

**Resolutions adopted by
the International Labour Conference
at its 99th Session**

(Geneva, June 2010)

I

**Resolution to place on the agenda of the next ordinary
session of the Conference an item entitled
“Decent work for domestic workers”¹**

The General Conference of the International Labour Organization,
Having adopted the report of the Committee appointed to consider the
fourth item on the agenda,

Having in particular approved as general conclusions, with a view to the
consultation of Governments, proposals for a comprehensive standard (a
Convention supplemented by a Recommendation) concerning decent work for
domestic workers,

Decides that an item entitled “Decent work for domestic workers” shall be
included in the agenda of its next ordinary session for second discussion with a
view to the adoption of a comprehensive standard (a Convention supplemented
by a Recommendation).

II

**Resolution concerning the promotion and the implementation
of the Recommendation on HIV and AIDS and
the world of work, 2010¹**

The General Conference of the International Labour Organization,
meeting at its 99th Session, 2010,

Having adopted the Recommendation on HIV and AIDS and the world of
work, 2010,

Noting that the success of the Recommendation will depend upon the
effective promotion and implementation of its requirements,

Mindful that the core mandate of the Organization is to promote decent
work and sustainable enterprises,

Noting the ILO’s participation as a tripartite organization in the Joint
United Nations Programme on HIV/AIDS (UNAIDS) efforts to address HIV and
AIDS,

1. Invites the Governing Body of the International Labour Office to
allocate the resources within the existing budget and look for additional
extra-budgetary resources to carry out the work with the tripartite constituents to
give effect to the Recommendation in the world of work.

¹ Adopted on 16 June 2010.

2. Invites the Governing Body to take action to promote collaborative efforts with the various international organizations concerning HIV and AIDS at the workplace.

3. Invites the Governing Body to request that a Global Action Plan be established to achieve widespread implementation of the Recommendation in order to reduce the impact of HIV and AIDS in the workplace. This should be developed with the representative employers' and workers' organizations, taking into account the views of UNAIDS, organizations representing persons living with HIV and AIDS, and other relevant parties.

4. Invites the Governing Body to request the Director-General to give due regard to fair allocation of the Office's technical cooperation resources to countries. Member States and the most representative workers' and employers' organizations may request assistance in the implementation of the Recommendation in areas such as:

- (a) technical assistance in developing and implementing tripartite national policies, programmes, and legislation to meet the requirements of this Recommendation;
- (b) providing support and building capacity to train, communicate, monitor, implement and advocate, for example:
 - (i) the development of training programmes and materials to build capacity, including those with a sectoral focus;
 - (ii) the training of workplace HIV and AIDS focal persons and educators, including employers' and workers' representatives and labour administrators;
 - (iii) the development of promotional materials and advocacy tools related to the Recommendation; and
 - (iv) national and regional seminars and workshops promoting the Recommendation.

5. Invites member States to use existing mechanisms or to establish mechanisms at the national level to review progress, and monitor developments and share examples of good practice in relation to the implementation of the national policies and programmes on HIV and AIDS relevant to the world of work.

6. Invites the Governing Body to request regular reports from member States under article 19 of the ILO Constitution as part of the existing reporting mechanisms, in particular General Surveys. Governments' reports relating to HIV and AIDS should be prepared in consultation with the most representative employers' and workers' organizations, including details of progress made and, where possible, examples of good practice.

7. Invites the Governing Body to periodically review the progress made in the implementation of this Recommendation.

8. Invites the Governing Body to promote to member States the extension under Article 1(1)(b) of the Discrimination (Employment and Occupation) Convention, 1958, so that the protection afforded under that Convention is extended to real or perceived HIV status.

III

Resolution on the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work¹

The General Conference of the International Labour Organization, meeting in its 99th Session, 2010,

Recalling the adoption at its 86th Session, 1998, of the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up,

Recalling the adoption at its 97th Session, 2008, of the ILO Declaration on Social Justice for a Fair Globalization,

Noting the progress achieved by Members in respecting, promoting and realizing fundamental principles and rights at work and the need to support this progress by maintaining a follow-up procedure,

Recalling that the implementation of the ILO Declaration on Social Justice for a Fair Globalization should not lead to an increase in the reporting obligations of member States,

Considering the need to align the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work with the follow-up to the Declaration on Social Justice for a Fair Globalization,

Decides to adjust the functioning of the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work,

Adopts, therefore, this fifteenth day of June of the year two thousand and ten, the text appended to the present resolution, which supersedes the Annex to the ILO Declaration on Fundamental Principles and Rights at Work, and which shall be cited as the “Annex to the 1998 Declaration (Revised)”.

Follow-up to the Declaration

I. OVERALL PURPOSE

1. The aim of the follow-up described below is to encourage the efforts made by the Members of the Organization to promote the fundamental principles and rights enshrined in the Constitution of the ILO and the Declaration of Philadelphia and reaffirmed in this Declaration.

2. In line with this objective, which is of a strictly promotional nature, this follow up will allow the identification of areas in which the assistance of the Organization through its technical cooperation activities may prove useful to its Members to help them implement these fundamental principles and rights. It is not a substitute for the established supervisory mechanisms, nor shall it impede their functioning; consequently, specific situations within the purview of those mechanisms shall not be examined or re-examined within the framework of this follow-up.

