission (GB.346/PFA/13(Rev.1))

- 269.** The Governing Body had before it an amended version of the draft resolution contained in Appendix I to the document, which had been proposed by the Government group and circulated by the Office, which read:

The Governing Body of the International Labour Office,

Recalling Judgment No. 4134 in which the Administrative Tribunal of the ILO ruled that the International Civil Service Commission (ICSC) lacked the authority to take final decisions on post adjustment under article 11 of its Statute and set aside the Director-General's decision to implement the revised post adjustment multipliers determined by the ICSC on the basis of the 2016 cost-of-living survey;

~~Noting United Nations (UN) General Assembly resolutions 74/255A, 74/255B, 75/245 and 76/240 that reaffirm, in particular, the authority of the ICSC to establish post-adjustment multipliers for duty stations in the UN common system,~~

Mindful of the importance of the cooperation between the United Nations (UN) and the International Labour Organization (ILO) to develop common personnel standards, methods and arrangements and avoid serious discrepancies in the terms and conditions of employment set forth in article XI of the 1946 relationship agreement between the two organizations,

Emphasizing the ILO's commitment to the principle of the rule of law and its obligation to execute in good faith the judgments of the ILO Administrative Tribunal that are final and without appeal as well as its special responsibility as custodian and guarantor of the Tribunal's integrity and independence,

Recalling Judgment No. 4134 of the Administrative Tribunal of the ILO and its impact on the application of post adjustment multipliers for the ILO and other organizations,

Noting UN General Assembly resolutions 74/255A, 74/255B, 75/245 and 76/240 that reaffirm in particular the authority of the International Civil Service Commission (ICSC) to establish post adjustment multipliers for duty stations in the UN common system,

Mindful of the central role of the UN General Assembly in approving conditions of service and entitlements for all staff serving in the organizations of the UN common system,

Noting the judgements of the UN Dispute Tribunal and UN Appeals Tribunal, UNDT/2020/130 and 2021-UNAT-1107 respectively, which recognize the need to update the ICSC Statute "to bring clarity and to avoid future misconstructions",

Recognizing the ILO's responsibilities under the UN common system arising from the acceptance of the ICSC Statute since 16 April 1975,

1. Expresses its serious concern about the continued application of two concurrent post adjustment multipliers at the Geneva duty station, which jeopardizes the sustainability of the UN common system of salaries;
2. Acknowledges the efforts of the Office, in consultation with other specialized agencies concerned, to raise awareness about the challenging situation and seek support and assistance from the UN Secretariat and the ICSC;
3. Takes note of the joint letters of the Executive Heads of the ILO and other Geneva-based agencies dated 12 May 2020 and 30 September 2022, and addressed to the UN Secretary General drawing his urgent attention to the difficulties encountered and recommending a constructive approach, including by amending the ICSC Statute ~~so as to codify the intent of General Assembly resolutions;~~
4. Takes note of the Office analysis that ~~Believes that updating the wording of articles 10 and 44~~ aligning the wording of the ICSC Statute with current practice to explicitly provide for the authority of the ICSC to determine post adjustment multipliers is the ~~only viable~~ solution that would apparently enable the ILO and other specialized agencies concerned to comply with the final and non-appealable judgments of the Administrative Tribunal and honour their responsibilities both as employers and as members of the UN common system;
5. ~~Considers particularly relevant that the need to formally update articles 10 and 11 of the ICSC Statute to bring clarity and avoid future misconstructions has been recognized by both the UNDT and the UNAT in judgments UNDT/2020/130 and 2021-UNAT-1107 respectively;~~
6. ~~Calls upon ILO Member States to undertake all necessary steps, in coordination with their diplomatic representations at the UN as appropriate, for the current situation to be satisfactorily addressed and the possibility of amending the ICSC Statute be given due and prompt consideration;~~
57. Instructs the Director-General to pursue his efforts, as a matter of priority and in consultation with other specialized agencies concerned, to resolve the current impasse/stalemate; ~~and authorizes him~~

