



Governing Body

313th Session, Geneva, 15–30 March 2012

GB.313/PV

Minutes of the 313th Session of the Governing Body of the International Labour Office

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The 313th Session of the Governing Body of the International Labour Office was held in Geneva, from Thursday, 15 to Saturday, 31 March 2012, with Mr Greg Vines of Australia as Chairperson. The last two days of the session were entirely given over to the hearings of the nine candidates for the post of Director-General of the ILO.

The list of persons who attended the session of the Governing Body is appended.

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Institutional Section

1. The Institutional Section of the Governing Body met on Monday, 19 Wednesday, 28 and Thursday, 29 March 2012. The Chairperson of the Governing Body, Mr Vines (Government, Australia), chaired the Section. The Employer Vice-Chairperson of the Governing Body, Mr Funes de Rioja (Argentina), and the Worker Vice-Chairperson of the Governing Body, Mr Cortebееck (Belgium) were Employer and Worker spokespersons, respectively.

First item on the agenda

Approval of the minutes of the 312th Session of the Governing Body (GB.313/INS/1)

Decision

2. *The Governing Body approved the minutes of its 312th Session, as amended.*

(GB.313/INS/1, paragraph 2.)

Second item on the agenda

Agenda of the International Labour Conference (GB.313/INS/2)

3. *The Chairperson* proposed that the agenda item on employment should be dealt with immediately and the choice of the remaining two items deferred until the June session of the Governing Body.
4. *The Employer Vice-Chairperson* stressed that all issues not included on the agenda could not remain under consideration indefinitely, and that issues discussed as a result of the recurrent discussion would not automatically be followed by further discussion. It was preferable to postpone the decision pending the outcome of the Conference discussions in June 2012.
5. *The Worker Vice-Chairperson* said that a satisfactory way to agree on Conference agenda items remained to be found. However, there were some interesting proposals. The possible Recommendation on policy coherence was of key importance but should be deferred and considered through a proper process of tripartite consultation. Such a process was indispensable to reaching considered decisions on setting the Conference agenda. The Workers' group supported the proposal to postpone the selection of one item pending the recurrent discussion on fundamental principles and rights at work in June 2012.
6. The group had proposed to the Working Party on the Functioning of the Governing Body and the International Labour Conference that a resolution committee could be reconvened, in place of a general discussion, as a mechanism that would enable the Director-General of the ILO to obtain an overview of the needs of the world of work.

7. *Speaking on behalf of the Africa group*, a Government representative of Kenya supported the proposal to continue tripartite consultations on the process of setting the Conference agenda. In this regard, items should not be proposed year after year if they received insufficient support. The Africa group therefore supported all the draft decisions. Regarding the third technical item for the 103rd Session (2014) of the Conference, the group favoured its selection from among the six remaining items on the list.
8. A *Government representative of the United States* favoured decent work in global supply chains for the third item on the agenda of the 2014 session of the ILC, but if consensus was not reached, his Government would agree to include the selection of the third item in the consultations on the agenda.
9. A *Government representative of Hungary* emphasized the importance of finding a more effective way of setting the agenda of the Conference, which would reinforce the governance role of the Governing Body. Tripartite consultations would provide valuable input. Her Government supported the draft decisions, and would agree to select the third item from among the three remaining items on the shortened list. Of those items, Hungary preferred decent work in global supply chains.
10. A *Government representative of India* agreed to postpone the second item (18(ii)). For the third item, India supported promoting sound industrial relations through the prevention and resolution of labour disputes.
11. A *Government representative of Italy* supported all draft decisions. For the agenda of the 2014 Conference, Italy agreed to select the third item from among the three remaining items on the list.
12. A *Government representative of Switzerland* reiterated that agenda setting for the ILC should be viewed in the context of the reform process. Switzerland was in favour of the proposal for a recurrent discussion on the strategic objective of employment.
13. A *Government representative of Netherlands* noted that the Conference agenda for 2012 was strong and relevant. For 2014, his Government would like to see the item on finance with a social purpose, but if there was not sufficient support, they would also be in favour of the item on decent work in global supply chains.
14. A *Government representative of France* said he looked forward to the successful conclusion of ILC reforms with a view to achieving strategic guidance on the choice of agenda items. His Government supported the draft decisions. For the agenda of the 2014 Conference, France agreed to select the third item from among the three remaining items on the list, with a preference for the item on a possible Recommendation on policy coherence, followed by the item on decent work in global supply chains.
15. A *Government representative of China* supported all draft decisions. For the agenda of the 2014 Conference, China preferred the item on promoting sound industrial relations through the prevention and resolution of labour disputes.
16. A *Government representative of Brazil* expressed their preference for an item on a possible Recommendation on policy coherence.
17. *The Chairperson* considered that consensus had been reached on decision paragraphs 16 and 17. Regarding decision paragraph 18, preferences as to the choice of the third agenda item for the 2014 Conference agenda, voiced in the present discussions, would be fed into the tripartite consultations. Decision paragraph 19 was adopted.

