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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 Bulletin itself is available at www.ilo.org/public/libdoc/ilo/P/09604.

X. Resolution concerning the composition of the Administrative Tribunal of the International Labour Organization ................................................................. 74
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The designations employed in the *Official Bulletin*, which are in conformity with United Nations practice, and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the International Labour Office concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers.

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Code: JMB-CORR-REPRO
The 105th Session of the International Labour Conference was held in Geneva from Monday, 30 May to Friday, 10 June 2016, under the presidency of Ms Mildred Oliphant, Minister of Labour of South Africa.

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

Items placed on the agenda by the Conference or the Governing Body

IV. Decent work in global supply chains – General discussion.
V. Decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71) – Standard setting, first discussion under the double discussion procedure.

1 Period covered: from 1 May to 31 August 2016.
2 The texts of the resolutions adopted by the Conference can be consulted on pages 54 to 74 below. More detailed information on the proceedings of the Conference, including the names of participants, the record of certain plenary sittings, committee reports, and voting results, is to be found in the Provisional Records of the 105th Session of the Conference. These documents may be consulted at www.ilo.org/ilc.
3 Under the double discussion procedure, the Conference may adopt an international labour standard over two sessions (i.e. over two years).

VII. Maritime matters:
- Adoption of amendments to the annexes of the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185).

327th Session of the Governing Body of the International Labour Office
(Geneva, 11 June 2016)

The 327th Session of the Governing Body of the International Labour Office was held in Geneva on Saturday, 11 June 2016, presided over by Ms Misako Kaji of Japan, Ambassador and Deputy Permanent Representative of Japan to the United Nations and other international organizations in Geneva, as outgoing Chairperson, and Mr Ulrich Seidenberger (Germany), Ambassador and Interim Chargé d’Affaires of Germany to the United Nations and other international organizations in Geneva, as incoming Chairperson.

The agenda was as follows:

INSTITUTIONAL SECTION

2. Approval of the minutes of the 326th Session of the Governing Body.¹

Supplementary Reports:
- Appointment of a Deputy Director-General.
- Documents submitted for information only.²
- Report of the Committee set up to examine the representation alleging non-observance by the Government of Peru of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the International Trade Union Confederation (ITUC), the Trade Union Confederation of the Americas (TUCA) and the Autonomous Workers’ Confederation of Peru (CATP).
- Report of the Committee set up to examine the representation alleging non-observance by Portugal of the Forced Labour Convention, 1930 (No. 29), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the ILO Constitution by the National Federation of Unions of Workers in the Public and Social Services (FNSTFPS).

¹ The Governing Body approved the minutes of its 326th Session as amended.
² The Governing Body took note of the documents listed in the appendix to document GB.327/INS/5/2: GB.327/INF/1: Programme of meetings as approved by the Officers of the Governing Body: Meetings for the remainder of 2016 and for 2017; and GB.327/INF/2: Approved symposia, seminars, workshops and similar meetings.
   – Representation alleging non-observance by Romania of the Protection of Wages Convention, 1949 (No. 95), made under article 24 of the ILO Constitution by the Federation of Free Trade Unions of the Chemical and Petrochemical Industries (FSLCP).

7. 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 2016–17

Election of the Chairperson


Election of the Vice-Chairpersons

The Governing Body re-elected Mr Jørgen Rønnest (Employer, Denmark) as Employer Vice-Chairperson of the Governing Body, and Mr Luc Cortebecq (Worker, Belgium) as Worker Vice-Chairperson of the Governing Body, for the 2016–17 period.

QUESTIONS ARISING OUT OF THE 105TH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE REQUIRING IMMEDIATE ATTENTION

The Governing Body requested the Director-General to submit to its 328th Session (October–November 2016) detailed proposals relating to the modalities of recurrent discussions, as outlined in subparagraph 15.2 of the Resolution on Advancing Social Justice through Decent Work, with a view to better meeting their objectives and to ensure a prompt transition from the current cycle of recurrent discussions to the next cycle. These proposals would be submitted under the item already included on the agenda for the 328th Session: Follow-up to the outcome of the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization, 2008.

REPORTS OF THE COMMITTEE ON FREEDOM OF ASSOCIATION

378th Report

The Governing Body examined and adopted the 378th Report of its Committee on Freedom of Association.²

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.

**Report of the Director-General**

**Obituary**

The Governing Body paid tribute to the memory of Mr Homero Luis Hernández Sánchez and invited the Director-General to convey its sincere condolences to Mr Hernández Sánchez’s family and to the Government of the Dominican Republic.

**First Supplementary Report: Appointment of a Deputy Director-General**

The Governing Body noted that the Director-General, after having duly consulted the Officers of the Governing Body, had appointed Ms Deborah Greenfield as Deputy Director-General for Policy, as from 3 May 2016. Ms Greenfield made and signed the prescribed declaration of loyalty as provided under article 1.4(b) of the ILO Staff Regulations.

**Third Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by the Government of Peru of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the International Trade Union Confederation (ITUC), the Trade Union Confederation of the Americas (TUCA) and the Autonomous Workers’ Confederation of Peru (CATP)**

In the light of the conclusions set out in the Committee’s report (document GB.327/INS/5/3), the Governing Body:

(a) approved the report;

(b) requested the Government to continue its efforts to identify those responsible and punish the guilty in the murders of Mr Edwin Chota Valera, Mr Jorge Ríos Pérez, Mr Leoncio Quinincima Meléndez and Mr Francisco Pinedo;

(c) requested the Government to take steps to prevent murders and acts of violence and to ensure, in accordance with national legislation, that the complaints lodged by the families of the victims mentioned in the report were addressed;

(d) invited the Government to include in its report to the Committee of Experts detailed and updated information on the other issues addressed in the report and in the Committee’s conclusions;

(e) made the report contained in document GB.327/INS/5/3 publicly available and closed the present procedure.

**Fourth Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by Portugal of the Forced Labour Convention, 1930 (No. 29), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), made under article 24 of the ILO Constitution by the National Federation of Unions of Workers in the Public and Social Services (FNSTFPS)**

In light of the conclusions set out in paragraphs 38–49 of the Committee’s report (document GB.327/INS/5/4), the Governing Body:
(a) approved the report;
(b) invited the Government to initiate tripartite consultations with the social partners concerned with a view to evaluating all the terms and conditions for the implementation of employment insertion contracts, taking into consideration the developments contained in paragraphs 46 and 49 of the report;
(c) invited the Government to provide information in that regard for examination by the Committee of Experts on the Application of Conventions and Recommendations;
(d) made the report contained in document GB.327/INS/5/4 publicly available and declared closed the procedure initiated by the representation.

Reports of the Officers of the Governing Body

Representation alleging non-observance by Romania of the Protection of Wages Convention, 1949 (No. 95), made under article 24 of the ILO Constitution by the Federation of Free Trade Unions of the Chemical and Petrochemical Industries (FSLCP)

On the recommendation of its Officers, the Governing Body decided that the representation was receivable and set up a tripartite committee to examine it.

Composition and Agenda of Standing Bodies and Meetings

Tripartite Technical Meeting on the Access of Refugees and other Forcibly Displaced Persons to the Labour Market (Geneva, 5–7 July 2016)

Invitation of international non-governmental organizations

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

- Asylum Access;
- Danish Refugee Council;
- European Council on Refugees and Exiles;
- International Catholic Migration Commission (ICMC);
- International Rescue Committee;
- Institute for Human Rights and Business;
- Migrant Forum in Asia (MFA);
- Norwegian Refugee Council;
- Refugees International.

Meeting of Experts on Fair Recruitment (Geneva, 5–7 September 2016)

Invitation of international non-governmental organizations

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

- Amnesty International;
- Anti-Slavery International;
- Human Rights Watch;
- Institute for Human Rights and Business (IHRB);
- Migrant Forum in Asia (MFA);
- Open Society Foundations (OSF);
- Verité.

### Programme of meetings for the remainder of 2016 and for 2017

<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
</tr>
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<tbody>
<tr>
<td><strong>2016</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5–7 September</td>
<td>Meeting of Experts on Fair Recruitment</td>
<td>Geneva</td>
</tr>
<tr>
<td>26–30 September</td>
<td>Meeting of Experts to Adopt Policy Guidelines for the Promotion of Sustainable Rural Livelihoods Targeting the Agro-food Sectors</td>
<td></td>
</tr>
<tr>
<td>3–5 October</td>
<td>MNE Declaration Ad Hoc Working Group</td>
<td>&quot;</td>
</tr>
<tr>
<td>3–6 October</td>
<td>Meeting of Experts on Violence Against Women and Men in the World of Work</td>
<td>&quot;</td>
</tr>
<tr>
<td>10–14 October</td>
<td>Standards Review Mechanism Tripartite Working Group</td>
<td>&quot;</td>
</tr>
<tr>
<td>24–26 October</td>
<td>Global Dialogue Forum on the Challenges and Opportunities of Teleworking for Workers and Employers in the ICT and Financial Services Sectors</td>
<td>&quot;</td>
</tr>
<tr>
<td>27 October–11 October</td>
<td>328th Session of the Governing Body</td>
<td>&quot;</td>
</tr>
<tr>
<td>21–30 November</td>
<td>Meeting of Experts to Adopt a Draft Revised Code of Practice on Safety and Health in Ports</td>
<td>&quot;</td>
</tr>
<tr>
<td>23 November–10 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
<tr>
<td>6–9 December</td>
<td>16th Asia and the Pacific Regional Meeting</td>
<td>Bali, Indonesia</td>
</tr>
<tr>
<td><strong>2017</strong></td>
<td></td>
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</tr>
<tr>
<td>20–24 February</td>
<td>Meeting of Experts to Adopt Guidelines on Decent Work and Socially Responsible Tourism</td>
<td>Geneva</td>
</tr>
<tr>
<td>9–23 March</td>
<td>329th Session of the Governing Body</td>
<td>&quot;</td>
</tr>
<tr>
<td>24–28 April</td>
<td>Tripartite Sectoral Meeting on Improving Employment and Working Conditions in Health Services</td>
<td>&quot;</td>
</tr>
<tr>
<td>April</td>
<td>Working Group of the Special Tripartite Committee established under Article XIII of the MLC, 2006</td>
<td>&quot;</td>
</tr>
<tr>
<td>1–2 June</td>
<td>Committee on Freedom of Association</td>
<td>&quot;</td>
</tr>
<tr>
<td>5–16 June¹</td>
<td>106th Session of the International Labour Conference</td>
<td>&quot;</td>
</tr>
<tr>
<td>17 June</td>
<td>330th Session of the Governing Body</td>
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¹ Subject to the final decision to be adopted by the Governing Body regarding the dates of the 106th Session of the Conference in 2017.
<table>
<thead>
<tr>
<th>Date</th>
<th>Title of meeting</th>
<th>Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>September</td>
<td>Tripartite Sectoral Meeting&lt;sup&gt;2&lt;/sup&gt;</td>
<td>&quot;</td>
</tr>
<tr>
<td>September or October</td>
<td>Standards Review Mechanism Tripartite Working Group</td>
<td>&quot;</td>
</tr>
<tr>
<td>2–5 October</td>
<td>10th European Regional Meeting</td>
<td>Istanbul, Turkey</td>
</tr>
<tr>
<td>26 October–9 November</td>
<td>331st Session of the Governing Body</td>
<td>Geneva</td>
</tr>
<tr>
<td>22 November–9 December</td>
<td>Committee of Experts on the Application of Conventions and Recommendations</td>
<td>&quot;</td>
</tr>
<tr>
<td>October</td>
<td>Meeting of Experts</td>
<td>&quot;</td>
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<tr>
<td>November</td>
<td>Meeting of Experts</td>
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</table>