3. The two aspects of this follow-up, described below, are based on existing procedures: the annual follow-up concerning non-ratified fundamental Conventions will entail merely some adaptation of the present modalities of application of article 19, paragraph 5(e), of the Constitution; and the Global Report on the effect given to the promotion of the fundamental principles and rights at work that will serve to inform the recurrent discussion at the Conference on the needs of the Members, the ILO action undertaken, and the results achieved in the promotion of the fundamental principles and rights at work.

¹ Adopted on 15 June 2010.

II. ANNUAL FOLLOW-UP CONCERNING NON-RATIFIED FUNDAMENTAL CONVENTIONS

A. Purpose and scope

1. The purpose is to provide an opportunity to review each year, by means of simplified procedures, the efforts made in accordance with the Declaration by Members which have not yet ratified all the fundamental Conventions.

2. The follow-up will cover the four categories of fundamental principles and rights specified in the Declaration.

B. Modalities

1. The follow-up will be based on reports requested from Members under article 19, paragraph 5(e), of the Constitution. The report forms will be drawn up so as to obtain information from governments which have not ratified one or more of the fundamental Conventions, on any changes which may have taken place in their law and practice, taking due account of article 23 of the Constitution and established practice.

2. These reports, as compiled by the Office, will be reviewed by the Governing Body.

3. Adjustments to the Governing Body's existing procedures should be examined to allow Members which are not represented on the Governing Body to provide, in the most appropriate way, clarifications which might prove necessary or useful during Governing Body discussions to supplement the information contained in their reports.

III. GLOBAL REPORT ON FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK

A. Purpose and scope

1. The purpose of the Global Report is to provide a dynamic global picture relating to the four categories of fundamental principles and rights at work noted during the preceding period, and to serve as a basis for assessing the effectiveness of the assistance provided by the Organization, and for determining priorities for the following period, including in the form of action plans for technical cooperation designed in particular to mobilize the internal and external resources necessary to carry them out.

B. Modalities

1. The report will be drawn up under the responsibility of the Director-General on the basis of official information, or information gathered and assessed in accordance with established procedures. In the case of States which have not ratified the fundamental Conventions, it will be based in particular on the findings of the aforementioned annual follow-up. In the case of Members which have ratified the Conventions concerned, the report will be based in particular on reports as dealt with pursuant to article 22 of the Constitution. It will also refer to the experience gained from technical cooperation and other relevant activities of the ILO.

2. This report will be submitted to the Conference for a recurrent discussion on the strategic objective of fundamental principles and rights at work based on the modalities agreed by the Governing Body. It will then be for the

Conference to draw conclusions from this discussion on all available ILO means of action, including the priorities and plans of action for technical cooperation to be implemented for the following period, and to guide the Governing Body and the Office in their responsibilities.

IV. IT IS UNDERSTOOD THAT:

1. The Conference shall, in due course, review the operation of this follow-up in the light of the experience acquired to assess whether it has adequately fulfilled the overall purpose articulated in Part I.

IV

Resolution concerning the recurrent discussion on employment¹

The General Conference of the International Labour Organization, meeting at its 99th Session, 2010,

Having undertaken, in accordance with the ILO Declaration on Social Justice for a Fair Globalization, a recurrent discussion on the basis of Report VI, *Employment policies for social justice and a fair globalization*,

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 on employment and request the Director-General to take them into account when preparing the programme and budget for future biennia and when allocating such other resources as may be available during the 2010–11 biennium;
 - (b) decide on placing relevant items on the agenda of the Conference, with a view to following up its discussion as soon as possible; and
 - (c) at its session of 18 June 2010, refer to the Steering Group on the Follow-up to the Declaration on Social Justice for a Fair Globalization the evaluation of the organization and impact of the first recurrent discussion, and report to the Governing Body in November 2010. This report should contain proposals for optimizing future recurrent discussions from the 100th Session of the International Labour Conference onwards.

Conclusions concerning the recurrent discussion on employment

I. INTRODUCTION, TRENDS AND CHALLENGES

1. The world is emerging from its worst global recession in 70 years, a recession triggered by a crisis in global financial markets. It has set back progress towards shaping a fair globalization based on the goal of social justice. The recession has exacerbated a crisis of poverty and underdevelopment that preceded it, and contributed to immense global unemployment, underemployment and employment insecurity. It has damaged people's lives, reduced incomes and living standards for many, threatened the sustainability of enterprises and undermined productive investment.

¹ Adopted on 16 June 2010.

2. Many countries are now showing signs of growth following significant fiscal and monetary stimulus measures. Policy-makers are working to address the need for more effective supervisory and regulatory financial frameworks. Yet the recovery remains fragile and unevenly distributed, and many labour markets are yet to see jobs recovery match economic recovery. Recent turbulence in equity, bond and currency markets underlines the fragility of recovery.

3. Many countries face difficult policy choices. On the one hand, a premature winding down of the fiscal stimulus packages that served to mitigate the crisis impact could be a brake on the fragile recovery in the private economy. On the other, whilst a postponement of addressing the serious debt and deficit problems in which countries now find themselves could lead to the same outcome; reductions in government spending, where they result in decline in public services, jobs, wage levels, pensions or transfer payments could also impact on aggregate demand, growth and employment.

