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To ensure that all regular readers of the *Official Bulletin* receive full and up-to-date information on Office publications and documents, the ILO quarterly publications list will be sent to them free of charge. A complete catalogue is available on request and books may be purchased from: ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland. The reports and other documents referred to in the *Official Bulletin* may also be consulted on the ILO website at www.ilo.org.
INFORMATION

Membership of the International Labour Organization

Pursuant to article 1, paragraph 3, of the International Labour Organisation Constitution and article 27 of the Standing Orders of the International Labour Conference, a member of the United Nations may become a Member of the International Labour Organization by communicating to the Director-General of the International Labour Office its formal acceptance of the obligations of the Constitution of the International Labour Organisation.

REPUBLIC OF SOUTH SUDAN

In a letter received by the International Labour Office on 29 April 2012, the Government of the Republic of South Sudan, member State of the United Nations, communicated to the Director-General of the International Labour Organization its formal acceptance of the obligations of the Constitution of the International Labour Office. Consequently, the Republic of South Sudan became the 184th member State of the International Labour Organization on 29 April 2012.

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1 This includes the period from 1 January to 30 April 2012.
The 313th Session of the Governing Body of the International Labour Office was held in Geneva, from Monday, 19 to Saturday, 31 March 2012, with Mr Greg Vines, Special Labour Adviser and senior diplomat with the Australian Permanent Mission to the United Nations Office and other international organizations in Geneva, as Chairperson.

The agenda was as follows:

INSTITUTIONAL SECTION

1. Approval of the minutes of the 312th Session of the Governing Body
2. Agenda of the International Labour Conference
3. Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work
4. ILO preparations for the United Nations Conference on Sustainable Development (Rio+20)
5. Report and conclusions of the 15th Asia and the Pacific Regional Meeting of the ILO (Kyoto, 4–7 December 2011)
6. Developments concerning the question of the observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29)
8. Report of the high-level tripartite mission to the Bolivarian Republic of Venezuela
12. Report of the Director-General:
   - Follow-up to Governing Body decisions
   - Report of the committee set up to examine the representation alleging non-observance by Japan of the Private Employment Agencies Convention, 1997 (No. 181), made under article 24 of the ILO Constitution by the Japan Community Union Federation
   - Report of the committee set up to examine the representation alleging non-observance by Peru of the Seafarers’ Pensions Convention, 1946 (No. 71), made under article 24 of the ILO Constitution by the Autonomous Confederation of Peruvian Workers (CATP)

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1 The Governing Body approved these minutes as amended.
2 The Chairperson of the Governing Body recalled that this item had been on the agenda of the 313th Session of the Governing Body as information only and stated that the mission would be completed in October 2012. See GB.313/INS/INF/5.
3 The Governing Body took note of this report.
13. Reports of the Officers of the Governing Body:

- Complaint concerning the non-observance by Bahrain of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made by delegates to the 100th Session (2011) of the International Labour Conference under article 26 of the ILO Constitution
- Timing of the Governing Body sessions
- Representation alleging non-observance by France of the Labour Inspection Convention, 1947 (No. 81), submitted under article 24 of the ILO Constitution by the “SUD Travail-Affaires sociales” trade union
- Request by the Government of the Kingdom of Bhutan to send an observer delegation to attend the 101st Session of the International Labour Conference
- Withdrawal of regional consultative status from the International Confederation of Arab Trade Unions (ICATU)
- Procedures for the election of the Director-General of the ILO
- Conditions of appointment of the Director-General of the ILO

14. Composition and agenda of standing bodies and meetings:

- Committee of Experts on the Application of Conventions and Recommendations
- Tripartite Meeting of Experts on Labour Statistics on the Advancements of Employment and Unemployment Statistics
- 19th International Conference of Labour Statisticians

15. Hearings of candidates for appointment of the Director-General of the ILO
- Tributes to the Director-General


2 The Governing Body delayed the adoption of a decision on this agenda item until the 315th Session (June 2012).

3 In accordance with the decision adopted by the Governing Body at its 312th Session (November 2011), hearings of candidates for appointment of the Director-General of the ILO took place on 30 and 31 March 2012 in separate private sessions. For more information, go to the 313th Session of the Governing Body web page, at www.ilo.org/gb.

4 The statements made in honour of Mr Somavia, Director-General of the ILO, are reproduced in the minutes of the session (GB.313/PV, paras 237–283).
POLICY DEVELOPMENT SECTION

Employment and Social Protection Segment

1. Follow-up to the Tripartite Meeting of Experts on Working-time Arrangements
2. Follow-up to the HIV and AIDS Recommendation, 2010 (No. 200)
3. Follow-up on the implementation of the ILO–G20 Training Strategy

Social Dialogue Segment

4. Global dialogue forums and mandate of sectoral meetings:
   – Global dialogue forums – lessons learned
   – Procedure to give effect to the recommendations of sectoral and technical meetings
5. Effect to be given to the recommendations of sectoral and technical meetings
6. Follow-up to the resolution concerning tonnage measurement and accommodation

Technical Cooperation Segment

7. South–South and triangular cooperation: The way forward
8. Regional perspectives on technical cooperation: The African region

Multinational Enterprises Segment


LEGAL ISSUES AND INTERNATIONAL LABOUR STANDARDS SECTION

Legal Issues Segment

1. Legal protection of the International Labour Organization in its member States, including the status of its privileges and immunities
2. Final provisions of the international labour Conventions
3. Standing orders of the Special Tripartite Committee established to give effect to Article XIII of the Maritime Labour Convention, 2006

International Labour Standards and Human Rights Segment

5. ILO standards policy: The establishment and the implementation of a standards review mechanism
6. Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution of the ILO in 2013

1 The Governing Body took note of the oral report.
7. Form for reports on the application of ratified Conventions (article 22 of the ILO Constitution): Domestic Workers Convention, 2011 (No. 189)

**PROGRAMME, FINANCIAL AND ADMINISTRATIVE SECTION**

**Programme, Financial and Administrative Segment**

1. ILO programme implementation 2010–11
2. Delegation of authority under article 18 of the Standing Orders of the International Labour Conference
3. Other financial questions:
   - Scale of assessment of contributions to the budget for 2013
   - Building questions

**Audit and Oversight Segment**

4. Follow-up to the report of the Chief Internal Auditor for the year ended 31 December 2010
5. Report of the Chief Internal Auditor for the year ended 31 December 2011
6. Annual report of the Independent Oversight Advisory Committee (IOAC)
   - Proposed membership and selection process of the Independent Oversight Advisory Committee (IOAC)
7. Office response to the suggestions and recommendations of the annual evaluation report 2010–11

**Personnel Segment**

8. Statement by the staff representative of the ILO Staff Union before the Programme, Financial and Administrative Section of the Governing Body
9. Matters relating to the Administrative Tribunal of the ILO
10. Other personnel questions

**HIGH-LEVEL SECTION**

**Working Party on the Social Dimension of Globalization**

1. Staving off renewed crisis: The role of the ILO

The following is an account of the action taken by the Governing Body on the above agenda.

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1 The statement by the staff representative of the ILO Staff Union can be found in Appendix II of the meeting minutes (GB.313/PV).
2 For a more detailed account, see the set of papers and reports examined by the Governing Body, together with the approved minutes of the sittings. All Governing Body documents may also be consulted on the Governing Body website, at www.ilo.org/gb. The resolutions of the International Labour Conference adopted during its 101st Session (May–June 2012) are reproduced in the *Official Bulletin*, Vol. XCV, 2012, Series A, No. 2.
Institutional Section

Agenda of the International Labour Conference

The Governing Body:

(a) requested the Office to make the appropriate arrangements to continue the consultations on the process of setting the Conference agenda;

(b) decided that the 103rd Session (2014) of the Conference would be held in Geneva;

(c) as regards the agenda of the 103rd Session (2014) of the Conference: (i) approved the proposal for a recurrent discussion on the strategic objective of employment; (ii) agreed to postpone the selection of a second item, pending the outcome of the discussions of the 101st Session (2012) of the Conference; (iii) agreed to include the selection of the third item in the consultations on the agenda that would be pursued;

(d) as regards the agendas of future sessions of the Conference, decided that the last two recurrent discussions of the cycle would be on social protection (labour protection) (in 2015), and fundamental principles and rights at work (in 2016), and that these items would be placed on the agenda of the Conference.

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

The Governing Body took note of the report¹ and instructed the Office to take into account the views expressed during its discussion.

ILO preparations for the United Nations Conference on Sustainable Development (Rio+20)

The Governing Body:

(a) called on the Office to continue its active participation in the preparations for the Rio+20 Conference, as laid out in document GB.313/INS/4;

(b) identified the key messages to be stressed in the outcome document of the Conference as including the following: (i) the need for a strong social pillar of sustainable development with decent work as a conceptual framework to integrate the economic, social and environmental pillars and to provide a pathway towards social inclusion and poverty reduction; (ii) the recognition of social dialogue as a major contributor to the governance of sustainable development; this would require capacity building of stakeholders from the world of work; and (iii) the importance of decent work should be reflected in appropriate indicators and in the possible sustainable development goals that the Rio+20 Conference may formulate;

(c) called on the Office to anticipate substantial follow-up for the implementation of the Conference outcomes;

(d) asked the Office to keep the Governing Body informed about the outcomes of the Conference.

Report and conclusions of the 15th Asia and the Pacific Regional Meeting of the ILO (Kyoto, 4–7 December 2011)

The Governing Body requested the Director-General:

(a) to draw the attention of the governments of member States of the Asia and the Pacific region and, through them, that of their national employers’ and workers’ organizations, to the conclusions² adopted by the 15th Asia and the Pacific Regional Meeting;

¹ GB.313/INS/3.
² The adopted conclusions for this meeting can be found on pages 29 to 33.
(b) to take these conclusions into consideration when implementing current programmes and in developing future programme and budget proposals;
(c) to transmit the text of the conclusions: (i) to the governments of all member States and, through them, to national employers’ and workers’ organizations; and (ii) to the international organizations concerned, including international non-governmental organizations with consultative status.

Developments concerning the question of the observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29)

Conclusions of the Governing Body

The Governing Body took note of the report of the Liaison Officer, the statement made by the Permanent Representative of the Republic of the Union of Myanmar and the subsequent discussion. In light of the debate, the Governing Body:

1. Welcomes the important and positive developments in Myanmar since the 312th Session of the Governing Body (November 2011) and in particular the further extension of the Supplementary Understanding (SU) and the adoption of legislation repealing the Village and Towns Acts of 1907 defining forced labour and providing for the criminal prosecution of perpetrators.

2. Further welcomes the initiative of the Government, including the defence services, in formalizing its commitment to develop a comprehensive, proactive, joint strategy with the ILO for the full elimination of all forms of forced labour by 2015. In so doing, it is emphasized that immediate effective measures are required and that every effort should be made to meet that objective earlier. The intention to maintain ongoing direct cooperation between the defence services and the ILO in this regard is an important part of the process as all sectors of the Government must respect the new legislation.

3. Whilst recognizing that these represent major steps towards meeting the recommendations of the Commission of Inquiry, notes that both the strict application of the new law and the prosecution and appropriate punishment of those who may violate it are critical to achieving the objective and as such should be built into the proposed strategy. This new strategy should be accompanied by a high-level public commitment to its implementation and to full compliance with Convention No. 29.

4. Notes the importance of ensuring that policy coverage and application encompasses the entire territory of Myanmar including border areas in context of achieving sustainable peace agreements.

5. Notes the information concerning the prosecution of some perpetrators and encourages the Government to maintain a process based on preventative education and awareness, the full application of the law and accountability by way of criminal prosecution of perpetrators as a means for combating impunity.

6. Welcomes the expansion of awareness-raising activities including the availability of the joint Government/ILO brochure in the Myanmar language and four other national languages and looks forward to further translations and their wide distribution.

7. Welcomes also the recent release from prison of a further number of labour activists and seeks the immediate unconditional release of all remaining imprisoned labour activists and prisoners of conscience.

8. Urges the Government to avail itself of the technical assistance of the Office including further consultation in the drafting of relevant legislation.

9. Expresses its appreciation for the work of the Office and especially of the Liaison Officer and his small dedicated team and re-emphasizes the need to strengthen and expand the Liaison Office capacities including through the provision of adequate resources, the Government’s expeditious approval of necessary visas on request and the engagement of local focal points for the strengthening and support of community networks.
10. Strongly encourages the Government and the people of Myanmar to continue their ongoing democratization efforts and emphasizes in that regard the need for full respect of human rights and international standards.

11. Decides to place on the agenda of the 101st Session of the International Labour Conference (June 2012) an additional item enabling a review of measures previously adopted by the Conference to secure compliance by Myanmar with the recommendations of the Commission of Inquiry.

12. Finally it requests the Officers of the Governing Body to undertake a mission to Myanmar and to report to the Conference on all relevant issues with a view to assisting its consideration of that review.

13. The total cost of the above mission, estimated at US$58,000, will be financed in the first instance from savings in Part I of the budget or, failing that, through Part II of the budget.

Complaint concerning non-observance by Myanmar of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 99th Session (2010) of the International Labour Conference under article 26 of the ILO Constitution

The Governing Body, welcoming the important developments which have occurred since its last consideration of this matter in November 2011:
(a) decided to defer to its 316th Session (November 2012) a decision on the appointment of a Commission of Inquiry;
(b) in the meantime, welcoming the Government’s stated commitment, expressed its firm expectation that the Government will facilitate the strengthening and expanded capacity of the ILO Liaison Office, including through the approval of visa applications for new staff to foster and monitor the environment necessary for the effective implementation of the Labour Organization Law and its implementing Rules in a manner which is in full conformity with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). To this end, the Governing Body urged that intensive technical cooperation and a full-fledged awareness-raising campaign begin immediately on the new legislative framework and international standards and principles in the area of freedom of association for all relevant stakeholders, including workers, employers, their representatives, and public officials (such as registrar officials, judges, police and the armed forces).

Report of the Committee on Freedom of Association

The Governing Body approved the 363rd Report of the Committee on Freedom of Association in its entirety.¹


The Governing Body requested the Office to convene meetings of the Geneva based tripartite consultative group, in order to develop a plan of work, including time frames, and to present an updated document that takes into account the interventions made during the 313th Session (March 2012) of the Governing Body, for the consideration of the next meeting of the Working Party in November 2012.

Report of the Director-General\(^1\)

**Obituary**

The Governing Body paid homage to the memory of Ms María Rozas Velásquez, former Worker member of the Governing Body, and invited the Director-General to convey its condolences to the Single Central Organization of Workers (CUT) and to the family of Ms María Rozas Velásquez.

**Follow-up to Governing Body decisions**

Further to the decision adopted within the framework of the reform package, the Governing Body requested the Office to prepare for its March and November sessions a Supplementary Report on the follow-up to its previous decisions, taking into account the guidance provided in March 2012 concerning the format of future reports.

**Report of the committee set up to examine the representation alleging non-observance by Japan of the Private Employment Agencies Convention, 1997 (No. 181), made under article 24 of the ILO Constitution by the Japan Community Union Federation**

The Governing Body, in light of the Committee’s conclusions set out in document GB.313/INS/12/3:

(a) approved the report;

(b) invited the Government to take due note of all the matters raised in the Committee’s conclusions as well as the measures requested in paragraphs 38, 41, 42 and 43 of the report and to provide a detailed report this year under article 22 of the ILO Constitution in respect of the Private Employment Agencies Convention, 1997 (No. 181);

(c) entrusted the Committee of Experts on the Application of Conventions and Recommendations with following up the matters raised in the report with respect to the application of Convention No. 181;

(d) decided to publish the report and closed the procedure initiated by the representation of the Japan Community Union Federation alleging non-observance by Japan of Convention No. 181.

**Report of the committee set up to examine the representation alleging non-observance by Peru of the Seafarers’ Pensions Convention, 1946 (No. 71), made under article 24 of the ILO Constitution by the Autonomous Confederation of Peruvian Workers (CATP)**

The Governing Body, in light of the conclusions set out in paragraphs 24–40 of document GB.313/INS/12/4:

(a) approved the report;

(b) requested the Government to: (i) take the necessary measures to ensure that the contributions of fishers were effectively equivalent to no more than half of the cost of the pensions payable under the scheme, in any circumstances, in accordance with Article 3(2) of Convention No. 71; (ii) proceed to the payment of the benefits owed that were still awaiting payment by the Fishers’ Benefits and Social Security Fund (CBSSP) as soon as possible; (iii) continue, once the process of the dissolution and liquidation of the CBSSP had been completed, to secure the maintenance of a scheme for the payment of pensions that was in compliance with the requirements of the Convention both in terms of the collective financing and the guaranteed rate of pension benefits and, in this regard, keep the Office informed of any further developments regarding the adoption of the draft text to replace Bill No. 4506-2010-PE; (iv) ensure that full effect

\(^1\) The Governing Body took note of the information transmitted on the progress that had been made regarding international labour laws, on internal administration and on publications and documents.
was given to the ruling of the Transitional Civil Chamber of the Supreme Court of Justice of 24 November 2009; and (v) take all necessary measures to ensure that the rate of the pensions paid to any of the former employees of the Peruvian Steamship Company (CPV) who had been seafarers and had completed a prescribed period of sea service was in all cases at least equal to the rate resulting from the application of the minimum replacement rate determined by Article 3(1)(a) of Convention No. 71, if necessary by revising the ceiling applicable to such pensions;

(c) invited the Government to provide, in a report to be submitted for examination by the Committee of Experts on the Application of Conventions and Recommendations at its next session, detailed information on measures adopted to give effect to the above recommendations;

(d) declared closed the procedure initiated by the representation of the Autonomous Confederation of Peruvian Workers (CATP) alleging non-observance by Peru of Convention No. 71.

Report of the committee set up to examine the representation alleging non-observance by Peru of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the General Confederation of Workers of Peru (CGTP)

The Governing Body, in the light of the conclusions set out in paragraphs 26–35 of document GB.313/INS/12/5:

(a) approved the report contained in the abovementioned document;

(b) requested the Government to ensure that technical, economic and environmental feasibility studies were conducted with the cooperation of the indigenous peoples concerned, in accordance with Article 7(3) of Convention No. 169. The Committee expressed the hope that the legislative progress made in the country would enable the indigenous peoples to be involved as soon as possible in the decision-making processes concerning legislative or administrative measures that were liable to affect them directly;

(c) decided to publish the report and declared the procedure closed.

Reports of the Officers of the Governing Body

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

The Governing Body, on the recommendation of its Officers and based on the elements put forward:

(a) suspended consideration in its 313th Session pending completion (and submission) of the Government’s and Director-General’s reports to the Governing Body in its 316th Session in November 2012;

(b) requested the Government to continue to provide reports on the effective implementation of the Tripartite Agreement signed by the tripartite constituents of Bahrain on 11 March 2012 and to report to the Governing Body at its 316th Session (November 2012) on the progress made to fully implement its provisions;

(c) requested the Director-General to write to the Government, the General Federation of Bahrain Trade Unions (GFBTU) and the Bahrain Chamber of Commerce and Industry (BCCI) welcoming the significant progress made and inviting them to continue in this positive direction; and

(d) requested the Director-General to take the necessary measures to provide all the technical assistance required by the tripartite constituents, if requested by the Government
or the workers’ or employers’ representatives, to ensure the effective implementation of the Tripartite Agreement and to report to the Governing Body at its 316th Session (November 2012) on the progress made.

*Representation alleging non-observance by France of the Labour Inspection Convention, 1947 (No. 81), submitted under article 24 of the ILO Constitution by the “SUD Travail-Affaires sociales” trade union*

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

*Request by the Government of the Kingdom of Bhutan to send an observer delegation to attend the 101st Session of the International Labour Conference (2012)*

The Governing Body, on the recommendation of its Officers, authorized the Director-General to issue an invitation to the Government of the Kingdom of Bhutan to send an observer delegation to attend the 101st Session of the International Labour Conference (2012).

*Withdrawal of regional consultative status from the International Confederation of Arab Trade Unions (ICATU)*

The Officers of the Governing Body decided that the Governing Body would not consider this agenda item.

*Procedures for the election of the Director-General of the ILO*

The Governing Body decided, on the recommendation of its Officers:

(a) that the ballot for the election of the Director-General of the ILO would be conducted at a private sitting of the Governing Body;

(b) that immediately after that sitting, a public sitting would be convened to allow the public announcement of the results of the ballot, including the possibility for the Director-General-elect to address the Governing Body;

(c) that, in the framework provided by article 2.1.1bis and 2.2.1bis of the Standing Orders of the Governing Body, the Chairperson, in agreement with the two other Officers, would conduct appropriate consultations for the organization of the sitting of 28 May 2012.

*Conditions of appointment of the Director-General of the ILO*

The Governing Body, on the recommendation of its Officers, decided that the remuneration and conditions of employment of the Director-General of the ILO should consist of the following elements:

(a) a net base salary equal to that of the Administrator of UNDP;\(^1\)

(b) Geneva post adjustment as determined by the International Civil Service Commission;\(^2\)

(c) a representation allowance of 40,000 Swiss francs (CHF) per year;

(d) a housing allowance, covering rent and fixed charges, of a maximum of CHF12,000 per month;

(e) all other allowances and benefits accruing to staff members in the Professional and higher categories in accordance with the Staff Regulations of the ILO;

\(^1\) Currently US$156,760 at the single rate and US$176,272 at the dependency rate.

\(^2\) Currently 101.5 per cent of the net base salary.
participation in the United Nations Joint Staff Pension Fund (UNJSPF) at the pensionable remuneration rate applicable to the Administrator of the UNDP or the supplement for pension arrangements applicable to ungraded officials in the UN common system who decide not to participate in the UNJSPF (UNGA resolution 47/203).

The amounts mentioned in (c) and (d) above may be adjusted from time to time by the Officers of the Governing Body to take account of inflation or other factors related to local circumstances at the duty station. The Governing Body shall be informed of any such adjustment.

Composition and agenda of standing bodies and meetings

Committee of Experts on the Application of Conventions and Recommendations

New appointments

The Governing Body, on the recommendation of its Officers and in order to fill two of the four vacant seats, appointed the following persons as members of the Committee of Experts on the Application of Conventions and Recommendations for a period of three years:

– Dr Dierk Lindemann (Germany);
– Justice Francisco Pérez de los Cobos Orihuel (Spain).


Composition

The Governing Body, on the recommendation of its Officers:

(a) approved the composition formula for this Meeting, which would be attended by 12 Government experts, nominated after consultations with Governments, six Employer experts nominated after consultation with the Employers’ group, and six Worker experts nominated after consultation with the Workers’ group of the Governing Body; the experts nominated should be well acquainted with the items of the agenda;

(b) took note that, in order to obtain the government nominations, the Director-General intended to approach the Governments of: Brazil, France, India, Ireland, Mexico, Morocco, New Zealand, Philippines, South Africa, Switzerland, Uganda and United States; a reserve list would also be established which would include the Governments of: Colombia, Mauritius, Norway, Spain and Turkey.

Agenda

The Governing Body, on the recommendation of its Officers, approved the proposed agenda of two interrelated topics for the Meeting, as follows:

– Revision of the international standards on statistics of the economically active population, employment, unemployment and underemployment.
– Measures of labour underutilization to supplement the unemployment rate.

19th International Conference of Labour Statisticians
(Geneva, 2–11 October 2013)

Composition

The Governing Body, on the recommendation of its Officers, approved the composition formula for this Conference. According to the established practice for International Confer-

1 Currently US$352,123.
ences of Labour Statisticians (ICLS), the governments of all member States would be invited to nominate participants who would attend at the expense of their respective governments; it was expected that a great majority, if not all, would be statisticians. In addition, the Director-General proposed to invite three experts nominated by the Employers’ group of the Governing Body and three nominated by the Workers’ group. The experts nominated should have adequate knowledge to enable them to participate actively in the Conference.

Agenda

The Governing Body, on the recommendation of its Officers:

(a) approved the proposed agenda for this Conference as follows:

– General report on past and planned statistical activities of the ILO and on the functioning of the ICLS;
– Revision of the international standards on statistics of the economically active population, employment, unemployment and underemployment, including measures of labour underutilization to supplement the unemployment rate;

(b) took note that the reports prepared by the Office would examine concepts, statistical definitions and measurement methods and, except for the general report, would provide a draft resolution for examination and adoption by the Conference.

POLICY DEVELOPMENT SECTION

Employment and Social Protection Segment

Follow-up to the Tripartite Meeting of Experts on Working-time Arrangements

(Geneva, 17–21 October 2011)

The Governing Body:

(a) took note of the final report of the Tripartite Meeting of Experts on Working-time Arrangements and authorized the Director-General to publish the conclusions and the report of the Meeting;

(b) requested that the Director-General, when drawing up proposals for future work of the Office on working time, do so based on the conclusions of the Tripartite Meeting of Experts on Working-time Arrangements.

Follow-up to the HIV and AIDS Recommendation, 2010 (No. 200)

The Governing Body:

(a) approved the revised ILO strategy to address HIV and AIDS and the world of work;

(b) requested the Director-General to give priority to resource mobilization efforts in support of its implementation, in line with the resolution concerning the promotion and the implementation of the Recommendation on HIV and AIDS and the world of work, 2010.

Follow-up on the implementation of the ILO–G20 Training Strategy

The Governing Body took note of the paper and invited the Office to take into account the views expressed during its discussion concerning the follow-up on the implementation of the ILO–G20 Training Strategy.

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1 TMEWTA/2011/6.
2 The conclusions adopted by this meeting are reproduced on pages 45 to 47.
3 GB.313/POL/3.
Social Dialogue Segment

Global dialogue forums and mandate of sectoral meetings

Global dialogue forums – lessons learned

The Governing Body approved the proposals for improvements to the format of global dialogue forums in paragraphs 3, 8, 9, 10, 11, 12, 13 and 15 of document GB.313/POL/4/1(&Corr.).

Procedure to give effect to the recommendations of sectoral and technical meetings

The Governing Body did not adopt the proposal in paragraph 9 of document GB.313/POL/4/2.

Effect to be given to the recommendations of sectoral and technical meetings

Subject to the availability of resources, the Governing Body:

(a) authorized the Director-General to publish the revised ILO/IMO Guidelines on the medical examination of seafarers,¹ the Guidelines on training in the port sector,² the Code of practice on safety and health in the use of machinery³ and, as a joint publication, the Radiation Protection and Safety of Radiation Sources: International Basic Safety Standards;⁴

(b) authorized the Director-General to communicate the final reports or notes on the proceedings of the sectoral and technical meetings referred to in Part I of document GB.313/POLS/5⁵ to governments, requesting them to communicate the texts to the employers’ and workers’ organizations concerned, as well as to the international employers’ and workers’ organizations and other international organizations concerned;

(c) requested the Director-General to bear in mind when drawing up proposals for future work, the recommendations made by: the Global Dialogue Forum on the Needs of Older Workers in relation to Changing Work Processes and the Working Environment in Retail Commerce;⁶ the Joint ILO/IMO Meeting on Medical Fitness Examinations of Seafarers and Ships’ Medicine Chests;⁷ the Tripartite Meeting on Promoting Social Dialogue on Restructuring and its Effects on Employment in the Chemical and Pharmaceutical Industries;⁸ and the Tripartite Meeting of Experts for the Review and the Adoption of ILO Guidelines on Training in the Port Sector;⁹

(d) requested the Director-General to bear in mind when drawing up proposals for future work, the views expressed by the participants in the Global Dialogue Forum on the Role of Private Employment Agencies in Promoting Decent Work and Improving the

¹ ILO/IMO/JMS/2011/12.
² TMPES/2011/10.
³ ILO publication.
⁴ The revised basic safety standards can be downloaded in Arabic, Chinese, English, French, Russian and Spanish at: http://www.ilo.org/safework/info/publications/WCMS_171036/lang--en/index.htm and are available on CD.
⁵ In addition to the sectoral and technical meetings referenced in paragraph (c), it deals with the Meeting of Experts on the Code of Practice on Safety in the Use of Machinery (Geneva, 29 November–7 December 2011), Final report (MEUM/2011/7).
⁶ Final report of the discussion (GDFRC/2011/11). The points of consensus adopted for this forum are reproduced on pages 39 to 42.
⁷ Final report (ILO/IMO/JMS/2011/13). The conclusions adopted by this meeting are reproduced in Annex II of the report and are also on pages 43 to 44.
⁸ Note on the proceedings (TMEPS/2011/11). The text of the conclusions adopted by this meeting are reproduced on pages 48 to 51.
⁹ TMEPS/2011/11.
Functioning of Labour Markets in Private Services Sectors, as summarized in the final report of the discussion.\(^1\)

**Technical Cooperation Segment**

*South–South and triangular cooperation*

*The way forward*

The Governing Body endorsed the ILO strategy on South–South and triangular cooperation as set out in document GB.313/POL/7, and requested the Office to present refined indicators for Outcomes 1 and 2 for decision at its 316th Session (November 2012), taking into account the discussion of this item.