Decision

18. *The Governing Body:*

- (a) *requested the Office to make the appropriate arrangements to continue the consultations on the process of setting the Conference agenda;*
- (b) *decided that the 103rd Session (2014) of the Conference would be held in Geneva;*
- (c) *as regards the agenda of the 103rd Session (2014) of the Conference:*
 - (i) *approved the proposal for a recurrent discussion on the strategic objective of employment;*
 - (ii) *agreed to postpone the selection of a second item, pending the outcome of the discussions of the 101st Session (2012) of the Conference;*
 - (iii) *agreed to include the selection of the third item in the consultations on the agenda that would be pursued;*
- (d) *as regards the agendas of future sessions of the Conference, decided that the last two recurrent discussions of the cycle would be on social protection (labour protection) (in 2015), and fundamental principles and rights at work (in 2016), and that these items would be placed on the agenda of the Conference.*

(GB.313/INS/2, paragraph 19.)

Third item on the agenda

Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work (GB.313/INS/3)

- 19. *The Chairperson* introduced the report and drew attention to a number of points. He referred in particular to the fact that all governments had fulfilled their reporting obligations in the current year; while only six new ratifications had been registered in 2011, the Office had not received any “no change” reports during 2011–12, and this was evidence of the commitment of States to promoting fundamental principles and rights at work.
- 20. With much remaining to be done to achieve universal ratification of the fundamental Conventions, the Office was actively involved, through technical assistance, in helping the countries that requested it. It was also contributing towards promoting the ILO Declaration on Fundamental Principles and Rights at Work, which was playing a part in achieving the Millennium Development Goals.

21. The Chairperson invited the Governing Body to comment on the information contained in the report and to provide guidance on key issues and priorities for helping member States in their efforts to promote fundamental principles and rights at work.
22. *An Employer member from Brazil* underlined the importance of the 1998 Declaration, as borne out by the general observation communicated by the International Organisation of Employers (IOE). The follow-up made it possible to verify that all member States were respecting the principles that it set forth. In the opinion of the Employers' group, annual reports under the follow-up to the Declaration should not be a tool for promoting the ratification of Conventions, since that was only one of the means for realizing fundamental principles and rights at work. Nor was ratification an absolute indicator of States' commitment since, even though some had not ratified certain Conventions, all had fulfilled their reporting obligations. Hence a real display of commitment on the part of States was more important than the registration, however limited, of new ratifications.
23. The document also showed that the Declaration was an instrument that favoured social dialogue. It was therefore important that the report should examine national practice, apart from legislation. Facts were what provided an indicator of progress, and technical assistance from the ILO was crucial in that respect.
24. The speaker welcomed the more dynamic, broader approach of the report, especially the presentation of sections by area of activity, as well as the more factual aspect provided by the information itself. The document would serve as the basis for the recurrent discussion at the next session of the International Labour Conference.
25. The report also made it possible to identify priority areas in the sphere of technical assistance, areas which merited close attention, including in terms of budgetary resources. The speaker noted that the resources allocated to technical cooperation were insufficient and asked the Office how it intended to respond to all the requests from countries, and also requested clarification concerning the financial impact. He considered that resources should be allocated to the activity from the regular budget.
26. He also noted that the number of States which had not ratified the eight fundamental Conventions had decreased significantly but that Conventions Nos 87 and 98 were those which had the lowest ratification rate and that neither of these Conventions had been ratified by any country in 2011. He remarked that the hesitation shown by some countries with regard to ratification might be connected with the ILO supervisory bodies' interpretation of certain provisions of the Conventions.
27. The speaker added that all the comments regarding freedom of association and the efforts made by the States to promote it also applied to the areas of forced labour, child labour and discrimination. He commended the desire of States to achieve a change in attitudes, since that was not an easy task.
28. Finally, the Employers proposed to add a section to the annual report which would deal with the ILO's replies to requests for technical assistance.
29. *The Worker Vice-Chairperson* reaffirmed the commitment of the Workers' group regarding the 1998 Declaration and its follow-up, since fundamental rights at work constituted a minimum floor for social justice, especially in the current times of crisis. He regretted that certain parties were using the crisis to justify violations of workers' rights. The Declaration also had the effect of strengthening social cohesion and achieving stability in labour relations.