4. Many countries in both the developed and the developing world still suffer from the consequences of the crisis, and the current challenge of fiscal deficits in developed countries must be managed. Any reduction in global aggregate demand at this delicate stage in the recovery processes could seriously exacerbate problems such as underlying imbalances within and between nations, unemployment, underemployment and potential for further job losses, the numbers of working poor, social tensions, protectionist reactions and other factors that delay and make more difficult the global goal of achieving full, productive, freely chosen and decent work for all.

5. Experience from past recessions has shown that the recovery in employment lags well behind the pick-up in economic activity. Macroeconomic policies and frameworks designed to address the crisis must therefore seek to reduce or eliminate the lag between the recovery in output and a return to full productive employment and decent work for all. Employment creation and growth should be at the heart of all macroeconomic policy.

6. Employment recovery has to be based on productive investment and income.

7. A good investment climate should encourage both foreign and domestic investment and growth which can benefit both employers and workers through additional opportunities for decent work.

8. Equally, consumption is an essential component of aggregate demand. The crisis shows that debt fuelled consumption became unsustainable. It is the incomes of working men and women that sustain aggregate demand; and productivity is the source of rising incomes. Before the crisis, average wage growth lagged overall behind returns to capital and productivity growth. The reasons for this are subject to debate; however, it is clear that a fair sharing of productivity gains between wages and profits is a solid basis on which to sustain demand.

9. There is a clear link between macroeconomic policy and sustainable enterprises. An enabling environment for sustainable enterprises allows them to generate the growth that creates decent jobs and provides the confidence to invest and employ. Policies that provide such an environment are necessary for the creation of decent work.

10. In many countries, temporary, part-time, casual or other changing forms of work have increased as a consequence of factors on both the supply and demand sides of the labour market. Governments, the social partners and the International Labour Office (the Office) are challenged to be more responsive to such employment to ensure decent work.

11. The benefits from increased trade and investment are spread unevenly. Some economies and workforces are disadvantaged and poorly prepared to enter the global economy. For many developing countries diversifying their economies and producing a wider range of goods and services is an important challenge. Policy options include industrial policies and sectoral strategies, which expand decent and productive employment opportunities.

12. Informal employment in urban and rural areas is a major problem for many labour markets throughout the world. The majority of poor people live and work in rural areas, where decent work deficits can be severe. Thus, increasing rural productivity and investment in agriculture and rural areas are essential to reducing inequalities and promoting more inclusive economies.

13. There is increasing concern that young people will not find the employment opportunities they need, and that a generation may be left behind. Many women also continue to be excluded from full participation in the labour market. This could lead to significant increase in social tensions, further pressure on the road to recovery and long-term consequences for their social and economic well-being, as well as the development of nations. Ensuring that young people and women have the appropriate education, skills and opportunities to participate in the economy is important. This recognition does nothing to detract from the responsibility to address other long-term socially disadvantaged groups that are marginalized within and across our nations.

14. In an ever more globalized world, information and technology increasingly drive the need for new skills and competencies at the workplace and put a premium on the knowledge economy. Promoting improved access to technology in developing countries will increase employment opportunities.

15. The movement of goods and capital across borders is one feature of globalization, but workers also cross borders and it is important to be cognizant that globalization has increased migration, which also needs to be looked at from an employment perspective while ensuring protection of migrant workers, in accordance with national law and practice and applicable international labour standards.

16. Adaptation to climate change and the need to safeguard the natural environment will continue to impact on the world of work. The challenges are to seize the major opportunities for decent green job creation and inclusive development and to manage labour market transitions.

17. The International Labour Organization (ILO) has a particular role to play in the employment and social aspects associated with all these challenges.

18. The ILO has important policy tools to tackle the employment consequences of the crisis, and build a sustainable recovery: the Global Employment Agenda (2003), the ILO Declaration on Social Justice for a Fair Globalization (2008), and the Global Jobs Pact (2009). The Organization and its constituents can harness this policy framework to accelerate recovery and put productive employment and decent work at the heart of national and international policy frameworks to promote a world in which productive and decent work opportunities are maximized.

II. BACKGROUND

19. At its 97th Session in 2008, the International Labour Conference adopted the ILO Declaration on Social Justice for a Fair Globalization. The Declaration recognizes, in the context of accelerating change, the commitments and efforts of the Organization and its Members to implement the ILO's constitutional mandate, including through international labour standards, and to place full and productive employment and decent work at the centre of economic and social policies. This Declaration is designed to strengthen the ILO's capacity to promote its Decent Work Agenda and create an effective response to the challenges of globalization that promotes and achieves progress and social justice.

20. The follow-up to the ILO Declaration on Social Justice for a Fair Globalization stipulated that the Organization would table a recurrent discussion at the International Labour Conference (ILC) to understand better the diverse realities and needs of constituents, to assess the results of the ILO's activities and to enable the Office to deliver more effective responses with respect to each of the Organization's four inseparable, interrelated and mutually supportive

strategic objectives. These are: promote employment; develop and enhance social protection; promote social dialogue and tripartism; and respect, promote and realize the fundamental principles and rights at work.