*Regional perspectives on technical cooperation*

*The African region*

The Governing Body requested the Office, in order to accelerate the implementation of the Decent Work Agenda in Africa, as called for by the 12th African Regional Meeting of the ILO (Johannesburg, 11–14 October 2011), to develop a regional strategy for resource mobilization, taking into account the points outlined in Part V of document GB.313/POL/8.

**Multinational Enterprises Segment**

*Report of the Tripartite Ad Hoc Working Group on the Follow-up Mechanism of the MNE Declaration*

The Governing Body:

(a) thanked the members of the Ad Hoc Working Group on the Follow-up Mechanism of the MNE Declaration for their report;

(b) adopted the recommendations of the Ad Hoc Working Group in paragraphs 10–15 of the report annexed to document GB.313/POL/9 and took note of the recommendations in paragraphs 16–22 for their consideration and further discussion at the 316th Session (November 2012) of the Governing Body, together with an operational plan to be proposed by the Office under paragraph (c), subject to further review of the financial implications arising from the activities endorsed;

(c) requested the Office to prepare for its 316th Session (November 2012), in consultation with the tripartite constituents, a proposed operational plan for putting in place the MNE Declaration follow-up mechanism and the specified promotional activities on the basis of the recommendations submitted by the Ad Hoc Working Group at the 313th Session;

(d) decided to further suspend, until its 316th Session (November 2012), the decision taken at its 258th Session (November 1993) to conduct surveys of the MNE Declaration every four years, to consider adoption of an operational plan for the follow-up mechanism.

\(^1\) GDFPSS/2011/10.
LEGAL ISSUES
AND INTERNATIONAL LABOUR STANDARDS SECTION

Legal Issues Segment

Legal protection of the International Labour Organization in its member States,
including the status of its privileges and immunities

The Governing Body:
(a) reaffirmed the importance of legal protection for the ILO in its relations with member States, and in particular its privileges and immunities recognized in the 1947 Convention on the Privileges and Immunities of the Specialized Agencies and Annex I relating to the ILO;
(b) urged member States which have yet to do so, to accede to the 1947 Convention and apply its Annex I;
(c) requested the Office to continue its efforts to promote the legal protection of the ILO through the measures indicated, and to report periodically on the legal situation of the ILO in its member States, with a view to taking further measures as necessary;
(d) requested the Office to undertake an analysis of the question of immunities and privileges for officials of the International Organisation of Employers (IOE) and the International Trade Union Confederation (ITUC), in the context of the abovementioned Convention and Annex I, in the execution of official missions of the ILO defined in a tripartite manner, and to propose possible legal approaches at the November 2013 session of the Governing Body.

Final provisions of international labour Conventions

The Governing Body took note of the document and invited the Office to take into account the views expressed during its discussion concerning the final provisions of international labour Conventions.

Standing Orders of the Special Tripartite Committee established to give effect to Article XIII of the Maritime Labour Convention, 2006

The Governing Body:
(a) adopted the Introductory note to the Standing Orders of the Special Tripartite Committee established for the Maritime Labour Convention, 2006, as proposed in Appendix I of document GB.313/LILS/3;
(b) adopted the abovementioned Standing Orders as proposed in Appendix II of document GB.313/LILS/3;
(c) expressed its appreciation to member States which had already ratified the Maritime Labour Convention, 2006, and invited all other member States to accelerate their national processes aimed at ratifying it.

Standing Orders of the International Labour Conference

Amendments relating to the reform of the Governing Body

The Governing Body:
(a) invited the International Labour Conference, at its 101st Session (2012), to approve the amendments to article 18 of the Standing Orders of the International Labour Conference proposed in Appendix I of document GB.313/LILS/4;

1 GB.313/LILS/2.
(b) approved the amendment to paragraph 21 of the Introductory note to the Compendium of rules applicable to the Governing Body proposed in Appendix II of document GB.313/LILS/4.

**International Labour Standards and Human Rights Segment**

*ILO standards policy*

*The establishment and the implementation of a standards review mechanism*

The Governing Body invited the Office to continue the consultations it had already begun, including on the modalities of the standards review mechanism, and to make a proposal to the Governing Body at its 316th Session (November 2012) on the options set out in GB.312/LILS/5, bearing in mind the views expressed by the Governing Body members under this agenda item.

*Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2013*

The Governing Body:

(a) requested that governments submit reports for 2013, under article 19 of the Constitution, on the Minimum Wage Fixing Convention, 1970 (No. 131), and the Minimum Wage Fixing Recommendation, 1970 (No. 135);

(b) postponed the approval of the report form concerning minimum wage fixing instruments referred to in the appendix to document GB.313/LILS/6 to its 315th Session (June 2012), subject to further consultations.

*Form for reports on the application of ratified Conventions (article 22 of the Constitution)*

The Governing Body approved the report form for the Domestic Workers Convention, 2011 (No. 189), as revised.

**Programme, Financial and Administrative Section**

*Programme, Financial and Administrative Segment*

*ILO programme implementation 2010–11*

The Governing Body requested the Office:

(a) to continue reviewing its measurement and reporting procedures;

(b) to ensure that future reports on programme implementation made clearer recommendations on how performance monitoring and evaluation could be improved, formulated and presented so as to enable Governing Body members to focus on progress against meaningful key performance measures, including outcomes and qualitative measures.

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

The Governing Body delegated to its Officers, for the period of the 101st Session (2012) of the Conference, the authority to carry out its responsibilities under article 18 of the Conference Standing Orders in relation to proposals involving expenditure in the 73rd financial period ending 31 December 2013.
Scale of assessment of contributions to the budget for 2013

The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, to base the ILO scale of assessment for 2013 on the UN scale for 2012, and it accordingly decided to propose to the International Labour Conference the adoption of the draft scale of assessment for 2013 as set out in the appendix to document GB.313/PFA/3/1, subject to such adjustments as might be necessary following any further change in the membership of the Organization before the Conference is called upon to adopt the recommended scale.

Building questions

The Governing Body:

(a) approved the proposal not to construct a temporary prefabricated building for use as “swing space” during the renovation of the headquarters building, provided the project remains within the original budget and schedule;

(b) requested the Office to submit to the 315th Session (June 2012) of the Governing Body a further progress report on the project;

(c) requested the Director-General to commence action to appoint a full-time professional project manager for the duration of the project, and to report on this to the Governing Body at its 315th Session (June 2012).

Audit and Oversight Segment

Follow-up to the report of the Chief Internal Auditor for the year ended 31 December 2010, Report of the Chief Internal Auditor for the year ended 31 December 2011 and Annual report of the Independent Oversight Advisory Committee (IOAC)

The Governing Body took note of the papers and invited the Office to take into account the observations and guidance provided during the discussion.

Proposed membership and selection process for the Independent Oversight Advisory Committee (IOAC)

The Governing Body approved the extract of the terms of reference of the IOAC relating to the composition and selection procedures for membership, as proposed in the appendix to document GB.313/PFA/6/2(Rev.), and requested the Director-General to initiate the selection process in order that appointments to the Committee may be made at the 316th Session (November 2012) of the Governing Body.

Office response to the suggestions and recommendations of the annual evaluation report 2010–11

The Governing Body adopted the plan of action for the implementation of the recommendations and suggestions contained in the annual evaluation report 2010–11, as proposed in the appendix to document GB.313/PFA/7/1.

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1 GB.313/PFA/4, GB.313/PFA/5 and GB.313/PFA/6/1(Rev.), respectively.
Personnel Segment

Matters relating to the Administrative Tribunal of the ILO

Composition of the Tribunal

The Governing Body:
(a) recommended to the International Labour Conference that it convey its deep appreciation to Ms Gaudron for the valuable services she has rendered as judge and as President of the Tribunal and express regret at the resignation of Ms d’Auvergne;
(b) decided to propose to the Conference: (i) the renewal of the terms of office of Mr Ba (Senegal), Mr Barbagallo (Italy) and Ms Hansen (Canada) for three years each; (ii) the appointment of Hon. Michael Francis Moore (Australia) for a term of office of three years;
(c) delegated to its Officers, on a one-time basis, the authority to propose directly to the Conference the appointment of a further candidate from the Latin America and the Caribbean region following consultation with the Director-General before June 2012;
(d) thus decided to propose the following draft resolution for possible adoption by the Conference:

The General Conference of the International Labour Organization,
Decides, in accordance with article III of the Statute of the Administrative Tribunal of the International Labour Organization,
(a) to convey its deep appreciation to Ms Gaudron for the valuable services she has rendered as judge and as President of the Tribunal and express regret at the resignation of Ms d’Auvergne;
(b) to renew the appointments of Mr Ba (Senegal), Mr Barbagallo (Italy) and Ms Hansen (Canada) for a term of three years; and
(c) to appoint Hon. Michael Francis Moore (Australia) for a term of three years.

Other personnel questions

The Governing Body postponed a decision on the amendments to the ILO Staff Regulations found in GB.313/PFA/INF/7 until its 316th Session (November 2012) and took note without objection of the Director-General’s understanding that the Office had the authority to implement in the interim the agreement reached with the Staff Union Committee.

HIGH-LEVEL SECTION

Working Party on the Social Dimension of Globalization

Staving off renewed crisis: The role of the ILO

The Governing Body took note of the paper. A number of recurring themes arising from the discussion would be highlighted in the report by the Chairperson and taken into account in preparing for the International Labour Conference and future Governing Body sessions. A number of participants had expressed their dissatisfaction with the late delivery of the documents, which had made it difficult to prepare for the discussions.

1 GB.313/HL/1.
Meetings for the remainder of 2012 and for 2013

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2012</strong></td>
<td></td>
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<tr>
<td>24–25 May</td>
<td>Committee on Freedom of Association</td>
<td>Geneva</td>
</tr>
<tr>
<td>28 May&lt;sup&gt;a&lt;/sup&gt;</td>
<td>314th Session of the Governing Body (ballot for the election of the Director-General)</td>
<td>»</td>
</tr>
<tr>
<td>30 May–15 June&lt;sup&gt;b&lt;/sup&gt;</td>
<td>101st Session of the International Labour Conference</td>
<td>»</td>
</tr>
<tr>
<td>15 June</td>
<td>315th Session of the Governing Body</td>
<td>»</td>
</tr>
<tr>
<td>8–12 October</td>
<td>Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel</td>
<td>»</td>
</tr>
<tr>
<td>1–16 November</td>
<td>316th Session of the Governing Body</td>
<td>»</td>
</tr>
<tr>
<td>22 November–7 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>»</td>
</tr>
<tr>
<td>12–13 December</td>
<td>Global Dialogue Forum on Future Needs for Skills and Training in the Oil and Gas Industry</td>
<td>»</td>
</tr>
<tr>
<td><strong>2013</strong></td>
<td></td>
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<tr>
<td>20–21 February</td>
<td>Global Dialogue Forum on the Effects of the Global Economic Crisis on the Civil Aviation Industry</td>
<td>»</td>
</tr>
<tr>
<td>7–28 March&lt;sup&gt;c&lt;/sup&gt;</td>
<td>317th Session of the Governing Body</td>
<td>»</td>
</tr>
<tr>
<td>Third week of April</td>
<td>Ninth European Regional Meeting</td>
<td>Oslo, Norway</td>
</tr>
<tr>
<td>15–16 May</td>
<td>Global Dialogue Forum for the Promotion of the Work in Fishing Convention, 2007 (No. 188)</td>
<td>Geneva</td>
</tr>
<tr>
<td>30–31 May</td>
<td>Committee on Freedom of Association</td>
<td>»</td>
</tr>
<tr>
<td>5–21 June</td>
<td>102nd Session of the International Labour Conference</td>
<td>»</td>
</tr>
<tr>
<td>21 June</td>
<td>318th Session of the Governing Body</td>
<td>»</td>
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<tr>
<td>23–27 September</td>
<td>Meeting of Experts to Adopt Guidelines on the Training of Ships’ Cooks</td>
<td>»</td>
</tr>
<tr>
<td>2–11 October</td>
<td>19th International Conference of Labour Statisticians</td>
<td>»</td>
</tr>
<tr>
<td>7–22 November</td>
<td>319th Session of the Governing Body</td>
<td>»</td>
</tr>
<tr>
<td>28 November–13 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>»</td>
</tr>
<tr>
<td>Last quarter</td>
<td>Workers’ Technical Meeting</td>
<td>»</td>
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<tr>
<td>Last quarter</td>
<td>Global Dialogue Forum on Initiatives to Promote Decent Work in the Chemical Industry</td>
<td>»</td>
</tr>
</tbody>
</table>

<sup>a</sup> Further to the decision adopted by the Governing Body at its 312th Session (November 2011), a special session of the Governing Body will be held on 28 May for the purpose of conducting the ballot for the election of the Director-General of the ILO.<br>

<sup>b</sup> Following consultation with the Officers, it is anticipated that the closing of the Conference will be brought forward to the evening of Thursday, 14 June.<br>

<sup>c</sup> Due to the long Easter weekend (29 March–1 April), the Governing Body will have to complete its work by Thursday, 28 March.
Official measures taken regarding decisions of the International Labour Conference

Constitution of the International Labour Organisation
Instrument of Amendment, 1997

Ratification

In accordance with article 3 of the Instrument for the amendment of the Constitution of the International Labour Organisation, 1997, the following ratification has been communicated to the Director-General of the International Labour Office:

<table>
<thead>
<tr>
<th>State</th>
<th>Measure</th>
<th>Date received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solomon Islands</td>
<td>Ratification</td>
<td>13 April 2012</td>
</tr>
</tbody>
</table>

The total number of ratifications and acceptances is thus 121, including six by States of chief industrial importance.  

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1 The period covered is from 1 January to 30 April 2012.
3 To enter into force, the 1997 Instrument of Amendment of the Constitution of the International Labour Organisation must be ratified or accepted by at least three member States.
International labour Conventions

Ratifications and denunciation

Notice is hereby given that the Director-General of the International Labour Office has registered the following ratifications and denunciation concerning the international labour Conventions mentioned below. In pursuance of article 20 of the Constitution of the International Labour Organisation, particulars of these ratifications and denunciation have been communicated to the Secretary-General of the United Nations organization for registration in accordance with Article 102 of the Charter of the United Nations.

The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office concerning the legal status of the State having communicated such information (including the communication of a ratification, denunciation, notification or declaration), or on its authority over the territories in respect of which such information is communicated; in certain cases this may present issues on which the ILO is not competent to express an opinion.

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration</th>
<th>Date of effect</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>I. Ratifications</strong></td>
<td></td>
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<tr>
<td><strong>Bahrain</strong></td>
<td>Minimum Age Convention, 1973 (No. 138)</td>
<td>7 March 2012</td>
<td>7 March 2013</td>
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<tr>
<td></td>
<td><em>Pursuant to Article 2, paragraph 1, of the Convention, the minimum age of 15 years has been specified.</em></td>
<td></td>
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</tr>
<tr>
<td><strong>Benin</strong></td>
<td>Collective Bargaining Convention, 1981 (No. 154)</td>
<td>10 January 2012</td>
<td>10 January 2013</td>
</tr>
<tr>
<td></td>
<td>Maternity Protection Convention, 2000 (No. 183)</td>
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<td></td>
<td><em>Pursuant to Article 4, paragraph 2, of the Convention, the period of maternity leave of 14 weeks has been specified.</em></td>
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<tr>
<td><strong>Bulgaria</strong></td>
<td>Occupational Health Services Convention, 1985 (No. 161)</td>
<td>1 March 2012</td>
<td>1 March 2013</td>
</tr>
<tr>
<td><strong>Honduras</strong></td>
<td>Maximum Weight Convention, 1967 (No. 127)</td>
<td>13 April 2012</td>
<td>13 April 2013</td>
</tr>
<tr>
<td><strong>Republic of Moldova</strong></td>
<td>Labour Statistics Convention, 1985 (No. 160)</td>
<td>10 February 2012</td>
<td>10 February 2013</td>
</tr>
<tr>
<td><strong>Philippines</strong></td>
<td>Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185)</td>
<td>19 January 2012</td>
<td>19 July 2012</td>
</tr>
<tr>
<td><strong>Russian Federation</strong></td>
<td>Prevention of Major Industrial Accidents Convention, 1993 (No. 174)</td>
<td>10 February 2012</td>
<td>10 February 2013</td>
</tr>
<tr>
<td>State</td>
<td>Convention</td>
<td>Date of registration</td>
<td>Date of effect</td>
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<tr>
<td>Saint Kitts and Nevis</td>
<td>Maritime Labour Convention, 2006</td>
<td>21 February 2012</td>
<td>12 months after the date on which ratifications by at least 30 Members with a total share in the world gross tonnage of ships of 33 per cent have been registered.</td>
</tr>
<tr>
<td>Solomon Islands</td>
<td>Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)</td>
<td>13 April 2012</td>
<td>13 April 2013</td>
</tr>
<tr>
<td></td>
<td>Right to Organise and Collective Bargaining Convention, 1949 (No. 98)</td>
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<td></td>
<td>Equal Remuneration Convention, 1951 (No. 100)</td>
<td>&quot;</td>
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<tr>
<td></td>
<td>Abolition of Forced Labour Convention, 1957 (No. 105)</td>
<td>&quot;</td>
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<td></td>
<td>Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</td>
<td>&quot;</td>
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<td></td>
<td>Worst Forms of Child Labour Convention, 1999 (No. 182)</td>
<td>&quot;</td>
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<tr>
<td>Togo</td>
<td>Labour Inspection Convention, 1947 (No. 81)</td>
<td>30 March 2012</td>
<td>30 March 2013</td>
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<tr>
<td></td>
<td>Employment Policy Convention, 1964 (No. 122)</td>
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<tr>
<td></td>
<td>Labour Inspection (Agriculture) Convention, 1969 (No. 129)</td>
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<td></td>
<td>Labour Administration Convention, 1978 (No. 150)</td>
<td>&quot;</td>
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<tr>
<td></td>
<td>Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Maritime Labour Convention, 2006</td>
<td>14 March 2012</td>
<td>12 months after the date on which ratifications by at least 30 Members with a total share in the world gross tonnage of ships of 33 per cent have been registered.</td>
</tr>
<tr>
<td>State</td>
<td>Convention</td>
<td>Date of registration</td>
<td>Date of effect</td>
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<tr>
<td>--------------</td>
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</tr>
<tr>
<td>Turkmenistan</td>
<td>Minimum Age Convention, 1973 (No. 138)</td>
<td>27 March 2012</td>
<td>27 March 2013</td>
</tr>
<tr>
<td></td>
<td>Pursuant to Article 2, paragraph 1, of the Convention, the minimum age of 16 years has been specified.</td>
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</tr>
<tr>
<td>Tuvalu</td>
<td>Maritime Labour Convention, 2006</td>
<td>16 February 2012</td>
<td>12 months after the date on which ratifications by at least 30 Members with a total share in the world gross tonnage of ships of 33 per cent have been registered.</td>
</tr>
</tbody>
</table>

**II. Denunciation**

**Philippines**

Night Work (Women) Convention (Revised), 1948 (No. 89)  
27 February 2012  
27 February 2013

*The Director-General registered on 27 February 2012, the denunciation by the Philippines of the Night Work (Women) Convention (Revised), 1948 (No. 89). In its communication concerning the denunciation of this Convention, the Government of the Philippines indicated that:

“The Tripartite Industrial Peace Council recommends the denunciation of ILO Convention No. 89 after establishing that it has become inconsistent with the Philippine Constitution, Republic Act No. 9710 (An Act Providing for the Magna Carta of Women), Republic Act No. 10150 (An Act Allowing the Employment of Night Workers, thereby repealing Articles 130 and 131 of Presidential Decree No. 442, as Amended, otherwise known as the Labor Code of the Philippines) and the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) to which the Philippines is a party.”*
Agreement between the Government of the Republic of the Union of Myanmar and the International Labour Organization

An Agreement for Extension of the Supplementary Understanding and its Minutes of the Meeting dated 26 February 2007, for an additional one year trial period from 26 February 2012 to 25 February 2013

This Agreement is hereby concluded between the Government of the Republic of the Union of Myanmar and the International Labour Organization represented by the undersigned authorized representatives.

Noting clause 10 of the "Supplementary Understanding" (hereinafter SU), the "Minutes of the Meeting" dated 26 February 2007 being an integral part of the SU (hereinafter Minutes of the Meeting).

Noting the four preceding Extensions of the SU and its Minutes of the Meeting, of 26 February 2008, 26 February 2009, 26 February 2010 and 26 February 2011,

It is herewith agreed as follows:

1. Both parties agree to extend, on the same trial basis, the SU and the Minutes of the Meeting, for one year with the extension period commencing on 26 February 2012, to the day one year thereafter being 25 February 2013.

2. The spirit and letters of the SU and the Minutes of the Meeting remain in toto unchanged.

3. The SU and the Minutes of the Meeting shall continuously remain in legal effect upon signing by the authorized representatives of the parties mentioned below.

4. This agreement will be submitted to the forthcoming session of the Governing Body of the International Labour Office.

This Agreement is done at Nay Pyi Taw, the Republic of the Union of Myanmar on the 23rd day of January 2012.

(U Myint Thein)
Deputy Minister
Ministry of Labour
The Government of the Republic of the Union of Myanmar

(Mr. Guy Ryder)
Executive Director
International Labour Office

1 Period covered: 1 January to 30 April 2012. The documents reproduced in this section are identical to the originals.
Memorandum of Understanding between the Government of the Republic of the Union of Myanmar and the International Labour Organization

MEMORANDUM OF UNDERSTANDING

This understanding is reached between: The Government of the Republic of the Union of Myanmar (hereinafter referred to as ‘the Government’), and

The International Labour Organization (hereinafter referred to as ‘the ILO’)

Jointly referred to as ‘the Parties’.

The Memorandum of Understanding records the Parties agreement to develop, by no later than 31 May 2012, a comprehensive, joint, benchmarked strategy for the elimination of all forms of forced labour in Myanmar by 2015.

In so agreeing the Parties recall:

- the obligation placed on the Government through its ratification in 1955 of the Forced Labour Convention, 1930 (No. 29);

- the 1998 recommendations of the Commission of Inquiry appointed under article 26 of the ILO Constitution and the subsequent decisions of the International Labour Conference and the conclusions of the Governing Body;

- the commitment of the Government and the ILO for the elimination of forced labour as contained in the Understanding between them dated 19 March 2002; and

- the progress made through the co-operative, joint application of the Supplementary Understanding dated 26 February 2007.

The joint strategy will be administered by a Joint Working Group consisting of the members of the current Government Working Group for the elimination of forced labour supplemented by up to three nominated representatives from each of the Ministry of Defence and the ILO. The Deputy Minister of Labour, a senior nominee of the Ministry of Defence and the ILO Liaison Officer shall act as joint secretaries and the operational focal points of this new body.

It is agreed that the joint strategy shall encompass all necessary activities for the total elimination of forced labour by 2015 including:

- An enhanced awareness raising/training project targeting all sectors of society including the civil society authorities, defence services personnel, the police, justice system personnel, civil society (UN, INGO’s, NGO’s and CBO’s), employers and employers’ Organizations, workers and workers’ organizations, ceasefire groups and national races organizations, and the general public, towards full understanding of their respective rights and responsibilities under the law.

- Continued and increased co-operation and co-ordination in the operation of the Supplementary Understanding including in the strengthening of the existing capacity of the defence services, Ministry of labour and ILO Liaison office to receive, assess, investigate and resolve forced labour complaints and to undertake necessary follow up and monitoring.

26
- Undertaking investigations and taking necessary remedial action in response to all, as yet, unanswered allegations of the use of forced labour as documented in the comments of the ILO supervisory bodies.

- Jointly agreed and prioritized, time-bound action plans designed to stop forced labour practices nationwide and to, where appropriate, identify alternative operational solutions to each identified element of forced labour including but not limited to the following:
  a. Forced labour directly or indirectly associated with Public Works and major construction projects.
  b. Forced labour directly or indirectly associated with energy projects.
  c. Forced labour resulting from the absence of necessary funding at local level for local authority services and infrastructure requirements.
  d. Forced recruitment into the defence services and militia.
  e. Underage (under 18 years) recruitment into the defence services and militia.
  f. Human trafficking for forced labour.
  g. Forced/bonded child labour.
  h. Forced labour in the private sector including in domestic work.
  i. The use, by the defence services, of civilian (and convict) porters particularly in combat zones.
  j. The forced use, by the defence services and civilian authorities, of civilians on guard and/or sentry duty.
  k. Forced labour imposed through land acquisition/confiscation activities.
  l. Forced labour associated with the Ministry of Defence self-sufficiency policy.
  m. Forced labour in association with the construction and/or maintenance of military camps.

- Supporting the final agreement of a joint action plan in respect of children in armed conflict (Security Council Resolution 1612) and collaborating in its implementation.

- Supporting the justice system (civilian and military) and other institutions such as parliamentary committees/commissions and the human rights commission in the evolution of their roles particularly in the context of the continued development and enforcement of legislation and policy against the use of forced labour.

- Supporting, in cooperation with the appropriate authorities and other International organizations, the peace process including in such areas as the social and economic reintegration of members of ceasefire groups, small and medium enterprise development and the provision of necessary infrastructure and community facilities with particular focus on the prevention of the use of forced labour.

Any differences between the parties shall, to the extent possible, be settled through consultation amicably.

In reaching this agreement the parties demonstrate their commitment to the objective – namely the elimination of all forms of forced labour by 2015 – in the context of the reform agenda of the Government, and their intent to work together to that end.

This Memorandum of Understanding shall enter into force on the date of signing and shall remain in force up to the 31st day of December 2015.
In WITNESS WHEREOF, the undersigned representatives being duly authorized thereto by their respective parties, done at Nay Pyi Taw on the 16th day of March 2012.

For and on behalf of
The Government of the Republic of
the Union of Myanmar

U Myint Thein
Deputy Minister
Ministry of Labour

For and on behalf of
the International Labour Organization

Mr. Steve Marshall
ILO Liaison Officer
International Labour Organization

WITNESSES

Captain (Navy) Aung Thaw
Deputy Minister
Ministry of Defence

Ms. Piyamal Pichaiwongse
Deputy ILO Liaison Officer
International Labour Organization

U Cho Sitein
Director General
Department of Labour
15th Asia and the Pacific Regional Meeting
of the ILO

(Kyoto, 4–7 December 2011)

CONCLUSIONS ADOPTED

Inclusive and sustainable development for Asia and the Pacific
through decent work for all

1. We pay tribute to the courage and resilience of the Japanese people in recovering from the massive human losses of the great East Japan earthquake and its consequences.

2. We thank the Japanese Government and social partners for their warm welcome and excellent organization of the Meeting so soon after the national tragedy and, by our presence here in Kyoto, express our solidarity to the Japanese people especially in the disaster-affected areas.

3. We appreciate the special session organized by the Government of Japan during the Meeting, which enabled us to draw important lessons on disaster response with a particular focus on employment policy.

4. We also express our gratitude that Prime Minister Noda honoured us by addressing the opening session of our Meeting.

5. We thank the Director-General for his report entitled Building a sustainable future with decent work in Asia and the Pacific, and the supplementary report which provides an update of more recent developments in the region and argues for moving towards new, more efficient patterns of growth with social justice.

6. We pay tribute to the ILO’s Director-General, Juan Somavia, who is attending the last Asia and the Pacific Meeting during his tenure, for his unwavering support to the development of the region and his tremendous contribution to the advancement of the Decent Work Agenda worldwide.

I. Taking stock since the 2006 Regional Meeting

7. It is five years since we launched the programme for an Asia and Pacific Decent Work Decade at our last meeting in Busan in 2006. We have taken stock of progress in following up our Busan commitments and while recognizing important achievements, many challenges both old and new lie ahead in realizing our goal of Decent Work for All.

8. We have moved forward in making decent work a central objective in national development strategies and in improving labour market governance, including strengthening governance frameworks to promote gender equality. Sixty-eight Conventions were ratified by Asia–Pacific Members since August 2006, however ratification and implementation of ILO core Conventions remains lower than in other regions. Awareness and action on the rights of migrant workers is greater today, although they remain some of the most vulnerable of our region’s workers. Investment in social protection systems in combating child labour and in providing greater skills to our young women and men has increased. From two Decent Work Country Programmes (DWCPs) in 2007, we now have 20 active DWCPs and another 21 under development, including six in the Pacific. They cover a range of activities including employment policies, vocational training systems, capacity building of the social partners, occupational safety and health, and eliminating child labour.

9. The five years since our Busan Meeting have also witnessed many large-scale natural disasters in the region – floods, earthquakes, tsunamis, cyclones and typhoons. As Japan has recently confirmed, employment and social policies are an important part of the planning for disaster prevention and response and are an increasingly important issue for ILO cooperation in the region.
Dynamic region facing huge challenges

10. Asia and the Pacific is the world’s most dynamic region. Fast growth in a number of countries has lifted family incomes and enabled hundreds of millions of people to escape severe poverty.