6. Commits to accept the amendments to articles 10 and 11 of the ICSC Statute as soon as it is adopted by that would reaffirm the ICSC's statutory authority to determine post adjustment multipliers should the UN General Assembly take such an action, and instructs the Director-General to subsequently implement the most up-to-date post adjustment multiplier as provided by the ICSC for agencies in the UN common system;
78. Requests the Director-General to transmit a copy of this resolution to the UN Secretary General in his capacity as Chair of the Chief Executives Board, the President of the UN General Assembly, the Chairman of the ICSC and the executive heads of the specialized agencies concerned;
89. Decides to remain seized of this matter until it is definitively resolved and requests, in this respect, the Director-General to keep the Governing Body regularly informed of any progress made.

- 270. Speaking on behalf of the Government group**, a Government representative of Germany said that the continued application of a second post adjustment multiplier at the ILO and other Geneva-based specialized agencies was unsustainable and seriously undermined the cohesion of the UN common system. The selective implementation of post adjustment multipliers that maintained or increased pay, while insulating the Organization from risk of further litigation, exposed the Organization to reputational risks. The issue must be addressed as a matter of urgency to uphold the unity and integrity of the common system. Her group commended the work of the Office in proposing a way forward and requested the Office to continue to work with all stakeholders in that regard. It welcomed the efforts of the ICSC to preserve a unified common system and to ensure inclusive consultations on the methodology of the new cost-of-living surveys.
- 271.** An amendment to the ICSC Statute would align the Statute with current practice and reaffirm the Commission's authority to establish post adjustment multipliers. Highlighting the central role of the UN General Assembly in resolving the issue, she said that the members of her group had made a commitment to undertake the necessary steps to ensure that the resolution of the issue was given due and prompt consideration. The amendments to the draft resolution submitted by her group were intended to reflect the status and tenor of ongoing discussions and would ensure that the decisions taken by the Governing Body contributed to a definitive solution.
- 272. The Worker spokesperson**, emphasizing that the ILO was and should continue to be fully committed to the rule of law, said that the Organization must execute the ILO Administrative Tribunal's judgments in good faith, and great caution must be exercised to ensure that any proposed amendments did not undermine the Tribunal's integrity and independence. Although improvements had been made since 2016 to the methodology for determining post adjustment, further improvements needed to be made to the functioning of the ICSC, with a view to maintaining its independence and regaining the confidence of international civil servants. That process had to be accompanied by robust social dialogue with the full participation of staff representatives. She noted with satisfaction that the Staff Union had been consulted on the document. She recognized the challenging situation faced by both the Office and staff, and welcomed initiatives by the Office and its Legal Adviser, as well as the Director-General, to find solutions.
- 273.** Referring to the proposed amendments to the draft resolution, she said that the Government group was to be commended for being able to find common ground on such a complex matter. Speaking also on behalf of the Employers' group, she proposed subamending the term "approving conditions of service" in the preamble to "determining conditions of service", to reflect the wording used in the Labour Relations (Public Service) Convention, 1978 (No. 151).

Referring to paragraph 4, she said that she preferred the original text proposed by the Office, which was sufficiently clear and no reference to “current practice” was required. In paragraph 6, while she was in favour of using general language, she saw no need to delete the reference to articles 10 and 11 of the ICSC Statute, given that no amendments to the Statute were needed outside of those articles, but she would not insist on the matter. Accordingly, she proposed the wording “commits to accept amendments to the ICSC Statute regarding the ICSC’s statutory authority” to avoid using the term “reaffirm”, which could be construed as having retroactive effect. After the words “instructs the Director-General”, the text should be subamended to read “to then implement the official ICSC post adjustment multipliers provided after the date of the acceptance of those amendments by the Director-General of the ILO” to make it more forward-looking and to make it clear that the final judgment of the ILO Administrative Tribunal was not being challenged. In her view, paragraph 8 was unnecessary, but she did not object to its inclusion.