21. This document contains the tripartite conclusions agreed at the 99th Session of the ILC, 2010, following the recurrent discussion on employment and the observations of the General Survey concerning employment instruments.

22. The overall objective of these conclusions is to identify actions required to respond more effectively to the diverse realities and needs of ILO Members for the generation of full, freely chosen and productive employment and decent work. These identify the challenges faced by member States, employers and workers and their organizations. To address these challenges, these conclusions propose actions that the Governing Body and the Office, governments, and employers' and workers' organizations, can take to support constituents' needs, whilst mindful of their diverse realities.

23. These conclusions call for improved methods of international cooperation that better enable the Organization and its constituents to benefit from each others' experiences. In many cases, increased collaborative work with other relevant international organizations is called for, as is improved policy coherence at national, regional and international levels, including South–South cooperation.

24. These conclusions draw on the Constitution of the International Labour Organization, including the Declaration of Philadelphia, and on the ILO Declaration on Fundamental Principles and Rights at Work, as well as the ILO Declaration on Social Justice for a Fair Globalization. They take account of the profound impact of the global financial, economic and jobs crisis that began in 2008. They also establish a framework for implementing policies and policy options including all elements in the Global Employment Agenda previously agreed by the Governing Body and in the Global Jobs Pact previously agreed by the Conference.

III. MACROECONOMIC POLICY FRAMEWORKS TO PROMOTE FULL, DECENT, PRODUCTIVE AND FREELY CHOSEN EMPLOYMENT

25. Governments of member States should assess as appropriate the following:

- (i) creation and maintenance of productive and freely chosen employment, conforming to fundamental principles and rights at work and other international labour standards;
- (ii) policies to help maintain wage levels;
- (iii) design and implementation of a pro-employment macroeconomic policy framework that promotes growth, investment, sustainable enterprise, decent work, employability and skills development and a fair distribution of income, “to place full and productive employment and decent work at the centre of economic and social policies” (ILO Declaration on Social Justice for a Fair Globalization);
- (iv) production, collection, analysis and dissemination of high-quality labour market statistics and information on decent work in order to build a sound empirical evidence base for policy-making;
- (v) promote employment growth through both domestic and export-led economic growth;
- (vi) harnessing the input and experience of workers and employers through their representative organizations, through effective dialogue on policies affecting employment.

26. The role of the social partners includes:

- (i) providing timely, considered and constructive policy input to governments;
- (ii) advocating for agreed tripartite employment policy;
- (iii) promoting the Decent Work Agenda and social dialogue;
- (iv) participating in collective bargaining according to law and practice.

27. Priorities for the Office include:

- (i) improving and coordinating its technical and analytical capacity to examine macroeconomic policies from the perspective of employment outcomes. This can only be done effectively if the Office supports capacity building in those countries that currently cannot collect labour market statistics. The Office should also deliver high-quality policy advice upon request to governments and social partners and ensure constituents are aware of the services it can provide;
- (ii) increasing its engagement in international macroeconomic policy dialogues and pursuing partnership and dialogue with other relevant international organizations across the multilateral system on integrating employment objectives into macroeconomic advice and policy frameworks;
- (iii) promoting and strengthening policy work on the enabling environment for sustainable enterprises reflecting employment growth and decent work;
- (iv) intensifying research efforts; submitting research to external peer review to improve quality, value-added and visibility; and using research findings to inform policy advice;
- (v) engaging with other international agencies, international financial institutions and developed countries to strengthen policy coherence and to deepen development assistance and support for least developed, developing and transition countries with restricted fiscal and policy space to respond to the crisis.

IV. EMPLOYMENT AND LABOUR MARKET POLICIES TO PROMOTE FULL, DECENT, PRODUCTIVE AND FREELY CHOSEN EMPLOYMENT

28. Governments of member States should consider and/or undertake, as appropriate, the following:

- (i) the recommendations of the Global Jobs Pact, including employment services, employment guarantee schemes, infrastructure investment, public sector development, social dialogue, collective bargaining and employment protection during restructuring, as well as sustainable enterprises to enable long-term employment and growth;
- (ii) employment targeting through integration of quantitative and qualitative targets for employment growth in economic and sectoral policies, investment and expenditure plans, and evaluating their implementation;
- (iii) setting up or strengthening mechanisms for effective coordination, coherence and commitment across government ministries on employment policy-making;
- (iv) articulating employment policies in national development frameworks, establishing and/or improving labour market information systems and integrating labour market indicators in national monitoring systems and budgetary reviews;
- (v) supporting the creation and growth of sustainable enterprises in all sectors and supporting job creation across sectors of the economy, recognizing the multiplier effect of targeted efforts;
- (vi) noting the G20 labour ministers' support for further development of high growth sectors like health care, elder care, education and public safety;

- (vii) targeting assistance for the creation of decent employment and income opportunities for vulnerable and disadvantaged groups, including through small and medium-sized enterprises, cooperatives and labour-intensive infrastructure investments;
- (viii) implementing a supportive regulatory environment conducive to job creation through sustainable enterprise creation and development;
- (ix) policy measures to address the challenge of youth unemployment, in particular through labour market programmes, to support their entry into sustainable employment and decent work;
- (x) new decent work opportunities that may be generated by changing forms of employment provided that adequate protection for temporary and non-regular workers is ensured;
- (xi) protect against disguised employment relationships.