11. Yet even in the periods of fastest growth, we have not generated enough decent work to reduce our large numbers of working poor and huge informal economies.

12. Within a generation, Asia and the Pacific has made dramatic economic progress. The region is increasingly integrated into the global economy, with all the opportunities and challenges that competing on the international market brings.

13. In the aftermath of the global economic and jobs crisis, the region quickly rebounded. But now, renewed financial turmoil in other parts of the world again threatens our economic and social development.

14. Even before the crisis, fast growth was unevenly spread and inequalities in income and wealth widened in many economies. Many hundreds of millions have risen above the lowest threshold of poverty, yet the region still accounts for 73 per cent of the world’s working poor. Many remain vulnerable to natural and human-made shocks and disasters. Social protection systems do not yet cover effectively many of our people, despite recent important progress.

15. We are an extremely diverse region and cooperation for development, taking this into account, is vital to our future.

Meeting the demand for decent work

16. Our region is the world’s most populous and has a fast-growing labour force, whose enormous productive potential we must enlarge and utilize to eradicate poverty by progressively diminishing the scale of informal economies and encouraging the creation of decent jobs.

17. Gender discrimination, especially unequal treatment and opportunities for women in the world of work, remains a major concern in our societies and must be addressed as a priority in order to reap the social and economic benefits of gender equality.

18. Migrant workers, both those moving from rural to urban areas within countries and those crossing borders, are helping to build our region’s prosperity but are among the most vulnerable to exploitation and discriminatory treatment.

19. Asia and the Pacific has the highest number of workers engaged in domestic work. Despite their crucial role in the economic functioning of societies, domestic workers, especially migrants, are particularly vulnerable to poor working conditions and human rights abuses.

20. Too many among our huge population of young women and men cannot find a decent job that is so vital to their chances of a decent life. But paradoxically, millions of boys and girls in the region who should be in school are working.

21. Some countries in the region face the problem of an ageing population and a smaller working-age population.

22. We are also increasingly aware of the impact economic development is having on our often fragile natural environment. Efforts across the region to address the effects of climate change and the greening of our economies hold great potential for increased opportunities for decent work.

23. The decent work opportunities our region needs will be created if businesses are able to operate in, and together with workers, take advantage of a sustainable economic and social environment.

Dialogue and cooperation for reform and continued progress

24. Recent developments in some Arab States underline the consequences of social exclusion, lack of decent jobs and the denial of fundamental rights. Widespread demands
for social justice, dignity, decent jobs, respect for fundamental rights and an end to economic exclusion have highlighted the importance of the Decent Work Agenda.

25. International labour standards are important for helping countries and their citizens to become more inclusive socially, economically and politically. Social dialogue is important both to settle disputes and also to cooperate on agreed ways forward to grow sustainable enterprises, enlarge decent work opportunities, build social protection systems and establish employment arrangements that protect workers’ rights.

26. We will intensify our promotion of ratification and implementation of core labour standards as well as respect for fundamental principles and rights at work.

27. Social dialogue and cooperation are the watchwords for our renewed drive to meet the needs of ILO constituents and fulfil the goals of the Asia and Pacific Decent Work Decade through national, regional and global action. DWCPs should adequately reflect tripartite constituents’ priority setting, engagement and ownership. We commit to accelerate the expansion and implementation of DWCPs across the region through a series of concrete and practical measures specified to varying national conditions, based on and around the four pillars of the Decent Work Agenda.

28. Governments, Employers and Workers of the Asia–Pacific region reaffirm their commitment to the Asia and the Pacific Decent Work Decade, initiated at the 14th Asian Regional Meeting.

29. Taking into account developments since constituents last convened, these conclusions address the further implementation of the Asia and the Pacific Decent Work Decade through to 2015.

II. National policy priorities for the Asia and the Pacific
Decent Work Decade

30. Building on the 2006 Asia and the Pacific Decent Work Decade, the following policy priorities for the period up to 2015 are shared by the diverse countries of our region. Their application may vary according to national circumstances. Social dialogue is key to ensuring the quality and effectiveness of policy design and implementation. Promoting gender equality across these policy fields is also essential.

Economic, employment and social policies

31. Working to ensure that decent work and full employment are at the heart of policies for strong, sustainable and balanced growth and inclusive development.

32. Designing policy packages, based on the ILO’s Global Jobs Pact, to promote an equitable jobs-rich strategy.

33. Promoting increased productivity across the economy as a foundation for increasing decent work opportunities, raising incomes and improving living and working conditions.

34. Promoting collective bargaining and the development of minimum wage systems based on ILO standards.

35. Reducing poverty and wide inequalities in income and wealth.

36. Building effective social protection floors, in line with national circumstances.

37. Supporting the participation of ILO’s tripartite constituents in national high-level discussions on economic, employment and social policy design and implementation, recognizing the need for policy coherence.

38. Encouraging relevant global and regional institutions to support making decent work and full employment an important goal of internationally and regionally coordinated macroeconomic policies.
Sustainable enterprises, productive employment and skills development

39. Improving the enabling environment for sustainable enterprises is important to creating the decent work opportunities our region needs.

40. Promoting a well-designed transparent, accountable and well-communicated regulatory environment for business, including regulations that uphold labour and environmental standards.

41. Promoting the use of the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.

42. Promoting entrepreneurship, including for young women and men.

43. Promoting quality public services and the social economy, including cooperatives.

44. Boosting rural and agricultural development consistent with decent work.

45. Building the capacity to produce, collect, analyse and disseminate labour market statistics, including sex-disaggregated information, to inform evidence-based policy-making.

46. Strengthening employment services systems.

47. Strengthening employment-intensive investment, where necessary, for example through public employment guarantee schemes that are consistent with the creation of decent work.

48. Implementing measures to address the challenge of creating opportunities for young women and men to enter into sustainable employment and decent work.

49. Equipping the workforce, particularly young people, with the skills required for decent work and productive employment.

50. Continuing to focus on integrated strategies to facilitate the transition of informal economy workers and enterprises into the mainstream economy and the improvement of incomes and working conditions.

51. Promoting greener growth and green jobs, consistent with maintaining economic and social sustainability.

52. Improving occupational safety and health.

53. Improving disaster preparedness and response capacity with a particular focus on the employment and social dimensions of relief and reconstruction.

Rights at work and social dialogue

54. Intensifying efforts to ratify and implement core labour standards as well as ILO governance Conventions.¹

55. Strengthening respect for freedom of association and collective bargaining as enabling mechanisms to productive social dialogue.

56. Supporting and, where necessary, building up social dialogue institutions and procedures for preventing and resolving disputes.

57. Enhancing the capacity of workers’ and employers’ organizations to engage in social dialogue and collective bargaining.

58. Making full use of social dialogue to anticipate and address labour market changes, including those that will come with the transition to low-carbon economies.

59. Supporting labour inspection as a crucial tool for ensuring enforcement of laws including those regarding occupational safety and health, minimum wages and other working conditions.

60. Expanding technical assistance and cooperation on labour migration, including dialogue and bilateral agreements between origin and destination countries to improve recruitment practices and protect migrants’ rights, and promoting ILO instruments on migration and the Domestic Workers Convention, 2011 (No. 189), and the accompanying Domestic Workers Recommendation, 2011 (No. 201).

61. Intensifying efforts to address the needs of vulnerable workers, including those with disabilities, girls and boys in child labour, victims of trafficking and forced labour, those affected by HIV and AIDS, indigenous peoples and workers in workplaces where their fundamental rights are denied.

III. ILO action

62. In the light of the Meeting’s identification of the policy priorities for the remainder of the Decade, the Office will:
(a) review its work programmes in support of constituents;
(b) intensify collaboration with regional and international organizations including the Asian Development Bank (ADB) and the United Nations in Asia and the Pacific with the full involvement of the social partners to promote full and productive employment and decent work for all;
(c) develop collaborative efforts with the relevant national and regional organizations to promote policy coherence and undertake joint research to promote action on the priorities identified above;
(d) monitor, advise and report on progress in implementing the above priorities and initiatives and those decided at the 14th Asian Regional Meeting; and
(e) evaluate the effectiveness of the above priorities and initiatives in delivering decent work to inform deliberations at the 16th Asia and the Pacific Regional Meeting.

63. Furthermore, we call upon the Governing Body of the ILO to instruct the Office to assist, as appropriate and upon request, efforts of the tripartite constituents in the Asia and the Pacific Decent Work Decade.
Memorandum of Understanding between the Intergovernmental Authority on Development and the International Labour Organization

The International Labour Organization (hereinafter referred as ILO), represented by the ILO Regional Office for Africa, and the Intergovernmental Authority on Development (hereinafter referred as IGAD), represented by the Executive Secretary;

Persuaded that lasting peace can be established only if it is based upon social justice;

Desirous to develop and strengthen their co-operation with respect to matters of common interest;

Convinced that the development and strengthening of such co-operation would be of mutual benefit to both Organizations and would enhance co-operation among their Member States;

Have agreed as follows:

Article I
Consultation

The ILO and IGAD, in order to facilitate attaining the objectives of the two Organizations, shall consult each other in respect of planning and execution of programmes for the promotion of Decent Work in IGAD Member States, in relation but not limited to the following matters:

(a) strengthening of employers’ and workers’ organizations;
(b) tripartite consultation and cooperation;
(c) employment creation, with an emphasis on youth and women;
(d) eradication of child labour, with particular emphasis on the worst forms of child labour;
(e) safety and health at work;
(f) conditions of work and employment;
(g) social security, including extension of social protection;
(h) HIV/AIDS in the workplace;
(i) harmonization of labour and social security legislation;
(j) gender policy mainstreaming;
(k) labour migration;
(l) measures to combat forced labour and trafficking in persons;
(m) sectoral approaches to social and labour issues;
(n) labour market information systems, including statistical capacity-building;
(o) upgrading of work in the informal economy;
(p) conflict prevention and post-conflict peace building; and
(q) entrepreneurship and corporate social responsibility.

ILO and IGAD will collaborate on such matters in the context of the Strategy for Employment for Peace, Stability and Development in the Horn of Africa (2011–2015), that both organizations have adopted in Addis Ababa, on 12 April 2011. This is further described in Annex 1.¹

¹ This annex is part of this Memorandum of Understanding and can be found on pages 37 to 38.
Article II
Exchange of information

ILO and IGAD shall exchange non-confidential information and documentation on matters of common interest, and shall keep each other informed of current and planned activities of mutual interest for the purpose of identifying areas in which co-operation between them may be desirable.

Article III
Joint activities

ILO and IGAD may, on conditions to be mutually agreed in each case, carry out joint studies or co-operate in the implementation of specific programmes or projects relating to matters of common interest within their respective mandates.

Article IV
Attendance at meetings

Each Organization may, in accordance with its own constitutional provisions, invite the other to meetings it has convened, when matters of interest to the other are to be discussed.

Article V
Provision of expertise

Each Organization may, on conditions to be mutually agreed in each case and within limits of available resources, provide services of its staff or consultations as the case may be.

Article VI
Administrative and financial arrangements

(a) Any activity carried out by the IGAD Secretariat or ILO Regional Office for Africa pursuant to this Memorandum of Understanding must be consistent with the policies, rules and regulations of the respective Organization and will be the subject of a separate written agreement.

(b) To ensure the achievement of the objectives of this Memorandum of Understanding and to facilitate its implementation, the IGAD Secretariat and the ILO Regional Office for Africa shall establish close cooperation, and to this end each Organization may appoint a liaison officer in its secretariat to coordinate with the other.

Article VII
Implementation

The Regional Director for Africa of the ILO and the Executive Secretary of IGAD will make appropriate arrangements to ensure closer collaboration and liaison between the two Organizations in matters of common interest.

Article VIII
Monitoring and evaluation

The implementation of this Memorandum of Understanding will be reviewed at an appropriate level every two (2) years. Operational interaction will be monitored and evaluated regularly and an annual report will be prepared by both parties for presentation at relevant meetings of the IGAD and at relevant ILO meetings, or at other mutually agreed fora.

Article IX
Duration and termination

This Memorandum of Understanding shall remain in force indefinitely and may be terminated by mutual consent, or by one party giving the other party six months written notice of the intention to terminate this Memorandum of Understanding.
Article X
Amendments

(a) The Parties hereto may enter into such supplementary arrangements or agreements within the scope of this Memorandum of Understanding as may be appropriate.

(b) This Memorandum of Understanding may be amended by mutual consent. Each Organization shall give a sympathetic consideration to any amendment proposed by the other party.

Article XI
Notice and addresses

Any notice required to be given or made pursuant to this Memorandum of Understanding shall be in writing. Such notice shall be deemed to have been duly given or made when it shall have been delivered by hand, mail, fax, telefax or telegram to the party to which it is required to be given or made, at the address specified here below:

For ILO:
ILO Regional Office for Africa
Africa Hall, 6th Floor,
Menelik II Avenue,
Addis Ababa, Ethiopia
P.O. Box 2788, 2532
Telephone: +251-11-544-4480,
+251-11-544-4481
Fax: +251-11-544-5573,
+251-11-551-3633
E-Mail: addisababa@ilo.org

For IGAD:
IGAD Secretariat
Avenue Georges Clemenceau
P.O. Box 2653
Republic of Djibouti
Telephone: +253-354050
Fax: +253-356994
E-mail: igad@igad.int

Article XII
Dispute resolution

The Parties shall use their best efforts to settle amicably all disputes, controversies or claims arising out of or in connection with this Agreement or the interpretation thereof. Nothing in this Agreement or relating thereto shall be construed as constituting a waiver of the privileges and immunities enjoyed by the ILO.

Article XII
Entry into force

This Memorandum of Understanding, done in four originals, two in the English language and two in the French language shall enter into force on the date of its signature by both parties. In the event of a divergence between the texts, the English version shall govern and prevail.

Stamp of the International Labour Office
(Signed) Charles Dan
Regional Director for Africa
International Labour Organization
Addis Ababa
25 January 2012

Stamp of the Secretariat of IGAD
(Signed) Eng. Mahboub Maalim
Executive Secretary
Intergovernmental Authority on Development
Addis Ababa
25 January 2012
ANNEX

Employment for Peace, Stability and Development in the Horn of Africa
(2011–2015)

Programme details

I. Main objectives

The ILO, IGAD and the African Union, through the Regional Strategy, propose a regional solution for a regional problem. The Horn of Africa is characterized by the challenges it presents both to those within the region and beyond. Localized instability in isolated areas where disenfranchisement provides a shelter for rebel groups, terrorist organizations and international criminality which has spawned high profile piracy attacks in the seas around the Horn. All such events further challenge security and development in and around the region. This situation impacts on the livelihoods of a vast number of people, as state funds are required for security rather than for human development and social services or priming economic activity. The proposed strategy entitled “Employment for Peace, Stability and Development” seeks to adapt the Decent Work Agenda to the situation and conditions prevailing in this region. To achieve this goal in the Horn of Africa, the ILO approach builds around a “Virtuous Triangle” of creating jobs, extending social protection and empowering peoples.

The principal objective of the collaboration between the IGAD and the ILO is to promote and to implement the adopted Regional Strategy in the countries of the Horn of Africa.

The Regional Strategy focuses on three immediate objectives:

– To create employment opportunities through a better, participatory use of local resources, labour-intensive infrastructure development, green jobs, enterprise development and livelihood diversification;
– To reduce vulnerabilities and expand a social protection floor to the countries of the sub-region, in particular by building on existing, community-based practices of mutuality, reciprocity and solidarity;
– To improve governance and social dialogue through further consultations and negotiations and a more vibrant civil society and social economy.

II. Areas of cooperation

The ILO and IGAD will strengthen their collaboration in areas of common strategic interest. This will include the following:

– An AU–IGAD–ILO Task Team will be established;
– ILO’s Regional Office for Africa will facilitate the establishment of an AU–IGAD–ILO Task Team and (possibly with other interested partners, including representatives of vulnerable groups in the region) to steer the process and the implementation of the road map of the Regional Strategy in consultation with national governments.

III. Modalities of collaboration

– The Task Team will meet at least once every two months.
– The Task Team will collect and share information from constituents on implementation strategies and regional projects, including estimates of resource gaps for their implementation as well as monitoring and evaluation arrangements.
– The Regional Strategy as well as progress reports on the implementation of the Regional Strategy will be submitted for information and follow-up to the highest governing organs of the ILO and IGAD.
IV. Monitoring and evaluation

The implementation of collaboration will be reviewed at the AU–IGAD–ILO Task Team and at the appropriate senior technical and management levels on a regular basis. The time period may be amended by mutual written agreement of the ILO and IGAD.
Global Dialogue Forum on the Needs of Older Workers in relation to Changing Processes and the Working Environment in Retail Commerce

(Geneva, 21–22 September 2011)

POINTS OF CONSENSUS ADOPTED

Introduction

Government, Employer and Worker representatives attended the Global Dialogue Forum on the Needs of Older Workers in relation to Changing Work Processes and the Working Environment in Retail Commerce, held at the ILO, Geneva, 21–22 September 2011. The Forum was called to develop consensus-based recommendations on how work processes and the working environment in retail commerce could be adapted to the needs of an ageing workforce, taking into account the effects of technological changes. The Forum developed consensus on the following:

Employment and occupational characteristics of retail commerce and working conditions in the sector

1. Unlike many other sectors, retail commerce is important in every country. The sector is a major employer, ranging from small and medium-sized enterprises to large multinationals. As the essential link between producers and consumers, retail contributes substantially to business activity and national output. A well-functioning retail sector is critical to (and dependent upon) a healthy economy.

2. Employment demand arises from growth of the industry and replacement demand due to high turnover. Demand for labour in retail is predominantly for replacement purposes, especially in sales and customer service occupations. High labour turnover is explained in part by the seasonal nature of consumption and other factors – including those related to working conditions – that fuel demand for temporary staff, as well as by the high number of students and other casual employees, for whom retail employment represents a temporary arrangement.

3. The ILO’s tripartite constituents recognize that, in a context of ageing populations and current or future labour shortages, high labour turnover will have major implications for the industry’s prospects in terms of competitiveness and development. Governments and the social partners affirm a shared interest in stable and sustainable labour markets that ensure the availability of skilled and productive labour, adequately balancing flexibility with employment security and social security, while also ensuring work–life balance.

4. In some countries where youth employment has been a key feature of retail commerce, skills shortages have led (or may soon lead) to a need to increase the proportion of older workers in the workforce. However, some countries have major problems with youth unemployment (often involving highly qualified persons) that requires other policy solutions.

5. Forum participants recognize the often very different realities for older workers in both the formal and the informal retail sector in many countries – informal retailers may be operating in poverty conditions and working very long hours to make a living.

6. Regarding safety and security in retail – where third party violence is a problem – older workers may be more vulnerable.

Current age profiles of retail commerce workers and how these profiles and the sector’s workforce may be affected by demographic trends, especially ageing populations

7. Demographic trends differ among countries, but almost all have increasing life expectancy, improved health care and declining birth rates. The majority of those employed
in the retail sector are women and, as women have longer life expectancy, the demographic changes in the sector will be felt more acutely. Retail workers tend to be aged 30 years and under, especially compared to the economy-wide labour force. However, changes in the age structure of the industry are leading to an increasing share of workers aged 55 or more in many countries.

8. The retail industry provides a wide variety of types of employment, with part-time, seasonal and temporary positions representing a large proportion of retail jobs in many countries. As the share of the youth population declines, this labour-intensive industry must enhance its ability to draw a greater share of workers from among older workers. Governments and the social partners in retail commerce agree on the need for the industry to readjust human resource policies and practices, its work processes and the working environment in order to attract and retain older workers, especially in the high labour-utilization sales and customer service roles.

The main factors shaping future labour demand in retail commerce

9. The Forum noted the increasing integration of new technologies and innovations in retail operations, including a rapid growth of e-commerce in highly competitive markets, which has enabled many enterprises to expand their global supply chains as well as store outlets, reduce product handling errors and improve inventory control. Trends in e-commerce emphasize warehousing, product picking and dispatch work. Both developments may require specific measures to support recruitment and training of older workers in such areas, and to encourage them to apply their own knowledge and skills appropriately.

10. Continuing retail consolidation and rationalization, as well as internationalization, have resulted in the development of very large global retailers, although small and medium-sized retailers continue to dominate in many countries, both in terms of the number of businesses and share in sectoral employment. Increasing intensity of competition and large enterprises’ heavy investment are squeezing smaller competitors, pushing many of them into niche markets in order to survive. The global economic crisis is also reshaping consumption and retail sales patterns around the world. The crisis and subsequent austerity measures may dampen consumer spending, encourage greater focus on value and price considerations, and strengthen the relative market share of discount stores. Older workers’ employment in such outlets should be encouraged.

11. More than any other sector, retail commerce is completely reliant on its customers’ demands, and must respond rapidly to evolving consumer behaviour.

Measures to attract and retain older workers for increased competitive capacity in the labour market: terms of employment; working conditions; occupational health and safety; flexible working; training and staff development

12. The Forum acknowledges the need for greater social dialogue, involving the social partners and policy-makers, to design and implement appropriate measures that make the sector more attractive, ensure decent work for older workers, and help to retain workers in the sector from youth to old age. Such measures need to draw on existing good practices in different sectors, covering such areas as: training, skills and human resource development and promotion; flexible working practices; and work organization and ergonomics. People should be able to work until official retirement ages and beyond if they should wish to do so.

13. While temporary work in retail is needed, permanent work should be open to older workers as well, and both should be provided for in accordance with national law and practice, taking account of the relevant provisions of the 1998 ILO Declaration on Fundamental Principles and Rights at Work and relevant ratified international labour standards.

14. Consensus exists on the benefits and added value of applying good practices towards employing and ensuring a more inclusive workplace for older workers, allowing
them to share their knowledge with younger workers and with customers. Older workers should have the possibility for a lightened workload through part-time work arrangements while they also benefit from retirement. Greater flexibility in working time is also required, to fit with customer requirements, workers’ availability and their needs for work–life balance.

15. Greater focus is needed on:
- age-related health promotion and ergonomics;
- measures to adjust processes and the work environment to older workers;
- integrated life-cycle policy to promote older workers’ employment, recognizing their specific skills acquired over a lifetime of work, as well as the new skills they need;
- third party violence;
- developing research on psychosocial factors of work in commerce, especially as regards stress, with special reference to age-related issues; and
- e-commerce.

National social dialogue is a useful tool to disseminate good practices relating to older workers.

16. Training, human resource development and promotion policies and programmes for workers of all ages should be geared to their specific needs, recognizing that everyone, at every age, thinks and learns differently. ILO constituents have consistently identified learning and training as a key driver of employability throughout one’s working life, regardless of age and gender, country or sector. It is important to value prior learning and to recognize competencies as part of the strategy to attract and retain older workers. Employee satisfaction should also be taken into account.

17. The Forum noted that there are many examples of good practices aimed at retraining older workers. The European Portfolio of Good Practice, which aims at ensuring that older workers are not neglected in training and career development, that opportunities for learning are offered throughout working lives and that positive action is taken where necessary to compensate for past discrimination, provides a good template from which others might learn. Some countries have developed measures to promote employment up to and beyond the age of 70 with a more flexible working environment, working time and conditions for older workers, and publication of annual reports on best practices, e.g. supermarkets that have abolished a compulsory retirement age or made other adjustments to facilitate the work of over 70s. Some countries have legislation to prevent discrimination on the grounds of age (including on access to training); use of working ability measurements should also not be used to discriminate against older workers. Measures to retrain, re-skill, multiskill and re-employ older workers could be more widely studied and applied.

18. The Forum noted that public pension systems that encourage early retirement could affect workers’ willingness to continue to work in their later years. Any changes should be made in close consultation with the social partners.

Future ILO action to support decent work in the retail sector in the context of global population ageing

19. Bearing in mind resource constraints faced within the Sectoral Activities Programme and the ILO programme and budget, the Forum requested the ILO to:
(a) consider as a priority the organization of an experts meeting to review and further promote good industry practices through the adoption of a code of practice on older worker’s employment by means of social dialogue. This may be followed up with the organization of regional, subregional and national activities to promote social dialogue in the sector, in particular the implementation of the Forum’s consensus points, post-Forum research and knowledge sharing on good practices. To facilitate this, Forum participants agreed to request that the consensus points be utilized to promote action in
their national Decent Work Country Programmes (DWCPs) and other ILO programming frameworks;

(b) document examples of good practice on human resource policies, strategies and programmes aimed at attracting and retaining older workers that exist in different countries and sectors, analyse the reasons for their success and disseminate them and promote their adaptation and use by governments and retail commerce social partners around the world. In this respect, promotion of existing toolkits, guidelines and manuals and country examples of good practices to be shared with the ILO, would be a priority;

(c) undertake and disseminate research on various factors conducive to attracting and retaining older workers or those that may discourage their entry into jobs in retail commerce in both developed and developing countries, including gender differentiation and part-time work in this regard, with particular attention to the following issues:

- employee retention policies;
- training and skill development of older workers, notably on information technologies;
- occupational safety and health, notably in relation to opening and closing hours and issues of violence at work in retail commerce;
- impact of e-commerce on the work of older workers and their contributions to shifting business practices;
- public and industry pension arrangements that facilitate hiring and retention of older workers;

(d) mobilize, in cooperation with governments and the social partners, greater technical cooperation programmes as part of DWCPs to assist member States to address the priority issues identified by the Forum, relying on social dialogue as the principal vehicle to improve policy and practice in all countries, and taking account of their specific national contexts; and

(e) augment resources, human and financial, devoted to this sector and the Sectoral Activities Programme more broadly in the framework of future ILO programme and budgets, and to facilitate the hosting of specialists from ILO constituents to work on the priority issues identified by the Forum as a supplement to the ILO’s existing human resources.
Conclusions adopted

Conclusions on ships’ medicine chests

1. The group recognized that the priority of the Meeting was the development of the Guidelines on medical examinations of seafarers considering the entry into force of the 2010 amendments to the STCW Convention and the future entry into force of the MLC, 2006.

2. The group recalled that the WHO had published last year an addendum to the International Medical Guide for Ships (IMGS) (third edition) (Quantification addendum: International Medical Guide for Ships, WHO, 2010) without consultation with the International Maritime Organization (IMO) and the ILO, and the social partners. In this context, the group was informed that there have been no reports of port State control difficulties in the implementation of the addendum or national requirements. The group recognized that developing amendments to the medicine chest at this time will cause confusion within the shipping industry and port State control, considering the WHO published addendum to the IMGS.

3. In attempting to fulfil the terms of reference from the IMO to revise the existing Ships’ Medicine Chests Recommendation, 1958 (No. 105), relating to ships’ medicine chests, with a view to harmonizing it with the latest edition of the International Medical Guide for Ships, the group considered that the complexity of this task had been underestimated. Furthermore, the group agreed that the medicine chest has a direct relationship to the content of the IMGS and therefore, any future discussions on the revision of the content of the ship’s medicine chest should be done in conjunction with the revision of the IMGS. The group noted that the IMGS should be amended as a priority to ensure it remains up to date and user-friendly.

4. Following the introduction of the WHO document on revision of the International Medical Guide for Ships, the group agreed that the document submitted by the WHO was outside the group’s terms of reference as provided by the IMO.

5. The seafarers and shipowners expressed concern with the lack of consultation in the development of the WHO proposal and the lack of consultation in the process outlined therein. Furthermore, they mentioned that other approaches for amending the IMGS could be explored.

6. The WHO explained that the proposal in the document was written in accordance with the procedures for developing guidelines of that organization. Furthermore, they recommended that any revision of the IMGS, whether through the WHO or through any other organization should be based on scientific understanding, knowledge and rigour.

7. Subsequent to the discussions on this issue, the following recommendations and actions were proposed by the group:

(a) Not to amend the content of the ship’s medicine chest as contained in the IMGS (third edition) at this time. The group was of the view that any amendments to the medicine chest should be made in conjunction with the revision of the IMGS. Furthermore, publishing an additional document will cause confusion within the shipping industry, port State control authorities and the pharmaceutical industry, and the group recommends the continued use of the addendum and monitoring its impact or any problems, e.g. port State control actions.
(b) Reiterated the recommendation from the previous meeting of the group that the IMO and ILO secretariats should discuss with the WHO secretariat the differences in processes between the three agencies to find a way forward and to continue inter-agency cooperation for the revision of the IMGS. Furthermore, the group recommended that, in acknowledging the urgent need for the revision of the IMGS, the IMO and ILO secretariats report the final results of their deliberations with the WHO to MSC 90 and the meeting of the Governing Body of the ILO in March 2012. Additionally, the ILO should continue to pursue its mandate to confer with the WHO, in consultation with the constituents concerned and taking into account established practices between the two organizations, with the view to proposing an appropriate mechanism to review on a five-year basis, and revising as appropriate the IMGS, as well as assessing the financial implications to support this process.