- 274. The Employer spokesperson** welcomed the joint letters of the executive heads of the ILO and other Geneva-based agencies to the UN Secretary-General drawing his attention to the situation and recommending a constructive approach, including by amending the ICSC Statute to codify the intent of the General Assembly resolutions. The Employers’ group agreed with the proposal to update the wording of articles 10 and 11 of the ICSC Statute to make explicit reference to the authority of the ICSC to determine post adjustment multipliers; it was a prudent and sustainable solution that would ensure legal clarity while enabling the ILO and the other specialized agencies concerned both to comply with the judgments of the Administrative Tribunal and to honour their responsibilities as members of the UN common system. The goal was to achieve coherence within the UN common system and to allow the agencies to continue to work with the ICSC and participate in the UN common system. She thanked the Government group for proposing an amended version of the draft resolution to better reflect the status and tenor of current conversations and ensure that the decisions taken by the Governing Body contributed to a solution to the issue. The Employers supported the proposed text with the subamendments submitted by the Workers’ group also on behalf of the Employers’ group.
- 275. Speaking on behalf of the Africa group**, a Government representative of Libya expressed appreciation for the tangible steps taken towards resolving the issue relating to post adjustment at ILO headquarters and other Geneva-based specialized agencies. The UN General Assembly had a central role in taking additional measures to settle the issue from a legal perspective and to end the dispute by tackling the deadlock facing the ICSC and restoring unity within the UN common system with regard to remuneration. She called on all member organizations of the UN common system to cooperate fully with the ICSC and support the Director-General’s efforts to find a sustainable solution. The Africa group remained committed to supporting all efforts to achieve a unified common system, strengthen legal stability and meet the needs of all organizations concerned, while preserving the rule of law. The Africa group supported the subamended version of the draft resolution.
- 276. A Government representative of Cuba** expressed appreciation for the efforts to reach an agreement with the various parties involved. Any solution should be consensus-based and protect labour rights, which were the fundamental pillar of the Organization. Any proposal leading to an amendment of the ICSC Statute must be considered and approved by the UN General Assembly and its Administrative and Budgetary Committee. The Governing Body should provide a clear mandate to the Director-General to implement the decision once adopted by Member States at the General Assembly. She supported the amended version of the draft resolution, as subamended by the Employers’ and Workers’ groups.

- 277. A Government representative of the Russian Federation** said that he could not agree with the proposed method to resolve the situation, which would further damage the integrity of the UN common system. A negative precedent had already been set when the ILO Administrative Tribunal had ruled that the ICSC did not have the authority to set the post adjustment multipliers as the provisions of the ICSC Statute were out of date. The current attempt to prepare guidance for the UN General Assembly – without the latter having sought any amendments to the ICSC Statute – would set a further negative precedent. The UN Dispute Tribunal had never challenged the authority of the ICSC; indeed, the UN General Assembly had repeatedly confirmed its authority. By the logic of the ILO Administrative Tribunal, no multipliers should have been applied since 1990, when the General Assembly had first granted the prerogative to the ICSC. Moreover, if the ILO Administrative Tribunal held the view that the ICSC was exceeding its authority in setting post adjustment multipliers, it was illogical for the Office to be asking the ICSC to use a different post adjustment multiplier rather than taking the matter to the General Assembly.
- 278.** His Government had worked with the Government group and the Employers' and Workers' groups on the text of the draft resolution, the latest version of which was more balanced and realistic. Under UN General Assembly resolution 75/245, failure to fully respect decisions of the ICSC on post adjustment under article 11(c) of its Statute could prejudice claims to enjoy the benefits of participation in the common system and jeopardize organizations' participation in the United Nations Joint Staff Pension Fund, as stated in article 3(b) of the Fund's regulations. He therefore urged the Office to take fully into account the conditions of membership of the common system. The issues had been caused by the lack of a mechanism to appeal against judgments of the ILO Administrative Tribunal. As that could continue to cause problems, the discussion had to be considered in conjunction with the agenda item on the review of the jurisdictional set-up of the common system.
- 279. Speaking on behalf of the Government group,** a Government representative of Germany confirmed that the group supported the draft resolution as subamended by the Employers' and Workers' groups.
- 280. A representative of the ICSC** (Vice-Chairperson) stressed the importance of preserving the integrity, independence and functioning of the common system, as it affected not only salaries and allowances, but also the operation of the UN pension fund. The ICSC maintained a holistic approach when reviewing all policies affecting the conditions of service of the civil servants of the common system, and continually refined the post adjustment methodology in line with developments in the field. The process was constructive and collaborative, included all stakeholders and had worked well for almost 50 years – and continued to do so.
- 281.** The recommendation of the Advisory Committee on Post Adjustment Questions and the approval by the ICSC of the 2021 round of cost-of-living survey meant that the results should be applied universally, which would uphold equity among staff within and across all duty stations. Although post adjustment could move upwards and downwards, operational rules were in place to provide stability and significant protection for staff remuneration. The ICSC believed that its Statute was clear with regard to its authority to set post adjustments, as had been confirmed by UN General Assembly resolutions in 2019, 2020 and 2021. The division of responsibility in the governance of the post adjustment system had remained unchanged and unchallenged through all previous rounds of cost-of-living surveys, in which the organizations and staff federations of the common system had participated. The post adjustment system had been simplified in the 1990s with the establishment of a permanent scale, whereby one post adjustment multiplier point was equal to 1 per cent of net base salary. The authority of the