29. The roles of social partners include :

- (i) providing timely, considered and constructive policy input to governments;
- (ii) using social dialogue and collective bargaining as appropriate, to address employment and labour market challenges;
- (iii) building awareness amongst their members of the Global Jobs Pact options; and
- (iv) proactively contributing to and using the Global Employment Agenda, ILO databases and information on international labour market policies, good practice and lessons.

30. Priorities for the Office should include:

- (i) reviewing and reporting on the multiple mechanisms (e.g. Millennium Development Goals, Poverty Reduction Strategies) that countries may be expected to use to reflect national commitments on employment, with respect to their coherence and collective reporting expectations;
- (ii) strengthening its capacities and expanding its services to provide timely and customized advice on employment policies, to evaluate their impacts, and to draw lessons;
- (iii) evaluating the use, effectiveness and outreach of its services and tools, including those relating to quality employment creation and advice on assessment of economic strategies and databases; reporting to the Governing Body on the results of these evaluations and learning from them in an effort to continuously improve the policies and services of the Office;
- (iv) carrying out employment policy reviews, and improving methods to draw lessons from them and sharing them with constituents;
- (v) providing regular training opportunities for governments, social partners and other major stakeholders on employment policy design, implementation frameworks and evaluation, including training on generating, analysing and utilizing labour market statistics for effective employment policy-making;
- (vi) stepping up its work on precarious employment in the informal economy through increased research and country reviews on factors that impede or facilitate transition to formality and decent work;
- (vii) strengthening its work on employment-intensive investment including public employment guarantee schemes for temporary employment, emergency public works programmes and other direct job creation schemes which are well targeted and include the informal economy;
- (viii) strengthening its work on cooperatives and social economy as important areas of employment creation.

V. IMPROVING EMPLOYABILITY, PRODUCTIVITY, LIVING STANDARDS AND SOCIAL PROGRESS

31. Governments of member States should consider and/or undertake as appropriate the following:

- (i) designing and promoting policies in regard to wages and earnings, hours and other conditions of work that ensure a just share of the fruits of progress to all and a minimum living wage to all employed and in need of such protection;
- (ii) considering options such as minimum wages that can reduce poverty and inequity, increase demand and contribute to economic stability. The Minimum Wage Fixing Convention, 1970 (No. 131), can provide guidance in this respect;
- (iii) improving the quality and coverage of basic education and core competencies;
- (iv) improving knowledge on decent work and entrepreneurship skills which will enable individuals and enterprises to respond and adjust more easily to economic restructuring and economic downturns, and participate in the formal economy;
- (v) providing opportunities for lifelong learning and skills development, including higher order competencies, through vocational education and training that benefit long-term employability and productivity;
- (vi) improving and expanding accessibility of appropriate vocational, and wherever relevant, entrepreneurship training, especially addressing the needs of women, young people and vulnerable groups;
- (vii) improving and expanding accessibility of vocational and entrepreneurship training, especially to cooperatives and micro, small and medium-sized enterprises;
- (viii) investing in labour market information systems to inform labour market policies, including training policies, and their delivery; and to track impact and effectiveness of education and training in order to inform ongoing policy development;
- (ix) enhancing the capacity of their employment services to reach more jobseekers and employers and to improve their performance, including in career guidance and job counselling;
- (x) strengthening institutions, practices and mechanisms to sustain employer and worker involvement in setting training priorities and assuring training quality and relevance at sectoral and national levels;
- (xi) promoting the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (the MNE Declaration) which, among other things, addresses training and living standards.

32. The roles of the social partners include:

- (i) participating in social dialogue and institutions designed to sustain dialogue between employers and their organizations, trade unions, and training institutions at national, sectoral and local levels, including in institutions to design and implement vocational education and training;
- (ii) supporting opportunities for on-the-job training, both for employees and for young people amongst employers of all types from multinational enterprises to micro-, small and medium-sized enterprises;
- (iii) promoting productivity and responsible workplace practices and access to relevant training, information and services, particularly for small and medium-sized enterprises.

33. Priorities for the Office should include:

- (i) expanding its leadership role in skills development, building on the G20 training strategy prepared by the ILO, by documenting what works under what circumstances and with what resources, and by improving

dissemination of this information, for example, considering the setting up and management of a global Knowledge Bank on education, skills and lifelong learning, including on green growth;

- (ii) conducting rigorous research on green jobs in order to track how countries are realizing the potential for job creation, adapting traditional industries, and shifting towards environmentally sustainable production, and then be able to disseminate high-quality, globally relevant information and to assist, in particular developing countries, to incorporate green jobs considerations and measures into Decent Work Country Programmes;
- (iii) developing diagnostic tools for anticipating skills needs. This includes considerations concerning changing demographics, as well as greening the economy, to reduce skills mismatches, to better meet industry needs and improve growth and employment on the basis of improved education and skills;
- (iv) documenting, consolidating and disseminating information on factors that enhance or hamper productivity gains and a fair distribution of their benefits, and devising ways of scaling up the implementation of good practices;
- (v) promoting the MNE Declaration, including through cooperation with other international organizations and private initiatives aimed at improving living standards and social progress.