(c) That the Maritime Safety Committee of the IMO and the Governing Body of the ILO convene a separate tripartite meeting to discuss the revision of the IMGS at a future date, after the IMO and ILO secretariats have discussed with the WHO secretariat the differences in their processes and a way forward to progress the work. In this context, the group noted the recommendation of the 89th Session of the IMO’s Maritime Safety Committee that due to the complexity of the ships’ medicine chests, a separate tripartite meeting might be convened by the ILO, in cooperation with the IMO and WHO, at a later date to consider the revision of the addendum to the International Medical Guide for Ships (third edition) after the financial resources had been identified by the WHO. The group also noted the Governing Body decision (GB.310/PV) to approve the holding of a small tripartite meeting, in cooperation with the IMO and WHO, to revise the Quantification addendum to the International Medical Guide for Ships published by the WHO.
Tripartite Meeting of Experts on Working-time Arrangements

(Geneva, 17–21 October 2011)

CONCLUSIONS ADOPTED

Working time in the twenty-first century

1. The Tripartite Meeting of Experts on Working-time Arrangements was convened by the ILO Governing Body in Geneva, from 17 to 21 October 2011. The experts noted the importance of working time, its regulation, and organization and management, to:
   (a) workers and their health and well-being, including opportunities for balancing working and non-work time;
   (b) the productivity and competitiveness of enterprises;
   (c) effective responses to economic and labour market crises.

2. The experts discussed various recent developments relating to working time, including developments in levels and patterns of hours worked at aggregate and average levels, and developments in the organization of working time at the individual, workplace, industry and national level. Specifically:
   (a) hours of work;
   (b) part-time work;
   (c) organization of working time;
   (d) crisis experiences and crisis-response measures;
   (e) regulatory framework, role of social dialogue and collective bargaining;
   (f) related public policies;
   (g) data on hours of work and working-time arrangements.

3. The experts also had the benefit of a preparatory report, Working time in the twenty-first century, which provided a summary of various contemporary developments, including selected statistical indicators.

4. The experts recognized that the provisions of existing ILO standards relating to daily and weekly hours of work, weekly rest, paid annual leave, part-time and night work, remain relevant in the twenty-first century, and should be promoted in order to facilitate decent work.

5. The experts noted the recurrent item on labour protection which will take place at the International Labour Conference in 2015.

Hours of work

6. The ILO should monitor, research, circulate information and, upon request, provide advice and technical assistance on:
   (a) what lies behind differing distributions in hours of work in developed and developing countries, including hours of work over 48 per week and gender dimensions;
   (b) working hours of categories of workers excluded from the scope of existing Conventions on working time, including protection for them;
   (c) the effects of new information and communication technologies on the organization of working time and work–life balance;
   (d) working hours in the informal economy;
   (e) predictability and significant variability of working hours.
Part-time work

7. The ILO should monitor, research, circulate information and, upon request, provide advice and technical assistance on:
(a) barriers to mutually agreed and freely chosen part-time work which meets the needs of both employers and workers;
(b) access to conditions of employment equivalent to those of comparable full-time workers, including with regard to access to social security coverage;
(c) policies and overall conditions that may help workers to transition between full- and part-time work, where mutually agreed and freely chosen, and which meets the needs of both employers and workers.

Organization of working time

8. The ILO should monitor, research, circulate information and, upon request, provide advice and technical assistance on the contemporary organization of working time, relevant to the circumstances of all workers and employers – including in small and medium-sized enterprises (SMEs) – whether subject to the collective determination of terms and conditions of employment or otherwise.

Crisis experience and crisis-response measures

9. The ILO should monitor, research, circulate information and, upon request, provide advice and technical assistance on the use of crisis-response measures, as follows:
(a) the role and impact of working-time adjustments in response to crisis on: employment, wages and working conditions; and enterprise sustainability and productivity improvements;
(b) the budgetary and macroeconomic impact of government initiatives to support working-time adjustments in response to crisis;
(c) the use and impact of working-time crisis responses in SMEs;
(d) the use of training and retraining as part of working-time crisis response measures.

Regulatory framework, role of social dialogue and collective bargaining

10. The ILO should monitor, research, circulate information and, upon request, provide advice and technical assistance in the use of, and relationships between, legislation, social dialogue and collective bargaining in the regulation and organization of working time.

Related public policies

11. The ILO should monitor, research, circulate information and, upon request, provide advice and technical assistance on broader national policy and infrastructure issues that can impact on individuals’ organization of their working and non-working life, with consequences for employers and the organization of work.

Data on hours of work and working-time arrangements

12. The ILO should:
(a) encourage national governments, in consultation with employers and workers’ organizations, to collect working-time data to provide a solid foundation for evidence-led policy-making;
(b) compile comparable international data on working time, including hours of work and the organization of working time, in order to facilitate a more regular analysis of working-time trends and developments, and their implications for ILO constituents;

(c) support developing countries through the development of accessible and cost-effective means to collect indicative data, reflecting their needs and capacities.
Tripartite Meeting on Promoting Social Dialogue on Restructuring and its Effects on Employment in the Chemical and Pharmaceutical Industries

(Geneva, 24–27 October 2011)

CONCLUSIONS ADOPTED

Conclusions on the Tripartite Meeting on Promoting Social Dialogue on Restructuring and its Effects on Employment in the Chemical and Pharmaceutical Industries

The Tripartite Meeting on Promoting Social Dialogue on Restructuring and its Effects on Employment in the Chemical and Pharmaceutical Industries, Having met in Geneva from 24 to 27 October 2011, Adopts this twenty-seventh day of October 2011 the following conclusions:

General considerations

1. Social dialogue between worker representatives and employers is a valuable means to manage the process of restructuring in the chemical and pharmaceutical industries, thereby contributing to equitable outcomes for all concerned parties whether at global, regional, national or the enterprise levels. Such dialogue should take place at the earliest possible stage in conformity with national law and practice, where relevant. Governments can play a supportive role for social dialogue by providing the enabling legal and regulatory environments and mechanisms in accordance with the ILO fundamental principles and rights at work, which enable the social partners to engage in effective dialogue.

The employment effects of restructuring in the chemical and pharmaceutical industries

2. The chemical and pharmaceutical industries are facing both challenges and opportunities related to restructuring. Global imbalances in labour demand and labour supply present further difficulties. In some countries, technological innovations have led to a drop in employment, while demographic change, especially ageing populations, and rising labour migration have resulted in a drop in labour supply. There is, in addition, a growing mismatch in sectoral skills requirements and skills supply across countries, with some countries having made more significant investment in education and skills training than others. Restructuring in the chemical and pharmaceutical sectors should not affect the principles and rights at work as defined by the 1998 ILO Declaration. Furthermore, the chemical and pharmaceutical industries are anticipated to undergo further changes on their way to increasing their contribution to sustainable development. In order to enable the industries to prepare for those changes social dialogue is an important means.

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1 Throughout this text, when the term “workers’ representatives” is used, it refers to Article 3 of the Workers’ Representatives Convention, 1971 (No. 135), which reads as follows: “For the purpose of this Convention the term ‘workers’ representatives’ means persons who are recognized as such under national law or practice, whether they are (a) trade union representatives, namely, representatives designated or elected by trade unions for by the members of such unions; or (b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are recognized as the exclusive prerogative of trade unions in the country concerned.

2 ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up.
The implementation of the Global Jobs Pact

3. The ILO tripartite constituents believe the Global Jobs Pact, unanimously adopted by the International Labour Conference in 2009, provides a positive social dialogue-based framework for the design and implementation of local, national, or regional measures to assist the chemical and pharmaceutical industries in member States to recover from the global economic and financial crises and it should be promoted and taken into consideration in restructuring processes. Towards this end, the employers and workers should focus on decent work, reinforcing competitiveness and employability of workers. Such efforts should, in addition, address occupational safety and health issues.

Skills, qualifications, vocational training and education conducive to sustainable development of the chemical and pharmaceutical industries

4. Shortages of workers with the scientific, technical and production skills required by the chemical and pharmaceutical industries represent a major challenge which demands greater and ongoing investment in education and vocational training to ensure future sustainability.

5. Governments and the social partners have a shared responsibility in ensuring the availability of resources and the design and implementation of programmes to upgrade workers’ skills and qualifications to support the continued viability of the industries. Social dialogue, taking into account national law and practice identified in different countries, should play a pivotal role in identifying and fostering education and vocational training outcomes that best balance the interests of the industries, their workers and society as a whole.

Attracting young and women workers into the chemical and pharmaceutical industries

6. In order to promote decent work, sustain competitiveness and contribute to the performance and image of the chemical and pharmaceutical industries, the social partners and governments should continue to work on areas such as work–life balance, gender equality, and health and safety. In addition, governments and social partners should work together to provide quality education, lifelong learning and vocational training, thus providing better career development opportunities, which could enhance the attractiveness of the industries to women, along with men. Such action also improves the attractiveness of the industries for young workers.

Challenges and opportunities of contract and agency labour in the chemical and pharmaceutical industries

7. Where the use of contract and agency labour becomes necessary, chemical and pharmaceutical firms should at all times ensure that national occupational safety and health laws, regulations and good practice are applied to this category of workers in accordance with the ILO’s fundamental principles and rights at work and relevant international labour

1 Decent work is a broad concept, enshrined in the ILO Declaration on Social Justice for a Fair Globalization. It was enunciated by the Director-General in 1999 as “opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity”. The Decent Work Agenda encompasses four strategic objectives, with gender equality as a cross-cutting objective: creating jobs, guaranteeing rights at work, extending social protection and promoting social dialogue. The four strategic objectives are inseparable, interrelated and mutually supportive. The failure to promote any one of them would harm progress towards the others.
standards. Contract and agency workers should enjoy the same fundamental rights at work as the firm’s directly recruited workers.

8. Social dialogue plays an essential role in making restructuring processes successful in the chemical and pharmaceutical industries. To be effective in this respect, such dialogue should:

– be timely, meaning at the earliest possible stage;
– be based on a relationship of mutual respect in the context of good industrial relations between employers and workers as well as their respective organizations and be carried out in a spirit of cooperation and good faith;
– consider and address the possible restructuring scenarios and their respective implications for management and the workforce;
– be based on a full and meaningful exchange of views;
– be based on all relevant information shared at the earliest possible stage by management with workers and their representatives; and
– involve employers’ and workers’ representatives and, where appropriate, the relevant government entities.

9. Good social dialogue practice in the context of restructuring also requires that the agenda and content of the process be clearly defined in consultation between employers, workers and their representatives. Dialogue, to be effective, must be in accordance with the national law and practice and the relevant ILO principles and standards. Good social dialogue practices which exist in some countries provide valuable models that could be documented and disseminated for the information of sectoral social partners in other countries.

10. Among other aims, restructuring-related social dialogue should seek to expand employment opportunities with decent work conditions and worker employability through greater investments in education, vocational training and lifelong learning for all workers, while at the same time seeking to increase the competitiveness of companies in the industries.

11. The Meeting noted and welcomed a bilateral agreement entitled “Starting Global Social Dialogue in the Chemical Industry (Geneva Declaration)”, adopted in Geneva on 26 May 2011 between the International Chemical Employers’ Labour Relations Committee (LRC) and the International Federation of Chemical, Energy, Mine and General Workers’ Unions (ICEM). The Geneva Declaration is not binding to Governments.

12. Decent work, as defined by the ILO, is as relevant to SMEs as it is to any other company in the chemical and pharmaceutical industries. Social dialogue should be undertaken at appropriate levels and in all sizes of enterprise including SMEs, with a view to achieving this goal in the two industries.
ILO’s future activities

13. Taking into account the Governing Body’s decisions at its 310th Session in March 2011 on activities with respect to the chemical and pharmaceutical industries for 2012–13, the following future ILO activities are recommended:

– In collaboration with governments and employers’ and workers’ organizations, the ILO should undertake activities and programmes to promote, in the chemical and pharmaceutical industries, the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up; the ILO Declaration on Social Justice for a Fair Globalization; the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy; and the ILO’s Global Jobs Pact.

– Where appropriate and in consultations with the social partners and governments, the ILO should take follow-up actions and provide in-depth studies on examining the impacts of restructuring and corporate structural change in the chemical and pharmaceutical industries, including the use of contract and agency labour as well as the employment of women and young workers.

– The ILO should enhance the capacity of the social partners in the industries, and develop and implement relevant joint ideas and tailor-made systems of social dialogue at all levels, on the basis of the principles, Conventions and other instruments of the ILO, enabling social partners to work together constructively and to keep their operations competitive. These activities could be connected to support global level sectoral social dialogue initiatives.

– The ILO should ensure that appropriate follow-up activities and programmes take place. In this context, promotion of ratification and implementation of relevant ILO occupational safety and health (OSH) Conventions and other instruments and the dissemination and exchange of best practices and experiences learned from OSH should be a priority.

1 ILO actions approved by the Governing Body at its 310th Session in March 2011. See document GB.310/STM/1, paras 25–26: “Global Dialogue Forum on initiatives to promote decent and productive work in the chemical industry. 25. A Global Dialogue Forum is proposed to discuss initiatives to promote decent and productive work in the chemical industry. This Forum would examine initiatives to promote social dialogue for improving the performance of the chemical and pharmaceutical industries, in particular of small and medium-sized enterprises. 26. Taking on board the ILO’s Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration), the discussion may assess how corporate social responsibility initiatives and relations with the emerging voluntary initiatives could be promoted at global and national levels in the chemical and pharmaceutical industries.”
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Office publications and documents
To ensure that all regular readers of the Official Bulletin receive full and up-to-date information on Office publications and documents, the ILO quarterly publications list will be sent to them free of charge. A complete catalogue is available on request and books may be purchased from: ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland. The reports and other documents referred to in the Official Bulletin may also be consulted on the ILO website at www.ilo.org.
The 101st Session of the International Labour Conference was held from Wednesday, 30 May to Thursday, 14 June 2012, under the presidency of Mr Rafael Alburquerque de Castro, Vice-President of the Dominican Republic.

The agenda was as follows:

**Standing items**

I. Reports of the Chairperson of the Governing Body and of the Director-General.

II. Programme and Budget proposals and other questions.

III. Information and reports on the application of Conventions and Recommendations.

**Conference or Governing Body items**

IV. Elaboration of an autonomous Recommendation on the social protection floor (**single discussion**).

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1 This includes the period from 1 May to 31 August 2012.

2 The texts of the instruments and resolutions adopted by the Conference can be consulted on pages 14 to 47 below. More detailed information on the proceedings of the Conference, including the names of participants, the verbatim record of plenary sittings, committee reports, etc., is to be found in the *Record of Proceedings* of the 101st Session. All these documents may also be consulted at [www.ilo.org](http://www.ilo.org).


V. The youth employment crisis (general discussion).¹

VI. A recurrent discussion on the strategic objective of fundamental principles and rights at work, under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization, 2008, and the follow-up (revised, June 2010) of the ILO Declaration on Fundamental Principles and Rights at Work, of 1998.²

VII. Review of measures adopted by the International Labour Conference to secure compliance by Myanmar with the recommendations of the Commission of Inquiry.³

Membership of the International Labour Organization

Pursuant to article 1, paragraph 3, of the International Labour Organization Constitution and article 27 of the Standing Orders of the International Labour Conference, a member of the United Nations may become a Member of the ILO by communicating to the Director-General of the International Labour Office its formal acceptance of the obligations of the Constitution.

REPUBLIC OF PALAU

In a letter dated 2 May 2012, received by the International Labour Office on 29 May 2012, the Government of the Republic of Palau, member State of the United Nations, communicated to the Director-General of the International Labour Office its formal acceptance of the obligations of the ILO Constitution. Consequently, the Republic of Palau became the 185th member State of the International Labour Organization on 29 May 2012.

¹ The text of the conclusions on the youth employment crisis form part of the corresponding resolution, the text of which is reproduced on pages 21 to 36 below.

² The Committee for the Recurrent Discussion examined a report on the four categories of fundamental principles and rights at work, found in the eight ILO fundamental Conventions. In accordance with the decision adopted at the 99th International Labour Conference (2010), this report is both a report on the recurrent point in light of the follow-up to the Declaration on Social Justice for a Fair Globalization, 2008, and a Global Report in line with the revised follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, 1998.

³ This point was put on the agenda of the 101st Conference in compliance with the decision adopted by the Governing Body of the ILO at its 313th Session (March 2012). The subcommittee in charge of examining this point was convened by the Conference in accordance with article 59, paragraph 2, of the Standing Orders.
314th Session of the Governing Body of the International Labour Office

(Geneva, 28 May 2012)

APPOINTMENT OF THE DIRECTOR-GENERAL OF THE ILO

The 314th Session of the Governing Body of the International Labour Office\(^1\) was held on Monday, 28 May 2012, under the chairmanship of Mr Greg Vines, Special Labour Adviser and senior diplomat with the Australian Permanent Mission to the United Nations Office in Geneva.

During a private sitting,\(^2\) an election took place with a view to appointing a new Director-General of the ILO, in accordance with the Rules governing the election of the Director-General, as amended by the Governing Body at its 312th Session (November 2011). Nine candidates stood for election. The required majority being 29 votes, Mr Guy Ryder received 30 votes. Mr Ryder was accordingly declared to be elected to the post of Director-General of the International Labour Office with his appointment commencing on 1 October 2012, for a five-year term of office in accordance with article 4.6 of the ILO Staff Regulations.

315th Session of the Governing Body of the International Labour Office

(Geneva, 15 June 2012)

The 315th Session of the Governing Body of the International Labour Office was held on Friday, 15 June 2012, under the chairmanship of Mr Greg Vines, Special Labour Adviser and senior diplomat with the Australian Permanent Mission to the United Nations Office in Geneva, and Mr Gilles de Robien, Ambassador with responsibility for promoting social cohesion, France.

INSTITUTIONAL SECTION

The agenda was as follows:

2. Approval of the minutes of the 313th Session of the Governing Body\(^3\)
4. Follow-up to the discussion in the Committee on the Application of Standards of the 101st Session of the International Labour Conference
5. Agenda of the 103rd Session (2014) of the International Labour Conference\(^4\)
6. Report of the Director-General:
   - Update on the headquarters building renovation project\(^5\)
   - Documents submitted for information only\(^6\)

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\(^1\) Pursuant to the decision adopted by the Governing Body at its 312th Session (November 2011).

\(^2\) Pursuant to the decision adopted by the Governing Body at its 313th Session (March 2012).

\(^3\) The Governing Body approved the minutes, as amended.

\(^4\) There was no discussion on this agenda item.

\(^5\) The Governing Body took note of the report.

\(^6\) The Governing Body took note of the information in document GB.315/INS/6/3, which has an appendix containing a list of the following two documents, as amended by the Officers: GB.315/INF/1: Programme of meetings as approved by the Officers of the Governing Body, and GB.315/INF/2: Approved symposia, seminars, workshops and similar meetings. Document GB.315/INS/INF/1 is also listed: Dissolution of the International Federation of Agricultural Producers.
8. Composition and agenda of standing bodies and meetings.

The following is an account of the action taken by the Governing Body on the above agenda.¹

**ELECTION OF THE OFFICERS OF THE GOVERNING BODY FOR 2012–13**

*Election of the Chairperson*

The Governing Body elected Mr Gilles De Robien, Ambassador with responsibility for promoting social cohesion, France, to the post of Chairperson of the Governing Body of the ILO for the June 2012–June 2013 period.

*Election of the Vice-Chairpersons*

The Governing Body re-elected Mr Daniel Funes de Rioja (Argentina) as Employer Vice-Chairperson and Mr Luc Cortebeeck (Belgium) as Worker Vice-Chairperson, for the 2012–13 period.

**REPORT OF THE COMMITTEE ON FREEDOM OF ASSOCIATION**

The Governing Body examined and approved the 364th Report of its Committee on Freedom of Association.²

**FOLLOW-UP TO MATTERS ARISING OUT OF THE COMMITTEE ON THE APPLICATION OF STANDARDS DURING THE 101ST SESSION OF THE INTERNATIONAL LABOUR CONFERENCE**

The Governing Body:

(a) decided to include on the agenda of its 316th Session (November 2012) the decision taken by the Conference, reproduced below, to refer to the Governing Body certain matters arising out of the report of the Committee on the Application of Standards:

The Committee noted that different views were expressed on the functioning of the Committee in relation to the reports of the Committee of Experts which were submitted for its consideration as found in paragraphs 21, 54, 81–89, 99–103 and 133–224 of this report.³

The Committee recommended that the Conference: (1) request the Director-General to communicate those views to the Governing Body; and (2) invite the Governing Body to take appropriate follow-up as a matter of urgency, including through informal tripartite consultations prior to its November 2012 session.

(b) authorized the Chairperson of the Governing Body, assisted by the two Vice-Chairpersons, to undertake informal tripartite consultations with the Government, Employers’ and Workers’ groups for consideration by the Governing Body at its 316th Session.

¹ For a more detailed account, see the set of papers and reports examined by the Governing Body, together with the approved minutes of the sittings.

² This report can be found in the *Official Bulletin*, Vol. XCV, Series B, No. 2.

Report of the Director-General

Obituaries

The Governing Body paid tribute to the memory of Lord Brett, Chairperson of the Governing Body from 2002 to 2003 and Director of the ILO London Office, and to Mr Jean-Louis Cartier, who chaired the ILO Working Party on Policy regarding the Revision of Standards, and requested that the Director-General convey its condolences to Lord Brett’s family and to the President of the professionals’ trade union Prospect, as well as to Mr Cartier’s family and to the Government of the French Republic.

Appointment of Assistant Directors-General

The Governing Body noted that, following due consultations with the Officers of the Governing Body, the Director-General had promoted Ms Susanne Hoffmann to the Assistant Director-General level, with effect from 1 May 2012, and appointed Ms Sandra Polaski as Executive Director of the Social Dialogue Sector (DIALOGUE) at the Assistant Director-General level, with effect from 15 May 2012.

Report form for preparing the General Survey on Convention No. 131 and Recommendation No. 135

The Governing Body approved the report concerning minimum wage fixing instruments contained in the appendix of document GB.315/INS/6/4.

Report of the Officers of the Governing Body

Timing of the Governing Body sessions

The Governing Body, on the recommendation of its Officers, decided that, as from 2013, the autumn sessions of the Governing Body would be scheduled in October and that the 319th Session of the Governing Body would be held from 17 to 31 October 2013.

Composition and agenda of standing bodies and meetings

Committee of Experts on the Application of Conventions and Recommendations

Reappointments

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

– Mr James Brudney (United States)
– Mr Halton Cheadle (South Africa)
– Mr Pierre Lyon-Caen (France)
– Ms Elena Machulskaya (Russian Federation)
– Ms Rosemary Owens (Australia)

Global Dialogue Forum on Future Needs for Skills and Training in the Oil and Gas Industry
(Geneva, 12–13 December 2012)

Composition

The Governing Body, on the recommendation of its Officers, approved the composition formula for the Global Dialogue Forum, which would be attended by eight Employer
participants nominated after consultations with the Employers’ group and eight Worker participants nominated after consultations with the Workers’ group of the Governing Body. Moreover, all governments interested would be invited to attend at their own costs.

*Global Dialogue Forum on the Effects of the Global Economic Crisis on the Civil Aviation Industry*  
*(Geneva, 20–22 February 2013)*

**Composition**

The Governing Body, on the recommendation of its Officers, approved the composition formula for the Global Dialogue Forum, which would be attended by ten Employer participants nominated after consultations with the Employers’ group and ten Worker participants nominated after consultations with the Workers’ group of the Governing Body. Moreover, all governments interested would be invited to attend at their own costs.
Programme of meetings for the remainder of 2012 and for 2013

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>8–12 October</td>
<td>Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel</td>
<td>Geneva</td>
</tr>
<tr>
<td>1–16 November</td>
<td>316th Session of the Governing Body                                              »</td>
<td></td>
</tr>
<tr>
<td>12–13 December</td>
<td>Global Dialogue Forum on Future Needs for Skills and Training in the Oil and Gas Industry</td>
<td>»</td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21 November–7 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations      »</td>
<td></td>
</tr>
<tr>
<td>28 January–1 February</td>
<td>Meeting of Experts in Labour Statistics on the Advancement of Employment and Unemployment Statistics</td>
<td>»</td>
</tr>
<tr>
<td>28 November–13 December</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7–28 March¹</td>
<td>317th Session of the Governing Body                                              »</td>
<td></td>
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<tr>
<td>8–11 April²</td>
<td>Ninth European Regional Meeting                                                   Oslo, Norway</td>
<td></td>
</tr>
<tr>
<td>15–16 May</td>
<td>Global Dialogue Forum for the Promotion of the Work in Fishing Convention, 2007 (No. 188)</td>
<td>Geneva</td>
</tr>
<tr>
<td>30–31 May</td>
<td>Committee on Freedom of Association                                              »</td>
<td></td>
</tr>
<tr>
<td>5–21 June</td>
<td>102nd Session of the International Labour Conference                              »</td>
<td></td>
</tr>
<tr>
<td>21 June</td>
<td>318th Session of the Governing Body                                              »</td>
<td></td>
</tr>
<tr>
<td>23–27 September</td>
<td>Meeting of Experts to Adopt Guidelines on the Training of Ships’ Cooks           »</td>
<td></td>
</tr>
<tr>
<td>2–11 October</td>
<td>19th International Conference of Labour Statisticians                             »</td>
<td></td>
</tr>
<tr>
<td>17–31 October³</td>
<td>319th Session of the Governing Body                                              »</td>
<td></td>
</tr>
<tr>
<td>28 November–13 December</td>
<td></td>
<td></td>
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<tr>
<td>November</td>
<td>Workers’ Technical Meeting                                                       »</td>
<td></td>
</tr>
<tr>
<td>Last quarter</td>
<td>Global Dialogue Forum on Initiatives to Promote Decent Work in the Chemical Industry</td>
<td>»</td>
</tr>
</tbody>
</table>

¹ Due to the long Easter weekend (29 Mar.–1 Apr.), the Governing Body will have to complete its work by Thursday, 28 Mar. ² Following the decision taken by the Governing Body as regards the dates of the 9th European Regional Meeting. ³ Following the decision taken by the Governing Body as regards the dates of its 319th Session.
Official measures taken regarding decisions of the International Labour Conference


Acceptance

In accordance with article 3 of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986, the following acceptance has been communicated to the Director-General of the International Labour Office:

<table>
<thead>
<tr>
<th>State</th>
<th>Measure</th>
<th>Date received</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mauritius</td>
<td>Acceptance</td>
<td>11 July 2012</td>
</tr>
</tbody>
</table>

The total number of ratifications and acceptances is thus 97, including two by States of chief industrial importance.²


² An additional 27 ratifications/acceptances by member States, including three by States of chief industrial importance, are required for the Constitution of the International Labour Organisation Instrument of Amendment, 1986, to enter into force.
International labour Conventions

Ratifications and notification

Notice is hereby given that the Director-General of the International Labour Office has registered the following ratifications and notification concerning the international labour Conventions mentioned below. In pursuance of article 20 of the Constitution of the International Labour Organisation, particulars of these ratifications and notification have been communicated to the Secretary-General of the United Nations Organization for registration in accordance with article 102 of the Charter of the United Nations.

The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office concerning the legal status of the State having communicated such information (including the communication of a ratification, denunciation, notification or declaration), or on its authority over the territories in respect of which such information is communicated; in certain cases this may present issues on which the ILO is not competent to express an opinion.