30. While welcoming the good results achieved by the States in terms of reporting, the speaker expressed concern at the small number of new ratifications, bearing in mind the goal of universal ratification by 2015, and called on member States that had not yet ratified one or more of the fundamental Conventions to do so. The governments sitting in the Governing Body should set an example.
31. With regard to freedom of association and collective bargaining, challenges remained, including legal obstacles, no right to organize for certain sectors, failure to respect the rights of public sector workers, and violations of migrant workers' rights. Concerning forced labour and child labour, there was a particular need for legislative reform and for more attention to be given to invisible groups (such as domestic workers) and the weakest groups in society (such as children). With regard to discrimination, many issues had still to be resolved and, with that in mind, the Workers' group invited States to respect tripartism at all stages of the decision-making process.
32. In conclusion, the Workers' group welcomed the action of the ILO, especially the assistance given to member States, which needed to be continued since it played a crucial role. The Office needed to devote more resources to it, with a view to universal ratification by 2015.
33. *Speaking on behalf of the Africa group*, a Government representative of Kenya outlined the contents of the document before them. She emphasized that the strong reporting rate was testimony to member States' commitment to giving effect to the fundamental principles and rights at work but regretted that no new ratifications had been registered for Convention Nos 87 and 98. The Africa group supported the efforts of the Office focused on the three priority areas set out in the paper under discussion and it encouraged the Office to focus on technical assistance initiatives and raise governments' awareness of the need to ratify the fundamental Conventions. It also encouraged the Office to collect data, reinforce tripartism and social dialogue and strengthen the capacities of employers' and workers' organizations through the Decent Work Country Programmes (DWCPs). The Africa group supported the draft decision.
34. *A Government representative of Zambia* said that his Government endorsed the intervention made on behalf of the Africa group and urged countries that had not yet ratified all the fundamental Conventions to do so. He reaffirmed the need to promote social dialogue and strengthen the capacities of workers' and employers' organizations. Zambia supported the draft decision.
35. *A Government representative of Italy*, recalling that the goal of universal ratification was still far from being achieved, said that the recurrent discussion to be held at the 101st Session of the International Labour Conference would be the occasion for discussing those issues and would give countries the opportunity for a possible review of their positions regarding the ratification of certain Conventions. In order to reach that goal, the Office needed to follow up on all requests for technical assistance, focusing in particular on issues relating to freedom of association and the right to collective bargaining.
36. *A Government representative of the Republic of Korea* wished to clarify a number of inaccuracies, including one in paragraph 48(iii) of the paper under discussion. She pointed out that Korean legislation concerning trade unions prohibited the unilateral abolition of a collective agreement and that any measure towards that end had to be notified six months in advance by the employer or the trade union. Moreover, contrary to the statement in paragraph 48(iv), the Korean Confederation of Trade Unions (KCTU) could not be considered to have been excluded from the tripartite committee referred to, which was still active, since it had refused to participate in its work. With regard to paragraphs 53 and 71, the fact that the Republic of Korea was unable to ratify Convention No. 105 had nothing to

do with maintaining compulsory military service. Moreover, contrary to what was stated in paragraph 71, soldiers received a monthly salary. Finally, she said that since it was workers who had taken part in violent strikes who were liable to imprisonment including forced labour, it should not be concluded that workers participating in peaceful strikes ran the risk of being sentenced to forced labour, as suggested by paragraph 71.

37. *A Government representative of Switzerland* said that her country wanted resources to be strengthened in order to achieve universal ratification of the fundamental Conventions, which were essential to realizing the social dimension of globalization. Even though some countries reported positive changes in the situation, there was a need to avoid submerging the Office and the tripartite constituents under a flood of information which disguised an unwillingness to ratify the eight fundamental Conventions, since that could only harm the spirit of the ILO Declaration on Fundamental Principles and Rights at Work.
38. *A Government representative of Mexico* said that he wished to correct a number of inaccuracies in the paper under discussion. Paragraph 19 should state that the Supreme Court had issued a ruling cancelling two sections of the Federal Labour Act, not overturning an entire law. Paragraph 27 should state that 6,726 collective agreements had been revised, not 60,726. In paragraph 40, it should be added that the Chamber of Deputies was examining draft legislation amending the Federal Labour Act, including proposals relating to freedom of association and collective bargaining, with a view to adoption in the near future. Finally, the speaker asked for his country's name to be withdrawn from the list in paragraph 50, as Mexico had not requested any technical assistance.
39. *A representative of the Director-General (Executive Director, Standards and Fundamental Principles and Rights at Work Sector)* observed that significant progress had been noted with regard to reporting but that much still needed to be done, especially to accelerate the process of ratification of the fundamental Conventions. The comments made by a number of speakers regarding the financial impact of the measures set forth in the paper would be duly taken into account in planning the allocation of resources and the formulation of programmes.
40. The subjects covered in the paper would be dealt with at the June 2012 session of the International Labour Conference and they should be treated with the importance they deserved. Recalling that several speakers had emphasized that Conventions Nos 87 and 98 were the instruments with the least number of ratifications, he said that the Office would endeavour to target its technical assistance activities accordingly. The comments and corrections made by the Government representatives of Korea and Mexico would be duly taken into account.
41. *The Chairperson* said that the Governing Body would ask the Office to establish a mechanism enabling any errors to be rectified in reports before the latter were discussed by the Governing Body.

Outcome

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

(GB.313/INS/3.)

Fourth item on the agenda

The ILO and the multilateral system: ILO preparations for the Rio +20 discussion (GB.313/INS/4)