VI. TRADE AND INVESTMENT POLICIES TO PROMOTE FULL, DECENT AND PRODUCTIVE EMPLOYMENT

34. Governments of member States should consider and/or undertake the following:

- (i) taking measures to assess the employment and decent work impact of their trade and investment policies in order to inform policy choices;
- (ii) strengthening collaboration among relevant ministries to ensure that sufficient attention is paid to increasing employment opportunities and decent work through trade and investment policies;
- (iii) institutionalizing dialogue with the social partners around trade and employment issues and aid for trade, within those inter-ministerial coordination mechanisms.

35. The roles of the social partners include:

- (i) social dialogue and cooperation on employment impact assessments of trade and investment policies, including fair adjustment programmes that facilitate transition of displaced workers, including to other decent work opportunities;
- (ii) where appropriate, collaboration on policies to support value-added growth and industrialization in developing countries.

36. Priorities for the Office should include:

- (i) strengthening its trade, investment and industrial policy expertise with a view to evaluating the employment and decent work impact of such policies;
- (ii) developing tools for assessing the dynamic quantitative and qualitative employment effects of trade and investment and promoting these tools to member States, including field support for countries as requested;
- (iii) increasing capacity to undertake research and analysis on the employment effects of trade and investment and industrial policies with the aim of informing policy advice;
- (iv) engaging governments and social partners, separately and together, in discussing and disseminating research findings on the impacts of trade and investment agreements on employment and decent work; and encouraging empirical findings to feed into national policy-making;

- (v) expanding collaboration with other relevant international agencies to, among other objectives, expand the dissemination of research findings on the employment impact of trade policies to inform national, regional and international discussions, and promote policy coherence;
- (vi) scaling up initiatives that have proven effective in helping enterprises and workers benefit from trade opportunities, for example the Better Work Programme, Sustaining Competitive and Responsible Enterprises (SCORE) and the MNE Helpdesk;
- (vii) promotion, in the export sector of countries, of the ILO's core labour standards. In addition, in those countries that have not ratified ILO Conventions on occupational safety and health and maternity protection, promote safe workplaces and fair treatment of women who become pregnant.

VII. STANDARDS-RELATED ACTION AROUND THE STRATEGIC OBJECTIVE OF EMPLOYMENT

37. The Global Employment Agenda has reaffirmed the complementarity between rights and economic benefits.

38. Governments are encouraged to take the following steps:

- (i) respond positively and as a matter of priority to the Office campaign for the ratification of fundamental labour standards and the “governance” Conventions (as identified in the annex to the ILO Declaration on Social Justice for a Fair Globalization), which include the Employment Policy Convention, 1964 (No. 122), taking steps for their effective implementation;
- (ii) ratify and implement effectively the up to date Conventions covered in the General Survey concerning employment instruments of 2010;¹
- (iii) effectively implement the Recommendations covered in the General Survey concerning employment instruments of 2010;²
- (iv) give due consideration to the relevant standards referred to in paragraph 14 of the Global Jobs Pact;
- (v) reinvigorate efforts to ensure economic downturns do not lead to violation or weakening of fundamental rights at work or national labour laws.

39. Employers' and workers' organizations are encouraged to work with governments and the Office to promote ratification and implementation of the above instruments.

40. The primary obligation of companies is to respect national law. In the absence of relevant national law and regulations, companies should be guided by the principles agreed in international labour standards. The MNE Declaration is an important reference document in this regard.

41. Priorities for the Office include:

- (i) promote the ratification and effective implementation of the instruments mentioned in paragraph 38(i) above;
- (ii) promote coherence and implementation in practice of international labour standards through advice in reference to national employment policies and Global Jobs Pact country implementation, as well as use of their principles where relevant in regional and international forums where the ILO interacts with other multilateral agencies;

¹ The Employment Policy Convention, 1964 (No. 122), the Human Resources Development Convention, 1975 (No. 142), and the Private Employment Agencies Convention, 1997 (No. 181).

² The Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189), and the Promotion of Cooperatives Recommendation, 2002 (No. 193).

- (iii) promote the Employment Relationship Recommendation, 2006 (No. 198), as an instrument to combat disguised employment relationships, with particular attention to women and young people;
- (iv) draw guidance from ILO Conventions on public and private employment agencies¹ in order to assist in modernizing and strengthening employment services, as well as from best practices at the national level;
- (v) strengthen capacity building and provide technical assistance to member States to enable effective implementation of the Conventions and Recommendations mentioned in paragraph 38(i) above.

VIII. THE INTERRELATIONSHIP OF THE FOUR STRATEGIC OBJECTIVES AND THEIR IMPACT ON THE STRATEGIC OBJECTIVE OF EMPLOYMENT

42. The inseparable, interrelated and mutually supportive nature of the four strategic objectives in the Global Jobs Pact is increasingly looked to not only as an effective crisis response and recovery strategy, but as the framework of a new social and economic development paradigm, characterized by employment-centred and income-led growth with equity:

- (i) the full economic and social growth potential of a society cannot be realized if people are not benefiting from a social protection floor;
- (ii) by the same token, social security schemes cannot be financed without a sound economic and employment base;
- (iii) freely chosen employment cannot be realized without respect for the fundamental principles and rights at work;
- (iv) a fair sharing of the benefits of productivity gains and growth and of adjustment burdens in times of economic crises cannot be assured without social dialogue; and
- (v) productivity gains and employment growth cannot be achieved without an enabling environment for sustainable enterprise.