<sup>2</sup> Subject to decisions to be adopted by the Governing Body at a future session.
Official measures taken regarding decisions of the International Labour Conference

International Labour Conventions

Ratifications

Notice is hereby given that the Director-General of the International Labour Office has registered the following ratifications concerning the international labour Conventions mentioned below. In pursuance of Article 20 of the Constitution of the International Labour Organization, particulars of these ratifications 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 of ratifications</th>
<th>Date on which ratifications will take effect</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In accordance with Standard A4.5 (2) and (10), the Government has specified the following branches of social security: medical care; sickness benefit; unemployment benefit; old-age benefit; employment injury benefit; family benefit; maternity benefit; invalidity benefit and survivors’ benefit.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Argentina</td>
<td>Social Security (Minimum Standards) Convention, 1952 (No. 102)</td>
<td>27 July 2016</td>
<td>27 July 2017</td>
</tr>
<tr>
<td></td>
<td>Pursuant to Article 2(b) of the Convention, the Government has accepted the obligations of Parts II, V, VII, VIII, IX and X.</td>
<td></td>
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</tr>
<tr>
<td>Azerbaĳan</td>
<td>Holidays with Pay Convention (Revised), 1970 (No. 132)</td>
<td>20 May 2016</td>
<td>20 May 2017</td>
</tr>
<tr>
<td></td>
<td>Pursuant to Article 3, paragraph 2, of the Convention, the Government has specified that the length of annual paid holiday is 21 calendar days. Pursuant to Article 15, paragraph 2, of the Convention, the Government accepts the provisions of Article 15 paragraphs 1(a) and 1(b).</td>
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<tr>
<td>State</td>
<td>Convention</td>
<td>Date of registration of ratifications</td>
<td>Date on which ratifications will take effect</td>
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</tr>
<tr>
<td>Belgium</td>
<td>Safety and Health in Construction Convention, 1988 (No. 167)</td>
<td>8 June 2016</td>
<td>8 June 2017</td>
</tr>
<tr>
<td></td>
<td>Part-Time Work Convention, 1994 (No. 175)</td>
<td></td>
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</tr>
<tr>
<td>Canada</td>
<td>Minimum Age Convention, 1973 (No. 138)</td>
<td>8 June 2016</td>
<td>8 June 2017</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>
<td></td>
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<tr>
<td>Côte d’Ivoire</td>
<td>Labour Administration Convention, 1978 (No. 150)</td>
<td>1 April 2016</td>
<td>1 April 2017</td>
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<tr>
<td></td>
<td>Occupational Safety and Health Convention, 1981 (No. 155)</td>
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<td></td>
<td>Labour Statistics Convention, 1985 (No. 160)</td>
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<tr>
<td></td>
<td>Occupational Health Services Convention, 1985 (No. 161)</td>
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<td></td>
<td>Night Work Convention, 1990 (No. 171)</td>
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<td></td>
<td>Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)</td>
<td></td>
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</tr>
<tr>
<td>Cyprus</td>
<td>Chemicals Convention, 1990 (No. 170)</td>
<td>2 August 2016</td>
<td>2 August 2017</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>Protocol of 2014 to the Forced Labour Convention, 1930</td>
<td>9 June 2016</td>
<td>9 June 2017</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>Social Security (Minimum Standards) Convention, 1952 (No. 102)</td>
<td>11 July 2016</td>
<td>11 July 2017</td>
</tr>
<tr>
<td></td>
<td>Pursuant to Article 2(b) of the Convention, the Government has accepted the obligations of Parts II, III, V, VI, VII, VIII, IX and X.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>In accordance with Standard A4.5 (2) and (10), the Government has specified the following branches of social security: medical care; sickness benefit; unemployment benefit; old-age benefit; family benefit; maternity benefit; invalidity benefit and survivors’ benefit.</td>
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<tr>
<td></td>
<td>Work in Fishing Convention, 2007 (No. 188)</td>
<td>3 May 2016</td>
<td>12 months after the date on which ratifications by ten Members have been registered, eight of which are coastal States</td>
</tr>
<tr>
<td>State</td>
<td>Convention</td>
<td>Date of registration of ratifications</td>
<td>Date on which ratifications will take effect</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>France</td>
<td>Protocol of 2014 to the Forced Labour Convention, 1930</td>
<td>7 June 2016</td>
<td>7 June 2017</td>
</tr>
<tr>
<td>Peru</td>
<td>Maternity Protection Convention, 2000 (No. 183)</td>
<td>9 May 2016</td>
<td>9 May 2017</td>
</tr>
<tr>
<td>State</td>
<td>Convention</td>
<td>Date of registration of ratifications</td>
<td>Date on which ratifications will take effect</td>
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<td>---------------</td>
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<tr>
<td><strong>Thailand</strong></td>
<td>Maritime Labour Convention, 2006 (MLC, 2006)</td>
<td>7 June 2016</td>
<td>7 June 2017</td>
</tr>
<tr>
<td></td>
<td>In accordance with Standard A4.5 (2) and (10), the Government has specified the following branches of social security: medical care; employment injury benefit; family benefit; invalidity benefit and survivors’ benefit.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Timor-Leste</strong></td>
<td>Equal Remuneration Convention, 1951 (No. 100)</td>
<td>10 May 2016</td>
<td>10 May 2017</td>
</tr>
<tr>
<td></td>
<td>Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</td>
<td></td>
<td>&quot;</td>
</tr>
<tr>
<td><strong>Tunisia</strong></td>
<td>Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185)</td>
<td>19 May 2016</td>
<td>19 November 2016</td>
</tr>
<tr>
<td><strong>Ukraine</strong></td>
<td>Social Security (Minimum Standards) Convention, 1952 (No. 102)</td>
<td>6 June 2016</td>
<td>6 June 2017</td>
</tr>
<tr>
<td></td>
<td>Pursuant to Article 2(b) of the Convention, the Government has accepted the obligations of Parts II, III, IV, V, VI, VII, VIII, IX and X.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Uzbekistan</strong></td>
<td>Social Security (Minimum Standards) Convention, 1952 (No. 102)</td>
<td>27 July 2016</td>
<td>27 July 2017</td>
</tr>
</tbody>
</table>
Amendments of 2016 to the Code of the Maritime Labour Convention, 2006, approved by the Conference at its 105th Session

Geneva, 9 June 2016

Amendments to the Code relating to Regulation 4.3 of the MLC, 2006

Guideline B4.3.1 – Provisions on occupational accidents, injuries and diseases

At the end of paragraph 1, add the following text:

Account should also be taken of the latest version of the Guidance on eliminating shipboard harassment and bullying jointly published by the International Chamber of Shipping and the International Transport Workers’ Federation.

In paragraph 4, move “and” from the end of subparagraph (b) to the end of subparagraph (c). Add the following new subparagraph:

(d) harassment and bullying.

Guideline B4.3.6 – Investigations

In paragraph 2, move “and” from the end of subparagraph (e) to the end of subparagraph (f). Add the following new subparagraph:

(g) problems arising from harassment and bullying.

Amendments to the Code relating to Regulation 5.1 of the MLC, 2006

Standard A5.1.3 – Maritime labour certificate and declaration of maritime labour compliance

Move the text of the current paragraph 4 to the end of paragraph 3.

Replace the current paragraph 4 with the following:

Notwithstanding paragraph 1 of this Standard, where, after a renewal inspection completed prior to the expiry of a maritime labour certificate, the ship is found to continue to meet national laws and regulations or other measures implementing the requirements of this Convention, but a new certificate cannot immediately be issued to and made available on board that ship, the competent authority, or the recognized organization duly authorized for this purpose, may extend the validity of the certificate for a further period not exceeding five months from the expiry date of the existing certificate, and endorse the certificate accordingly. The new certificate shall be valid for a period not exceeding five years starting from the date provided for in paragraph 3 of this Standard.
Appendix A5–II – Maritime Labour Certificate

Add the following text to the end of the model form for the maritime labour certificate:

*Extension after renewal inspection (if required)*

This is to certify that, following a renewal inspection, the ship was found to continue to be in compliance with national laws and regulations or other measures implementing the requirements of this Convention, and that the present certificate is hereby extended, in accordance with paragraph 4 of Standard A5.1.3, until ................................................ (not more than five months after the expiry date of the existing certificate) to allow for the new certificate to be issued to and made available on board the ship.

Completion date of the renewal inspection on which this extension is based was ……

........................................

Signed ................................

(Signature of authorized official)

Place ..............................

Date ..............................

(Seal or stamp of the authority, as appropriate)

The foregoing is the authentic text of the Amendments duly approved by the General Conference of the International Labour Organization during its 105th Session which was held at Geneva and declared closed the tenth day of June 2016.

IN FAITH WHEREOF we have appended our signatures this day of June 2016:

*The President of the Conference,*

*The Director-General of the International Labour Office*
Amendments of 2016 to the annexes of the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185), adopted by the Conference at its 105th Session

Geneva, 9 June 2016

A. Amendments to Annex I

Replace the current Annex I with the following:

Annex I
Model for seafarers’ identity document

1. Subject to the overriding requirements of Article 3 of this Convention, the seafarers’ identity document (SID), whose form and content are set out below, shall – with respect to the materials used for it and the presentation and storage of the data that it contains – conform to the mandatory requirements for an electronic machine-readable travel document contained in International Civil Aviation Organization (ICAO) Doc 9303 on machine-readable travel documents, with full consideration being given to any relevant recommendations or advice in that document.