43. *A representative of the Director-General* (Director, Job Creation and Enterprise Development Department) presented the report and gave an overview of recent developments by means of a PowerPoint presentation. The summit was attracting a great deal of international attention, with 127 Heads of State confirming their attendance. The draft document reflected ILO interests such as the importance of a strong social pillar for sustainable development, decent work, job creation, green jobs and social protection as key elements of sustainable development and a just transition to a green economy, as well as highlighting the need for youth employment opportunities. He suggested possible focus areas for an ILO contribution and asked the Governing Body for guidance as to which items should be emphasized by the Office in the negotiations to select themes for discussion.
44. *The Employer Vice-Chairperson* regretted that there had been no opportunity for the Governing Body to discuss this topic in November 2011. He emphasized its importance for employers to influence the Rio +20 discussions and outcomes.
45. The ILO should keep its focus and maintain its pragmatic and realistic approach. It should use language that was easily understood by other partners in the process and the general public, without recourse to ILO jargon. The Employers' group agreed that employment and entrepreneurship and sustainable enterprise development should be the core of the ILO contribution, with an accent on job creation, training and skills and opportunities for youth. The green economy and green jobs were dependent on the rest of the economy.
46. With regard to the suggestion for the ILO's message, the Employers supported the call for renewed commitment to the negotiations and outcomes. The ILO should send a tripartite delegation to the Rio +20 Conference, rather than just members of the secretariat, to better reflect the views of its constituents.
47. The group agreed that measures were needed to achieve employment, sustainable enterprises, infrastructure and skills development, but employment schemes had to be competitive, sustainable and affordable. However, they were not in agreement with the UNCSD recommendation to encourage nationally agreed targets for green jobs, until an acceptable definition of green jobs had been found. It was too early to discuss a recommendation on social protection floors. Standards already adopted by ILO constituents should provide the basis for the linkage between the social protection floor and the green economy. Encouragement for all countries to ratify and implement relevant labour standards as part of their normative framework for sustainable development should be in line with current ILO action and should not rely on a recommendation from the Rio Summit. The Employers' group also supported the development of enabling policies for making the transition to sustainable development and poverty eradication work for all; this would provide a rich theme of debate for the 2013 ILC. It was important to involve the social partners at all levels. New development goals had to be well defined, measurable and clear to all, without adding bureaucratic burdens.
48. The Employers fully endorsed the need to build member States' capacity and knowledge on labour market trends and developments resulting from the greening of economy and

enterprises. The ILO should report back to the Governing Body on this outcome and the implications of Rio +20, in its November 2012 session.

49. *The Worker Vice-Chairperson* expressed his group's disappointment with certain definitions in document GB.313/INS/4 and the coverage of social protection and just transition. It was important to highlight the connection between social protection and the achievement of sustainable development, as social protection floors would not guarantee just transition sufficiently. On the other hand, just transition had been recognized in the United Nations Framework Convention on Climate Change and was vital for the achievement of the goals set at Rio de Janeiro and Johannesburg, as it allowed workers to benefit from an alternative model for decent work and actively frame it.
50. A democratic and open way to define the issues and indicators of the Sustainable Development Goals should be sought, although not to the detriment of the Millennium Development Goals. An objective for green jobs might be subsumed under a broader goal for decent work which could include unemployment and poverty targets and further commitment by countries to promote green and decent jobs. Although green job targets were also necessary, the document should make it explicit that they were part of a broader commitment to decent work. The speaker also supported the recommendation in the report for governments to reaffirm their commitment to decent work and to use decent work indicators as guidance to measure progress in working conditions.
51. *Speaking on behalf of the Group of Latin American and Caribbean Countries (GRULAC)*, a Government representative of Brazil affirmed that Rio +20 would provide an ideal opportunity for leaders to renew commitment to sustainable development through a package of initiatives, policies and projects designed to transform economies and reconcile environmental concerns with economic and social needs. Social policies should be inclusive, distribute benefits fairly, boost employment and wages and mitigate the negative effects of economic crises.
52. Stressing the importance of labour in achieving sustainable development, he agreed with the idea expressed in paragraph 19(ii) of the document, that decent work for all should be a foundation of sustainable development. Investment could serve to bolster employment in decent jobs by promoting sustainable activities in strategic and labour-intensive sectors such as agriculture and forestry management. Vocational training could also be given more attention in the Green Jobs Programme, not least for developing countries wishing to draw on the technical expertise of the Office in that area, thereby allowing them to adapt to labour market conditions. Furthermore, the promotion of social dialogue was important in the transition to sustainable models, as it insured social inclusion, economic development and decent job opportunities.
53. *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of Pakistan expressed his hope that the second Green Jobs report would help to streamline discussions on sustainable development in preparation for Rio +20. ASPAG supported the ILO initiative to make decent work a central component of sustainable development with a focus on creating new jobs and sources of income and mitigating the adverse effects of workers' structural adjustment to sustainable development.
54. He said that ASPAG attached importance to green jobs and that the ILO's tripartism, allowing broad public participation, sharing of technical knowledge and awareness of developments, made it suited to steering discussions and integrating green jobs into national and international frameworks through the Decent Work Agenda. While ASPAG stressed the need for coordination and cooperation, which would assist countries in addressing challenges jointly, the group strongly upheld the principle of addressing the specific needs and circumstances of countries in the fulfilment of national commitments.

ASPAG could therefore not agree without further discussion with the recommendation, in paragraph 19(v), for all countries to ratify and implement labour standards as part of the framework for sustainable development.