43. The Office, governments and social partners need to increase their technical and institutional capacities to use the ILO Declaration on Social Justice for a Fair Globalization, the Global Jobs Pact and the Global Employment Agenda to institutionalize coherence and the mutually supportive character of the four strategic objectives.

44. Governments of member States should consider and/or undertake as appropriate the following:

- (i) combining measures such as minimum wage, income transfers, social protection, employment policies, public investment and skills and entrepreneurship development to improve the quantity and quality of jobs, including for groups typically disadvantaged in the labour market;
- (ii) utilizing mechanisms that encourage social dialogue, based on freedom of association, including collective bargaining, to preserve jobs during downturns and to enhance employability, education and training and the appropriate skills for those forced to seek new work, to define working conditions, and to agree on measures to improve productivity and to share gains from improved productivity;
- (iii) building adequate social protection for all;
- (iv) strengthening the capacities of labour inspection services, including to help employers comply with national labour law through enforcement and education and to provide access to technical training and education

¹ The Employment Service Convention, 1948 (No. 88), and the Private Employment Agencies Convention, 1997 (No. 181).

services, including on occupational safety and health, which can improve the quality of life of workers and boost productivity;

- (v) deploying employment policies to build a more inclusive society, including for example ensuring that policies and programmes serve the objective of gender equality and meet the needs of groups typically disadvantaged in the labour market.

45. Priorities for the Office should include:

- (i) strengthening the systematic oversight and coordination processes ensuring that employment and the other three sectors of the Office work together on the key policy frameworks, including the Global Employment Agenda and the Global Jobs Pact;
- (ii) improving transparency in resource allocations, building synergies and better participation of the social partners, including in technical cooperation projects, recognizing the cross-cutting role of the Bureau for Employers' Activities and the Bureau for Workers' Activities in the work of the Office;
- (iii) raising and reallocating adequate resources in order to speed up the process of the Global Jobs Pact implementation at country level where this is requested by member governments. This could happen in the following ways: (a) creating a designated Office team drawn from across the four strategic objectives of the ILO on applying the Global Jobs Pact at the country level who would lead rapid diagnostics and response support to field offices; (b) encouraging governments to ensure a genuine tripartite process at country level including, where necessary, capacity building of constituents; (c) using the full country scan methodology, which should be completed as a first step;
- (iv) working cooperatively with other multilateral organizations to promote policy coherence for a fair globalization, based on the guidance of the ILO Declaration on Social Justice for a Fair Globalization, the Global Employment Agenda and the Global Jobs Pact;
- (v) a systematic review and possible consolidation of the range of tools and methods for employment promotion at the country level, including for example Decent Work Country Programmes.

IX. REQUESTS TO THE GOVERNING BODY FOR ITEMS TO BE PLACED ON ITS AGENDA

46. Receive a report of ways in which international organizations, including international financial institutions and the United Nations, are providing support to employment policies and employment objectives, and the state of collaboration with the ILO.

47. Organize a forum during the Governing Body on macroeconomic policy options for rapid high-quality employment generation, and how the ILO is promoting employment objectives through macroeconomic advice to governments and constituents. The discussion should be based on evidence-based analysis of country experience.

48. Consider a discussion on major periodic capacity-building exercises in the regions on employment policy analysis and design guided by the impact assessment of these policies.

49. Consider whether to develop a "rapid response" capacity from across the Office to be able to work effectively with other international organizations or alone, to assist countries that request support to develop a strategy to deal with fiscal crisis or economic restructuring in regard to employment and social policy.

50. Request the Director-General to rapidly initiate discussions with the main international financial and economic institutions and other relevant international bodies with the objective of achieving a better coherence between economic, financial, employment and social policies at the international level. Invite the Director-General to submit to the November 2010 session of the Governing Body a document outlining the elements and possible forms of a framework with the objective of promoting coherence between these policies. This document should provide a coherent framework to give governments and social partners the best possible advice to achieve full and productive employment and decent work at the centre of economic and social policies, while enhancing cooperation and exchange of experiences among them. In preparing the elements of such a framework, the Office should consult with the main economic and financial international institutions with a view to achieving a better coherence among economic, financial, employment and social policy at the international level, bearing in mind the contribution this can also make to facilitating coherence amongst government policies at the national level and their advocacy internationally.

51. Reschedule the ILC discussion on employment and social protection implications of the new demographic context as soon as possible.

52. Initiate a review of the follow-up mechanism for the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy to be taken up by the Governing Body's Subcommittee on Multinational Enterprises with a view to developing promotional options.

53. Determine a framework with a view to defining appropriate action to ensure that employment-related standards are kept up to date.

54. A systematic review and possible consolidation of the range of tools and methods for employment promotion at the country level, including for example Decent Work Country Programmes.