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration</th>
<th>Date of effect</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>I. Ratifications</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cyprus</td>
<td>Maritime Labour Convention, 2006</td>
<td>20 July 2012</td>
<td>20 August 2013</td>
</tr>
<tr>
<td>Grenada</td>
<td>Occupational Safety and Health Convention, 1981 (No. 155)</td>
<td>26 June 2012</td>
<td>26 June 2013</td>
</tr>
<tr>
<td>Honduras</td>
<td>Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)</td>
<td>12 June 2012</td>
<td>12 June 2013</td>
</tr>
<tr>
<td>Kazakhstan</td>
<td>Maternity Protection Convention, 2000 (No. 183)</td>
<td>13 June 2012</td>
<td>13 June 2013</td>
</tr>
<tr>
<td></td>
<td>Pursuant to Article 4, paragraph 2, of the Convention, the period of maternity leave is 18 weeks (20 weeks in case of obstructed childbirth or in the case of the birth of two or more children).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Malaysia</td>
<td>Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)</td>
<td>7 June 2012</td>
<td>7 June 2013</td>
</tr>
<tr>
<td>Montenegro</td>
<td>Maternity Protection Convention, 2000 (No. 183)</td>
<td>19 April 2012</td>
<td>19 April 2013</td>
</tr>
<tr>
<td></td>
<td>Pursuant to Article 4, paragraph 2, of the Convention, the length of maternity leave is 365 days from the birth of the child.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State</td>
<td>Convention</td>
<td>Date of registration</td>
<td>Date of effect</td>
</tr>
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</tr>
<tr>
<td>Philippines</td>
<td>Maritime Labour Convention, 2006</td>
<td>20 August 2012</td>
<td>20 August 2013</td>
</tr>
<tr>
<td>Poland</td>
<td>Maritime Labour Convention, 2006</td>
<td>3 May 2012</td>
<td>20 August 2013</td>
</tr>
<tr>
<td></td>
<td>Protection of Workers’ Claims (Employer’s Insolvency) Convention, 1992 (No. 173)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tajikistan</td>
<td>Home Work Convention, 1996 (No. 177)</td>
<td>29 May 2012</td>
<td>29 May 2013</td>
</tr>
<tr>
<td>Uruguay</td>
<td>Domestic Workers Convention, 2011 (No. 189)</td>
<td>14 June 2012</td>
<td>12 months after the ratifications of two Members have been registered</td>
</tr>
<tr>
<td>Viet Nam</td>
<td>Employment Policy Convention, 1964 (No. 122)</td>
<td>11 June 2012</td>
<td>11 June 2013</td>
</tr>
</tbody>
</table>

**II. Notification**

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration</th>
<th>Date of effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>China – Macao Special Administrative Region</td>
<td>Final Articles Revision Convention, 1946 (No. 80)</td>
<td>17 April 2012</td>
<td>17 April 2012</td>
</tr>
</tbody>
</table>

*Applicable without modifications*
Notification of the coming into force
of the Maritime Labour Convention, 2006

Article VIII, paragraph 3, of the Maritime Labour Convention, 2006, adopted by the
International Labour Conference at its 94th Session on 23 February 2006, provides that
the Convention shall come into force 12 months after the date on which ratifications by at
least 30 Members with a total share in the world gross tonnage of ships of 33 per cent have
been registered.

On 20 August 2012, the Director-General of the International Labour Office registered
the ratifications by the Philippines and the Russian Federation of the Maritime Labour
Convention, 2006. As the Convention has already been ratified by Antigua and Barbuda,
Australia, Bahamas, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus,
Denmark, Gabon, Kiribati, Latvia, Liberia, Luxembourg, Marshall Islands, Netherlands,
Norway, Palau, Panama, Poland, Saint Kitts and Nevis, Saint Vincent and the Grenadines,
Singapore, Spain, Sweden, Switzerland, Togo and Tuvalu, the criteria for the entry into
force of the Convention have now been met and the Convention will accordingly come into
force on 20 August 2013.

The present notification is made in accordance with the provisions of Article XI, para-
graph 2, of the Convention.

In conformity with article 20 of the Constitution of the International Labour Organisa-
tion, this Convention will be communicated to the Secretary-General of the United Nations
for registration in accordance with article 102 of the Charter of the United Nations.
Recommendation and resolutions adopted by the International Labour Conference at its 101st Session

(Geneva, May–June 2012)

The text of the Recommendation that follows is the authentic text, duly adopted by the General Conference of the International Labour Organization during its 101st Session and signed by the President of the Conference, Mr Rafael Alburquerque de Castro, and the Director-General of the International Labour Office, Mr Juan Somavia, on 14 June 2012.

RECOMMENDATION

Recommendation No. 202

Social Protection Floors Recommendation, 2012

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 101st Session on 30 May 2012, and

Reaffirming that the right to social security is a human right, and

Acknowledging that the right to social security is, along with promoting employment, an economic and social necessity for development and progress, and

Recognizing that social security is an important tool to prevent and reduce poverty, inequality, social exclusion and social insecurity, to promote equal opportunity and gender and racial equality, and to support the transition from informal to formal employment, and

Considering that social security is an investment in people that empowers them to adjust to changes in the economy and in the labour market, and that social security systems act as automatic social and economic stabilizers, help stimulate aggregate demand in times of crisis and beyond, and help support a transition to a more sustainable economy, and

Considering that the prioritization of policies aimed at sustainable long-term growth associated with social inclusion helps overcome extreme poverty and reduces social inequalities and differences within and among regions, and

Recognizing that the transition to formal employment and the establishment of sustainable social security systems are mutually supportive, and

Recalling that the Declaration of Philadelphia recognizes the solemn obligation of the International Labour Organization to contribute to “achiev[ing] ... the extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care”, and

---

1 This section contains the decisions taken during the Conference and not the circumstances in which they were adopted, unless they were the result of a formal vote. The observations and reservations expressed by the delegates or groups under which the decisions were adopted can be found in the publication of the minutes of the 101st Session (2012) of the Conference, which may also be consulted at www.ilo.org. The text of the adopted resolutions is reproduced below, on pages 70 to 92.

2 Adopted by the International Labour Conference on 14 June 2012, with 453 votes in favour and none against. One abstention.
Considering the Universal Declaration of Human Rights, in particular Articles 22 and 25, and the International Covenant on Economic, Social and Cultural Rights, in particular Articles 9, 11 and 12, and

Considering also ILO social security standards, in particular the Social Security (Minimum Standards) Convention, 1952 (No. 102), the Income Security Recommendation, 1944 (No. 67), and the Medical Care Recommendation, 1944 (No. 69), and noting that these standards are of continuing relevance and continue to be important references for social security systems, and

Recalling that the ILO Declaration on Social Justice for a Fair Globalization recognizes that “the commitments and efforts of Members and the Organization to implement the ILO’s constitutional mandate, including through international labour standards, and to place full and productive employment and decent work at the centre of economic and social policies, should be based on ... (ii) developing and enhancing measures of social protection ... which are sustainable and adapted to national circumstances, including ... the extension of social security to all”, and

Considering the resolution and Conclusions concerning the recurrent discussion on social protection (social security) adopted by the International Labour Conference at its 100th Session (2011), which recognize the need for a Recommendation complementing existing ILO social security standards and providing guidance to Members in building social protection floors tailored to national circumstances and levels of development, as part of comprehensive social security systems, and

Having decided upon the adoption of certain proposals with regard to social protection floors, which are the subject of the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation;

adopts this fourteenth day of June of the year two thousand and twelve the following Recommendation, which may be cited as the Social Protection Floors Recommendation, 2012.

I. OBJECTIVES, SCOPE AND PRINCIPLES

1. This Recommendation provides guidance to Members to:

(a) establish and maintain, as applicable, social protection floors as a fundamental element of their national social security systems; and

(b) implement social protection floors within strategies for the extension of social security that progressively ensure higher levels of social security to as many people as possible, guided by ILO social security standards.

2. For the purpose of this Recommendation, social protection floors are nationally defined sets of basic social security guarantees which secure protection aimed at preventing or alleviating poverty, vulnerability and social exclusion.

3. Recognizing the overall and primary responsibility of the State in giving effect to this Recommendation, Members should apply the following principles:

(a) universality of protection, based on social solidarity;

(b) entitlement to benefits prescribed by national law;

(c) adequacy and predictability of benefits;

(d) non-discrimination, gender equality and responsiveness to special needs;

(e) social inclusion, including of persons in the informal economy;

(f) respect for the rights and dignity of people covered by the social security guarantees;

(g) progressive realization, including by setting targets and time frames;
(h) solidarity in financing while seeking to achieve an optimal balance between the responsibilities and interests among those who finance and benefit from social security schemes;
(i) consideration of diversity of methods and approaches, including of financing mechanisms and delivery systems;
(j) transparent, accountable and sound financial management and administration;
(k) financial, fiscal and economic sustainability with due regard to social justice and equity;
(l) coherence with social, economic and employment policies;
(m) coherence across institutions responsible for delivery of social protection;
(n) high-quality public services that enhance the delivery of social security systems;
(o) efficiency and accessibility of complaint and appeal procedures;
(p) regular monitoring of implementation, and periodic evaluation;
(q) full respect for collective bargaining and freedom of association for all workers; and
(r) tripartite participation with representative organizations of employers and workers, as well as consultation with other relevant and representative organizations of persons concerned.

II. NATIONAL SOCIAL PROTECTION FLOORS

4. Members should, in accordance with national circumstances, establish as quickly as possible and maintain their social protection floors comprising basic social security guarantees. The guarantees should ensure at a minimum that, over the life cycle, all in need have access to essential health care and to basic income security which together secure effective access to goods and services defined as necessary at the national level.

5. The social protection floors referred to in Paragraph 4 should comprise at least the following basic social security guarantees:

(a) access to a nationally defined set of goods and services, constituting essential health care, including maternity care, that meets the criteria of availability, accessibility, acceptability and quality;
(b) basic income security for children, at least at a nationally defined minimum level, providing access to nutrition, education, care and any other necessary goods and services;
(c) basic income security, at least at a nationally defined minimum level, for persons in active age who are unable to earn sufficient income, in particular in cases of sickness, unemployment, maternity and disability; and
(d) basic income security, at least at a nationally defined minimum level, for older persons.

6. Subject to their existing international obligations, Members should provide the basic social security guarantees referred to in this Recommendation to at least all residents and children, as defined in national laws and regulations.

7. Basic social security guarantees should be established by law. National laws and regulations should specify the range, qualifying conditions and levels of the benefits giving effect to these guarantees. Impartial, transparent, effective, simple, rapid, accessible and inexpensive complaint and appeal procedures should also be specified. Access to complaint and appeal procedures should be free of charge to the applicant. Systems should be in place that enhance compliance with national legal frameworks.

8. When defining the basic social security guarantees, Members should give due consideration to the following:

(a) persons in need of health care should not face hardship and an increased risk of poverty due to the financial consequences of accessing essential health care. Free prenatal and postnatal medical care for the most vulnerable should also be considered;
basic income security should allow life in dignity. Nationally defined minimum levels of income may correspond to the monetary value of a set of necessary goods and services, national poverty lines, income thresholds for social assistance or other comparable thresholds established by national law or practice, and may take into account regional differences;

c) the levels of basic social security guarantees should be regularly reviewed through a transparent procedure that is established by national laws, regulations or practice, as appropriate; and

d) in regard to the establishment and review of the levels of these guarantees, tripartite participation with representative organizations of employers and workers, as well as consultation with other relevant and representative organizations of persons concerned, should be ensured.

9. (1) In providing the basic social security guarantees, Members should consider different approaches with a view to implementing the most effective and efficient combination of benefits and schemes in the national context.

(2) Benefits may include child and family benefits, sickness and health-care benefits, maternity benefits, disability benefits, old-age benefits, survivors’ benefits, unemployment benefits and employment guarantees, and employment injury benefits as well as any other social benefits in cash or in kind.

(3) Schemes providing such benefits may include universal benefit schemes, social insurance schemes, social assistance schemes, negative income tax schemes, public employment schemes and employment support schemes.

10. In designing and implementing national social protection floors, Members should:

(a) combine preventive, promotional and active measures, benefits and social services;

(b) promote productive economic activity and formal employment through considering policies that include public procurement, government credit provisions, labour inspection, labour market policies and tax incentives, and that promote education, vocational training, productive skills and employability; and

(c) ensure coordination with other policies that enhance formal employment, income generation, education, literacy, vocational training, skills and employability, that reduce precariousness, and that promote secure work, entrepreneurship and sustainable enterprises within a decent work framework.

11. (1) Members should consider using a variety of different methods to mobilize the necessary resources to ensure financial, fiscal and economic sustainability of national social protection floors, taking into account the contributory capacities of different population groups. Such methods may include, individually or in combination, effective enforcement of tax and contribution obligations, reprioritizing expenditure, or a broader and sufficiently progressive revenue base.

(2) In applying such methods, Members should consider the need to implement measures to prevent fraud, tax evasion and non-payment of contributions.

12. National social protection floors should be financed by national resources. Members whose economic and fiscal capacities are insufficient to implement the guarantees may seek international cooperation and support that complement their own efforts.

III. NATIONAL STRATEGIES FOR THE EXTENSION OF SOCIAL SECURITY

13. (1) Members should formulate and implement national social security extension strategies, based on national consultations through effective social dialogue and social participation. National strategies should:
(a) prioritize the implementation of social protection floors as a starting point for countries that do not have a minimum level of social security guarantees, and as a fundamental element of their national social security systems; and

(b) seek to provide higher levels of protection to as many people as possible, reflecting economic and fiscal capacities of Members, and as soon as possible.

(2) For this purpose, Members should progressively build and maintain comprehensive and adequate social security systems coherent with national policy objectives and seek to coordinate social security policies with other public policies.

14. When formulating and implementing national social security extension strategies, Members should:

(a) set objectives reflecting national priorities;

(b) identify gaps in, and barriers to, protection;

(c) seek to close gaps in protection through appropriate and effectively coordinated schemes, whether contributory or non-contributory, or both, including through the extension of existing contributory schemes to all concerned persons with contributory capacity;

(d) complement social security with active labour market policies, including vocational training or other measures, as appropriate;

(e) specify financial requirements and resources as well as the time frame and sequencing for the progressive achievement of the objectives; and

(f) raise awareness about their social protection floors and their extension strategies, and undertake information programmes, including through social dialogue.

15. Social security extension strategies should apply to persons both in the formal and informal economy and support the growth of formal employment and the reduction of informality, and should be consistent with, and conducive to, the implementation of the social, economic and environmental development plans of Members.

16. Social security extension strategies should ensure support for disadvantaged groups and people with special needs.

17. When building comprehensive social security systems reflecting national objectives, priorities and economic and fiscal capacities, Members should aim to achieve the range and levels of benefits set out in the Social Security (Minimum Standards) Convention, 1952 (No. 102), or in other ILO social security Conventions and Recommendations setting out more advanced standards.

18. Members should consider ratifying, as early as national circumstances allow, the Social Security (Minimum Standards) Convention, 1952 (No. 102). Furthermore, Members should consider ratifying, or giving effect to, as applicable, other ILO social security Conventions and Recommendations setting out more advanced standards.

IV. MONITORING

19. Members should monitor progress in implementing social protection floors and achieving other objectives of national social security extension strategies through appropriate nationally defined mechanisms, including tripartite participation with representative organizations of employers and workers, as well as consultation with other relevant and representative organizations of persons concerned.

20. Members should regularly convene national consultations to assess progress and discuss policies for the further horizontal and vertical extension of social security.

21. For the purpose of Paragraph 19, Members should regularly collect, compile, analyse and publish an appropriate range of social security data, statistics and indicators, disaggregated, in particular, by gender.

22. In developing or revising the concepts, definitions and methodology used in the production of social security data, statistics and indicators, Members should take into
consideration relevant guidance provided by the International Labour Organization, in particular, as appropriate, the resolution concerning the development of social security statistics adopted by the Ninth International Conference of Labour Statisticians.

23. Members should establish a legal framework to secure and protect private individual information contained in their social security data systems.

24. (1) Members are encouraged to exchange information, experiences and expertise on social security strategies, policies and practices among themselves and with the International Labour Office.

(2) In implementing this Recommendation, Members may seek technical assistance from the International Labour Organization and other relevant international organizations in accordance with their respective mandates.
RESOLUTIONS

I
Resolution concerning efforts to make social protection floors a national reality worldwide

The General Conference of the International Labour Organization, meeting at its 101st Session, 2012,

Having adopted the Social Protection Floors Recommendation, 2012,

Recognizing the crucial role of social protection in social and economic development and notably in combating poverty, vulnerability, social exclusion and realizing decent work for all,

1. Invites governments, employers and workers jointly to give full effect to the Social Protection Floors Recommendation as soon as national circumstances permit;

2. Invites the Governing Body of the International Labour Office to request the Director-General to implement, subject to the availability of resources, cost-effective measures aimed at:

(a) promoting, through appropriate awareness-raising initiatives, the widespread implementation of the Recommendation;

(b) building the capacity of governments and employers’ and workers’ organizations to enable them to design, implement, monitor and evaluate national social protection floor policies and programmes;

(c) supporting governments and employers’ and workers’ organizations in their efforts to implement national social protection floors through:

- the facilitation of sharing of knowledge, information and good practices on social protection among Members; and

- technical cooperation and advice;

(d) supporting national dialogue processes on the design and implementation of national social protection floors; and

(e) intensifying cooperation and coordination of support to Members with other relevant international organizations and employers’ and workers’ organizations, as well as with other relevant and representative organizations of persons concerned, for the development of national social protection strategies.

II
Resolution concerning the youth employment crisis: A call for action

The General Conference of the International Labour Organization, meeting at its 101st Session, 2012,

Having undertaken a general discussion on the basis of Report V, The youth employment crisis: Time for action,

Recognizing that in 2012 close to 75 million young people worldwide are out of work, of which many have never worked, with many more millions mired in low-productivity and insecure jobs,

Recognizing that 4 million more youth are unemployed today than in 2007 and that more than 6 million have given up looking for a job,

Recognizing that this unprecedented situation can result in a long-lasting “scarring” effect on young people, particularly from disadvantaged backgrounds,

1 Adopted on 13 June 2012.

2 Adopted on 14 June 2012.
Recognizing that persistent youth unemployment and underemployment carry very high social and economic costs and threaten the fabric of our societies,

Affirming that generating sufficient decent jobs for youth is of highest global priority,
1. Resolves to take targeted and immediate action;
2. Adopts the following conclusions concerning the youth employment crisis: a call for action which supplement the conclusions concerning youth employment adopted by the Conference in 2005;
3. Invites the Governing Body of the International Labour Office to give due consideration to these conclusions in planning future work on youth employment and requests the Director-General to take them into account when preparing and implementing the programme and budget for future biennia and when allocating such other resources as may be available during the 2012–13 biennium;
4. Requests the Director-General of the International Labour Office to share these conclusions in relevant international forums; and
5. Requests the Director-General of the International Labour Office to take leadership in promoting this call for action.

Conclusions concerning the youth employment crisis:
A call for action

1. Young people represent the promise of changing societies for the better. Yet, there are not enough jobs for young people. Millions are also not transitioning into decent work and are at the risk of social exclusion.

2. In 2012, close to 75 million young people worldwide are out of work, 4 million more are unemployed today than in 2007, and more than 6 million have given up looking for a job. More than 200 million young people are working but earning under US$2 a day. Informal employment amongst young people remains pervasive.

3. The youth employment crisis, considerably aggravated by the global economic and financial crisis, now requires governments, employers and workers to work even harder to promote, create and maintain decent and productive jobs.

4. Persistent youth unemployment and underemployment carry very high social and economic costs and threaten the fabric of our societies. Failure to generate sufficient decent jobs can result in long-lasting “scarring” effects on young people.

5. There is an urgent need to reverse the trend now. Unless immediate and vigorous action is taken, the global community confronts the grim legacy of a lost generation. Investing in youth is investing in the present and future of our societies. A great deal has been learned about how to address barriers young people face to transition into the labour market, but in many countries ineffective macroeconomic and other policies have not delivered enough jobs in general, and for youth in particular. Political commitment and innovative approaches are critical to improve the situation.

6. The youth employment crisis is a global challenge, though its social and economic characteristics vary considerably in size and nature, within and among countries and regions.

7. We therefore call on governments, social partners, the multilateral system, including the G20 and all relevant national, regional and international organizations, to take urgent and renewed action to address the crisis of youth employment. Nothing short of strong collective action and partnership at the national, regional and global levels will succeed in changing the dire situation of young people in labour markets for the better. We call on the ILO to take a leadership role in this call for action, to facilitate mutual learning at national, regional and global levels, and to mobilize partnerships for tackling the crisis.

8. In addressing the youth employment crisis, action should take account of the ILO Declaration of Philadelphia (1944), the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998), the Decent Work Agenda (1999), the Global
Employment Agenda (2003), the conclusions concerning the promotion of sustainable enterprises (2007), the ILO Declaration on Social Justice for a Fair Globalization (2008), the Global Jobs Pact (2009), the ILC conclusions concerning the recurrent discussion on employment (2010), and the body of international labour standards relevant to work and young persons.

9. The 2005 ILC resolution concerning youth employment and its comprehensive set of conclusions provides a sound framework on which to build. A new call for action is made to tackle the new and severe youth employment crisis.

10. The 2009 Global Jobs Pact, comprising a portfolio of actions to respond to the crisis, calls for countries to enhance support to vulnerable women and men hit hard by the crisis, including youth at risk. The coordinated action and implementation of policies contained in the Global Jobs Pact helped to save millions of jobs.

11. The 2012 ILC general discussion reviewed the magnitude and characteristics of the youth employment crisis, exacerbated in many countries by the global economic and financial crisis. It considered in particular the high levels of unemployment and underemployment, the decline in the quality of jobs available for young people, the detachment from the labour market and slow and difficult transitions to decent work. It drew lessons from the implementation of the 2005 ILC resolution and assessed policy innovations in a range of areas. It also took note of the discussions at the Youth Employment Forum that gathered 100 young leaders in Geneva from 23 to 25 May 2012.

12. These 2012 ILC conclusions:
   (a) underscore a renewed commitment for stepping up the implementation of the 2005 ILC resolution;
   (b) call for urgent action in view of the new crisis situation; and
   (c) provide guidance on the way forward.

**GUIDING PRINCIPLES**

13. There is no one-size-fits-all approach. There is a need to take a multi-pronged approach with measures to foster pro-employment growth and decent job creation through macroeconomic policies, employability, labour market policies, youth entrepreneurship and rights to tackle the social consequences of the crisis, while ensuring financial and fiscal sustainability.

14. Guiding principles include:
   – Consideration of the diversity of country situations to develop a set of policy responses that are multi-pronged, coherent and context-specific.
   – Full employment should be a key objective of macroeconomic policies.
   – Effective policy coherence across economic, employment, education and training, and social protection policies is required.
   – Promoting the involvement of the social partners in policy development through social dialogue.
   – A well-balanced policy mix that encourages more employers to invest and generate new job opportunities for young people.
   – Ensuring all programmes and policies respect the rights of young workers and are gender-sensitive.
   – Addressing mismatches between available jobs and skills of youth which limit access to employment opportunities.
   – Promoting youth entrepreneurship with the aim of encouraging the growth of sustainable enterprises, including cooperatives and social enterprises, in rural and urban areas.
Innovative and multi-stakeholder partnerships engaging governments, social partners, educational institutions, communities and young people themselves. Models of engagement are not systematically replicable but there is great scope for exchange of experience to inspire context-specific and concrete actions. Effective monitoring, evaluation and reporting of policies and programmes to inform further action. Youth are part of the solution. Their voices should be heard, their creativity engaged, and their rights respected in dealing with the youth employment crisis.

**EMPLOYMENT AND ECONOMIC POLICIES FOR YOUTH EMPLOYMENT**

15. To meet the tremendous jobs challenge deriving from the global economic and financial crisis requires mobilization of governments, employers and workers, the ILO and the global multilateral community. In response to this situation, it is essential to pursue strong and sustainable economic growth and development that stresses job creation and social inclusion.

16. A one-sided approach will not be effective. A holistic approach is needed in which both macro and microeconomic policies work in tandem to boost the employability of young people while ensuring that there are productive employment opportunities to absorb the skills and talents of young people.

17. Pro-employment macroeconomic policies that support stronger aggregate demand and improve access to finance are essential. The different economic situations of different countries will shape the policy mix adopted to meet the challenge.

18. Industrial and sectoral policies are important to facilitate structural transformation.

19. Private sector growth depends on business, investor and consumer confidence, and is crucial to job creation.

20. Labour-intensive public investment in large-scale infrastructure and public employment schemes can generate new decent employment opportunities while meeting social needs and improving infrastructure.

**The way forward**

21. Governments should give serious consideration, as appropriate, to:

(a) implementing policies that promote full, productive and freely chosen employment, informed by the Employment Policy Convention, 1964 (No. 122);

(b) promoting pro-employment macroeconomic policies and fiscal incentives that support stronger aggregate demand and increase productive investment that improves capacity for job creation and access to finance;

(c) assigning the highest possible priority to youth employment in national and international development frameworks; developing, with the involvement of the social partners, integrated and time-bound national action plans for decent employment with measurable outcomes;

(d) prioritizing job-generating growth policies which respond to the current economic context and promote long-term financial sustainability, while recognizing that policy responses to support growth should take into account the diverse realities of countries;

(e) fiscally sustainable ways for targeted interventions for young people, such as counter-cyclical policies and demand-side interventions, public employment programmes, employment guarantee schemes, labour-intensive infrastructure, wage and training subsidies and other specific youth employment interventions. These programmes should ensure equal treatment for young workers;
anchoring a job-friendly development agenda in industrial and sectoral policies that can facilitate structural transformation, contribute to an environmentally sustainable economy, and greater public and private investment in sectors that create decent jobs for young people;

promoting an enabling policy and regulatory environment to facilitate the transition to formal employment and decent jobs;

involving the social partners in policy decision-making through regular tripartite consultations;

establishing and strengthening monitoring and evaluation mechanisms to measure impact and improve policy instruments.

22. The social partners should give serious consideration, as appropriate, to:

(a) Engaging with governments in tripartite consultations on employment and economic policy.

(b) Engaging in sectoral and enterprise consultations to improve growth and promote strategies that are job-rich with particular regard to the needs of young people.

**Employability: Education, Training and Skills, and the School-to-Work Transition**

23. Access to basic education is a fundamental right. The 2005 ILC resolution recognized the importance of education, training and skills to enhance employability and ease the transition to decent jobs. This was reaffirmed in the 2012 general discussion. Education, training and lifelong learning foster a virtuous cycle of improved employability, higher productivity, income growth and development. Much has been done and much has been learned since 2005. However, there is more to do given that significant deficits remain in access to, and the quality of, education, training and skills as well as their relevance to labour market requirements. Skills and qualifications that do not meet labour market requirements and insufficient vacancies remain major constraints for the employability of young people.

24. The global economic and financial crisis exacerbated old problems and created new ones:

- In addition to the 130 million young people without basic reading, writing and numeracy skills, early school leavers represent an increasing segment of disadvantaged youth. For the first group, scaling-up social protection measures to help poor households manage risks without compromising on education proved efficient. Cash or food transfers can potentially play this role if integrated into a broader social protection strategy. For early school leavers, second-chance initiatives have been effective in reaching out to those young people who are neither in employment nor in education or training. Experience suggests that these alternative training modalities are more successful when their delivery and curriculum are non traditional and offered in informal or non-formal settings.

- Graduate unemployment emerged as a key challenge. In this context, better analysis and forecasting of labour market needs are required.

- The slow and insecure transition from school to work generates further difficulties for integration in the labour market as a result of lack of experience. In this context, internships, apprenticeships and other work-experience schemes have increased as ways to obtain decent work. However, such mechanisms can run the risk, in some cases, of being used as a way of obtaining cheap labour or replacing existing workers.

25. Finally, experience suggests that education and training measures that are responsive to the world of work result from strong partnerships between the government, in
particular education and training authorities, and the social partners, including through social dialogue and collective bargaining.

The way forward

26. Governments should give serious consideration, as appropriate, to:
(a) Ensuring that quality basic education is freely available.
(b) Improving the links between education, training and the world of work through social dialogue on skills mismatch and standardization of qualifications in response to labour market needs, enhanced technical vocational education and training (TVET), including apprenticeships, other work-experience schemes and work-based learning.
(c) Developing skills strategies in support of sectoral policies that harness technologies and know-how and result in higher skills and better paying jobs.
(d) Improving the range and types of apprenticeships by: (i) complementing learning at the workplace with more structured institutional learning; (ii) upgrading the training skills of master craftspersons and trainers overseeing the apprenticeships; (iii) including literacy training and livelihood skills; and (iv) strengthening community involvement, especially to open more occupations for young women and other vulnerable groups of young people.
(e) Regulating and monitoring apprenticeship, internship and other work-experience schemes, including through certification, to ensure they allow for a real learning experience and do not replace regular workers.
(f) Expanding the reach of formal education and training through distance-learning strategies that integrate print-based material, remote study and access centres, and face-to-face components.
(g) Improving mechanisms for early identification of potential early school leavers and supporting them to stay in school or access other employment, education or training opportunities.
(h) Supporting second-chance initiatives to facilitate the acquisition of basic knowledge and competencies both for those who leave school too early or never attended school and for the unemployed who want to resume their studies, with particular attention to young women and girls.
(i) Supporting the training of trainers, which has emerged as one of the major needs in expanding the skills development system.
(j) Developing systems of recognition of prior learning, non-formal education and skills acquired on the job.
(k) Including job-search techniques in school curricula, strengthening career guidance and improving young people’s access to information on career opportunities.
(l) Introducing, into a broader social protection strategy, appropriate social protection measures to help poor households manage risks without compromising on education for young people, while paying attention to the sustainable institutional and financial capacities for implementation.
(m) Promoting the development of training programmes and competency-based training that correspond to the requirements of national development strategies and labour markets.
(n) Establishing and strengthening monitoring and evaluation mechanisms to measure the impact and to improve policy instruments.

27. Social partners should give serious consideration, as appropriate, to:
(a) Contributing to the design, implementation and monitoring of education, training and lifelong learning policies and programmes with a view to improving their responsiveness to the world of work.
(b) Engaging in collective bargaining on terms and conditions of work of interns and apprentices.
(c) Encouraging enterprises to provide internship and apprenticeship places.
(d) Raising awareness about labour rights of young workers, interns and apprentices.