55. The ILO should remain associated at all stages of the Rio +20 Conference and offer regular guidance. In the longer term, the ILO should offer more resources and support for transition and capacity building to help developing countries achieve sustainable development and fair globalization.
56. *On behalf of the EU and its Member States*, and also on behalf of Albania, Armenia, Croatia, Iceland, Republic of Moldova, Montenegro, Norway, Serbia, The former Yugoslav Republic of Macedonia, Turkey and Ukraine, a Government representative of Denmark said that the Rio +20 Conference should aim to draw up an ambitious green economy roadmap with emphasis on poverty eradication and social inclusion and including a timetable for goals and actions. The Conference and follow-up should be open and inclusive with the full participation of all relevant stakeholders and social partners. The ILO should participate actively in the Conference so as to deliver its message relative to the Decent Work Agenda, be it regarding social dialogue, the removal of barriers for job creation by entrepreneurs, overcoming the mismatch of skills or other matters. The proposals for Sustainable Development Goals (SDGs) and the outcome of the International Labour Conference might also prove invaluable at Rio +20 but the SDGs should remain coherent with the Millennium Development Goals review process.
57. Employment was the most effective route out of poverty and it was therefore essential for countries to implement core labour standards and the ILO Declaration on Social Justice for a Fair Globalization, and to develop social protection floors adapted to each country. A green economy was an inspiring model of growth and represented a win-win situation for all irrespective of a country's structure and level of development. The private sector, local governments and civil society were crucial to green growth as they contributed to social responsibility and the spread of technology. In that regard, internationally recognized instruments on corporate social responsibility and multinational enterprises, including the ILO Tripartite Declaration on Multinational Enterprises and Social Policy, should be recalled at Rio +20.
58. *Speaking on behalf of the Africa group*, a Government representative of Ghana commended the Office on its work on the Decent Work Agenda, the Global Jobs Pact, on the extensive work carried out since 2008 through the Green Jobs Programme and on the timely submission of an ILO technical contribution thereto. Moreover, the ILO's contribution to the High-Level Panel for Global Sustainability in 2010 had yielded key recommendations for job creation and green and sustainable growth.
59. The United Nations Conference on Sustainable Development would allow the ILO to present the Decent Work Agenda as a prerequisite for a fairer, greener and sustainable globalization and to underscore the importance of social dialogue in the promotion of a green economy. The outcome of the Conference would provide a major opportunity to enhance coherence between environmental, economic and social policies at the national and international levels and put in place a platform on which to broaden the scope of the Millennium Development Goals with a view to formulating Sustainable Development Goals.
60. While African countries remained heavily dependent on natural resources and enjoyed some of the world's highest economic growth rates, they continued to experience extreme poverty and high unemployment. It was therefore necessary for African countries to make a transition to an economy that promoted well-being and social welfare while reducing environmental risk.

61. The ILO had an obligation to ensure that the transition to a green economy created decent jobs and employment opportunities for all and that there was investment in skills training and capacity building. The ILO should continue to advise its constituents and to stress the importance of their involvement in policy-making.
62. A *Government representative of Zambia* said that while sustainable development had been presented as the solution to economic, social and environmental problems in various national and international forums, its principles had not been adequately promoted and implemented. There was a need to promote integrated policies to demonstrate that economic, social and environmental concerns were interrelated. The Government of Zambia considered jobs for young people a priority and attached great importance to education and training as a means of improving their employability.
63. There was potential for broadening the range of issues raised in the document to include the specific role that governments and social partners could play in promoting sustainable development, as well as pertinent issues from previous documents.
64. A *Government representative of France* said that his country attached great importance to ensuring that international programmes related to growth and development had a strong social pillar. He welcomed the ILO's proposals on making strong social commitments, which included identifying themes, adopting resolutions to guarantee social rights such as decent work, green and sustainable employment, social protection, and other fundamental rights.
65. It was expected that the ILO would demonstrate a firm commitment to the preparations for the Conference, to drafting its conclusions and subsequently to providing active follow-up. It was also vital for the Governing Body to devise a "roadmap" with a view to achieving concrete results. Furthermore, green, inclusive growth would only be attainable if the three pillars of sustainable development were afforded equal treatment.
66. A *Government representative of the Bolivarian Republic of Venezuela* said that the United Nations Conference on Environment and Development held in Rio de Janeiro in 1992 and the World Conference on Sustainable Development held in Johannesburg in 2002 had addressed issues of critical importance for humanity. While results were not always encouraging, the commitments made by the various governments should become the guiding principles of public policies. The ILO should use Rio +20 to renew its commitment to sustainable development in the present without compromising the ability of future generations to meet their needs. In that connection, the ILO should avoid using terms such as "green economy" or "green jobs" until they had been formally adopted. Moreover, sustainable development models must promote decent work and social inclusion in the wider context of respect for human rights and the environment. Decent work, as a means of reducing poverty, should underpin efforts to achieve social justice and sustainable development.
67. A *Government representative of the United States* said that the international community must recognize the importance of promoting decent work in achieving sustainable development. Therefore, workers should be equipped with skills that would allow them to make a transition to sustainable development industries. Their fundamental rights and well-being should also be guaranteed along with adequate safety nets to assist those in need. Given the difficulty of defining what made a job "green", the provision encouraging countries to set nationally agreed and attainable targets to increase the share of green jobs in the labour market over time should be amended so as to invite countries to consider setting such targets. Since all jobs could be performed in an environmentally friendly manner, efforts should be devoted to greening work practices across the board.