2. The term “Doc 9303” shall be understood as referring to the Seventh Edition, 2015, as published by ICAO and as it may subsequently be amended in accordance with the related procedures of ICAO. References in this Annex to particular provisions of Doc 9303 refer to the Seventh Edition, but shall be understood as also referring to the corresponding provisions of any subsequent edition. The Director-General of the International Labour Office may from time to time, as requested by the Governing Body, prepare guidance for Members as to the specific provisions of Doc 9303 to be taken into account.

3. The SID shall be an electronic machine-readable identity document with physical characteristics as described in Section 2 of Part 3 of Doc 9303, “Specifications Common to all Machine Readable Travel Documents”. The printing and typefaces used in both the visual-inspection zone and the machine-readable zone shall be as described in Sections 3 and 4 respectively of Part 3 of Doc 9303.

4. The SID shall include a contactless integrated circuit, with a data storage capacity of at least 32 kilobytes, encoded and digitally signed in accordance with Parts 9, 10, 11 and 12 of Doc 9303. The contactless integrated circuit shall meet all the requirements for the Logical Data Structure (LDS) set out in Part 10 of Doc 9303 but shall contain only the mandatory data elements required in that Part. The privacy of seafarers’ data stored in the contactless integrated circuit shall be protected by a Chip Access Control mechanism as described in Part 11 of Doc 9303. Data stored in the LDS shall be limited to the metadata and files required for the operation of the chip and its security features, as well as the following data elements, which are already visible, in the sense of eye-readable, in the visual-inspection and machine-readable zones of the SID:

(a) in data group 1 of the LDS: a duplication of the machine-readable zone data, referred to below;

(b) in data group 2 of the LDS: the biometric representation required by Article 3, paragraph 8, of this Convention, which shall comply with Part 9 of Doc 9303 for the “Primary Biometric: Facial Image”. This facial image of the seafarer shall be a copy...
of the photograph referred to in (o) below, but compressed to a size in the range of 15–20 kilobytes; and

(c) the Document Security Object that is needed to validate the integrity of data stored in the LDS using the ICAO Public Key Infrastructure defined in Part 12 of Doc 9303.

5. The SID shall be protected from tampering, photograph substitution or other fraudulent activity by adherence to the requirements of Part 2 of Doc 9303, “Specifications for the Security of the Design, Manufacture and Issuance of MRTDs”. It shall be protected by at least three physical security features from the list contained in Appendix A to Part 2 of Doc 9303. Examples of such security features are:

- optically variable features\textsuperscript{1} in the substrate or laminate of the identity document;
- tactile features\textsuperscript{2} in the substrate of the identity document;
- laser-perforated features\textsuperscript{3} in the substrate;
- two-colour guilloche design\textsuperscript{4} in the background of the identity document;
- microprinted text\textsuperscript{5} in the background;
- ultraviolet fluorescent ink;
- ink with optically variable properties; and
- steganographic image\textsuperscript{6} incorporated in the identity document.

6. The data elements to be contained in the identity document and their placement within the various zones described in Doc 9303 are given below and no other information shall be contained in the SID:

(a) issuing State: name in full, in Zone I, with no field caption;
(b) document type: “SID”, in Zone I, with no field caption;
(c) “chip inside” symbol described in Section 2.3 of Part 9 of Doc 9303: in Zone I, with no field caption;
(d) full name of seafarer as a single field consisting of the primary identifier followed by a comma, then a space and then the secondary identifier, as defined in Doc 9303: in Zone II, with a field caption;
(e) sex of seafarer as a single letter, “F” for female, “M” for male or “X” for unspecified: in Zone II, with a field caption;
(f) nationality of seafarer, as a three-letter International Organization for Standardization country code in accordance with Section 5 of Part 3 of Doc 9303: in Zone II, with a field caption;
(g) date of seafarer’s birth, in the format DDbMMbYYYY, where “b” is a single blank space (for example, 23 03 1982): in Zone II, with a field caption;
(h) place of seafarer’s birth: in Zone II, with a field caption;
(i) any special physical characteristics that may assist in the identification of the seafarer: in Zone II, with a field caption. If the issuing authority chooses not to record any identifying characteristics, or if the seafarer has no particular identifying characteristics, then this field shall be filled with either the word “None”, or “Aucun”, or “Ninguna”;\textsuperscript{1}\textsuperscript{2}\textsuperscript{3}\textsuperscript{4}\textsuperscript{5}\textsuperscript{6}

\textsuperscript{1} An optically variable feature is an image or feature whose appearance in colour or design changes depending on the angle of viewing or illumination.

\textsuperscript{2} A tactile feature is a surface feature giving a distinctive “feel” to the document.

\textsuperscript{3} Laser perforation is a process whereby numbers, letters or images are created by perforating the substrate with a laser.

\textsuperscript{4} A guilloche design is a pattern of continuous fine lines, usually computer-generated, forming a unique image that can only be accurately re-originated by access to the equipment, software and parameters used in creating the original design.

\textsuperscript{5} Microprint is printed text or symbols smaller than 0.25 mm/0.7 pica points.

\textsuperscript{6} Steganography is the use of an image or information that is encoded or concealed within a primary visual image.
(j) unique document number assigned to the SID by the issuing authority of no more than nine characters: in Zone I for TD3 size documents, with a field caption; or, in Zone III for TD1 and TD2 size documents, with a field caption;

(k) date of issue of the SID, in the format DDbMMbYYYY, where “b” is a single blank space (for example, 31 05 2014): in Zone III, with a field caption;

(l) date of expiry of the SID, in the format DDbMMbYYYY, where “b” is a single blank space (for example, 31 05 2019): in Zone III, with a field caption;

(m) place of issue of the SID: in Zone III, with a field caption;

(n) signature or usual mark of the seafarer: in Zone IV, without a field caption;

(o) photograph of the seafarer, conforming to the specifications for photographs set out in Part 3 of Doc 9303: in Zone V, without a field caption;

(p) the following statement in English, French or Spanish, in Zone VI, without a field caption:

“This document is a seafarers’ identity document for the purpose of the Seafarers’ Identity Documents Convention (Revised), 2003, of the International Labour Organization. This document is a stand-alone document and not a passport.”;

(q) name of the issuing authority, and contact details (telephone number including country code or URL of website or both) of the focal point under Article 4, paragraph 4, of this Convention: in Zone VI, with the following field caption in English, French or Spanish: “Issuing authority contact details”; and

(r) machine-readable zone printed in Zone VII as specified in Section 4 of Part 3 of Doc 9303, containing all the mandatory data elements specified in Section 4.2 of Part 4 (for TD3 size) or Part 5 (for TD1 size) or Part 6 (for TD2 size). The first two characters of the machine-readable zone shall be “IS” for TD1 or TD2 size, or “PK” for TD3 size.

7. The following additional data elements shall be contained only in TD3 size documents:

(a) document code: the letters “PK” in Zone I, with a field caption;

(b) issuing State, as a three-letter International Organization for Standardization country code in accordance with Section 5 of Part 3 of Doc 9303: in Zone I, with a field caption; and

(c) name of the issuing authority: in Zone III, with a field caption.

B. Amendments to Annex II

Replace the current Annex II with the following:

Annex II
Electronic database

The details to be provided for each record in the electronic database to be maintained by each Member in accordance with Article 4, paragraphs 1, 2, 6 and 7 of this Convention shall be restricted to:

Section 1

1. Issuing State as written in the visual-inspection zone of the seafarers’ identity document (SID).
2. Full name of seafarer as written in the visual-inspection zone of the SID.
3. Unique nine-character document number assigned to the SID.
4. Date of expiry, or suspension, or withdrawal of the SID, written in the format DDbMMbYYYY, where “b” is a single blank space (for example, 31 05 2019).

Section 2

1. Compressed facial image of the seafarer as stored in the contactless integrated circuit of the SID.
2. Photograph of the seafarer as printed in the visual-inspection zone of the SID.
3. Details of all inquiries made concerning the SID.

C. Amendments to Annex III

Replace the first three paragraphs of the current Annex III with the following:

This Annex sets out minimum requirements relating to procedures to be adopted by each Member in accordance with Article 5 of this Convention, with respect to the issuance of seafarers’ identity documents (SIDs), including quality-control procedures.

Part A lists the mandatory results that must be achieved, as a minimum, by each Member, in implementing a system of issuance of SIDs.

Part B recommends procedures and practices for achieving those results. Part B is to be given full consideration by Members, but is not mandatory.

Notwithstanding the above, each Member shall observe all relevant mandatory requirements in International Civil Aviation Organization (ICAO) Doc 9303. The term “Doc 9303” shall be understood as referring to the Seventh Edition, 2015, as published by ICAO and as it may subsequently be amended in accordance with the related procedures of ICAO. Members shall also give full consideration to the relevant recommendations or advice contained in Doc 9303, especially in Part 2 of that document and its appendices.

IN FAITH WHEREOF we have appended our signatures this day of June 2016:

The President of the Conference,
The Director-General of the International Labour Office
Resolutions

I
Resolution concerning decent work in global supply chains

The General Conference of the International Labour Organization, having met at Geneva in its 105th Session, 2016,

Having undertaken a general discussion on the basis of Report IV, Decent work in global supply chains,

1. Adopts the following conclusions, and
2. Invites the Governing Body of the International Labour Office to:
   (a) give due consideration to them in planning future work; and
   (b) request the Director-General to take them into account when preparing future programme and budget proposals and to give effect to them, to the extent possible, when implementing the Programme and Budget for the 2016–17 biennium.

Conclusions concerning decent work in global supply chains

OPPORTUNITIES AND CHALLENGES FOR THE REALIZATION OF DECENT WORK AND INCLUSIVE DEVELOPMENT EMERGING FROM GLOBAL SUPPLY CHAINS

1. Global supply chains are complex, diverse and fragmented. Across textile, clothing, retail, footwear, automotive, food and agriculture, seafood, fisheries, electronics, construction, tourism and hospitality, horticulture, transport and other sectors, global supply chains have increased, facilitated by technological development. They have contributed to economic growth, job creation, poverty reduction and entrepreneurship and can contribute to a transition from the informal to the formal economy. They can be an engine of development by promoting technology transfer, adopting new production practices and moving into higher value-added activities, which would enhance skills development, productivity and competitiveness.

2. The positive impact of global supply chains on job creation is important in view of demographic changes in terms of aging, population growth and the increase of women’s participation in the labour market. Across the world, millions of young women and men are looking for opportunities to enter the labour market. Participation in global supply chains increases their chances of getting a foothold in the world of formal work, doing well for themselves and their families, and succeeding in life.