ICSC to make recommendations to the UN General Assembly under article 10(b) of its Statute therefore stood without prejudice.

- 282.** The ICSC understood that the solution to the difficult position of organizations under the jurisdiction of the ILO Administrative Tribunal was in the hands of the Member States, who must decide which option best protected the stability, predictability and coherence of the common system, promoted the One UN principle and achieved legal clarity. The ICSC stood ready to support any decision of the Member States to clarify the Statute. However, any decision to amend the Statute should be taken with care in order to avoid any unintended consequences. In the event of any future legal challenges concerning the post adjustment, it would be useful for the ICSC to be accorded the right to explain directly to the relevant tribunal the fundamental principles pertaining to any issues under its purview. Moreover, the ICSC saw value in having a clear and unified jurisdictional set-up, thereby ensuring the predictability, stability and continuity of the UN common system.
- 283. Another representative of the ICSC** (Chief, Cost-of-Living Division) explained that net remuneration for staff in the Professional and higher categories was determined using a combination of the net base salary and the post adjustment – the sum added to the net base salary to ensure purchasing power parity regardless of location. The post adjustment itself comprised two components: the value in US dollars of one multiplier point (the scale referred to in article 10(b) of the ICSC Statute) and the number of multiplier points applicable to a particular duty station (the classification referred to in article 11(c)).
- 284.** When the system was first established, the ICSC recommended to the UN General Assembly both the net base salary scale and the post adjustment scale that reflected the value of one multiplier point in US dollars. Under article 10(b), the UN General Assembly thus had authority over not only the net base salary but also the value of one multiplier point. After the reform of the system in the 1990s, the governance structure remained unchanged, with the General Assembly retaining the authority to determine the value of one multiplier point and the ICSC retaining the authority to determine the number of multiplier points to be applied for each duty station, but with the introduction of a formula whereby one multiplier point equalled 1 per cent of the net base salary. The UN General Assembly thus retained the authority to determine the value of one multiplier point, as the value was approved automatically whenever it approved the net base salary. Consequently, there had been no change to the governance structure, only to the mechanism through which the legal authority was operationalized.
- 285. A representative of the World Intellectual Property Organization** said that, as one of the other Geneva-based agencies affected by the issue, her organization shared the belief that the situation could be easily resolved through a limited amendment to the ICSC Statute to provide explicitly for the authority of the ICSC to decide post adjustment multipliers. The Geneva-based agencies under the jurisdiction of the ILO Administrative Tribunal were legally bound to comply with its judgments and could not therefore apply post adjustment multipliers established by the ICSC. Both the UN Dispute Tribunal and the UN Appeals Tribunal had recommended an amendment to the ICSC Statute to align it with current operational realities; that would ensure consistency with current practice and enhance legal certainty, while satisfying the needs of all organizations and preserving the rule of law. She expressed appreciation for the swift and constructive steps taken by the ILO Governing Body to find a solution by consensus. It was to be hoped that the UN General Assembly would take equally swift and positive action to amend the Statute of the ICSC in the interest of the UN common system.