68. A *Government representative of India* said that the issue of coherence was at an early stage of discussion. The areas in which coherence was sought at the national and international levels should be clearly defined. Moreover, there was a need to clarify the modalities of policy coherence. His Government was against the inclusion of social clauses in trade and investment agreements but was in favour of countries establishing their own social protection floor. Furthermore, a prescriptive approach should not be taken to labour standard compliance, nor should there be any duplication of structures for carrying out work that fell within the ILO's remit. An international qualifications framework should be developed to promote skills and labour mobility. It was important to make the purpose of indicators clear so as to prevent them from becoming a bar to trade, investment and labour mobility. In that connection, the diversity, stage of development and informal economy of the country in question should be taken into account.
69. In India, the action plan on climate change was making satisfactory progress. In addition, the country's next five-year plan would seek to promote environmental protection along with inclusive sustainable growth. Many initiatives had been launched to involve local communities in natural resource management. India was committed to improving the quality of life of its people and encouraged environmental protection through the creation of green jobs.
70. A *Government representative of the Republic of Korea* said that the ILO, in its capacity as a United Nations specialized agency, played a pivotal role in promoting the global Green Economy Initiative and in facilitating the transition to a green economy. The document in question was already quite comprehensive but should emphasize the fact that a green economy could create more decent jobs and offer an alternative to the dominant global paradigm based on technology and capital. The active participation of the ILO in the Conference would serve to highlight its leading role in greening the economy.
71. A *Government representative of Brazil* said that the Conference was about sustainable development and not just the environment. The global economic crisis underscored the need for a new economy based on social inclusion and sustainable production and consumption. Therefore, it was essential to mobilize all stakeholders to ensure a successful economic transition.
72. The world of work had an important role to play in achieving sustainable development. Decent work should be the main objective of social, economic and environmental policies in order to ensure that jobs were generated throughout the supply chain and particularly in strategic and labour intensive sectors. The relationship between companies and suppliers should be governed by the principles of sustainability and decent work, while taking into account local priorities. Social dialogue was essential in pinpointing solutions that would guarantee social inclusion and the creation of decent jobs.
73. It was hoped that the Conference would furnish lasting solutions to global challenges and signal a turning point in the way the world economy operated.
74. A *representative of the Director-General* said that there was consensus on the need to incorporate the pillars of sustainable development effectively and on the need for decent work to form the basis of the outcome document. It was very unlikely that the Conference itself would produce the Sustainable Development Goals, rather it would mandate their formulation. It should be borne in mind that those goals sought to build on the Millennium Development Goals, not to replace them. The importance of dialogue and the participation of relevant stakeholders had been highlighted, as had the need to build the capacity of those stakeholders to enable them to participate in the governance of sustainable development. Nevertheless, there were some areas of disagreement. It was necessary to clarify how the term "just transition" would be used by referring back to the conclusions on

sustainable enterprises reached at the International Labour Conference in 2007 and how ILO standards should be referred to within the existing international governance framework for sustainable development. In addition, given that the issue of social protection floors would have been taken up at the International Labour Conference prior to Rio +20, it would be logical to use Rio +20 to promote a fresh outcome. There would be no further opportunities for formal input and any interventions at future intersessional meetings would be brief. The ILO would continue to participate in side events and the participation of the Director-General himself in the Conference would assist in disseminating relevant messages. The International Labour Conference would provide an opportunity to devise the aforementioned “roadmap” and to discuss matters in greater detail. While the promotion of decent work as a fundamental element of sustainable development was clearly a shared priority, the Office was not involved in the negotiation process. Therefore, the onus was on Government representatives and social partners to ensure that the decent work dimension was adequately reflected in the outcome.

Decision

75. The Governing Body:

- (a) called on the Office to continue its active participation in the preparations for the Rio +20 Conference, as laid out in document GB.313/INS/4;*
- (b) identified the key messages to be stressed in the outcome document of the Conference as including the following: (i) the need for a strong social pillar of sustainable development with decent work as a conceptual framework to integrate the economic, social and environmental pillars and to provide a pathway towards social inclusion and poverty reduction; (ii) the recognition of social dialogue as a major contributor to the governance of sustainable development; this would require capacity-building of stakeholders from the world of work; (iii) the importance of decent work should be reflected in appropriate indicators and in the possible sustainable development goals that the Rio +20 Conference may formulate;*
- (c) called on the Office to anticipate substantial follow-up for the implementation of the Conference outcomes;*
- (d) asked the Office to keep the Governing Body informed about the outcomes of the Conference.*

(GB.313/INS/4, paragraph 20, as amended.)

Fifth item on the agenda

Report and conclusions of the 15th Asia and the Pacific Regional Meeting (GB.313/INS/5)

- 76.** *The Chairperson*, recalling that the 15th Asia and the Pacific Regional Meeting had been postponed following the earthquake and tsunami which had devastated Japan in March 2011, paid tribute to the Government of Japan for hosting the meeting in December 2011 despite the difficult conditions resulting from the natural disaster.