3. At the same time, failures at all levels within global supply chains have contributed to decent work deficits for working conditions such as in the areas of occupational safety and health, wages, working time, and which impact on the employment relationship and the protections it can offer. Such failures have also contributed to the undermining of labour rights, particularly freedom of association and collective bargaining. Informality, non-standard forms of employment and the use of intermediaries are common. The presence of child labour and forced labour in some global supply chains is acute in the lower segments

1 Adopted on 10 June 2016.
of the chain. Migrant workers and homeworkers are found in many global supply chains and may face various forms of discrimination and limited or no legal protection.

4. In many sectors, women represent a large share of the workforce in global supply chains. They are disproportionately represented in low-wage jobs in the lower tiers of the supply chain and are too often subject to discrimination, sexual harassment and other forms of workplace violence. In addition, they lack access to social protection measures in general, and maternity protection in particular, and their career opportunities are limited.

5. Export processing zones (EPZs) are not uniform and have very different characteristics. Decent work deficits are pronounced in a significant number of EPZs linked to global supply chains. Fundamental principles and rights at work and decent work should apply to all territories, including EPZs. With the aim to attract investment and to create jobs, EPZs are often characterized by exemptions from labour laws and taxes, and restrictions on trade union activities and collective bargaining. Long working hours, forced overtime and pay discrimination are common practices in EPZs.

6. Governments may have limited capacity and resources to effectively monitor and enforce compliance with laws and regulations. The expansion of global supply chains across borders has exacerbated these governance gaps.

7. With its mandate, experience and expertise in the world of work, its normative approach to development and its tripartite structure, the ILO is uniquely positioned to address governance gaps in global supply chains so that they can fulfil their potential as ladders for development.

**Interventions that have been put in place to ensure that economic development and decent work go hand in hand**

8. A wide range of policies, strategies, actions and programmes have been put in place by the Office, ILO constituents and other stakeholders to ensure that economic development and decent work in global supply chains, including respect for international labour standards, go hand in hand. All of these have been designed and implemented at the workplace, national, sectoral, regional and international levels. Despite this wide range of interventions, decent work deficits and governance gaps continue to exist and these challenges must be addressed.

9. Many member States have taken action to diminish governance gaps by strengthening national labour administration and labour inspection systems. Member States have also worked through other international and multilateral organizations and regional groups, and by integrating labour provisions, including core labour standards, in trade agreements, in public procurement and through technical cooperation programmes. Other interventions include legislation on responsibility down the chain, sometimes providing for cross-border regulation of supply chains. At the same time, not all member States have been able to cope effectively with the rapid transformation brought about by their participation in the global economy.

10. Private compliance initiatives have been launched by individual companies and industry-wide and multi-stakeholder groups. These have focused on a wide array of issues, and utilized different strategies such as auditing, best practice sharing, complaints mechanisms, peer learning, guidance and capacity building. Business has a responsibility to respect labour rights in their operations as laid out in the UN Guiding Principles on Business and Human Rights (UN Guiding Principles), and governments have the duty to implement and enforce national laws and regulations. Efforts of other stakeholders to promote workplace
compliance can support, but not replace, the effectiveness and efficiency of public governance systems.

11. Social partners have engaged in cross-border social dialogue and negotiated international framework agreements, a Freedom of Association Protocol and a binding Accord. They have also developed industry-wide bargaining, sectoral standards, tools and guidance. There is scope to further enhance the effectiveness and impact of these tools, for example through non-judicial grievance mechanisms, and to raise awareness of these industrial relations mechanisms.

12. In several of these initiatives, the ILO has played an important role within its mandate by providing support, policy advice, and technical cooperation activities.

**APPROPRIATE GOVERNANCE SYSTEMS AND MEASURES BY GOVERNMENTS AND THE SOCIAL PARTNERS TO ACHIEVE COHERENCE BETWEEN ECONOMIC OUTCOMES AND DECENT WORK IN GLOBAL SUPPLY CHAINS**

13. The UN Guiding Principles are grounded in recognition of: (a) States’ existing obligations to respect, protect and fulfil human rights and fundamental freedoms; (b) the role of business enterprises as specialized organs of society performing specialized functions, required to comply with all applicable laws and to respect human rights; and (c) the need for rights and obligations to be matched to appropriate and effective remedies when breached. The General Assembly resolution through which the UN Guiding Principles were adopted in 2011 underscored that while the State has the duty to enforce legislation, business enterprises are required to comply with it. It highlights that weak national institutions, legislation and implementation hamper maximizing the benefits of globalization and that further action is required to bridge governance gaps at the sectoral, national, regional and international levels. Actions should include capacity building of all actors in order to better manage decent work challenges in global supply chains. The UN Guiding Principles apply to all States and to all business enterprises, both transnational and others, regardless of their size, location, ownership and structure.

14. Due to its global mandate, expertise and experience in the world of work, the ILO, in collaboration with its Members, is best placed to lead global action for decent work in global supply chains. The establishment of the “Vision Zero Fund”, initiated in 2015 by the G7 in cooperation with the ILO to foster occupational safety and health in production countries, is one example in the recent past. To this effect the ILO should strengthen its capacity as the global centre of excellence to facilitate, having regard to all relevant available evidence, the development and implementation of well-informed coherent policies and strategies and build the capacity of constituents.

**Role for governments, business and social partners**

15. States have the duty to adopt, implement and enforce national laws and regulations, and to ensure that the fundamental principles and rights at work and ratified international labour Conventions protect and are applied to all workers, taking into account other international labour standards. Governments, business and social partners have complementary but different responsibilities in promoting decent work in global supply chains. Business has a responsibility to respect human and labour rights in their supply chains, consistent with the UN Guiding Principles, and to comply with national law wher-
ever they do business. Policy coherence, collaboration and coordination are required at the global, regional, sectoral and national levels.

16. Governments should:

(a) Strengthen labour administration and labour inspection systems in order to ensure full compliance with laws and regulations and access to appropriate and effective remedy and complaints mechanisms. The responsibility for law enforcement lies with governments, taking into account that employers, workers and their organizations have an important role to play in promoting and ensuring compliance.

(b) Actively promote social dialogue and fundamental principles and rights at work, including freedom of association and the right to collective bargaining for all workers, regardless of their employment status, including in EPZs.

(c) Use public procurement to promote fundamental principles and rights at work, taking into account the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), as this can have an important effect on workers’ rights and working conditions along global supply chains.

(d) Where appropriate, require enterprises owned or controlled by the State to implement due diligence procedures and to promote decent work in all their operations in their supply chains.

(e) Create an enabling environment to help enterprises strengthen their contribution to sustainability and decent work throughout their business operations, help them to identify sector-specific risks and implement due diligence procedures in their management systems. Governments should also clearly communicate on what they expect from enterprises with respect to responsible business conduct and could consider whether further measures, including regulation, are needed if these expectations are not met.

(f) Stimulate transparency and encourage, and, where appropriate, require, by various means, that enterprises report on due diligence within their supply chains to communicate how they address their human rights impacts.

(g) Fight corruption, including by protection of whistle-blowers.

(h) Consider to include fundamental principles and rights at work in trade agreements, taking into account 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.

(i) Set out clearly the expectation that all business enterprises domiciled in their territory and/or jurisdiction respect human rights throughout their operations, and the fundamental principles and rights at work for all workers, including migrant workers, homeworkers, workers in non-standard forms of employment and workers in EPZs.

(j) Implement measures to improve working conditions for all workers, including in global supply chains, in the areas of wages, working time and occupational safety and health, and ensure that non-standard forms of employment meet the legitimate needs of workers and employers and are not used to undermine labour rights and decent work. Such measures should go hand in hand with increasing productivity.

(k) Target specific measures at small and medium-sized enterprises (SMEs), including cooperatives and other entities of the social economy, to increase their productivity and promote decent work, including opportunities to formalize, further develop, upgrade and advance to higher segments of the supply chains, in line with the 2007 Conclusions concerning the promotion of sustainable enterprises and the 2015 Conclusions concerning small and medium-sized enterprises and decent and productive employment creation.

(l) In order to suppress forced or compulsory labour, provide guidance and support to employers and businesses to take effective measures to identify, prevent, mitigate and
account for how they address the risks of forced or compulsory labour in their operations or in products, services or operations to which they may be directly linked, in line with the Forced Labour Convention, 1930 (No. 29), the Abolition of Forced Labour Convention, 1957 (No. 105) and the Protocol of 2014 to the Forced Labour Convention, 1930.

(m) Implement policies to facilitate the transition from the informal to the formal economy in line with Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), thus increasing the tax base for governments, fair competition among enterprises and decent work opportunities for workers.

(n) Cooperate through regional bodies to harmonize laws and practices and/or improve policy coherence among countries, in order to ensure decent work in global supply chains.

17. In line with the autonomy of social partners, the social partners should jointly promote decent work and fundamental principles and rights at work for all workers, including in global supply chains, through sectoral initiatives, collective agreements, cross-border social dialogue and international framework agreements, where appropriate. Particular attention should be paid to the rights to freedom of association and collective bargaining, especially for vulnerable groups of workers in global supply chains.

18. In line with the UN Guiding Principles, business enterprises should carry out human rights due diligence in order to identify, prevent, mitigate and account for how they address their adverse human rights impacts. In order to account for how they address their human rights impacts, business enterprises should be prepared to communicate this externally. Business enterprises should establish operational-level grievance mechanisms for workers impacted by their operations in line with the UN Guiding Principles.

19. Employers’ organizations should provide practical guidance to implement due diligence into operational management systems and build capacity thereon. Special attention should be paid to SMEs, which need support in order to meet their responsibilities.

20. Workers’ organizations should provide information and support to workers, in particular regarding the respect of workers’ rights and improvements in working conditions. Workers’ organizations should also negotiate enforceable agreements with multinational enterprises and involve workers’ representatives in monitoring their implementation.

21. Governments and social partners should also stimulate multi-stakeholder initiatives to promote decent work in global supply chains that can support, but not replace, the effectiveness and efficiency of public governance systems.