LABOUR MARKET POLICIES

28. Labour market policies can facilitate young people’s entry and re-entry into the labour market. If well targeted, they benefit the most disadvantaged youth and can yield large economic and social benefits with greater equity, social inclusion and higher aggregate demand.

29. There are important linkages between labour market policies, active and passive, and minimum wage policies, in countries with minimum wages, and it is important that each be taken into account and be mutually supportive in encouraging work opportunities for young people.

30. Public investment and employment programmes should, where appropriate, promote employment in general and especially youth employment, particularly in countries with low labour demand, creating employment across the range of skills and yielding significant multiplier effects for the economy. They can provide a labour standards floor and significantly enhance local productivity, market development, and social protection. They can contribute to a sustainable environment and to developing the much-needed infrastructure and community works in many countries.

31. The delivery of labour market policies requires institutional capacity, at both the public and private levels. Early interventions can help prevent long-term unemployment by targeting services and resources to jobless youth, both rural and urban, who are most in need, such as those not in education or in employment.

32. In many countries, income support for young jobseekers can be provided in conjunction with active labour market programmes (ALMPs) through a combination of unemployment insurance, unemployment assistance, employment guarantee schemes or other forms tailored to the specific situations of different groups, as foreseen within the social protection floor concept. Good practices demonstrate that conditionality, activation and mutual obligation can assist in achieving early exits from unemployment. Such schemes can be particularly effective for youth at risk of marginalization to keep them connected to the labour market.

The way forward

33. Governments should give serious consideration, as appropriate, to:
(a) Reviewing their labour market policies and programmes to ensure they contribute as effectively as possible to job creation for young people.
(b) Prioritizing active measures that provide effective assistance to young people and their potential employers to support entry into decent jobs.
(c) Allocating adequate resources to labour market policies, including public employment programmes (PEPs), as key instruments to promote youth employment.
(d) Integrating and sequencing various components of ALMPs targeting both demand and supply measures to ease transitions from school to work and to formality.
(e) Linking income support to active work search and participation in ALMPs.
(f) Facilitating job creation by securing a better match between demand and supply of work through the development of efficient employment services.
(g) Enhancing strategies for the transition to formality.
(h) Consolidating and coordinating the delivery of services to better integrate labour market and social protection measures.

(i) Providing social protection to first-time jobseekers.

(j) Promoting employment-intensive investment strategies.

(k) Consulting and involving the social partners in the design, implementation and monitoring of labour market policies.

(l) Focusing on rural youth as a priority group through targeted development policies and programmes.

(m) Establishing and strengthening monitoring and evaluation mechanisms to measure impact and improve policy instruments.

34. The social partners should give serious consideration, as appropriate, to:

(a) Actively participating in the design, implementation, monitoring and improvement of labour market policies and programmes.

(b) Working closely with the government to enhance the effectiveness of employment services to ensure they improve decent employment opportunities for young jobseekers where they are being created.

(c) Promoting the benefits of offering employment and training opportunities to disadvantaged young people.

(d) Engaging with governments in the development of public investment and infrastructure programmes.

(e) Exploring avenues for creative and innovative opportunities to assist young people in their job search and access to education and training opportunities.

YOUTH ENTREPRENEURSHIP AND SELF-EMPLOYMENT

35. Youth entrepreneurship can be a pathway to decent work and sustainable enterprise for some young people and should be a component of national efforts to address the youth employment crisis. Promotion of entrepreneurship encompasses a range of activities in the for-profit and not-for-profit sectors, including private business development, self-employment, social enterprises and cooperatives.

36. Different types of assistance will be appropriate to meet the special challenges faced by young aspiring entrepreneurs, including in both rural and urban areas, taking into account that they may be driven by opportunity or by need.

37. An enabling environment for starting and successfully operating a business is essential. Young entrepreneurs face the same challenging business environment as other entrepreneurs. An enabling business environment which helps businesses, cooperatives and social enterprises to thrive can assist in the success of such enterprises that are owned and run by young people. Access to, and the cost of, finance for micro-, small and medium-sized enterprises have deteriorated since the financial crisis and young entrepreneurs are often the least able to access this restricted financing. A critical challenge is to create an enabling business environment for young entrepreneurs.

38. There are a number of ingredients that go to making youth entrepreneurship programmes successful:

– They are more effective when they are designed and implemented in partnership with the private sector. Many employers and their organizations have the capacity, experience and rapport with young people to significantly contribute to programme delivery.

– Integrated packages of efforts can also contribute to the effectiveness of youth entrepreneurship initiatives.
Embedding entrepreneurship curricula at an early age can be an effective way of promoting entrepreneurship.

Cooperatives and the social economy can also provide opportunities for youth to create their own enterprises and gain self-employment.

39. There is recognition that rigorous monitoring and evaluation of the programmes are needed to review their effectiveness. The key performance indicators should be the sustainability of the start-up, the level of income generated, the number of jobs created and their quality.

**The way forward**

40. Governments should give serious consideration, as appropriate, to:
   
   (a) The role of national strategies, coordination and oversight to ensure that youth entrepreneurship initiatives are complementary and effective.
   
   (b) Ensuring that there is an enabling environment, including for small and micro-enterprises, cooperatives and the social economy, that supports youth entrepreneurship, taking care that there is no disguised employment.
   
   (c) Promoting youth entrepreneurship, especially for young women and other vulnerable groups of young people.
   
   (d) Improving access to finance for the operation of sustainable youth enterprises, in particular micro-, small and medium-sized enterprises, cooperatives and social enterprises. This may include subsidizing credit, guaranteeing loans and supporting microcredit initiatives.
   
   (e) Facilitating access by micro-enterprises to public procurement, in line with the provisions of the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), where ratified.
   
   (f) Taking action to facilitate the transition of young entrepreneurs in the informal sector from informality to formality, including by promoting and supporting compliance with national labour legislation.
   
   (g) Embedding entrepreneurship curricula at an early age and in secondary and tertiary schools as an effective way of improving attitudes towards entrepreneurship. Information about cooperatives should also be introduced to students within national curricula, in line with the Promotion of Cooperatives Recommendation, 2002 (No. 193).
   
   (h) Establishing and strengthening monitoring and evaluation mechanisms to measure impact and to improve policy instruments.

41. Employers’ organizations should give serious consideration, as appropriate, to:

   (a) Entering into partnerships with governments to promote and support youth entrepreneurship.
   
   (b) Engaging with governments in the design and delivery of youth entrepreneurship programmes.
   
   (c) Contributing policy and commercial input into renewed and innovative measures to ensure young entrepreneurs have access to finance necessary to start and expand businesses.
   
   (d) Providing and facilitating mentoring and other support to young entrepreneurs.
   
   (e) Promoting young entrepreneurs’ networks within their organizations.

**Rights for young people**

42. International labour standards play an important role in protecting the rights of young workers.

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1 As outlined in the 2007 ILC conclusions concerning the promotion of sustainable enterprises.
43. The 2005 resolution contained an appendix listing international labour standards relevant to work and young persons. International labour standards adopted since 2005 may also be relevant in member States (see updated list in appendix).

44. The 2005 ILC resolution also recognized that labour laws and, where they exist, collective agreements, should apply to all young workers, including those currently lacking protection because of disguised employment relationships.

45. Young people continue to suffer disproportionately from decent work deficits and low quality jobs measured in terms of working poverty, low pay and/or employment status, and exposure to occupational hazards and injury. Increasingly, young workers may lack options in the formal sector to move to full-time employment from part-time, temporary, casual or seasonal employment. In the informal economy, young people frequently work under poor conditions in both urban and rural areas.

46. Tackling youth unemployment should not disregard and weaken the protection to which young workers are entitled. Reflecting the universal strong support to core international labour standards, policies facilitating access to jobs should not lead to discrimination at work. Young workers have the same rights as all other workers. Youth employment policies should also encourage the transition from temporary to stable jobs.

47. Recent national experience demonstrates that, during economic downturns, well-designed and targeted wage subsidies can facilitate the entry of young workers into the labour market and moderate the depreciation of skills. However, proper monitoring and supervision are required to prevent these measures from being abused. The effectiveness of these policy measures which ensure minimum conditions for young workers depends on other wage-related policies, including wage systems. Minimum wages can be effective in preventing abusive and discriminatory pay practices and improving the purchasing power of young workers. Social dialogue at the national level is essential in developing a coherent and consistent wage-policy framework which offers adequate protection and improves employment prospects for young workers. More generally, collective agreements should be extended to young workers.

The way forward

48. Governments should give serious consideration, as appropriate, to:

(a) Adopting a rights-based approach to youth employment.
(b) Ensuring young people receive equal treatment and are afforded rights at work.
(c) Committing to develop youth employment policies, consistent with their national obligations and taking into account international labour standards.
(d) Ensuring that labour laws and collective agreements are effectively enforced by labour inspectorates or other relevant bodies, which should target non-compliant practices in youth employment, including in the informal economy, through strong and appropriate sanctions.
(e) Developing and implementing mechanisms that apply adequate protection, including social protection, for all young workers to facilitate transitions into stable employment and decent work.
(f) Promoting and protecting young workers’ rights to organize and to bargain collectively.
(g) Targeting occupational safety and health promotion and training to young workers, including pre-employment and induction training.
(h) Ensuring that minimum wages set either by law or by collective agreement for young workers are observed.
(i) Developing a coherent and consistent wage-policy framework in consultation with the social partners.
(j) Designing, monitoring and properly supervising policy measures such as wage subsidies to guarantee that they are time bound, targeted and not abused. Linking these policies to skills transfer training is also important.

(k) Embedding workers’ rights in curricula at an early age and in secondary and tertiary schools as an effective way of improving attitudes towards workers’ rights.

(l) Establishing and strengthening monitoring and evaluation mechanisms to measure impact and to improve policy instruments.

49. Employers’ organizations should give serious consideration, as appropriate, to, and workers’ organizations should:

(a) Promote and encourage the greater participation and representation of young people in their organizations and increase their voice in social dialogue.

(b) Raise awareness of their members about young workers’ rights, including by using new technologies and social media.

(c) Actively participate in the implementation of young workers’ rights.

ILO action

50. The ILO has an important role to play in providing global leadership and acting as a centre of excellence on youth employment. It must support action by governments, social partners and the multilateral system to address the youth employment crisis and promote decent work for youth at national, regional and global levels. The ILO has a sound foundation for this vital global task through its 2005 resolution and the shared input and experience of governments, employers and workers in 2012. These conclusions build on the 2005 ILC resolution, recognizing the impact of the global economic crisis and the major challenge this represents. This set of conclusions should be pursued, mindful of the existing 2005 action plan, and expanded in the areas of knowledge development and dissemination, technical assistance, partnerships and advocacy for decent work for youth.

51. The ILO should enhance its capacity in the following five themes of the conclusions: (i) employment and economic policies; (ii) employability; (iii) labour market policies; (iv) entrepreneurship; and (v) rights at work. The ILO should make efforts to improve coordination among its programmes addressing youth employment, including technical cooperation activities. ILO activities promoting youth employment should be subject to rigorous monitoring and evaluation to ensure approaches are cost-effective and provide a positive impact. They should be set against measurable targets and indicators. The recurrent item discussion on employment at the 2014 ILC should also include a focus on youth employment.

1. Knowledge development and dissemination

52. The ILO should strengthen its work on knowledge development and dissemination of information on youth employment in the following areas:

- Employment trends: collect, analyse and disseminate data and information on youth labour market trends, including on wages, conditions of work, different contractual arrangements for young people, skills mismatches and school-to-work transition.

- Emerging issues: conduct research on emerging topics, including policies and interventions that provide work experience and combine systems of learning and work, reduce informality and improve quality of jobs, address the particular vulnerabilities of groups of young people, including migrants, and provide social protection to young workers.

- Macroeconomic and industrial policies: expand technical capacity to assess the employment impact of macroeconomic and industrial policies.
– **Youth employment policies and programmes**: collect information on and analyse the effectiveness of country policies and programmes, including through voluntary multi-country peer reviews, and disseminate findings through global databases and other means.

– **Evaluation**: conduct evaluations and distil lessons of effective interventions promoting decent work for young people. Special focus should be placed on the evaluation of youth entrepreneurship and self-employment programmes.

– **Good practice**: establish mechanisms to review and disseminate good practices on youth employment interventions, including through mutual learning and South–South cooperation.

### 2. Technical assistance

53. The ILO should continue to assist member States in assigning priority to youth employment through the development and implementation of the policies included in the 2005 ILC resolution and these conclusions, including through Decent Work Country Programmes. Based on available resources, technical assistance should be provided in the following areas:

– Integration of youth employment priorities into **national development frameworks and employment policy**, as well as better complementarity of labour market and social protection policies. The ILO should also provide, upon countries’ request, macroeconomic policy options that favour employment creation.

– Development of **national action plans** that are integrated and time bound and supported by dedicated human and financial resources.

– Systematic collection of age- and gender-disaggregated **labour market information**.

– **Development of profiling systems** to improve targeting and cost-effectiveness of employment programmes and services for disadvantaged youth.

– **Public investment and employment programmes** that assign priority to youth employment.

– **Skills development systems** that strengthen the links between training provision and labour market requirements.

– **Comprehensive labour market programmes** targeting young people, with a special focus on disadvantaged youth.

– **Entrepreneurship, cooperative and social enterprise development**, including education, access to financial and other services, and mentorships.

– **Public employment services** tailored to the needs of young people and to extend outreach to youth living in rural areas, including through partnerships between employment offices and municipal authorities, the social partners, social services, private employment services, where they exist, and civil society organizations.

– **Capacity building and tools development** to strengthen monitoring and evaluation functions of government institutions with a view to assessing impact and informing the development of evidence-based youth employment measures.

### 3. Partnerships and advocacy

54. The ILO should continue to play a leading role and partner with other international entities, globally, especially from the multilateral system, regionally and locally, to use all means of action to promote and advocate for decent and productive work for youth, and avert a lost generation.

– **Global leadership on youth employment**. The ILO should provide global leadership in the promotion of decent work for youth. In this respect, it should establish strategic alliances and partnerships to place youth employment at the centre of the global development agenda, including by advocating that specific youth employment targets
are defined in the post-2015 MDG framework. The ILO should: (i) promote policy dialogue and foster coherence on youth employment issues; (ii) conduct action-oriented research and knowledge sharing; (iii) provide technical assistance to member States and promote specific and innovative partnerships for delivery of cost-effective interventions; and (iv) promote alignment and coordination of employment policies of the United Nations and other multilateral institutions.

- **Regional and national partnerships.** The ILO should continue to engage in the promotion of regional and national partnerships for youth employment, including in rural areas. These partnerships should include the involvement of youth networks of employers’ and workers’ organizations and may also incorporate other representative organizations of young people that are active in the promotion of decent work for youth at regional and national levels.

- **Advocacy.** The ILO should raise awareness among young people on international labour standards and rights at work, employability and youth entrepreneurship, including through the establishment of networks for decent work for youth, use of social media and other outreach modalities. It should also monitor and report on rights for young workers globally.

### RESOURCE MOBILIZATION

55. In order to respond to increased demand for technical assistance, the ILO should develop a resource mobilization strategy to expand its technical cooperation activities in support of youth employment priorities of Decent Work Country Programmes as well as for regional and global initiatives. This strategy should specify the role that partnerships can play in mobilizing resources, from multiple sources, to address the youth employment crisis.

### APPENDIX

**International labour standards relevant to work and young persons**

In addition to the Conventions on fundamental principles and rights at work and their related Recommendations – the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); the Forced Labour Convention, 1930 (No. 29); the Forced Labour (Indirect Compulsion) Recommendation, 1930 (No. 35); the Abolition of Forced Labour Convention, 1957 (No. 105); the Equal Remuneration Convention, 1951 (No. 100), and Recommendation, 1951 (No. 90); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and Recommendation, 1958 (No. 111); the Minimum Age Convention, 1973 (No. 138), and Recommendation, 1973 (No. 146); the Worst Forms of Child Labour Convention, 1999 (No. 182), and Recommendation, 1999 (No. 190) – and to the priority Conventions on employment and labour inspection and their related Recommendations – the Employment Policy Convention, 1964 (No. 122), and Recommendation, 1964 (No. 122); the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169); the Labour Inspection Convention, 1947 (No. 81), and its Protocol of 1995; the Labour Inspection Recommendation, 1947 (No. 81); the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and Recommendation, 1969 (No. 133) – these instruments include in particular: the Employment Service Convention, 1948 (No. 88), and Recommendation, 1948 (No. 83); the Labour Administration Convention, 1978 (No. 150), and Recommendation, 1978 (No. 158); the Private Employment Agencies Convention, 1997 (No. 181), and Recommendation, 1997 (No. 188); the Human Resources Develop-
ment Convention, 1975 (No. 142), and Recommendation, 2004 (No. 195); the Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189); the Part-Time Work Convention, 1994 (No. 175), and Recommendation, 1994 (No. 182); the Promotion of Cooperatives Recommendation, 2002 (No. 193); the Workers’ Representatives Convention, 1971 (No. 135), and Recommendation, 1971 (No. 143); the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), and Recommendation, 1983 (No. 168); the Migration for Employment Convention (Revised), 1949 (No. 97), and Recommendation (Revised), 1949 (No. 86); the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and the Migrant Workers Recommendation, 1975 (No. 151); the Indigenous and Tribal Peoples Convention, 1989 (No. 169); the Occupational Safety and Health Convention, 1981 (No. 155), and its Protocol of 2002; the Occupational Safety and Health Recommendation, 1981 (No. 164); the Safety and Health in Agriculture Convention, 2001 (No. 184), and Recommendation, 2001 (No. 192); the Maternity Protection Convention, 2000 (No. 183), and Recommendation, 2000 (No. 191); the Medical Examination of Young Persons (Industry) Convention, 1946 (No. 77); the Medical Examination of Young Persons (Non-Industrial Occupations) Convention, 1946 (No. 78); the Medical Examination of Young Persons Recommendation, 1946 (No. 79); the Protection of Wages Convention, 1949 (No. 95), and Recommendation, 1949 (No. 85); the Minimum Wage Fixing Convention, 1970 (No. 131), and Recommendation, 1970 (No. 135); the Social Security (Minimum Standards) Convention, 1952 (No. 102); the Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168), and Recommendation, 1988 (No. 176); the Hours of Work (Industry) Convention, 1919 (No. 1), and the Hours of Work (Commerce and Offices) Convention, 1930 (No. 30); the Night Work Convention, 1990 (No. 171), and Recommendation, 1990 (No. 178); the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) and Recommendation, 2006 (No. 197); the Domestic Workers Convention, 2011, (No. 189) and Recommendation, 2011 (No. 201); the Employment Relationship Recommendation, 2006 (No. 198); the HIV and AIDS Recommendation, 2010 (No. 200).

III

Resolution concerning the recurrent discussion on fundamental principles and rights at work\(^1\)

The General Conference of the International Labour Organization, meeting at its 101st Session, 2012,

Having undertaken a recurrent discussion on fundamental principles and rights at work in accordance with the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work and the ILO Declaration on Social Justice for a Fair Globalization, to consider how the Organization may respond more effectively to the realities and needs of its Members through coordinated use of all its means of action,

1. Adopts the following conclusions, which contain a framework for action for the effective and universal respect, promotion and realization of fundamental principles and rights at work;

2. Invites the Governing Body of the International Labour Office to give due consideration to the conclusions and to guide the International Labour Office in giving effect to them; and

3. Requests the Director-General to:

(a) prepare a plan of action incorporating the priorities in the framework for action, for consideration of the Governing Body at its 316th Session in November 2012;

\(^1\) Adopted on 13 June 2012.
(b) communicate the conclusions to relevant international and regional organizations for their attention;
(c) take into account the conclusions when preparing future programme and budget proposals and facilitating extra-budgetary activities; and
(d) keep the Governing Body informed of implementation.

Conclusions concerning the recurrent discussion on fundamental principles and rights at work

GUIDING PRINCIPLES AND CONTEXT

1. The adoption in 1998 of the Declaration on Fundamental Principles and Rights at Work marked an historic advance in the ILO’s mandate for the achievement of social justice as a prerequisite for universal and lasting peace. It gives explicit recognition to the obligation of all ILO Members to respect, to promote and to realize fundamental principles and rights at work, and the corresponding obligation on the ILO to assist its Members in their efforts through the utilization of all of its means of action. The Declaration has mobilized national and international actors for the realization of fundamental principles and rights at work and substantial progress has been achieved. Yet much remains to be done; millions continue to be denied their basic rights at work.

2. Shortly before a global financial and economic crisis broke and threatened to slow or reverse progress, the ILO adopted its 2008 Declaration on Social Justice for a Fair Globalization. That Declaration reaffirms the ILO values and mission in the context of globalization, reasserts the centrality of fundamental principles and rights at work to the ILO Decent Work Agenda as a whole, and opens new avenues to optimize the ILO’s contribution to their achievement.

3. In response to the crisis and its social consequences, by adopting the Global Jobs Pact, the 2009 Conference stressed, among other things, the importance of the promotion of fundamental principles and rights at work and constructive social dialogue in times of increased social tension.

4. At this time in 2012, when global economic growth continues to be threatened by financial and economic instability, the ILO and its member States reinforce their resolve to work towards universal realization of fundamental principles and rights at work as a necessary, urgent and achievable goal to advance development and social justice.

5. In this context, the Conference reaffirms:

(a) the universal and immutable nature of fundamental principles and rights at work;
(b) their particular significance both as human rights and enabling conditions for the achievement of the other ILO strategic objectives, and for the creation of decent jobs through assuring the links between economic growth and sustainable enterprises and social progress; freedom of association and the effective recognition of the right to collective bargaining are particularly important in this respect; and
(c) the inseparable, interrelated and mutually reinforcing character of each category of fundamental principles and rights, and the consequent need for an integrated approach to their realization.

6. The full realization of fundamental principles and rights at work will be advanced by an environment of respect for all human rights and democratic freedoms, and by:

(a) respect for the rule of law, an independent judiciary, transparent and effective governance, functioning public institutions, and an absence of corruption;
(b) universally accessible systems of social protection and quality education; and
(c) functioning and effective social dialogue.

7. This framework for action emanating from the recurrent discussion on fundamental principles and rights at work is based on the obligation of all member States to respect,
promote, and realize fundamental principles and rights at work, consistent with the 1998 Declaration. The ILO shall support constituents to meet this obligation based on their established and expressed needs, including in this recurrent discussion.

**Framework for action for the effective and universal respect, promotion and realization of fundamental principles and rights at work, 2012–16**

I. **FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK ARE UNIVERSALLY RESPECTED, PROMOTED AND REALIZED**

8. While important progress has been made since 1998 towards the universal application of fundamental principles and rights at work, including the universal ratification of the eight fundamental Conventions, significant gaps remain. Steps should be taken to accelerate the pace towards the effective and universal realization of fundamental principles and rights at work, including through the ratification and the application of the fundamental Conventions.

9. In terms of overarching priorities, the ILO should actively, and as a matter of urgency:

(a) launch a widespread information and awareness-raising campaign on all fundamental principles and rights at work and in this context assist member States in their efforts to raise awareness at the national level of the importance and benefits of the full implementation of the fundamental principles and rights at work;

(b) evaluate progress on the application of fundamental principles and rights at work through the collection, consolidation and provision of systematic, accurate, up-to-date, transparent and user-friendly information;

(c) give new impetus through technical cooperation and other means to the campaign for the universal ratification of the eight fundamental Conventions, taking into account the low rates of ratification of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); and

(d) provide needed technical assistance to both ratifying and non-ratifying member States on the basis of an analysis of the existing difficulties to progress towards the ratification of the fundamental Conventions and/or their effective implementation, including through Decent Work Country Programmes.

II. **FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK ARE ACCESSIBLE TO ALL**

10. Efforts are needed to ensure that the rights of all workers are adequately protected by national legislation; they have access to expeditious fair and unbiased enforcement mechanisms; and they can effectively exercise freedom of association and collective bargaining. Efforts are also required to support the organization of the groups and categories referred to below and the creation of processes of collective bargaining and social dialogue where their voices can be heard.

11. While violations of fundamental principles and rights at work are not limited to any specific economic sector, the majority affect adults and children in the informal economy. In addition, in many countries, certain population groups, such as migrant workers, ethnic minorities, tribal and indigenous peoples, and other groups which suffer social exclusion, and categories of workers such as rural and agricultural workers, domestic workers and workers in export processing sectors, are more exposed to violations of fundamental principles and rights at work than others.
12. Furthermore, the increase in non standard forms of employment, in cases in which the national legislation does not adequately regulate them, raises questions concerning the full exercise of fundamental principles and rights at work. In this context, young workers and women workers are particularly affected.

13. Regarding the abovementioned groups and categories of workers, the ILO should:
(a) strengthen its focus on them in its technical cooperation and research activities on fundamental principles and rights at work;
(b) organize a meeting of experts, undertake research and support national studies on the possible positive and negative impacts of non-standard forms of employment on fundamental principles and rights at work and identify and share best practices on their regulation;
(c) organize a meeting of experts, undertake research and support national studies on advancing fundamental principles and rights at work in the informal economy; and
(d) ensure an integrated and coherent approach between its action on fundamental principles and rights at work and technical cooperation activities relating to the other three strategic objectives of employment, social protection and social dialogue.

III. FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK ARE ENFORCED AT THE NATIONAL LEVEL

14. The existence of effective institutions and mechanisms of enforcement is an essential precondition for the full implementation of all four categories of fundamental principles and rights at work. However, in many member States, this remains a challenge.

15. Governments should, in consultation with employers’ and workers’ organizations, consider the following:
(a) ensuring the existence and effective functioning of institutions for enforcement and compliance, including labour inspection and expeditious, fair and unbiased mechanisms to resolve disputes with respect to the implementation of fundamental principles and rights at work;
(b) developing and strengthening prevention measures, including awareness-raising campaigns, as part of comprehensive strategies to implement the fundamental principles and rights at work;
(c) with respect to forced labour and child labour, developing a complementary and appropriate approach between criminal justice and labour institutions and strengthening victim protection, including through effective monitoring of the incidence of child and forced labour;
(d) undertaking special efforts to tackle all discrimination in respect of employment and occupation and promoting equality of opportunity and treatment between women and men to reduce the pay differential between them and to realize the principle of equal remuneration for work of equal value as part of the overall promotion of gender equality; and
(e) means to respect, promote and realize freedom of association and the effective recognition of the right to collective bargaining.

16. Employers’ and workers’ organizations:
(a) should commit to respect fundamental principles and rights at work, including carrying out advocacy and awareness-raising campaigns among their members; and
(b) may advise, through social dialogue, on the priorities and activities of independent labour inspection and other enforcement institutions with respect to fundamental principles and rights at work.

17. Bearing in mind the 2011 International Labour Conference conclusions on labour administration and labour inspection, the ILO should:
(a) provide assistance to strengthen the capacity of the different national courts and institutions involved in the enforcement of national laws and other measures related to fundamental principles and rights at work, including an independent judiciary;
(b) share best practices on implementation strategies as an integral part of ILO technical cooperation activities on fundamental principles and rights at work; and
(c) provide technical support to legislative and institutional reforms related to the enforcement of fundamental principles and rights at work.

IV. Mobilizing ILO Means of Action on Fundamental Principles and Rights at Work

18. In giving full effect to the 2008 Declaration and the 1998 Declaration, the Organization should mobilize and coordinate all its means of action to promote fundamental principles and rights at work on the ground and respond to the established and expressed needs and responsibilities of constituents. This should be supported through Office-wide coherence and coordination. ILO action on fundamental principles and rights at work should take into account the interlinkages between the four categories of principles and rights and the other three strategic objectives. It should also be ensured that fundamental principles and rights at work are mainstreamed in the activities relating to the other three strategic objectives.

Effective planning and resource allocation

19. The ILO should:
(a) operationalize fundamental principles and rights at work as enabling conditions for the achievement of the other three strategic objectives in its strategic and programming framework;
(b) ensure that adequate resources are allocated to the promotion of each of the four categories of fundamental principles and rights at work, to the effective and efficient functioning of the ILO supervisory bodies and the Office as their secretariat and the implementation of these conclusions;
(c) launch a strategy to raise extra-budgetary resources for the four categories of fundamental principles and rights at work with a view to supporting the needs of the tripartite constituents; and
(d) carry out an in-depth and detailed evaluation of ILO action for all fundamental principles and rights at work to be completed by the end of 2015.