77. *The Regional Director for Asia and the Pacific* said that the 15th Asia and the Pacific Regional Meeting had brought together almost 300 tripartite delegates, representatives of non-governmental organizations, ministers and numerous other participants, reflecting the diversity and the dynamism of the region. The meeting had been the occasion for a mid-term review of the Asia and the Pacific Decent Work Decade 2006-15. Thanks to the work of the tripartite constituents, great progress had been made in establishing DWCPs geared to national priorities in various countries in the region. Efforts had been made in the areas of increasing competitiveness and productivity, strengthening social protection, eliminating child labour and creating youth employment.
78. Nevertheless, the regional meeting had highlighted various challenges that had to be met to address the decent work deficit in the region: the need to promote decent work and productive employment, to strengthen social policies, to pursue the creation of fairer labour markets – especially in terms of gender equality – to strengthen regional cooperation and policy coherence and to take action against informal work. The meeting had also been the occasion for discussing regional partnerships which would benefit from development, especially in the area of green jobs and employment-focused recovery measures to be applied in the event of a natural disaster. The regional meeting had shown that growth had to focus on decent work and fairness in order to progress towards better social protection and greater respect for labour standards. Moreover, a resolution on the trade union situation in Fiji had been adopted at the meeting and it could only be hoped that the recommendations of the Committee on Freedom of Association concerning Case No. 2723 would be implemented.
79. The speaker read out the conclusions in the draft decision (paragraph 209(a) and (b)), on which the Governing Body was invited to act. The Office would take account of the priorities highlighted in the conclusions of the regional meeting in the formulation of programmes and would develop a strategy aimed at monitoring and reporting on progress made in actions related to the Asia and the Pacific Decent Work Decade.
80. In conclusion, the speaker emphasized that the Decent Work Agenda was now embedded in policies implemented in the region, thereby strengthening the ILO's position in the sphere of international cooperation.
81. *The Director-General* paid tribute to the achievements of the Regional Director, Ms Yamamoto, emphasizing that she had successfully promoted the goals of the Organization, which had been given prominence in the Asia and the Pacific Decent Work Decade, while taking account of the needs of the tripartite constituents in the development of programmes for the region, focusing in particular on green jobs, youth employment and migration. Ms Yamamoto had been active in establishing knowledge-sharing initiatives and in fostering the establishment of partnerships with multilateral players in the region, such as the Economic and Social Commission for Asia and the Pacific (ESCAP) and the Association of Southeast Asian Nations (ASEAN). She had shown great professionalism and knowledge of the region's issues in organizing the 15th Asia and the Pacific Regional Meeting.
82. *Speaking on behalf of the Employers' group*, an Employer member from Bangladesh said that the Asia and the Pacific Employers' group had appreciated the cooperation with Ms Yamamoto and her team. The 15th Asia and the Pacific Regional Meeting had allowed the ILO to gain a better perception of the issues in the region, but the ILO's action in that context could have been more strongly linked to the priorities of the region. The Employers' group welcomed the fact that the conclusions of the regional meeting dwelt on the role of the private sector and recognized the importance of creating a climate that was conducive to business. The Organization should also better integrate the role of enterprises in its action and promote the adoption of more balanced rules that favoured the creation of

jobs and growth. The Employers considered that it was essential to encourage productivity and improve skills, as stated in paragraph 33 of the conclusions, and called on the Office to reinforce assistance in that sphere, gearing its policies and measures to the needs of all stakeholders, taking account of the region's diversity.

83. The speaker drew the Office's attention to the fact that the conclusions of the meeting could have been more concise in order to make them more readable. He said that the Office should not make a general practice of having recourse to external moderators since the Office should remain in charge of what should be tripartite discussions.
84. The Employers' group had found the special session on employment policy in response to natural disasters very useful and instructive. Consequently, it proposed placing that issue on the agenda of future sessions of the Governing Body, which would allow constituents' attention to be drawn to the issue and make it possible to take stock of best practices. He also encouraged the ILO to examine why the attendance of certain member States at regional meetings was poor or non-existent and to consider raising the issue in the context of the Governing Body.
85. Finally, the speaker asked what had been the financial impact of the regional meeting, whether the fact that it had been held outside Bangkok had resulted in extra expense and, more generally, whether the holding of meetings outside cities where regional offices were located generated additional costs. Referring to paragraph 63 of the conclusions of the 15th Asia and the Pacific Regional Meeting, he urged the Office to follow up on the undertakings made in Kyoto and to organize activities geared to the priorities of national constituents in the context of DWCPs, in order to achieve the goals of the Asia and the Pacific Decent Work Decade. The Employers' group supported the draft decision.
86. *The Chairperson* took note of the Employer member's comments and questions and assured him that they would be duly taken into account.
87. *Speaking on behalf of the Workers' group*, a Worker member from Fiji emphasized that the meeting had had special significance since it had been held against the background of the devastating tsunami and earthquake and that the manner in which the meeting had been organized was testimony to the resilience of the Japanese people.
88. The meeting had provided an opportunity to focus on a number of important points. The Workers had been concerned at the situation of freedom of association and collective bargaining at the regional level, while also highlighting growing inequality, high unemployment, gender inequality, discrimination towards migrant workers and the low ratification rate for the fundamental Conventions, particularly in the Arab region, by comparison with the rest of the world. Those issues should be taken into consideration in technical cooperation programmes, which should receive the necessary funding and expertise.
89. With regard to the resolution on the trade union situation in Fiji adopted at the meeting, the Workers wished to thank the Employers and the Governments for their support. The trade union rights situation in Fiji had been deteriorating constantly, as borne out by the report of the Committee on Freedom of Association submitted to the Governing Body in November 2011 and the report of the Committee of Experts on the Application of Conventions and Recommendations. The situation was serious and action was needed from the international community, without waiting for the elections that were supposed to take place in 2014. In accordance with the conclusions of the Kyoto resolution, the Workers called on the Office to follow up on the request from the Committee on Freedom of Association for a direct contacts mission to the country in order to promote dialogue between the Government and the social partners and facilitate the revocation of all decrees that violated human rights or