**ILO action**

22. Based on the ILO Declaration of Philadelphia (1944), the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998), the ILO Declaration on Social Justice for a Fair Globalization (2008), the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration), and all relevant international labour standards, including the fundamental Conventions, including 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 Protocol of 2014 to the Forced Labour Convention, 1930, the Labour Inspection Convention, 1947 (No. 81), the Work in Fishing Convention, 2007 (No. 188), the Maritime Labour Convention, 2006, the Employment Service Convention, 1948 (No. 88), the Minimum Wage Fixing Convention, 1970 (No. 131), the Home Work Convention, 1996 (No. 177), the Maternity Protection Convention, 2000 (No. 183), the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), the Employment Relationship Recommendation, 2006 (No. 198), the Private Employment Agencies Convention, 1997 (No. 181), the Occu-
pational Safety and Health Convention, 1981 (No. 155), the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), the Conclusions concerning Labour Administration and Labour Inspection adopted by the International Labour Conference at its 100th Session (2011), the Conclusions concerning small and medium-sized enterprises and decent and productive employment creation adopted by the International Labour Conference at its 104th Session (2015), as well as the Conclusions concerning the promotion of sustainable enterprises adopted by the International Labour Conference at its 96th Session (2007), the recently launched Future of Work Initiative, and the inclusion of decent work in the 2030 Agenda for Sustainable Development, the ILO should develop a programme of action to address decent work in global supply chains through a comprehensive and coordinated framework. Decent Work Country Programmes and the Global Jobs Pact can be used as national policy frameworks to address deficits and gaps in global supply chains. In order to implement a timely and dynamic programme of action, a senior-level point of contact should lead this effort.

23. Under the programme of action, the ILO should:

(a) Promote the ratification and implementation of the ILO standards relevant to decent work in global supply chains.

(b) Strengthen capacity building and provide technical assistance to member States on labour administration and inspection systems. These actions should also ensure that workers have access to legal remedies, including in EPZs. The ILO should continue to support efforts by governments to improve the rule of law and facilitate the transition from the informal to the formal economy, establishing independent and effective judicial systems, improving implementation and enforcement of national law, and building the capacity of all enterprises to comply with national law.

(c) Promote effective national and cross-border social dialogue, thereby respecting the autonomy of the social partners. When social partners decide to negotiate international framework agreements, the ILO could support and facilitate the process, on joint request, and assist in the follow-up process, including monitoring, mediation and dispute settlement where appropriate. Furthermore, the ILO should undertake research on the effectiveness and impact of cross-border social dialogue.

(d) Assess the impact and scalability of, and where necessary, adapt and scale up development cooperation programmes, such as Better Work and Sustaining Competitive and Responsible Enterprises (SCORE), and develop sectoral and other approaches to address decent work challenges in global supply chains.

(e) Provide leadership and use the ILO’s convening power and unique added value to drive policy coherence among all multilateral initiatives and processes related to decent work in global supply chains. It should work in partnership with international organizations and forums such as UN organizations, the Organisation for Economic Co-operation and Development (OECD), G7 and G20 and international trade and financial institutions, and take into account international frameworks such as the UN Guiding Principles, as well as other reference instruments such as the OECD Guidelines for Multinational Enterprises. The ILO should, taking into account the function and the geographical scope of OECD National Contact Points (NCPs), upon request, provide expertise to the NCPs on social and labour standards. Within the review process of the MNE Declaration, it should consider the setting up of mechanisms to address disputes.

(f) Strengthen its capacity to give guidance to enterprises on the application of labour standards within their supply chains and make information available on specific country situations, laws and regulations, including on the implementation of labour rights due diligence in coherence with already existing international frameworks. Many of
these frameworks help enterprises to foster decent work. They should be better known and promoted in a coherent way.

(g) Consider adopting an action plan to promote decent work and protection of fundamental principles and rights at work for workers in EPZs, that follows up on the current discussion as well as previous discussions held in the ILO on this subject, such as the Tripartite Meeting of Export Processing Zone-Operating Countries (Geneva, 1998) and the Governing Body’s discussion at its 286th Session (March 2003) on Employment and social policy in respect of export processing zones.

(h) Take a proactive role in generating and making accessible reliable data on decent work in global supply chains, in cooperation with all relevant organizations and forums, to create synergies in statistics and research. Moreover, it should build capacity at the national level to support the efforts of constituents to generate their data.

(i) Carry out further research and analysis to better understand how supply chains work in practice, how they vary by industry, and what their impact is on decent work and fundamental rights. It should also perform an assessment of the many strategies and programmes, both internal to the Organization and by external actors, promoting decent work in global supply chains. The ILO could compile a compendium on good practices in global supply chains, and become a knowledge centre to provide guidance and advice to stakeholders inside and outside the Organization and build the capacity of constituents.

24. The MNE Declaration is the ILO framework supported by all tripartite constituents that aims to maximize positive impacts of multinational enterprises and resolve possible negative impacts. It states roles and responsibilities for governments (home and host), multinational enterprises, and workers’ and employers’ organizations to that effect and brings these actors together to solve decent work challenges and identify opportunities for inclusive growth. The review process of the MNE Declaration text and interpretation procedure decided by the Governing Body should take into account the outcomes of this discussion of the International Labour Conference.

25. There is concern that current ILO standards may not be fit for purpose to achieve decent work in global supply chains. Therefore, the ILO should review this issue and convene, as soon as appropriate, by decision of the Governing Body, a technical tripartite meeting or a meeting of experts to:

(a) Assess the failures which lead to decent work deficits in global supply chains.

(b) Identify the salient challenges of governance to achieving decent work in global supply chains.

(c) Consider what guidance, programmes, measures, initiatives or standards are needed to promote decent work and/or facilitate reducing decent work deficits in global supply chains.

II

Resolution to place on the agenda of the next ordinary session of the Conference an item entitled “Employment and decent work for peace and resilience”

The General Conference of the International Labour Organization,

Having adopted the report of the Committee appointed to consider the fifth item on the agenda,

Having in particular approved as general conclusions, with a view to the consultation of Governments, proposals for a Recommendation concerning employment and decent

1 Adopted on 10 June 2016.
work for peace and resilience that revises and replaces the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71),

Decides that an item entitled “Employment and decent work for peace and resilience” shall be included in the agenda of its next ordinary session for second discussion with a view to the adoption of a Recommendation.

III
RESOLUTION ON ADVANCING SOCIAL JUSTICE THROUGH DECENT WORK

EVALUATION OF THE IMPACT OF THE ILO DECLARATION ON SOCIAL JUSTICE FOR A FAIR GLOBALIZATION AND CONCLUSIONS FOR FUTURE ACTION

The General Conference of the International Labour Organization, meeting at its 105th Session, 2016,

Having undertaken an evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization, adopted in 2008,

Adopts the following resolution.

I. SIGNIFICANCE OF THE SOCIAL JUSTICE DECLARATION

1. In unanimously adopting the ILO Declaration on Social Justice for a Fair Globalization (the Social Justice Declaration) in 2008, the International Labour Organization and its Members confirmed that their commitment and efforts to implement the ILO’s constitutional mandate and to place full and productive employment and decent work at the centre of economic and social policies should be based on the four inseparable, interrelated and mutually supportive strategic objectives of employment, social protection, social dialogue and tripartism, and fundamental principles and rights at work, with gender equality and non-discrimination also as cross-cutting issues. The Social Justice Declaration provides an important framework for better governance and policy-making.

2. The Social Justice Declaration is more relevant today than ever to address global, regional and national challenges and to have a decisive impact on the implementation of the 2030 Agenda for Sustainable Development (2030 Agenda). This evaluation of the Social Justice Declaration should: (i) inform the ILO actions in pursuit of its centenary initiatives leading up to, and beyond, the 100th Anniversary of the ILO in 2019; (ii) encourage Members’ endeavours to achieve the full potential of the Social Justice Declaration; and (iii) guide the ILO and its Members in responding to the urgent call for a full and active role in the 2030 Agenda.

II. IMPACT OF THE SOCIAL JUSTICE DECLARATION

Decent work is now widely recognized as a global goal. The Social Justice Declaration has served as a reference point for Members and as an organizing framework for the ILO to provide support to its Members. It has underpinned a continued commitment of the ILO to reform in order to better support its Members. It offers a framework for effective

1 Adopted on 9 June 2016.
4. Members have fully endorsed the Social Justice Declaration and taken various steps to promote decent work both individually and in cooperation with each other, including through development partnerships. A growing number of member States have adopted Decent Work Country Programmes.


6. At the same time, achieving policy coherence in implementing the Decent Work Agenda is still a challenge in many parts of the world. Members have faced complex choices in prioritizing their efforts to advance decent work in an integrated way. More work is needed to improve the implementation and ratification of standards, facilitate the transition from the informal to the formal economy, raise awareness and promote a better understanding of the Social Justice Declaration as an instrument to guide future action, including policy making, by Members individually and in cooperation with each other, and foster ownership by constituents.

7. Reforms of the Conference and the Governing Body have improved the Organization’s governance, policy-making and oversight functions. The ILO is enhancing its work on standards policy, notably through the Standards Initiative, and it has implemented a scheme of recurrent discussions of each of the strategic objectives at the Conference.

8. However, recurrent discussions need to be improved to achieve a better understanding of the diverse realities and needs of Members and to realize their value as a tool for assessing implementation of the Social Justice Declaration and for informing future action. In addition, there has been limited progress in establishing and making use of appropriate indicators to monitor progress towards decent work.

9. Decent Work Country Programmes have proven a useful tool and more Members should be encouraged to adopt them. However, more needs to be done to make them better focused, prioritized and grounded in the specific realities and challenges faced by Members. All Decent Work Country Programmes should be determined and owned by constituents; reflect their diverse national needs and priorities; and include balanced strategies integrating all four strategic objectives and gender equality and non-discrimination also as cross-cutting issues.

10. A number of steps have been taken to translate the integrated approach into the work of the Office. Progress has been made to enhance evidence-based research and policy analysis to assist Members in pursuing the aims of the Social Justice Declaration in their specific national circumstances.

11. The Social Justice Declaration has helped to increase policy coherence, coordination and collaboration among the ILO, other United Nations agencies and the multilateral economic institutions, but challenges remain. The promotion of the Decent Work Agenda within international and regional institutions needs to be furthered through institutional partnerships and collaboration mechanisms. Collaboration with international and regional organizations and other actors should be improved in order to foster comprehensive and coordinated policies and strategies to promote all the strategic objectives and to leverage their contribution to decent work. Translating high-level commitments effectively into policies and programmes at the regional and country level continues to be a challenge.
III.

PRIORITY AREAS FOR ACTION

A. 

Principles and policies to achieve the full potential of the Social Justice Declaration

12. Further concrete action is needed to achieve the full potential of the Social Justice Declaration, with due attention to advancing decent work in the framework of the implementation of the 2030 Agenda, in particular by integrating decent work into national sustainable development strategies.