Strengthened technical cooperation and capacity building

20. The ILO should:
(a) integrate all the four categories of fundamental principles and rights at work in Decent Work Country Programmes through ensuring that they are systematically considered for inclusion in the design stage of Decent Work Country Programmes, in consultation with the constituents;
(b) work to strengthen the capacities of all constituents, at all levels, including training for employers’ and workers’ organizations to maximize their contribution to the universal implementation of fundamental principles and rights at work, and in particular on freedom of association and collective bargaining and on the prevention of human trafficking for labour exploitation; and
(c) further expand training of law enforcement institutions, courts and the judiciary on fundamental principles and rights at work.
Enhanced research capacity

21. The ILO should, consistent with the Knowledge Strategy of the Organization:

(a) develop and maintain a comprehensive and up-to-date knowledge base on each category of fundamental principles and rights at work by: (i) enhancing research on effective policies on forced and child labour; (ii) further strengthening collection and analysis of statistics on forced and child labour; (iii) making proposals for the development of a methodology for estimating the incidence of discrimination in respect of employment and occupation to monitor and evaluate developments in this respect; and (iv) building a consolidated knowledge base on freedom of association and collective bargaining;

(b) carry out evidence-based research on the socio-economic impact of all fundamental principles and rights at work; and

(c) provide assistance to member States in their efforts to improve national data collection on fundamental principles and rights at work.

Effective standards-related action

22. The ILO should:

(a) promote the ratification and application of the relevant ILO instruments, including the ILO governance Conventions, in order to contribute to the full implementation of fundamental principles and rights at work;

(b) pursue the synergies between the follow-up of the 1998 Declaration and the work of the ILO supervisory bodies on the fundamental Conventions and technical cooperation; and

(c) conduct a detailed analysis, including through the possible convening of meetings of experts to identify gaps in existing coverage of ILO standards with a view to determining whether there is a need for standard setting to: (i) complement the ILO’s forced labour Conventions to address prevention and victim protection, including compensation; and (ii) address human trafficking for labour exploitation.

V. Taking into account other initiatives to promote fundamental principles and rights at work

23. The increased interest in fundamental principles and rights at work has been accompanied more recently by their growing integration into a wide range of initiatives outside the ILO. These developments constitute an opportunity for the ILO to assert its unique and specialized role as the source of international labour standards and ensure the fulfilment of its mandate regarding the application of fundamental principles and rights at work. The ILO should assert its legitimacy and authority derived from its unique tripartite structure and governance. In this context, the ILO should step up its monitoring of developments regarding the extent to which fundamental principles and rights at work are addressed in other international initiatives outside the ILO.

24. In addition, the governments of ILO member States are encouraged to take steps to ensure coordination and consistency in their positions in the ILO and in other forums in respect of fundamental principles and rights at work. These efforts could include, where appropriate, mechanisms for effective consultation among concerned ministries and with social partners.

25. The ILO should, upon request, facilitate cooperation between member States and other international organizations in support of national measures to realize fundamental principles and rights at work.
26. Regarding partnerships with international and regional organizations with mandates in closely related fields, the ILO should encourage policy coherence, international coordination and collaboration within the multilateral system for the realization of fundamental principles and rights at work, including by:

(a) deepening and extending partnerships within the United Nations system on all of the four categories of fundamental principles and rights at work, with particular reference to United Nations agencies, funds and programmes promoting human rights;

(b) taking active steps to strengthen the integration of fundamental principles and rights at work in the United Nations Development Assistance Frameworks in coordination with Decent Work Country Programmes, where appropriate;

(c) making efforts to further integrate respect for fundamental principles and rights at work into the economic, financial and development agendas of the multilateral system based on their particular significance as rights and enabling conditions and the related need to ensure that economic growth and respect for fundamental principles and rights at work go hand in hand; and

(d) associating more closely with relevant multilateral organizations, including inviting their participation in ILO forums, in order to better take account of the impact of their activities on the implementation of fundamental principles and rights at work and to promote better coordination between their programmes and activities and those of the ILO.

27. With respect to trade arrangements:

(a) the ILO’s position has been clearly defined by: (i) the 1998 Declaration on Fundamental Principles and Rights at Work, which stresses that labour standards should not be used for protectionist trade purposes, and that nothing in this Declaration and its follow-up shall be invoked or otherwise used for such purposes; in addition, the comparative advantage of any country should in no way be called into question by this Declaration and its follow-up (paragraph 5); and (ii) the 2008 Declaration on Social Justice for a Fair Globalization, which states that the violation of fundamental principles and rights at work cannot be invoked or otherwise used as a legitimate comparative advantage and that labour standards should not be used for protectionist trade purposes (Part I(A)(iv));

(b) in this framework, the ILO is encouraged to strengthen its analytical and research work and, upon request, provide assistance to Members who wish to promote strategic objectives jointly within the framework of bilateral or multilateral agreements, subject to their compatibility with ILO obligations.

28. With respect to private voluntary initiatives, with the understanding that these initiatives should not undermine the exercise by the State of its responsibilities, the ILO should:

(a) in light of the recent developments in the United Nations on business and human rights, pursue and strengthen activities, including by providing information for employers’ and workers’ organizations on the content and meaning of fundamental principles and rights at work, making full use of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (1977), as revised, and its follow-up and with close involvement of employers and workers; and

(b) improve activities regarding public–private partnerships, in line with the ILO strategy on public–private partnerships, and assess the extent to which they are contributing to the realization of fundamental principles and rights at work.

**Follow-up**

29. The Conference invites the Governing Body to guide the Office in giving effect in a timely manner to these conclusions, including to the framework for action set out therein. This should encompass a review of the existing action plans adopted in the context of the
follow-up to the 1998 Declaration, taking into account decisions taken in other forums, with particular reference to the Roadmap for Achieving the Elimination of the Worst Forms of Child Labour by 2016, and make any adjustments as appropriate.

30. The Conference requests the Director-General to:
(a) incorporate the priorities laid out in this framework in a plan of action on fundamental principles and rights at work for the consideration of the Governing Body at its 316th Session in November 2012; and
(b) take into account these conclusions when preparing future programme and budget proposals and facilitating extra-budgetary activities, as well as to report on implementation to the Governing Body.

31. The plan of action will provide the basis on which the Conference in 2016 will assess the results of the actions taken by the Organization, with due regard to effectiveness, accountability, transparency and efficiency.

IV
Resolution concerning the measures on the subject of Myanmar adopted under article 33 of the ILO Constitution

The General Conference of the International Labour Organization, meeting at its 101st Session, 2012,
Taking note of the measures previously adopted by the Conference with a view to securing compliance by Myanmar with the recommendations of the Commission of Inquiry that had been established to examine the observance by Myanmar of its obligation in respect of the Forced Labour Convention, 1930 (No. 29), namely the resolution on the widespread use of forced labour in Myanmar, adopted by the International Labour Conference at its 87th Session (June 1999) (the “1999 resolution”), and the resolution concerning the measures recommended by the Governing Body under article 33 of the ILO Constitution on the subject of Myanmar, adopted by the International Labour Conference at its 88th Session (May–June 2000) (the “2000 resolution”),
Having been informed by the Officers of the Governing Body, the International Labour Office, member States and other international organizations of the progress made by Myanmar towards complying with the recommendations of the Commission of Inquiry,
Taking note of the conclusions adopted on 4 June 2012 by the Committee on the Application of Standards resulting from the discussion at its special sitting on Myanmar at this session of the Conference,
Considering that maintaining the existing measures would no longer help in attaining the desired result of compliance with the recommendations of the Commission of Inquiry,
1. Decides that the limitation of ILO technical cooperation or assistance to the Government of Myanmar enunciated in paragraph 3(b) of the 1999 resolution is lifted with immediate effect to enable the ILO to assist the Government, employers and workers on a variety of issues coming within the ILO’s mandate;
2. Decides that the measure enunciated in paragraph 3(c) of the 1999 resolution is also lifted to allow the Government of Myanmar to participate in ILO meetings, symposia and seminars in the same way as any other Member, with social partners from Myanmar receiving the same treatment;
3. Determines that the remainder of the 1999 resolution ceases to apply with immediate effect;
4. Suspends for one year the recommendation contained in paragraph 1(b) of the 2000 resolution with immediate effect. The International Labour Conference will review the recommendation again in 2013 in the light of information available to it in respect of the

1 Adopted on 13 June 2012.
elimination of forced labour in Myanmar. The Governing Body is requested to include this item on the agenda of the 102nd Session of the Conference (2013);

5. Requests the Director-General to prepare for the November 2012 session of the Governing Body a report on ILO technical cooperation priorities for Myanmar, including the resources required. The report is to include progress made in the implementation of the Joint Strategy for the elimination of forced labour in Myanmar, the operation of new labour legislation, including freedom of association, and on the impact of foreign investment on decent working conditions in the country;

6. Invites the Governing Body to organize at its March 2013 session a discussion, with a view to making any recommendations it deems appropriate, on arrangements for consideration of all relevant issues concerning Myanmar at the 102nd Session of the Conference (2013);

7. Requests the International Labour Office to give urgent attention to the identification of technical cooperation priorities in Myanmar in close consultation with the Government and social partners in the country. This should be in addition to the established priorities of effective and full realization of freedom of association and the elimination of forced labour, particularly through the effective implementation of the Joint Strategy. It is noted that the Government has acknowledged the need for immediate action on the Joint Strategy, with a view to its full implementation before the declared target date;

8. Calls upon Members and international organizations to make available to the ILO the financial resources necessary for it to provide the technical assistance that Myanmar requires to meet the opportunities and challenges of its rapidly changing circumstances;

9. Invites the Governing Body and International Labour Office to make adequate budget provisions to support the ILO Office in Myanmar on a reasonable and stable basis;

10. Requests Members and international organizations to continue following the situation closely and share with the ILO Liaison Officer any information on the occurrence of forced labour in Myanmar;

11. Requests that the ILO coordinate its work with the UN system and other international organizations to seek their support for ILO priorities in Myanmar;

12. Requests the Government of Myanmar to facilitate the enlarged scope of the activities of the International Labour Office in Myanmar through appropriate arrangements;

13. Notes that the provisions of paragraph 1(c), (d) and (e) of the 2000 resolution have ceased to apply; and

14. Invites the Director-General to communicate to the relevant international organizations referred to in article 12, paragraph 1, of the ILO Constitution the text of this resolution.

V

Resolution concerning the scale of assessments of contributions to the budget for 2013

The General Conference of the International Labour Organization,

Decides, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, to adopt the draft scale of assessments for 2013 as set out in Appendix I to this document.

1 Adopted on 12 June 2012.

VI
Resolution concerning the composition of the Administrative Tribunal of the International Labour Organization¹

The General Conference of the International Labour Organization, Decides, in accordance with article III of the Statute of the Administrative Tribunal of the International Labour Organization,
(a) to convey its deep appreciation to Ms Gaudron for the valuable services she has rendered as judge and as President of the Tribunal and express regret at the resignation of Ms d’Auvergne;
(b) to renew the appointments of Mr Ba (Senegal), Mr Barbagallo (Italy) and Ms Hansen (Canada) for a term of three years;
(c) to appoint Hon. Michael Francis Moore (Australia) for a term of three years; and
(d) to appoint Hon. Sir Hugh Anthony Rawlins (Saint Kitts and Nevis) for a term of three years.

VII
Resolution concerning the financial report and audited consolidated financial statements for the year ended 31 December 2011¹

The General Conference of the International Labour Organization, Decides, in accordance with article 29 of the Financial Regulations, to adopt the financial statements for the year ended 31 December 2011 and the External Auditor’s report thereon.

¹ Adopted on 12 June 2012.
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### Office publications and documents

To ensure that all regular readers of the *Official Bulletin* receive full and up-to-date information on Office publications and documents, the ILO quarterly publications list will be sent to them free of charge. A complete catalogue is available on request and books may be purchased from: ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland. The reports and other documents referred to in the *Official Bulletin* may also be consulted on the ILO website at [www.ilo.org](http://www.ilo.org).
The 316th Session of the Governing Body of the International Labour Office was held in Geneva, from Thursday, 1 to Thursday, 15 November, with Mr Gilles de Robien, Ambassador with responsibility for promoting social cohesion, France, as Chairperson. The agenda was as follows:

**INSTITUTIONAL SECTION**

1. Declaration of loyalty by the Director-General of the ILO
2. Approval of the minutes of the 314th and 315th Sessions of the Governing Body
3. Proposed operational plan for putting in place the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy follow-up mechanism and the specified promotional activities: Proposal to postpone discussion
4. Agenda of the International Labour Conference
6. Decent work in the post-2015 development agenda

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1 Period covered: from 1 September to 31 December 2012.
2 The Governing Body approved the minutes of its 314th and 315th Sessions, with the corrections received.
3 The Governing Body deferred its decisions on this item until its 317th Session (March 2013).
8. Latest developments in Fiji in light of the resolution of the 15th ILO Asia–Pacific Regional Meeting
9. Reports of the Committee on Freedom of Association
10. Report of the Board of the International Institute for Labour Studies
11. Report of the Board of the International Training Centre of the ILO, Turin
14. Report of the Director-General:
   – Documents for information only
15. Reports of the Officers of the Governing Body
16. Composition and agenda of standing bodies and meetings

POLICY DEVELOPMENT SECTION

Employment and Social Protection Segment

1. Labour migration
2. Disability inclusion
3. Discussion about the effect given to the decision adopted in November 2011 on the item entitled “Green jobs, decent work and sustainable development”, with a focus on the implication for the ILO’s programme of work of the outcome of the United Nations Conference on Sustainable Development, 2012 (Rio +20)

Social Dialogue Segment

4. Sectoral activities programme 2012–13

Technical Cooperation Segment

5. South–South and triangular cooperation: The way forward – Revised indicators for the strategy adopted in March 2012
6. Public–private partnerships: The way forward
7. Enhanced programme of technical cooperation for the occupied Arab territories
8. Implementation of the tripartite Agreement on Freedom of Association and Democracy in Colombia

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1 The Governing Body took note of the report of the 54th Session of the Board of the International Institute for Labour Studies, which was held in Geneva, on 9 November 2012 (INS.LIV/1 and 2).
2 The Governing Body took note of the report of the 74th Session of the Board of the International Training Centre of the ILO, Turin, which was held in Turin, on 1–2 November 2012 (GB.316/INS/11).
3 The Governing Body took note of the report.
4 The Governing Body took note of the information contained in documents GB.316/INS/14 and GB.316/INS/14(Add.) on the composition of the Organization, progress in international labour legislation and internal administration.
5 The Governing Body took note of the information submitted in document GB.316/INS/14/1, which listed in its Appendix the following documents, as approved by the Officers: GB.316/INF/1: Programme of meetings for the remainder of 2012 and for 2013 and GB.316/INF/2: Approved symposia, seminars, workshops and similar meetings. The following documents were also included: GB.316/INS/INF/1: Update on the high-level tripartite mission to the Bolivarian Republic of Venezuela; GB.316/POL/INF/1: Sector-specific tools; GB.316/POL/INF/2: Operational aspects of the International Programme on the Elimination of Child Labour (IPEC) ; GB.316/LILS/INF/1: Improvements in the standards-related activities of the ILO: A progress report on the implementation of the plan of action for the standards-related strategy; GB.316/LILS/INF/2: Ratification and promotion of fundamental and governance Conventions and implementation of the plan of action for the governance Conventions; GB.316/PFA/INF/1: Programme and Budget for 2012–13: Regular budget account and Working Capital Fund; and GB.316/PFA/INF/2: Overview of ILO accommodation.
6 The Governing Body took note of the report.
LEGAL ISSUES
AND INTERNATIONAL LABOUR STANDARDS SECTION

Legal Issues Segment

1. Composition of the International Labour Conference: Proportion of women and men on delegations

International Labour Standards and Human Rights Segment


PROGRAMME, FINANCIAL
AND ADMINISTRATIVE SECTION

Programme, Financial and Administrative Segment

1. Preview of the Programme and Budget proposals for 2014–15
2. Matters relating to the Joint Inspection Unit (JIU): Reports of the JIU
3. Headquarters building renovation project
4. Progress report on IT strategy
5. Progress report on expenditure review

Audit and Oversight Segment

6. Independent Oversight Advisory Committee (IOAC)
7. Evaluation

Personnel Segment

8. Statement by the staff representative
9. Other personnel questions

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1 The Governing Body took note of the report and asked the Office to take into account the comments and guidance given during the discussion.

2 The statement by the staff representative is reproduced in Appendix IV of the Minutes of the 316th Session of the Governing Body (GB.316/PV(3Corr)).
HIGH-LEVEL SECTION

Working Party on the Social Dimension of Globalization

1. Global economic prospects and the Decent Work Agenda

The following is an account of the action taken by the Governing Body on the above agenda.

INSTITUTIONAL SECTION

Declaration of loyalty by the Director-General

Pursuant to article 1.4(a) of the Staff Regulations, Mr Guy Ryder, Director-General of the ILO, made and signed the prescribed declaration of loyalty.

Proposed operational plan for putting in place the Tripartite Declaration of Principles concerning Multilateral Enterprises and Social Policy follow-up mechanism and promotional activities: Proposal to postpone discussion

The Governing Body decided:

(a) to postpone until its 317th Session (March 2013) the review of the proposed operational plan for putting in place the MNE Declaration follow-up mechanism and the specified promotional activities on the basis of the recommendations submitted by the Ad Hoc Working Group at its 313th Session, in order to permit the Office to prepare the necessary proposal;

(b) to further suspend, until its 317th Session, the decision taken at its 258th Session (November 1993) to conduct surveys of the MNE Declaration every four years, in order to consider adoption of an operational plan for the follow-up mechanism.

Matters arising out of the work of the 101st Session (2012) of the International Labour Conference

Follow-up to the adoption of the resolution concerning efforts to make social protection floors (SPFs) a national reality worldwide

The Governing Body requested the Director-General:

(a) to take into account the guidance given by the Governing Body in pursuing the strategy for action on SPFs and to draw on it in preparing future programme and budget proposals and in developing resource mobilization initiatives;

(b) to communicate the resolution concerning efforts to make SPFs a national reality worldwide in the standard manner to the governments of member States and through them to the national employers’ and workers’ organizations.

Follow-up to the adoption of the resolution concerning the youth employment crisis: A call for action

The Governing Body requested the Director-General to take full account of the 2012 International Labour Conference conclusions when preparing and implementing the Programme and Budget for 2014–15 and the two following biennia and when allocating

1 See paragraphs 707–740 of the Minutes of the 316th Session of the Governing Body (GB.316/PV(&Corr.)).

2 For a more detailed account, see the set of papers and reports examined by the Governing Body, together with the approved minutes of the sittings; all these documents may be consulted on the Internet at www.ilo.org/gb.
such other resources as may be available during the current biennium, and to facilitate the mobilization of extra-budgetary resources for the implementation of the follow-up plan.

*Follow-up to the adoption of the resolution concerning the recurrent discussion on fundamental principles and rights at work: Plan of action*

The Governing Body requested the Director-General to take full account of this plan of action and the discussion thereof in the Governing Body, and to allocate the necessary resources for its implementation.

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

The Governing Body, noting the outcome of the informal tripartite consultations which had taken place on 19 September 2012 and the commitment to pursue discussions in a constructive manner, invited the Officers of the Governing Body to pursue informal tripartite consultations and to report to the Governing Body at its 317th Session (March 2013).

*Follow-up to the discussion on Myanmar: Implementation of the joint strategy for the elimination of forced labour, operation of the new labour legislation including freedom of association, impact of foreign investment on decent working conditions*

The Governing Body:

(a) endorsed the proposed interim programme framework for technical cooperation activities in Myanmar;

(b) requested the Office to report on progress in its implementation at the 319th Session (October 2013);

(c) called upon member States and international organizations to provide voluntary contributions to the ILO programme in Myanmar.

*Decent work in the post-2015 development agenda*

The Governing Body requested the Director-General to:

(a) develop and implement a strategy for the adoption of full and productive employment and decent work as an explicit goal of the global development agenda beyond 2015, including a reference to the need for SPFs;

(b) prepare concept papers as a support for constituents in their national engagement in the debate on the post-2015 global development agenda and briefing notes for them on the progress of the deliberations;

(c) strengthen ILO support to constituents to assist countries that are still lagging behind in meeting the relevant Millennium Development Goals.

*Complaint concerning non-observance by Myanmar of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 99th Session (June 2012) of the International Labour Conference under article 26 of the ILO Constitution*

The Governing Body decided:

(a) to take no further action under article 26;

(b) to request the International Labour Office, in the light of the guidance given under this agenda item, to continue its close cooperation with the Government to bring about the application of Convention No. 87.
Latest developments in Fiji in light of the resolution of the 15th ILO Asia–Pacific Regional Meeting

The Governing Body adopted the following resolution on the trade union situation in Fiji:

The Governing Body of the International Labour Office,

Noting with great concern that the Government of Fiji stopped the International Labour Organization (ILO) from carrying out a direct contacts mission in September 2012 to verify complaints regarding freedom of association;

Noting that the Government presented the mission with new and unacceptable terms of reference which differed from those agreed prior to the mission and, ultimately instructed the mission to leave Fiji immediately;

Recalling that the ILO direct contacts mission was undertaken pursuant to the recommendations of the ILO Committee on Freedom of Association (Case No. 2723, Interim report, November 2011) as well as the resolution on the trade union situation in Fiji, adopted at the 15th ILO Asia and the Pacific Regional Meeting in December 2011;

Noting that Fijian trade unionists have recently been detained, harassed and continue to be prosecuted on allegedly spurious grounds;

Noting that since 2009, the Government has issued executive decrees that sharply curtail trade union and labour rights in both the public and private sectors; have deprived Fijian workers of their fundamental rights guaranteed by ILO Conventions Nos 87 and 98; eliminated access to judicial review and redress for past, present and future violations; and disallowed the right to question the legality of the decrees themselves;

Noting that these were made without consultation with Fijian social partners;

Noting that while the Public Emergency Regulations of 2009 were repealed in 2012, they were replaced with the Public Order Amendment Decree (POAD) of 2012, which continues to require the social partners to seek the consent of the authorities prior to holding meetings;

Noting that the POAD contains additional provisions that trade unions fear could sharply curtail their right to freely associate and to otherwise carry out trade union activity;

Recalling furthermore that the Essential National Industries Decree in 2011 has cancelled union registrations and requires all trade unions in critical corporations (including finance, telecoms, civil aviation, and all foreign banks and public utilities sectors) to be re-registered under the Decree, and that the Decree further prevents trade unions from electing full-time trade union officials into office and only allows for the establishment of bargaining units with the prior approval of the Prime Minister;

Concerned that these decrees have had an impact on trade unions regarding both their membership and finances; and that, following the decrees, union recognition and the continued observation of collective agreements has been questioned;

Regretting that, while the Government invited Fijian trade union representatives to one meeting to discuss potential labour law reforms, since then no meeting has been held;

Considering that the above actions will continue to have adverse consequences for investment and employment in Fiji and further noting the damage already done to its standing in the region and the international community;

Recalling further the deep concern expressed and the actions recommended by the tripartite ILO constituents in the region as reflected in the resolution adopted at the ILO Asia and the Pacific Regional Meeting in Kyoto in December 2011, which has not been implemented by the Fiji Government;

1. Deeply regrets, in view of these serious concerns, the actions of the Fiji Government; and
2. Instructs the Director-General to:
   (a) work with the Fiji Government to seek its acceptance of the direct contacts mission under the previously agreed terms of reference, which are based on the conclusions and recommendations of the ILO Committee on Freedom of Association on Case No. 2723;
(b) urge that the Government, together with the social partners, find appropriate solutions in law and in practice which are in conformity with freedom of association principles; 
(c) continue to closely monitor the situation in Fiji and work to safeguard the human and labour rights of Fijian workers; and 
(d) report to the Governing Body at its 317th Session (March 2013) on action taken and developments regarding the trade union situation in Fiji.

Reports of the Committee on Freedom of Association

365th Report

The Governing Body adopted the 365th Report\(^1\) of its Committee on Freedom of Association.

366th Report

Measures taken by the Government of the Republic of Belarus to implement the recommendations of the Commission of Inquiry\(^2\)

The Governing Body took note of the introduction to the report of the Committee, contained in paragraphs 1–6, and approved the recommendations made in paragraph 28, and adopted in full the 366th Report\(^3\) of the Committee on Freedom of Association.


The Governing Body accepted the proposed timetable set out in the appendix to document GB.316/INS/12 and requested the Office:

(a) to submit to the Governing Body at its 317th Session (March 2013) a detailed plan for the implementation at the 102nd Session (June 2013) of the Conference, on a trial basis, of those options on which a consensus had been reached in the Working Party, together with an assessment of the cost and legal implications of those proposals; 
(b) to prepare a background document and organize informal tripartite consultations on further measures to be submitted to the Working Party in March 2013.

Report of the Director-General

Obituaries

The Governing Body paid tribute to the memory of Mr Arnaldo Lopes Sussekind, who had been a member of the ILO Committee of Experts on the Application of Conventions and Recommendations, and a Government delegate of Brazil on the Governing Body and to the International Labour Conference; to the memory of Mr Thabo Makeka, Employer member of the Governing Body; to the memory of Mr Djimanto, Employer member of the Governing Body and Employers’ delegate of Indonesia to the International Labour Conference; to the memory of Mr Tom Diju Owuor, Employer member of the Governing Body, and to the memory of Ms Anna Da Conceição Pedro Garcia, Worker member of the Governing Body and Workers’ delegate of Angola to the International Labour Conference, and invited the Director-General to convey its condolences to the Government of Brazil and to the family of Mr Arnaldo Lopes Sussekind; to the President of the Association of Lesotho Employers and to the family of Mr Thabo Makeka; to the President of APINDO and the family of Mr Djimanto;

\(^2\) Commission of Inquiry established in 2003, under article 26 of the Constitution of the International Labour Organisation to examine the observance by the Government of Belarus of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). 
to the Federation of Kenya Employers and to the family of Mr Tom Diju Owuor; and to the SNIMCMA and to the family of Ms Anna Da Conceição Pedro Garcia.

Follow-up to Governing Body decisions

The Governing Body requested the Office to prepare for its 317th Session (March 2013) a supplementary report on the follow-up to the decisions adopted since November 2011, taking into account the guidance provided concerning the format of future reports, in particular the presentation of decisions which have been fully implemented.

Appointment of two Deputy Directors-General and one Assistant Director-General

The Governing Body noted the appointments of Mr Greg Vines as Deputy Director-General for Management and Reform, of Ms Sandra Polaski as Deputy Director-General for Policy, and of Mr Yoshiteru Uramoto as Regional Director of the ILO Regional Office for Asia and the Pacific, at the Assistant Director-General level, made by the Director-General after having duly consulted the Officers of the Governing Body, and invited Mr Vines and Mr Uramoto to make and sign the prescribed declarations of loyalty as provided under article 1.4(b) of the ILO Staff Regulations.1


The Governing Body decided that the cost of the Meeting of Experts on Forced Labour and Trafficking for Labour Exploitation, estimated at US$302,000, be financed, in the first instance, from savings in Part I of the budget or, failing that, through Part II, on the understanding that, should this subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the biennium.

Reports of the Officers of the Governing Body

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

The Governing Body, on the recommendation of its Officers:
(a) requested the Government to provide a report on the effective implementation of the Tripartite Agreement concerning the complaint signed by the tripartite constituents of Bahrain on 11 March 2012 and to report to the Governing Body at its 317th Session (March 2013) on the progress made to implement fully its provisions;
(b) requested the Office to take the necessary measures to provide all the technical assistance necessary to the tripartite constituents, if requested by the Government or the organizations that signed the Agreement, the General Federation of Bahrain Trade Unions (GFBTU) or the Bahrain Chamber of Commerce and Industry (BCCI), to ensure the effective implementation of the Tripartite Agreement, to take measures to promote a climate of genuine industrial relations, and to report to the Governing Body at its 317th Session on the progress made;
(c) on that basis, deferred its decision on the complaint to its 317th Session (March 2013).

1 Ms Polaski made and signed the prescribed declaration of loyalty in June 2012, for her appointment as Executive Director of the Social Dialogue Sector (DIALOGUE) at the Assistant Director-General level.
Complaint concerning non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 101st Session (2012) of the International Labour Conference under article 26 of the ILO Constitution

The Governing Body, on the recommendation of its Officers:
(a) requested the Director-General to transmit the complaint to the Government;
(b) invited the Office to obtain relevant information from the Government and employers’ and workers’ organizations of Guatemala, including the Memorandum of Understanding signed on 10 October 2012 and the report of the high-level mission conducted in May 2011, and to report to the Governing Body at its 317th Session (March 2013);
(c) placed that issue on the agenda of its 317th Session in order to decide whether further action on the complaint was required in the light of the information provided by the Office in connection with paragraph (b) above.

Closing date of the International Labour Conference

On the recommendation of its Officers, the Governing Body decided that as from the next session of the International Labour Conference in June 2013, the closing ceremony be scheduled on the evening of the third Thursday of the session.