## Decision

**286. The Governing Body took note of the information provided by the Office regarding the ongoing stalemate with respect to the determination of post adjustment multipliers by the International Civil Service Commission and adopted the following resolution as amended by the Governing Body.**

(GB.346/PFA/13(Rev.1), paragraph 29, as amended by the Governing Body)

### **Resolution concerning the determination of post adjustment by the International Civil Service Commission**

The Governing Body of the International Labour Office,

Mindful of the importance of the cooperation between the United Nations (UN) and the International Labour Organization (ILO) to develop common personnel standards, methods and arrangements and avoid serious discrepancies in the terms and conditions of employment set forth in article XI of the 1946 relationship agreement between the two organizations,

Emphasizing the ILO's commitment to the principle of the rule of law and its obligation to execute in good faith the judgments of the ILO Administrative Tribunal that are final and without appeal as well as its special responsibility as custodian and guarantor of the Tribunal's integrity and independence,

Recalling Judgment No. 4134 of the Administrative Tribunal of the ILO and its impact on the application of post adjustment multipliers for the ILO and other organizations,

Noting UN General Assembly resolutions 74/255A, 74/255B, 75/245 and 76/240 that reaffirm in particular the authority of the International Civil Service Commission (ICSC) to establish post adjustment multipliers for duty stations in the UN common system,

Mindful of the central role of the UN General Assembly in determining conditions of service and entitlements for all staff serving in the organizations of the UN common system,

Noting the judgements of the UN Dispute Tribunal and UN Appeals Tribunal, UNDT/2020/130 and 2021-UNAT-1107 respectively, which recognize the need to update the ICSC Statute "to bring clarity and to avoid future misconstructions",

Recognizing the ILO's responsibilities under the UN common system arising from the acceptance of the ICSC Statute since 16 April 1975,

1. Expresses its serious concern about the continued application of two concurrent post adjustment multipliers at the Geneva duty station, which jeopardizes the sustainability of the UN common system of salaries;
2. Acknowledges the efforts of the Office, in consultation with other specialized agencies concerned, to raise awareness about the challenging situation and seek support and assistance from the UN Secretariat and the ICSC;
3. Takes note of the joint letters of the Executive Heads of the ILO and other Geneva-based agencies dated 12 May 2020 and 30 September 2022, and addressed to the UN Secretary General drawing his urgent attention to the difficulties encountered and recommending a constructive approach, including by amending the ICSC Statute;
4. Takes note of the Office analysis that updating the wording of articles 10 and 11 of the ICSC Statute to explicitly provide for the authority of the ICSC to determine post adjustment multipliers is the solution that would apparently enable the ILO and other specialized agencies concerned to comply with the final and non-appealable judgments of the Administrative Tribunal and honour their responsibilities both as employers and as members of the UN common system;
5. Instructs the Director-General to pursue his efforts, as a matter of priority and in consultation with other specialized agencies concerned, to resolve the current impasse;
6. Commits to accept amendments to the ICSC Statute regarding the ICSC's statutory authority to determine post adjustment multipliers should the UN General Assembly take



such an action, and instructs the Director-General to then implement the official ICSC post adjustment multipliers provided after the date of the acceptance of those amendments by the Director-General of the ILO;

7. Requests the Director-General to transmit a copy of this resolution to the UN Secretary General, the Chairman of the ICSC and the executive heads of the specialized agencies concerned;
8. Decides to remain seized of this matter until it is definitively resolved and requests, in this respect, the Director-General to keep the Governing Body regularly informed of any progress made.