13. In the changing world of work, given the rapidity of technological, societal, demographic, economic and environmental changes, Members’ efforts to reach the inseparable, interrelated and mutually supportive strategic objectives of decent work should be based on the urgent need to promote:

(a) employment by creating an enabling institutional and economic environment for productive, profitable and sustainable enterprises, together with a strong social economy and a viable public sector, to foster inclusive growth, employment and income opportunities;

(b) social protection – social security and labour protection – to ensure a just share of the fruits of progress for all;

(c) social dialogue and tripartism as crucial means for the effective achievement of the four strategic objectives at national, regional and international levels;

(d) the universal and immutable fundamental principles and rights at work and their particular significance both as rights and enabling conditions, in particular freedom of association and collective bargaining;

(e) gender equality and non-discrimination also as cross-cutting issues in the four strategic objectives;

(f) greater ownership, policy coherence and complementarity of national, regional and international approaches to the full implementation of the Social Justice Declaration and the 2030 Agenda; and

(g) cooperation among Members, as well as between Members and international organizations, on sharing national and regional good practices gained from the successful implementation of initiatives with a decent work element.

14. In order to reach the full potential of the Social Justice Declaration, the implementation of the four strategic objectives should be adapted to the specific needs and circumstances of each country, and subject to its existing international obligations and the fundamental principles and rights at work.

B. 

ILO action to effectively assist its Members

15. In order to effectively assist its Members in their efforts to achieve the full potential of the Social Justice Declaration, the Conference calls upon the ILO to make the best use of all its means of action to:

15.1 Standards system

Ensure that there are appropriate and effective linkages between the recurrent discussions and the outcomes of the Standards Initiative, including exploring options for making better use of article 19, paragraphs 5(e) and 6(d), of the ILO Constitution, without increasing the reporting obligations of member States.
15.2 Recurrent discussions

(a) Adopt appropriate modalities to better focus recurrent discussions and ensure that they are grounded in current realities and challenges so as to:
   (i) deliver a regularly updated review of Members’ diverse needs and realities with respect to each strategic objective;
   (ii) assess the results of the ILO’s activities in respect of the strategic objectives to facilitate decision making on future priorities; and
   (iii) inform ILO strategic planning and programme and budget discussions.

(b) Adopt modalities to ensure that general surveys and the related discussion by the Committee on the Application of Standards contribute to the recurrent discussions as appropriate.

(c) Examine the possibility of a shorter cycle of recurrent discussions of each of the four strategic objectives, taking into account the:
   (i) specific requirements pertaining to the examination of each strategic objective;
   (ii) two-year programme and budget cycle and the four-year strategic plan;
   (iii) contribution of the recurrent discussions to the streamlining of the process of setting the Conference agenda;
   (iv) past practice of separately addressing labour protection and social security on the Conference agenda;
   (v) possible grouping of strategic objectives when placed on the Conference agenda;
   (vi) timing of the next evaluation of the impact of the Social Justice Declaration; and
   (vii) ILO’s contribution to the follow-up and review by the United Nations of the implementation of the 2030 Agenda.

15.3 Strengthening the results-based framework and Decent Work Country Programmes

(a) Develop the Strategic Plan for 2018–21 based on the integrated approach to decent work covering all four strategic objectives and the cross-cutting issues. Its implementation should be based on constituents’ priorities and specific needs, make the best use of all the ILO’s means of action and support the capacity development of constituents.

(b) Review the programme and budget results framework, including indicators and the reporting on outcomes, good practices and lessons learned, to allow the ILO to assess results and to demonstrate to its constituents how its work has contributed to the realization of the four strategic objectives.

(c) Strengthen the ILO’s evaluation and institutional learning in order to demonstrate impact and improve delivery to constituents.

(d) Ensure that all Decent Work Country Programmes comprise integrated and balanced strategies to promote all the strategic objectives and the cross-cutting issues in a set of priorities identified by national tripartite constituents; contain measurable, realistic and achievable outcomes; and should have tripartite steering committees or similar fora to ensure ownership and increase impact.

(e) Support Members to better align Decent Work Country Programmes with national and, where appropriate, regional sustainable development strategies that integrate the 2030 Agenda and its decent work components, as well as with United Nations planning frameworks at the country or, where appropriate, regional level.

15.4 Institutional capacity building

(a) Further strengthen the institutional capacity of member States and representative organizations of employers and workers according to their needs, to pursue relevant, effective and coherent social policy for decent work and sustainable development.
(b) Strengthen the awareness, understanding and capacity of constituents – including through the International Training Centre of the ILO in Turin, regional and online programmes – to achieve the aims of the Social Justice Declaration, and measure and monitor the results of such capacity development efforts in a systematic and coherent manner.

(c) Strengthen and streamline its development cooperation and expert advice to support and assist efforts by Members to make progress on a tripartite basis towards all the strategic objectives.

15.5. Research, information collection and sharing

(a) Continue to strengthen its policy-oriented and evidence-based research, taking into account the needs of ILO’s constituents, to support informed policy dialogue, with particular attention to the challenges and opportunities associated with trends and drivers transforming the world of work.

(b) Strengthen the knowledge base to improve understanding of the contribution of the integrated approach to decent work for sustainable development.

(c) Further enhance Members’ capacity to produce, use and share statistics and information covering all four strategic objectives, as well as gender equality and non-discrimination as cross-cutting issues, and information on best practices, including through voluntary national peer reviews.

(d) Further develop, through the Governing Body, a framework for decent work indicators that allows Members to measure their progress towards decent work according to their national needs and circumstances.

(e) Assist Members’ efforts to use decent work indicators that are appropriate to national needs and circumstances in order to monitor and evaluate progress made.

15.6 Partnerships and policy coherence for decent work

(a) Develop a strategy for promoting decent work through partnerships and policy coherence based on the principles of complementarity and mutual reinforcement with relevant international, regional and national organizations that have mandates in closely related fields. In all such partnerships the ILO should promote understanding and recognition of its values, mandate and standards.

(b) Include in such a strategy a special focus on promoting inclusive growth and decent work at the country level with international and regional economic and financial institutions.

(c) Strengthen the ILO’s capacity and that of its constituents to contribute to the achievement of decent work and related goals of the 2030 Agenda at the national, regional and international levels, based on the integrated approach of the Social Justice Declaration.

(d) Foster policy coherence by offering evidence-based policy advice and closely working with relevant government ministries and departments, and by facilitating the participation of the tripartite constituents in national sustainable development strategies and related United Nations planning frameworks.

(e) Lead or engage in alliances related to Goal 81 as well as other decent work-related goals of the 2030 Agenda with the involvement of the tripartite partners consistent with the resolution concerning tripartism and social dialogue (2002), and within the framework of the Social Justice Declaration.

(f) Contribute to the follow-up and review framework of the 2030 Agenda through inputs concerning decent work trends and indicators to national, regional and global reports that will feed into the annual reviews by the United Nations High-Level Political Forum on Sustainable Development.

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1 Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.
(g) In the context of the Enterprises Initiative, and welcoming the recent growth in ILO public–private partnerships, further develop its engagement with the private sector, taking into account the guidance provided by the Governing Body at its 326th Session (March 2016) as well as the Conference Conclusions concerning the promotion of sustainable enterprises (2007), the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (1977), the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), and the Conference Conclusions concerning small and medium-sized enterprises and decent work and productive employment creation (2015).

(h) Promote strategic partnerships with relevant non-state actors consistent with the principles of tripartism and social dialogue.

(i) Promote the implementation of Goal 17\(^1\) of the 2030 Agenda and its complementarity with the ILO Development Cooperation Strategy.

(j) Attract additional resources for the implementation of the Social Justice Declaration, further diversify funding sources, promote South–South and triangular cooperation, and enhance the integrated pursuit of the four strategic objectives through larger development projects and programmes.

C. Action by member States

16. The Conference calls upon member States to take appropriate action in the context of national circumstances to:

(a) mainstream the Decent Work Agenda in the implementation of the 2030 Agenda, including in national and regional strategies for sustainable development;

(b) step up action with a view to achieving progressively the ratification and implementation of the fundamental and governance Conventions;

(c) promote policy coherence across ministries and integrate decent work into national policies. These efforts could include, where appropriate, effective consultations among concerned ministries and with social partners; and

(d) promote sustainable enterprises.

IV. Follow-up by the Governing Body and the Director-General of the International Labour Office

17. The Conference invites the Governing Body of the International Labour Office to:

(a) determine appropriate modalities to integrate the outcome of the present evaluation into the work of the Governing Body and the programme of work of the International Labour Office;

(b) consider the possibility of convening a high-level tripartite exchange on the role of decent work in the 2030 Agenda and the ILO’s leadership on decent work related goals;

(c) request the Director-General of the International Labour Office to:

   (i) take into account the outcome of the present evaluation in the proposal for the Strategic Plan for 2018–21;

   (ii) submit to the Governing Body, in November 2016, detailed proposals relating to the modalities of recurrent discussions as outlined in subparagraph 15.2, with a

\(^1\) Strengthen the means of implementation and revitalize the global partnership for sustainable development.
view to better meeting their objectives and to ensure a prompt transition from the current cycle of recurrent discussions to the next cycle;

(iii) submit to the Governing Body, in March 2017, proposals for a programme of work to give effect to the outcome of the present evaluation, including specific deadlines and appropriate measurable targets and indicators; and

(iv) communicate to the United Nations High-Level Political Forum on Sustainable Development, at its meeting in July 2016, and to relevant international and regional organizations and fora, the elements of the present resolution that are of particular relevance for the implementation of the components of the 2030 Agenda relating to the achievement of decent work.

18. The Conference decides that the action outlined in the present resolution will form an integral part of the next evaluation of the impact of the Social Justice Declaration to be undertaken by the Conference.