55. Provide an update on how the Organization is giving effect to the conclusions concerning the promotion of sustainable enterprises (ILC, 2007).

56. Options for improving and implementing impact assessments more consistently and ensuring that these impact assessments are systematically considered in the context of future work of the Office.

57. The Officers of the Governing Body consider these conclusions and, without delay, in consultation with the Officers of the relevant Governing Body committees, identify reports or information they might request from the Office as a result of this discussion.

58. In accordance with the ILO Declaration on Social Justice for a Fair Globalization, which provides that the Organization would table a recurrent discussion at the International Labour Conference, among others, "to assess the results of the ILO's activities with a view to informing programme, budget and other governance decisions", the Director-General will take all necessary steps to:

- (i) ensure that these conclusions are taken into consideration during the implementation of the Programme and Budget for 2010–11 and in subsequent biennia within the limitations of existing resources;
- (ii) explore ways of finding the necessary resources to fully implement these conclusions, including through extra-budgetary and Regular Budget Supplementary Account resources;
- (iii) in line with the approved results framework for 2010–15, ensure that the Governing Body considers how best to implement these conclusions in the Programme and Budget proposals for 2012–13, in the first instance in the Preview of the proposals to be submitted to the 309th Session of the Governing Body in November 2010.

V

Resolution concerning the arrears of contributions of Ukraine¹

The General Conference of the International Labour Organization,
Having regard to paragraph 6 of article 10 of the Financial Regulations,
Accepts the arrangement proposed by the Government of Ukraine for the settlement of its arrears of contributions due for the period 1998–99+2009 to the effect that:

- (a) in 2010 and 2011, the Government of Ukraine will pay in full its contribution for the current year;
- (b) in subsequent years, the Government of Ukraine will continue to pay its current contribution in full in the year for which it is due;
- (c) the Government of Ukraine will settle arrears that have accumulated up to and including 31 December 2009, amounting to CHF3,164,719, by payment, beginning in 2012, of nine annual instalments of CHF316,472 and a final instalment of CHF316,471.

Decides that Ukraine shall be permitted to vote, in accordance with paragraph 4 of article 13 of the Constitution of the International Labour Organization, after the conclusion of the present business.

VI

Resolution concerning the Financial report and audited financial statements for 2008–09¹

The General Conference of the International Labour Organization,
Decides, in accordance with article 29 of the Financial Regulations, to adopt the Financial report and audited financial statements for the 71st financial period (2008–09).

VII

Resolution concerning treatment of net premium earned¹

The General Conference of the International Labour Organization,
Noting that the operation of the Swiss franc assessment system has resulted in a net premium earned of CHF29,739,934 in the 2008–09 biennium,

1. Decides, in derogation of article 11.5 of the Financial Regulations, to transfer the one-half of the net premium earned, amounting to CHF14,869,967 that is not distributed to the Incentive Fund, to the Building and Accommodation Fund of the International Labour Office to finance partially the renovation of the headquarters building subject to the following conditions:

- (a) that the Office prepares a comprehensive plan for the renovation of the ILO building including financial and technical aspects, risk management and time frames, leading to a capital master plan;
- (b) that the Office develops a long-term strategy for the financing of future maintenance and renovation of ILO buildings and properties, based on an accumulation of funds to avoid any future ad hoc call on member States;

¹ Adopted on 16 June 2010.

(c) that the plans and strategy referred to in (a) and (b) above be submitted to the Building Subcommittee of the Programme, Financial and Administrative Committee, and endorsed by the Governing Body in March 2011.

2. Further decides that should the Governing Body determine that the conditions are not satisfied, the derogation from article 11.5 of the Financial Regulations referred to in paragraph 1(a) above be revoked and the net premium be distributed to Members in accordance with article 11.5 of the Financial Regulations.

3. Further decides that should the Governing Body determine, on the basis of the financial plan, that the amount of the 2008–09 net premium transferred to the Building and Accommodation Fund is not fully required for the funding of the renovation of the headquarters building, the amount not required be returned to member States.

VIII

Resolution concerning the assessment of contributions of new member States¹

The General Conference of the International Labour Organization,

Decides that, in accordance with the established practice of harmonizing the rates of assessment of ILO Members with their rates of assessment in the United Nations, the contribution of the Republic of Maldives to the ILO budget for the period of its membership in the Organization during 2009 be based on an annual assessment rate of 0.001 per cent.

IX

Resolution concerning the scale of assessments of contributions to the budget for 2011¹

The General Conference of the International Labour Organization,

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, to adopt the draft scale of assessments for 2011 as set out in column 3 of Appendix II to this document.²

X

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

The General Conference of the International Labour Organization,

Decides, in accordance with article III of the Statute of the Administrative Tribunal of the International Labour Organization, to renew the terms of office of Mr Agustín Gordillo (Argentina), Mr Claude Rouiller (Switzerland) and Mr Patrick Frydman (France) for three years.

¹ Adopted on 16 June 2010.

² The scale of assessment to which the resolution refers is appended to the Report of the Finance Committee of Government Representatives, *Record of Proceedings* No. 11 International Labour Conference, 99th Session, Geneva, 2010.

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