Meeting of Experts on Forced Labour and Trafficking for Labour Exploitation (Geneva, 11–15 February 2013)

Composition

On the recommendation of its Officers, the Governing Body approved the composition formula for that Meeting of eight experts nominated after consultations with Governments, eight experts nominated after consultations with the Employers’ group and eight experts nominated after consultations with the Workers’ group. The Governing Body noted that, in order to obtain the Government nominations, the Director-General intended, after consultation with the Regional Coordinators, to approach the governments of eight countries. A reserve list would also be established which would include the governments of eight other countries.

Agenda

On the recommendation of its Officers, the Governing Body approved the agenda of the Meeting, which was to formulate recommendations to the Governing Body as to whether there was scope for standard setting to complement the ILO’s Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105). The topics to be covered had been identified in the Framework for Action, namely: (i) prevention of forced labour; (ii) victim protection, including compensation; and (iii) human trafficking for labour exploitation.

Invitation of intergovernmental organizations

On the recommendation of its Officers, the Governing Body authorized the Director-General to invite the Council of Europe, the International Organization for Migration (IOM), the Office of the United Nations High Commissioner for Human Rights (OHCHR), and the United Nations Office on Drugs and Crime (UNODC) to be represented at the Meeting as observers.

Invitation of non-governmental organizations

On the recommendation of its Officers, the Governing Body authorized the Director-General to invite Anti-Slavery International (ASI), and Global Alliance against Traffic in Women (GAATW) to be represented at the Meeting as observers.
Representation alleging non-observance by Spain of the Termination of Employment Convention, 1982 (No. 158), submitted under article 24 of the ILO Constitution by the Trade Union Confederation of Workers’ Committees (CC.OO.) and the General Union of Workers (UGT)

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

On the recommendation of its Officers, the Governing Body decided that both representations were receivable.

Status of developments in relation to the International Organization for Standardization (ISO)

The Governing Body provided guidance on elements necessary for pursuing a general cooperation agreement with the International Organization for Standardization.

Composition and agenda of standing bodies and meetings


Composition

On the recommendation of its Officers, the Governing Body approved that Australia be added to the reserve list for Government nominations for that Meeting, in order to reflect a greater regional balance.

POLICY DEVELOPMENT SECTION

Employment and Social Protection Segment

Labour migration

The Governing Body:

(a) called on the Office to identify key priorities for substantive follow-up to the United Nations 2013 High-level Dialogue on International Migration and Development, and to ensure that the promotion of effectively operating labour markets offering decent work becomes a central element in the discussions on migration and development;

(b) requested the Director-General to conduct an in-depth evaluation of the ILO’s response to the changing landscape of international labour migration, including the Office’s progress on the promotion of its Multilateral Framework on Labour Migration, with a view to better offering an informed contribution to the High-level Dialogue on International Migration and Development;

(c) requested the Director-General to organize a tripartite meeting, within the existing resources, enabling the Organization to assess the outcome of the High-level Dialogue on International Migration and Development and consider possible areas for ILO follow-up;

(d) requested the Director-General to make a proposal for the modalities for the abovementioned tripartite meeting to the 317th Session (March 2013) of the Governing Body;
(e) further requested the Director-General to submit an oral report, available in writing, on the outcome of the High-level Dialogue to the 319th Session (October 2013) of the Governing Body and to submit for adoption by the 320th Session (March 2014) of the Governing Body a plan of work for future action of the Office in this field, on the basis of the above evaluation and of the results of the tripartite meeting.

**Disability inclusion**

The Governing Body:

(a) welcomed the Office’s initiative to develop a strategy statement and implementation plan on disability that will include broadening the Disability Inclusion Initiative and reflect the guidance provided, and requested the Director-General to report back as deemed appropriate by the tripartite screening group;

(b) supported the continuing work of the Office with other United Nations agencies, regional and intergovernmental bodies and multinational companies, as well as with governments and employers’ and workers’ organizations, in order to promote decent work for persons with disabilities.

**Discussion about the effect given to the decision adopted in November 2011 on the item entitled Green jobs, decent work and sustainable development, with a focus on the implication for the ILO’s programme of work of the outcome of the UNCSD 2012 (Rio +20)**

The Governing Body:

(a) approved priorities (i), (ii), (iii), (v) and (vi), as identified in paragraph 19 of document GB.316/POL/3, and requested the Director-General to take account of the views expressed by the constituents in the debate when giving effect to the agreed priorities;

(b) referred the consideration of and decision on the priority suggested in paragraph 19(iv) of the document to the discussion on decent work in the post-2015 development agenda (document GB.316/INS/6) in the Institutional Section;

(c) requested the Director-General to reflect the suggested priorities, among other issues, in the forthcoming report on sustainable development, decent work and green jobs for the ILC 2013 general discussion;

(d) recommended that account be taken of the financial implications of the adopted priorities in the Programme, Financial and Administrative Section when preparing the Programme and Budget for 2014–15.

**Social Dialogue Segment**

**Sectoral activities programme for 2012–13**

The Governing Body:

(a) authorized the Director-General to communicate the final report1 of the Global Dialogue Forum on Conditions of Personnel in Early Childhood Education (Geneva, 22–23 February 2012) to governments, requesting them to communicate the text to the employers’ and workers’ organizations concerned, as well as to communicate the report to the international employers’ and workers’ organizations and other international organizations concerned;2

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1 GDFECE/2012/10.

2 The text of the consensus points adopted can be consulted on pages 113 to 115 below.
(b) requested the Director-General to convene in the second half of 2013 a meeting of experts which would consider, with a view to adopting, draft policy guidelines on early childhood education personnel;

(c) took note of the guidelines to assist competent authorities in the implementation of Part B of the Code of Safety for Fishermen and Fishing Vessels, the FAO/ILO/IMO Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels, and the safety recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels (implementation guidelines);¹

(d) approved the publication by the IMO of the implementation guidelines as a joint FAO/ILO/IMO publication;

(e) authorized the Director-General to communicate the above decisions to the Secretary-General of the IMO and the Director-General of the FAO;


Technical Cooperation Segment

South–South and triangular cooperation: The way forward – Revised indicators for the Strategy adopted in March 2012

The Governing Body endorsed the new indicators for outcome 1 and the revised indicator for outcome 2 of the ILO Strategy on South–South and Triangular Cooperation.

Public–private partnerships: The way forward

The Governing Body requested the Office:

(a) to complete an analysis of the public–private partnership (PPP) selection criteria, results and lessons learned, to support its efforts in developing PPPs, in line with the guiding principles approved by the Governing Body at its 301st Session (March 2008), at a time in 2013 to be determined by the Screening Group;

(b) to make proposals in order to clarify and refine its strategy with regard to PPPs at a time in 2013 to be determined by the Screening Group;

(c) to report back to the Governing Body with information on the geographical and thematic scope and on the participation of ILO constituents in PPPs at a time in 2013 to be determined by the Screening Group.

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² Paragraphs 12 and 13 of document GB.316/POL/4 indicate that the purpose of this Forum is to discuss challenges in the Convention’s implementation, to evaluate how it can be used as a tool to address major issues in the sector, to share good practices and experiences, to report and review promotional activities, and to provide an update on the status of national efforts to implement and ratify Convention No. 188. The Forum will be composed of six Employer and six Worker representatives. All Governments will be invited to send representatives, with those with significant fishing interests being particularly encouraged to attend.
³ Paragraphs 15 and 16 of document GB.316/POL/4 indicate that the purpose of this Forum is to review an initial draft and adopt guidelines for ships’ cooks. Six experts will be nominated by the Employers’ group of the Governing Body and six by the Workers’ group and the Governments of the following six countries will be invited to nominate experts: Brazil, Cyprus, Ghana, Indonesia, Norway and the Philippines. Should any of the Governments mentioned above decline to nominate an expert, one of the following Governments could be invited to do so: Canada, Denmark, India, Liberia, Panama and the Russian Federation. Given the importance of the subject of the meeting for the Maritime Labour Convention, 2006 (MLC, 2006), it is proposed that the Meeting be open to all governments as observers, with those that have already ratified the Convention being particularly encouraged to consider sending observers. After consultation with the groups of the Governing Body, a knowledgeable chairperson from outside the Meeting will be appointed, thereby enabling all the invited experts to play a full part in the Meeting.
Enhanced programme of technical cooperation for the occupied Arab territories

The Governing Body took note of the report and invited the Office to take account of the observations and guidance provided during the discussions.

LEGAL ISSUES AND INTERNATIONAL LABOUR STANDARDS SECTION

Legal Issues Segment

Composition of the International Labour Conference:
Proportion of women and men on delegations

The Governing Body:

(a) invited the Credentials Committee of the International Labour Conference (ILC) to consider more detailed reporting on the proportion of women and men accredited in Conference delegations, taking into account the views expressed in the discussion by the Governing Body at its 316th Session (November 2012);

(b) further invited the Credentials Committee to consider contacts with ILC delegations with consistently low female participation in order to receive information about the reasons and include the results in its report, with a view to improving the situation;

(c) requested the Director-General to send letters after every Conference to Members which have not reached a 30 per cent level of participation of women in ILC delegations, and to periodically report to the Governing Body on any obstacles encountered as well as any measures taken to achieve gender parity;

(d) invited the Office to continue to collect relevant information and encourage and give assistance to concrete measures to be taken by governments, employers’ and workers’ organizations with a view to achieving gender parity in delegations to ILO meetings.

International Labour Standards and Human Rights Segment

Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART)

Report on allegations submitted by teachers’ organizations

The Governing Body:

(a) took note of the relevant parts of the report\(^1\) of the 11th Session of the Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel relating to allegations on the non-observance of certain provisions of the ILO–UNESCO Recommendation, 1966, or of the UNESCO Recommendation, 1997, in Australia, Denmark, Ethiopia, Japan and Portugal or both as applicable;

(b) authorized the Director-General to communicate the report, along with the record of the discussions held on this point of the agenda at the Legal Issues and International Labour Standards Section of the 316th Session (November 2012) of the Governing Body, to the Governments of Australia, Denmark, Ethiopia, Japan and Portugal and to the National Tertiary Education Union (NTEU) of Australia, the National Teachers’ Association (formerly Ethiopian Teachers’ Association (ETA)), the Dansk Magisterforening (DM), Education International, the National Teachers’ Federation (FENPROF) of Portugal and the All Japan Teachers’ and Staff Union (ZENKYO), and to invite them to take any necessary follow-up action as recommended in the report.

\(^1\) CEART/11/2012/9.
Programme, Financial and Administrative Section
Programme, Financial and Administrative Segment

Preview of the Programme and Budget proposals for 2014–15

The Governing Body requested the Director-General to take into account, when preparing the Programme and Budget proposals for 2014–15 for submission to the 317th Session in March 2013, the views expressed and guidance provided during the discussion of the preview.

Progress report on expenditure review

The Governing Body approved the proposed amendments to the Staff Regulations and authorized the Director-General to amend article 9.1(c) and paragraphs 19 and 20 of Annex III of the ILO Staff Regulations as set out in paragraph 14 of document GB.316/PFA/5, and as amended by the Office.¹

Audit and Oversight Segment

Independent Oversight Advisory Committee (IOAC)

Revised terms of reference

The Governing Body approved the revised terms of reference for the Independent Oversight Advisory Committee (IOAC) as proposed in the appendix to document GB.316/PFA/6/1.

Appointment of members

The Governing Body appointed Mr Denys Chamay, Mr Luis Guillermo Chinchilla, Ms Bushra Naz Malik, Ms Hilary Wild and Ms Jeya Wilson to the Independent Oversight Advisory Committee (IOAC) for a term of three years commencing 1 January 2013 and decided to retain the candidatures of Ms Eileen Fusco and Mr N.R. Rayalu on a reserve list.

Evaluation

Annual evaluation for 2011–12

The Governing Body took note of the report and endorsed the recommendations to be included in the attached rolling plan of action for the implementation of recommendations and suggestions contained in the annual evaluation report, which is reproduced in Appendix I to document GB.316/PFA/7/1, to be reported on in the annual evaluation report of 2012–13, and confirmed the priorities identified in the report on the work programme for 2012–13.

Discussions of high-level evaluations

Strategies and Decent Work Country Programmes

The Governing Body requested the Director-General to take into consideration the findings, recommendations and lessons learned from the three independent evaluations presented in the summary contained in document GB.316/PFA/7/2 and to ensure their implementation.

¹ Article 9.1(c) reads as follows: “Travel shall normally be by the most direct and economical route, account being taken as far as possible of the wishes of the official concerned”. Paragraph 19 of Annex III reads as follows: “19. For the purpose of calculating subsistence allowance, the day is defined as the 24-hour period from midnight to midnight. Subject to the provisions of paragraph 20 below, the full rate shall be paid for every day on which the official is in travel status, except for the last day of travel in respect of which no allowance shall be paid.”
Personnel Segment

Other personnel questions

The Governing Body took note of:

(a) the Director-General’s intention to revise Office recruitment and selection policies and procedures, and to submit proposals and draft amendments to the Staff Regulations to the Governing Body in March 2013;

(b) the interim arrangements to implement the provisional adjustments to the recruitment and selection procedures presented at its 313th Session, until its overall review of the matter in March 2013.
## Programme of meetings for 2013

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
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<tbody>
<tr>
<td>2013</td>
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<tr>
<td>11–15 February</td>
<td>Meeting of Experts on Forced Labour and Trafficking for Labour Exploitation</td>
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<tr>
<td>20–22 February</td>
<td>Global Dialogue Forum on the Effects of the Global Economic Crisis on the Civil Aviation Industry</td>
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<tr>
<td>6–28 March¹</td>
<td>317th Session of the Governing Body</td>
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<tr>
<td>8–11 April</td>
<td>9th ILO European Regional Meeting</td>
<td>Oslo, Norway</td>
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<tr>
<td>15–17 May</td>
<td>Global Dialogue Forum for the Promotion of the Work in Fishing Convention, 2007 (No. 188)</td>
<td>Geneva</td>
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<td>30–31 May</td>
<td>Committee on Freedom of Association</td>
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<td>5–20 June</td>
<td>102nd Session of the International Labour Conference</td>
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<tr>
<td>21 June</td>
<td>318th Session of the Governing Body</td>
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<tr>
<td>23–27 September</td>
<td>Meeting of Experts to Adopt Guidelines on the Training of Ships’ Cooks</td>
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<td>2–11 October</td>
<td>19th International Conference of Labour Statisticians</td>
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<tr>
<td>17–31 October</td>
<td>319th Session of the Governing Body</td>
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<tr>
<td>5–8 November</td>
<td>Meeting of Experts on Policy Guidelines on the Promotion of Decent Work for Early Childhood Education Personnel</td>
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<td>12–15 November</td>
<td>Workers’ Symposium</td>
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<tr>
<td>26–28 November</td>
<td>Global Dialogue Forum on Initiatives to Promote Decent Work in the Chemical Industry</td>
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<tr>
<td>28 November–13 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
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<tr>
<td>To be determined</td>
<td>Meeting of Experts on Facilitating Transitions to the Formal Economy²</td>
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¹ Further to the decision adopted by the Governing Body regarding the rescheduling of the Committee on Freedom of Association to 6–7 March 2013; moreover, due to the long Easter weekend (29 March–1 April), the Governing Body will have to complete its work by Thursday, 28 March.

² Subject to the decision to be adopted by the Governing Body concerning the holding of the meeting, in light of the discussion on the ILC agenda.
Official measures taken regarding decisions of the International Labour Conference


Acceptances

In accordance with article 3 of the Instrument for the amendment of the Constitution of the International Labour Organisation, 1986, the following acceptances have been communicated to the Director-General of the International Labour Office:

<table>
<thead>
<tr>
<th>State</th>
<th>Measure</th>
<th>Date received</th>
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<tbody>
<tr>
<td>Morocco</td>
<td>Acceptance</td>
<td>10 September 2012</td>
</tr>
<tr>
<td>South Sudan</td>
<td>Acceptance</td>
<td>30 November 2012</td>
</tr>
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</table>

The total number of ratifications and acceptances is thus 99, including six by States of chief industrial importance.


Acceptance

In accordance with article 3 of the Instrument for the amendment of the Constitution of the International Labour Organisation, 1997, the following acceptance has been communicated to the Director-General of the International Labour Office:

<table>
<thead>
<tr>
<th>State</th>
<th>Measure</th>
<th>Date received</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Sudan</td>
<td>Acceptance</td>
<td>30 November 2012</td>
</tr>
</tbody>
</table>

The total number of ratifications and acceptances is now 122, including six by States of chief industrial importance.

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2 As of the date of writing, an additional 25 ratifications/acceptances by member States, including three by States of chief industrial importance, were required for the Instrument of Amendment of the Constitution of the International Labour Organisation, 1986, to enter into force.
4 As of the date of writing, an additional two ratifications/acceptances by member States were required for the Instrument of Amendment of the Constitution of the International Labour Organisation, 1997, to enter into force.
International labour Conventions

Ratifications and denunciation

Notice is hereby given that the Director-General of the International Labour Office has registered the following ratifications and denunciation concerning the international labour Conventions mentioned below. In pursuance of article 20 of the Constitution of the International Labour Organisation, particulars of these ratifications and denunciation have been communicated to the Secretary-General of the United Nations Organization for registration in accordance with article 102 of the Charter of the United Nations.

The publication of information concerning action taken in respect of international labour Conventions and Recommendations does not imply any expression of view by the International Labour Office concerning the legal status of the State having communicated such information (including the communication of a ratification, denunciation, notification or declaration), or on its authority over the territories in respect of which such information is communicated; in certain cases this may present issues on which the ILO is not competent to express an opinion.

<table>
<thead>
<tr>
<th>State</th>
<th>Convention</th>
<th>Date of registration</th>
<th>Date of effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>Home Work Convention, 1996 (No. 177)</td>
<td>2 October 2012</td>
<td>2 October 2013</td>
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<tr>
<td></td>
<td>Safety and Health in Mines Convention, 1995 (No. 176)</td>
<td>2 October 2012</td>
<td>2 October 2013</td>
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<tr>
<td>Guyana</td>
<td>Occupational Safety and Health Convention, 1981 (No. 155)</td>
<td>17 September 2012</td>
<td>17 September 2013</td>
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<tr>
<td>Honduras</td>
<td>Social Security (Minimum Standards) Convention, 1952 (No. 102)</td>
<td>1 November 2012</td>
<td>1 November 2013</td>
</tr>
<tr>
<td></td>
<td>Pursuant to Article 2(b) of the Convention, the Government accepts the obligations of Parts II, III, V, VIII, IX and X of the Convention.</td>
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</tr>
<tr>
<td>Israel</td>
<td>Private Employment Agencies Convention, 1997 (No. 181)</td>
<td>4 October 2012</td>
<td>4 October 2013</td>
</tr>
<tr>
<td></td>
<td>Domestic Workers Convention, 2011 (No. 189)</td>
<td>13 September 2012</td>
<td>13 September 2013</td>
</tr>
<tr>
<td>Morocco</td>
<td>Seafarers’ Welfare Convention, 1987 (No. 163)</td>
<td>10 September 2012</td>
<td>10 September 2013</td>
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<td></td>
<td>Health Protection and Medical Care (Seafarers) Convention, 1987 (No. 164)</td>
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<tr>
<td></td>
<td>Repatriation of Seafarers Convention (Revised), 1987 (No. 166)</td>
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<td></td>
<td>Maritime Labour Convention, 2006</td>
<td>&quot;</td>
<td>&quot;</td>
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<tr>
<td>State</td>
<td>Convention</td>
<td>Date of registration</td>
<td>Date of effect</td>
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<tr>
<td>Philippines</td>
<td>Domestic Workers Convention, 2011 (No. 189)</td>
<td>5 September 2012</td>
<td>5 September 2013</td>
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<tr>
<td>Portugal</td>
<td>Safety and Health in Agriculture Convention, 2001 (No. 184)</td>
<td>8 November 2012</td>
<td>8 November 2013</td>
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<tr>
<td>South Sudan</td>
<td>Forced Labour Convention, 1930 (No. 29)</td>
<td>29 April 2012</td>
<td>29 April 2013</td>
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<tr>
<td></td>
<td>Right to Organise and Collective Bargaining Convention, 1949 (No. 98)</td>
<td>&quot;</td>
<td>&quot;</td>
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<tr>
<td></td>
<td>Equal Remuneration Convention, 1951 (No. 100)</td>
<td>&quot;</td>
<td>&quot;</td>
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<tr>
<td></td>
<td>Abolition of Forced Labour Convention, 1957 (No. 105)</td>
<td>&quot;</td>
<td>&quot;</td>
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<td></td>
<td>Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</td>
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<td></td>
<td>Minimum Age Convention, 1973 (No. 138)</td>
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<td></td>
<td><em>Pursuant to Article 2, paragraph 1, of the Convention, the minimum age of 14 years has been specified.</em></td>
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<td></td>
<td>Worst Forms of Child Labour Convention, 1999 (No. 182)</td>
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</tr>
<tr>
<td>The former Yugoslavia</td>
<td>Home Work Convention, 1996 (No. 177)</td>
<td>3 October 2012</td>
<td>3 October 2013</td>
</tr>
<tr>
<td>Republic of Macedonia</td>
<td>Private Employment Agencies Convention, 1997 (No. 181)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td>Maternity Protection Convention, 2000 (No. 183)</td>
<td>&quot;</td>
<td>&quot;</td>
</tr>
<tr>
<td></td>
<td><em>Pursuant to Article 4, paragraph 2, of the Convention, the length of maternity leave is nine months in the case of one child, and 12 months in the case of two or more children.</em></td>
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<td></td>
<td>Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)</td>
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<td></td>
<td><em>II. Denunciation</em></td>
<td></td>
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<tr>
<td>Montenegro</td>
<td>Maternity Protection Convention, 1919 (No. 3)</td>
<td>11 September 2012</td>
<td>11 September 2013</td>
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</tbody>
</table>
Notification of the coming into force of the Domestic Workers Convention, 2011 (No. 189)

Article 21, paragraph 2, of the Domestic Workers Convention, 2011 (No. 189), adopted by the International Labour Conference at its 100th Session on 16 June 2011, provides that the Convention shall come into force 12 months after the date on which the ratifications of two Members of the International Labour Organization have been registered.

The ratifications by Uruguay and the Philippines were registered by the Director-General of the International Labour Office on 14 June 2012 and 5 September 2012 respectively. The Convention will accordingly come into force on 5 September 2013.

The present notification is made in accordance with the provisions of Article 23, paragraph 2, of the Convention.

In conformity with article 20 of the Constitution of the International Labour Organization, this Convention will be communicated to the Secretary-General of the United Nations for registration in accordance with article 102 of the Charter of the United Nations.
Global Dialogue Forum on Conditions of Personnel in Early Childhood Education

(Geneva, 22–23 February 2012)

Consensus points adopted

Introduction

1. Government, Employer and Worker representatives participated in the Global Dialogue Forum on Conditions of Personnel in Early Childhood Education, held at the ILO, Geneva, on 22–23 February 2012. The Forum examined strategies and policies to help constituents in ILO member States to improve the provision of universally accessible and quality early childhood education (ECE) services, the status and conditions of personnel in ECE.

2. The Forum exchanged a wide range of views and experiences on: the importance of ECE and key trends, issues and policies determining access and quality for all learners; initial training and professional development of educators; ECE employment terms and conditions; and social dialogue to determine policies and working conditions in ECE. The Forum also recommended future actions by constituents and the ILO to strengthen ECE policies and measures.

Policies determining access and high quality of early childhood education

3. The evidence is clear that early years education is a good investment for all further educational development, social inclusion and development, recognition and respect of children’s rights and improved economic returns for individuals and society. Considerable progress has been made in enrolling more children in ECE programmes. To achieve universal access and quality objectives, governments, who have the major responsibility for organization and funding of ECE, should devote more resources and policy attention to ECE as the foundation level of education. Recognizing the existence of public and private providers, in order to complement government investment, alternative funding and delivery models could be considered within the necessary regulatory, quality and accountability frameworks expected of any level of education.

4. Stronger leadership by government and greater cohesion in ECE policy, ensuring coordination and good governance across levels of ECE provision – national, regional, local, public and private – are vital to the further development of quality ECE programmes. Participation of constituents and stakeholders is essential to realizing this objective. Access can be improved with targeted programmes for vulnerable groups.

5. There is a need for more comprehensive research and data, particularly concerning educators and other staff, to more effectively develop, apply, evaluate and reform ECE policy and practice.

Initial training and professional development of ECE educators

6. Quality improvements require a greater policy focus on curricula as the basis for developing professional training and appropriate pedagogy.
7. High-quality ECE provision is dependent on adequate investments and respect for teacher education as a continuum – initial training, induction and continual professional development (CPD) that is constructed on sound foundations, of which:
   – initial education for all educators, comparable with that of school teachers, based on the highest qualification levels, certified by authorities, in relation to curricula;
   – sound induction plans and management support for new educators.

8. Educator training policies and programmes need to increase provision to all ECE staff, especially in remote and disadvantaged areas, and better link CPD with initial training and appropriate pedagogical approaches. Professional development and practice require adequate non-contact time. Professional development should also be extended to ECE leaders, administrators and support staff.

Early childhood education employment terms and conditions

9. Excellence in ECE requires a high professional and material status for educators and other staff, in effect the construction of a decent work framework for the sector. Successful recruitment and retention of adequate numbers of qualified ECE educators to meet the expanding enrolments and quality demands of the sector requires a comprehensive recruitment and development strategy developed at the national level focusing on a number of key policies:
   – quality and relevant initial training and continual professional development as the basis for recruitment and continued employment;
   – a career structure responding to individual staff needs and motivations, built around an agreed teacher appraisal system;
   – respect for professional, managerial and institutional autonomy;
   – remuneration and other benefits comparable to other occupations with equivalent professional qualifications;
   – attractive teaching conditions that emphasize low child–staff ratios, a safe working environment, and the necessary infrastructure and equipment to support high learning outcomes.

10. A recruitment strategy should especially target urban–rural and gender disparities, as well as ethnic-minority diversity, so as to ensure qualified staff for all regions of a country, and to encourage more men to take up the profession. To this end, special career and other incentives may be necessary.

11. High professional status depends on a certain level of job stability to underpin quality service provision, job satisfaction, recruitment and retention.

12. Current remuneration levels of ECE educators and other staff do not reflect the importance of work in this increasingly vital education sector. Salary levels should rely on agreements between employers and employees or their representatives, where applicable.

13. Workload in ECE should be designed to account for the full range and variety of teacher responsibilities, particularly ensuring adequate non-contact time for professional development and reflective practice, especially important in rural areas. It is vital that employers, public and private, ensure a safe and healthy teaching and learning environment in line with national laws and regulations.

Social dialogue in early childhood education

14. There is a general consensus that social dialogue – all forms of information sharing, consultation and negotiation–collective bargaining between representatives of govern-
ments, employers and workers on issues of common interest relating to economic and social policy – is essential to healthy ECE policy formulation, implementation and evaluation. Social dialogue on the broad policy and operational issues of ECE should fully engage the social partners, and where relevant, should provide a greater collective voice for stakeholders, including parents. It should also apply within ECE systems and institutions between employers, public or private, and trade unions representing educators and other ECE staff on such issues as professional development and terms and conditions of employment.

15. The diversity of national experiences implies diversity in the frameworks or processes for social dialogue in ECE.

16. Effective social dialogue depends on respect for the 1998 Declaration on Fundamental Principles and Rights at Work.

Recommendaions for future actions by constituents and the ILO

17. The Forum recommends to the Governing Body that the ILO, in consultation with its constituents and relevant international organizations, draft policy guidelines on the promotion of decent work for ECE personnel, and in this regard to convene within the biennium 2012–13 a meeting of experts, which will consider, with a view to adopting, these draft policy guidelines. The Forum recognizes that, should this proposal be adopted by the Governing Body, the adopted programme of activities for the education and research sectors will have to be amended to accommodate and reflect this emerging priority.

The proposed guidelines may include, but not be limited to, the following:
– ECE as a public good and fundamental right;
– ECE financing as an investment to ensure quality, equity and sustainability;
– ECE governance and inter-sectoral coordination, management systems and leadership, including institutional autonomy;
– establishing and maintaining high teacher qualifications and licensing standards in relation to curricula and teaching/learning requirements;
– developing and maintaining continual professional development, reflective practice and professional autonomy, including for leaders and managers;
– evaluating educators and practitioners to support quality practice;
– policies to enhance staff recruitment and retention-addressing gender and geographic imbalances and cultural and linguistic diversity;
– remuneration levels consistent with raising the status of ECE, promoting recruitment and retention;
– employment terms and conditions;
– promoting social dialogue and decent work in accordance with the 1998 Declaration on Fundamental Principles and Rights at Work.

18. The Forum also encouraged the ILO to consider methods for sharing and evaluating good practices and to identify gaps and challenges in the promotion of decent work for ECE personnel.
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Sirvase indicar el cambio de dirección del destinatario y enviar esta hoja al remitente, o al menos la parte en que está escrita la dirección.