IV

Resolution on the implementation of the Seafarers’ Identity Documents Convention (Revised), 2003, and entry into force of the proposed amendments to its Annexes, including transitional measures

The General Conference of the International Labour Organization, meeting at its 105th Session, 2016,

Having adopted the amendments to Annexes I, II and III of the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185),

Noting that the amendments establish that, subject to the overriding requirements of Article 3 of the Convention, the seafarers’ identity document shall conform to the mandatory requirements for electronic machine-readable travel document contained in International Civil Aviation Organization (ICAO) Doc 9303 on machine readable travel documents, Seventh Edition, and as subsequently amended,

Noting also the need to give Members sufficient time to make any necessary revisions of their national seafarers’ identity documents and procedures to implement the proposed amendments taking into account their national laws and regulations,

Stressing that the amendments are not intended to affect the validity of any seafarers’ identity documents issued under the current provisions of the Convention,

Decides that the amendments will enter into force one year after their adoption by the International Labour Conference in accordance with paragraph 1 of Article 3 and paragraph 1 of Article 8 of the Convention,

Resolves that the Members whose ratification of the Convention was registered prior to the date of entry into force may, in accordance with paragraph 2 of Article 8 of the Convention, give written notice to the Director-General within six months of the date of the adoption of the amendments that the amendments shall not enter into force for that Member, or shall only enter into force at a later date upon subsequent written notification, which should not exceed five years from the entry into force of the amendments, allowing the Member to continue to issue seafarers’ identity documents in accordance with the Convention prior to the amendment of its Annexes during that period,

1 Adopted on 8 June 2016.
Considers that the entry into force of the amendments or the expiry of the previous transitional period should not affect the validity of any seafarers’ identity documents issued under the prior provisions. Accordingly, Members should consider that such seafarers’ identity documents will continue in force until their expiry date or until the date for the seafarers’ identity documents renewal in accordance with Article 3, paragraph 6, of the Convention, if that date is earlier,

Recommends that in giving effect to the provisions of the Convention, Members should make appropriate arrangements to promote effective cooperation between all relevant national authorities, including ePassport-issuing and seafarers’ identity documents issuing authorities,

Believes that the inability to read the seafarers’ identity document which has been issued under the Convention, should not be used as the sole reason to refuse a seafarer entry or access to shore leave or transit to or from the ship,

Requests the International Labour Office, in order to facilitate the implementation of the Convention, to draw the attention of all relevant actors to the need to eliminate any existing barriers to the effective use of the seafarers’ identity documents.

V
Resolution on the facilitation of access to shore leave and transit of seafarers

The General Conference of the International Labour Organization, meeting at its 105th Session, 2016,

Having adopted the amendments to Annexes I, II and III of Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185),

Recalling that the 91st and 94th (Maritime) Sessions of the International Labour Conference adopted resolutions concerning decent work for seafarers, which noted, inter alia, that access to shore facilities, shore leave and facilitation of transit are vital elements of seafarers’ general well-being and, therefore, to the realization of decent work for seafarers,

Recalling also that the core mandate of the Organization is to promote decent working and living conditions,

Appreciates the efforts of a number of countries to facilitate access to shore leave and the transit of seafarers across their sovereign borders,

Acknowledges that countries seek to secure their air, land, and sea borders,

Expresses concern at the difficulties that seafarers continue to experience in being able to enjoy shore leave and to transit to and from ships,

Calls for the harmonization of formalities and other procedures facilitating access to shore leave and welfare facilities in ports and the transit of seafarers to and from ships,

Calls upon countries to implement measures to facilitate the transit of seafarers to and from their ships and shore leave,

Further calls upon the Governing Body of the International Labour Office to request the Director-General to remain seized of this issue, including through engagement with other United Nations specialized agencies.

1 Adopted on 8 June 2016.
VI
Resolution concerning the financial report and audited consolidated financial statements for the year ended 31 December 2015¹

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 2015 and the External Auditor’s report thereon.

VII
Resolution concerning the scale of assessments of contributions to the budget for 2017²

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 2017 as set out in column 3 of the Appendix I to this document.

VIII
Resolution concerning assessments of contributions of new member States³

The General Conference of the International Labour Organization,

Decides that the contribution of the Cook Islands to the ILO budget for the period of its membership in the Organization during 2015 and 2016 be based on an annual assessment rate of 0.001 per cent.

Decides that, 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, the contribution of the Kingdom of Tonga to the ILO budget for the period of its membership in the Organization during 2016 be based on an annual assessment rate of 0.001 per cent.

IX
Resolution concerning the Statute of the Administrative Tribunal of the International Labour Organization⁴

The General Conference of the International Labour Organization,

Conscious of the need to repeal article XII of the Tribunal’s Statute and article XII of its Annex in order to ensure equality of access to justice for employing institutions and officials alike;

Mindful of the need to expressly provide for the possibility of filing applications for the interpretation, execution or review of judgments in accordance with the Tribunal’s case law;

¹ Adopted on 7 June 2016.
² Adopted on 7 June 2016.
³ Adopted on 7 June 2016.
⁴ Adopted on 7 June 2016.
Noting that a series of editorial amendments should be introduced into the Statute with a view, in particular, to correcting errors, ensuring consistency in terminology and use of gender-inclusive language;

Noting that the Governing Body of the International Labour Office has reviewed and endorsed the text of the draft amendments to the Tribunal’s Statute and to the Annex;

adopts the following amendments to the Statute and to the Annex to the Statute of the Administrative Tribunal of the International Labour Organization:

STATUTE OF THE ADMINISTRATIVE TRIBUNAL OF THE INTERNATIONAL LABOUR ORGANIZATION


Article I

There is established by the present Statute a Tribunal to be known as the International Labour Organization Administrative Tribunal.

Article II

1. The Tribunal shall be competent to hear complaints alleging non-observance, in substance or in form, of the terms of appointment of officials of the International Labour Office, and of such provisions of the Staff Regulations as are applicable to the case.

2. The Tribunal shall be competent to settle any dispute concerning the compensation provided for in cases of invalidity, injury or disease incurred by an official in the course of her or his employment and to fix finally the amount of compensation, if any, which is to be paid.

3. [Deleted] The Tribunal shall be competent to hear any complaint of non-observance of the Staff Pensions Regulations or of rules made in virtue thereof in regard to an official or the wife, husband or children of an official, or in regard to any class of officials to which the said Regulations or the said rules apply.

4. The Tribunal shall be competent to hear disputes arising out of contracts to which the International Labour Organization is a party and which provide for the competence of the Tribunal in any case of dispute with regard to their execution.

5. The Tribunal shall also be competent to hear complaints alleging non-observance, in substance or in form, of the terms of appointment of officials and of provisions of the Staff Regulations of any other international organization meeting the standards set out in the Annex hereto which has addressed to the Director-General a declaration recognizing, in accordance with its Constitution or internal administrative rules, the jurisdiction of the Tribunal for this purpose, as well as its Rules of Procedure, and which is approved by the Governing Body.

6. The Tribunal shall be open:
(a) to the official, even if her or his employment has ceased, and to any person on whom the official’s rights have devolved on her or his death;
(b) to any other person who can show that she or he is entitled to some right under the terms of appointment of a deceased official or under provisions of the Staff Regulations on which the official could rely.

7. Any dispute as to the competence of the Tribunal shall be decided by it, subject to the provisions of article XII.

Article III

1. The Tribunal shall consist of seven judges who shall all be of different nationalities.

2. The judges shall be appointed for a period of three years by the International Labour Conference of the International Labour Organization.

3. A meeting of the Tribunal shall be composed of three judges or, in exceptional circumstances, five, to be designated by the President, or all seven.

Article IV

The Tribunal shall hold ordinary sessions at dates to be fixed by its Rules of Court, subject to there being cases on its list and to such cases being, in the opinion of the President, of a character to justify holding the session. An extraordinary session may be convened at the request of the Chairman of the Governing Body of the International Labour Office.

Article V

The Tribunal, at its discretion, may decide or decline to hold oral proceedings, including upon request of a party. The Tribunal shall decide in each case whether the oral proceedings before it or any part of them shall be public or in camera.

Article VI

1. The Tribunal shall take decisions by a majority vote. Judgments shall be final and without appeal. The Tribunal may nevertheless consider applications for interpretation, execution or review of a judgment.

2. The reasons for a judgment shall be stated. The judgment shall be communicated in writing to the Director-General of the International Labour Office and to the complainant.

3. Judgments shall be drawn up in a single copy, which shall be filed in the archives of the International Labour Office, where it shall be available for consultation by any person concerned.

Article VII

1. A complaint shall not be receivable unless the decision impugned is a final decision and the person concerned has exhausted such other means of resisting redress as are open to her or him under the applicable Staff Regulations.

2. To be receivable, a complaint must also have been filed within ninety days after the complainant was notified of the decision impugned or, in the case of a decision affecting a class of officials, after the decision was published.
3. Where the Administration fails to take a decision upon any claim of an official within sixty days from the notification of the claim to it, the person concerned may have recourse to the Tribunal and her or his complaint shall be receivable in the same manner as a complaint against a final decision. The period of ninety days provided for by the last preceding paragraph shall run from the expiration of the sixty days allowed for the taking of the decision by the Administration.

4. The filing of a complaint shall not involve suspension of the execution of the decision impugned.

**Article VIII**

In cases falling under article II, the Tribunal, if satisfied that the complaint was well founded, shall order the rescinding of the decision impugned or the performance of the obligation relied upon. If such rescinding of a decision or execution of an obligation is not possible or advisable, the Tribunal shall award the complainant compensation for the injury caused to her or him.

**Article IX**

1. The administrative arrangements necessary for the operation of the Tribunal shall be made by the International Labour Office in consultation with the Tribunal.

2. Expenses occasioned by sessions of the Tribunal shall be borne by the International Labour Office.

3. Any compensation awarded by the Tribunal shall be chargeable to the budget of the International Labour Organization.

**Article X**

1. Subject to the provisions of the present Statute, the Tribunal shall draw up its Rules of Court covering:
   (a) the election of the President and Vice-President;
   (b) the convening and conduct of its sessions;
   (c) the rules to be followed in presenting complaints and in the subsequent procedure including intervention in the proceedings before the Tribunal by persons whose rights as officials may be affected by the judgment;
   (d) the procedure to be followed with regard to complaints and disputes submitted to the Tribunal by virtue of paragraphs 3 and 4 of article II;
   (e) and, generally, all matters relating to the operation of the Tribunal which are not settled by the present Statute.

2. The Tribunal may amend the its Rules of Court.

**Article XI**

The present Statute shall remain in force during the pleasure of the General Conference of the International Labour Organization. It may be amended, after consultation with the Tribunal, by the International Labour Conference or such other organ of the International Labour Organization as the Conference may determine.
**Article XII**

1. In any case in which the Governing Body of the International Labour Office or the Administrative Board of the Pensions Fund challenges a decision of the Tribunal confirming its jurisdiction, or considers that a decision of the Tribunal is vitiated by a fundamental fault in the procedure followed, the question of the validity of the decision given by the Tribunal shall be submitted by the Governing Body, for an advisory opinion, to the International Court of Justice.

2. The opinion given by the Court shall be binding.

**Annex to the Statute of the Administrative Tribunal of the International Labour Organization**

To be entitled to recognize the jurisdiction of the Administrative Tribunal of the International Labour Organization in accordance with paragraph 5 of article II of its Statute, an international organization must either be intergovernmental in character, or fulfil the following conditions:

(a) it shall be clearly international in character, having regard to its membership, structure and scope of activity;

(b) it shall not be required to apply any national law in its relations with its officials, and shall enjoy immunity from legal process as evidenced by a headquarters agreement concluded with the host country; and

(c) it shall be endowed with functions of a permanent nature at the international level and offer, in the opinion of the Governing Body, sufficient guarantees as to its institutional capacity to carry out such functions as well as guarantees of compliance with the Tribunal’s judgments.

The Statute of the Tribunal applies in its entirety to such international organizations subject to the following provisions which, in cases affecting any one of these organizations, are applicable as follows:

**Article VI, paragraph 2**

The reasons for a judgment shall be stated. The judgment shall be communicated in writing to the Director-General of the International Labour Office, to the Director-General executive head of the international organization against which the complaint is filed, and to the complainant.

**Article VI, paragraph 3**

Judgments shall be drawn up in two copies, of which one shall be filed in the archives of the International Labour Office and the other in the archives of the international organization against which the complaint is filed, where they shall be available for consultation by any person concerned.

**Article IX, paragraph 2**

Expenses occasioned by the sessions or hearings of the Administrative Tribunal shall be borne by the international organization against which the complaint is filed.
Article IX, paragraph 3

Any compensation awarded by the Tribunal shall be chargeable to the budget of the international organization against which the complaint is filed.

Article XII, paragraph 1

In any case in which the Executive Board of an international organization which has made the declaration specified in article II, paragraph 5, of the Statute of the Tribunal challenges a decision of the Tribunal confirming its jurisdiction, or considers that a decision of the Tribunal is vitiated by a fundamental fault in the procedure followed, the question of the validity of the decision given by the Tribunal shall be submitted by the Executive Board concerned, for an advisory opinion, to the International Court of Justice.

X

Resolution concerning the composition of the Administrative Tribunal of the ILO

The General Conference of the International Labour Organization,

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

XI

Resolution concerning appointments to the ILO Staff Pension Committee

The General Conference of the International Labour Organization,

Appoints Mr T. Montant, Mr L. Abbé-Decarroux and Mr B. Thibault to the ILO Staff Pension Committee (United Nations Joint Staff Pension Board), for the period from 9 October 2016 to 8 October 2019.

1 Adopted on 7 June 2016.
2 Adopted on 7 June 2016.
Notification of the Coming into Force of the Protocol of 2014
to the Forced Labour Convention, 1930

Article 8, paragraph 2, of the Protocol of 2014 to the Forced Labour Convention, 1930, adopted by the International Labour Conference at its 103rd Session on 11 June 2014, provides that the Protocol shall come into force twelve months after the date on which the ratifications of two Members have been registered.

The Director-General of the International Labour Office registered the first ratification of this Protocol by Niger on 14 May 2015, and the second by Norway on 9 November 2015. The condition set out in Article 8, paragraph 2, being fulfilled, the Protocol will come into force on 9 November 2016.

The present notification is made in accordance with the provisions of Article 10 of the Protocol.

In conformity with article 20 of the Constitution of the International Labour Organization, this Protocol 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.

Memorandum of Understanding between
the International Labour Organization and the Office of the United Nations
High Commissioner for Refugees

Whereas the UNHCR is mandated to provide international protection to refugees, together with Governments, and seek permanent solutions to the problem of refugees through operational engagement and the responsibility to supervise the application of international conventions for the protection of refugees, in particular the 1951 Convention relating to the Status of Refugees and the 1967 Protocol;

Whereas the UNHCR is also charged with the identification, prevention and reduction of statelessness and the protection of stateless persons through its responsibilities under the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and subsequent Executive Committee Conclusions and UN General Assembly Resolutions, and is authorized by the UN General Assembly to be involved operationally under certain circumstances to provide protection and humanitarian assistance to internally displaced persons (IDPs);

Whereas the ILO is entrusted with the promotion of social justice through the integrated pursuit of its strategic objectives for decent work, notably full and productive employment, social security and labour protection, fundamental principles and rights at work, and social dialogue, on the basis of non-discrimination and gender equality, in accordance with its Constitution;

Whereas the ILO’s aims and objectives are achieved by the coordination of all its constitutional means of action, including the development and supervision of international labour standards, research and advisory services and technical co-operation, and partnerships with relevant international organizations;

Whereas ILO instruments and international refugee and human rights law protect refugees, internally displaced persons (IDPs), stateless persons and other persons of concern to
UNHCR (hereafter collectively referred to as “refugees and other persons of concern”) wherever they are employed or engaged:

The International Labour Organization (ILO) and the Office of the United Nations High Commissioner for Refugees (UNHCR),

Acknowledging their longstanding cooperation and the official arrangements for their relations based on the Memorandum of Understanding between the ILO Director-General and the United Nations High Commissioner for Refugees, signed on 21 October 1983, and approved by the ILO Governing Body and (the UNHCR Executive Committee (EXCOM) (“1983 MoU”);

Having regard to the Joint Statement by the ILO Director-General and the United Nations High Commissioner for Refugees, signed 4 November 2004;

Determined to further develop and strengthen their cooperation in order to advance on common priorities and to systematize their collaboration to enhance effectiveness while avoiding duplication;

Recalling that the right to engage in decent work is integral to human dignity and that its exercise is essential to other human rights and enables individuals and families to maintain livelihoods, to plan their futures, and to contribute to the development of their community;

Recognising that, for refugees and other persons of concern, safe and dignified work that permits self-reliance and active participation in community life can also be a pathway to a comprehensive durable solution;

Agree to maintain and enhance their cooperation as follows:

I. Common Priorities

With the intent of strengthening efforts toward progressively ensuring greater protection and solutions prospects for refugees and other persons of concern, the ILO and the UNHCR agree to prioritise the following areas for joint action:

1. Promoting comprehensive durable solutions and protecting the rights of refugees and other persons of concern to decent work in accordance with relevant international labour standards, and international human rights, refugee and humanitarian law;

2. Ensuring that refugees and other persons of concern are able to access and secure decent work through measures like inclusiveness and equal treatment in labour markets and labour mobility;

3. Promoting inclusive and equitable treatment in access to decent work and livelihoods by jointly developing principles, guidance, and programmes, particularly in addressing labour market needs and the access of refugees and persons of concern to labour markets as well as access to social protection systems;

4. Creating an enabling environment so as to promote employment opportunities and decent work;

5. Supporting host communities, regions and countries and regions of origin in responding to forced displacement and to mixed refugee-migration flows;

6. Contributing to efforts to counter economic exploitation and eradicate child labour, including during crisis situations;

7. Co-operating in promoting the application of international labour standards and in the framing of new standards in accordance with each organization’s respective policies and procedures and as needed to ensure the inclusion of refugees and other persons of concern in the world of work;
8. Agreeing and implementing long-term development approaches on access to decent work and livelihoods by refugees and other persons of concern, including through policy coherence and drawing upon the UN development agenda, including the 2030 Sustainable Development Goals.

II. Modalities and Coordination

The ILO and the UNHCR will prioritise systematic collaboration, including within the framework of the overall United Nations inter-agency co-operation, at every phase of the forced displacement cycle, including at the outset of a displacement situation, by the inclusion of refugees and other persons of concern in development plans, and in the analysis of root causes and preparedness. To this end, the ILO and the UNHCR commit to the following:

9. Systematic collaboration in country operations on promoting decent work and livelihoods interventions for refugees and others of concern, as well as host communities, including through assessments and advocacy; integrated policy approaches; multidisciplinary programming, and field level cooperation in providing technical assistance to local governments and host communities, including on training and capacity building, and joint planning;

10. Collaboration at regional as well as country levels to facilitate a situational and cross-border approach wherever possible;

11. Policy coordination at the global level, undertaken by technical experts and through close cooperation in multi-lateral fora;

12. Invitations to each other to participate in annual and regular governance meetings and other events when subjects of mutual interest are on the agenda, subject to each organization’s respective rules and procedures;

13. Joint advocacy in favour of refugees and other persons of concern that promotes inclusive approaches to integration in labour markets and access to livelihood opportunities and social protection systems, as well as other areas where collaboration could support the lifting of obstacles to solutions and could contribute to advances on the root causes of displacement;

14. Coordinated fundraising on matters of mutual interest; and

15. Joint research, data collection and analysis, supported by data sharing, as appropriate.

Monitoring and Reporting

16. The ILO and the UNHCR will develop a joint Plan of Action to advance the areas of collaboration outlined in this MoU within three months of its signature. The Plan of Action may be modified from time to time as needed. The Plan of Action, and any subsequent amendments, will be annexed to this MoU as an integral part thereof.

17. The Parties shall maintain regular consultations on issues and activities of strategic and operational importance to ensure the best possible coordination of the priorities and activities provided above.

18. Contacts will be maintained at working level by relevant staff. For matters related to the general institutional cooperation, the designated contact point will be:

(a) For the ILO: the Chief of the Bureau for External Relations and Partnerships, and the Branch on Labour Migration;

(b) For the UNHCR: the Director of the Division of International Protection and the Director of the Division of External Relations.
19. The Parties agree to convene a high-level meeting at least once a year to review the progress in implementation of this MoU and the joint Plan of Action, on the basis of a report on areas of collaboration, including assessments, updates, coordination, and to agree on further areas of cooperation, and, if necessary, propose any revisions and amendments to the joint Plan of Action.

III. Final Provisions

20. The implementation of this MoU, which does not entail any financial obligation, is subject to the procedures, rules and regulations of the respective Party. Nothing in this MoU shall be construed as interfering with the independent decision-making authority of each Party.

21. This MoU and its annexes may be amended at any time by mutual agreement. It may be terminated by mutual consent or by either Party by providing three months written notice to the other Party to this effect, without prejudice to the orderly termination of any joint activity in effect.

22. Where a conflict exists between this MoU and any of its Annexes, the provisions of the MoU shall prevail.

23. The ILO and the UNHCR shall use their best efforts to settle amicably any dispute, controversy or claim arising out of or in connection with this MoU or any breach thereof. Any such dispute, controversy or claim which is not settled within thirty (30) days from the date either Party has notified the other Party of the nature of the dispute, controversy or claim and of the measures which should be taken to resolve it, shall be referred to the United Nations High Commissioner for Refugees and the ILO Director-General for final resolution.

24. Subject to the respective policies and procedures concerning disclosure of information, the ILO and the UNHCR may make this MoU publicly available.

25. The present MoU shall enter into force upon its signature by the United Nations High Commissioner for Refugees and the ILO Director-General and shall supersede the 1993 MoU.

Done at Geneva on July 1, 2016.

For the Office of the United Nations High Commissioner for Refugees
(Signed) Volker Türk
Assistant High Commissioner for Protection,
Office of the UN High Commissioner for Refugees

For the International Labour Organization
(Signed) Deborah Greenfield
Deputy Director-General for Policy
International Labour Office