trade union rights or which were contrary to the fundamental standards of the Organization, as well as putting pressure on the Government to withdraw the accusations against the leader of the Fiji Trades Union Congress. The Workers also asked the Office to continue to monitor the situation in Fiji and to submit a report to the Governing Body in November 2012.

90. Finally, the Workers' group, after thanking the Regional Director and conveying its best wishes for her retirement, indicated its support for the draft decision in paragraph 209.
91. *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran thanked the Government of Japan and commended the courage and dignity it had shown in the affliction that the country had endured. He also conveyed his best wishes to the Regional Director.
92. He stressed the high level of participation in the meeting on the part of the three groups and commended the choice of discussion themes, the conclusions of which had been especially relevant. For his group, the Social Protection Floor Initiative was very important for combating poverty throughout the world. The Regional Meeting had provided the occasion for reviewing the progress made in the Asia and the Pacific Decent Work Decade and to identify certain factors, including the global economic crisis and natural disasters, which adversely affected decent work programmes in the region. He recalled that 58 per cent of young persons and 45 per cent of all unemployed people in the world lived in the Asia and the Pacific region.
93. With regard to the situation of certain Arab States and the difficulties faced by the social partners in the occupied Arab territories, it was important to give more support to the Beirut office, which was already achieving considerable results. Finally, in view of the numerous natural disasters to which the region was prone, the group welcomed the special session organized by the Government of Japan on employment policy in response to natural disasters.
94. The speaker supported the draft decision and called on the Director-General to ensure the effective implementation of the conclusions of the meeting both at ILO headquarters and in the field.
95. *A Government representative of Japan* expressed his gratitude for the solidarity with the people of Japan which had been expressed at the meeting. The outcomes of the meeting in terms of the promotion of decent work were highly satisfactory and the Government of Japan would continue to collaborate with the ILO in establishing decent work in the Asia and the Pacific region. Employment policies played a vital role in recovery from the frequent disasters that affected the region, as illustrated by the special session on employment policy in response to natural disasters.
96. With regard to Fiji, the speaker stressed the need for genuine dialogue with the Government to ensure that free and fair elections were held no later than 2014. He supported the Workers' proposal that the Office should continue its work and report to the Governing Body on the situation in Fiji in November 2012. In conclusion, he echoed the thanks and good wishes that had been expressed to the Regional Director.
97. *A Government representative of India* considered that the lessons learned from the 15th Asia and the Pacific Regional Meeting would play a vital role in job creation. Employment and poverty reduction had to be at the focus of economic strategies. The developing countries of Asia and the Pacific were the drivers of economic growth and development, and the exchange of ideas and experiences was very important in that respect. He recalled that his country had just organized the IBSA (India/Brazil/South

Africa) International Conference, with technical assistance from the ILO, aimed at building capacity and sharing knowledge, the ultimate goal being inclusive and equitable growth linking employment and social protection.

- 98.** India had established active labour market policies focusing both on wage employment and self-employment, and it was gradually moving from a needs-based social security programme to a rights-based approach. The speaker supported the draft decision.
- 99.** A *Government representative of Australia* endorsed the statement made by ASPAG. He supported the resolution on the trade union situation in Fiji and the ILO's efforts, and launched a further appeal to the Government to take the necessary steps to hold free and fair elections.
- 100.** A *Government representative of Zambia* expressed his appreciation of the report and its conclusions. He expressed his concern at the situation in Fiji, especially with regard to the application of Conventions Nos 87 and 98, and supported the Workers' proposal.
- 101.** *The Director-General* said that the Office had noted the request from the Workers' group and would proceed accordingly, submitting a report on the situation to the November 2012 session of the Governing Body.
- 102.** A *Government representative of Germany* emphasized the fact that the situation of Fiji was difficult and he asked the Office to do everything possible to ensure that the recommendations made by the Committee on Freedom of Association were put into practice.

Decision

- 103. *The Governing Body requested the Director-General:***
- (a) *to draw the attention of the governments of member States of the Asia and the Pacific region and, through them, that of their national employers' and workers' organizations, to the conclusions adopted by the 15th Asia and the Pacific Regional Meeting;***
 - (b) *to take these conclusions into consideration when implementing current programmes and in developing future programme and budget proposals;***
 - (c) *to transmit the text of the conclusions:***
 - (i) *to the governments of all member States and, through them, to national employers' and workers' organizations;***
 - (ii) *to the international organizations concerned, including international non-governmental organizations with consultative status.***

(GB.313/INS/5, paragraph 209.)

Sixth item on the agenda

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

(GB.313/INS/6, GB.313/INS/6(Add.) and GB.313/INS/6(Add.2))

104. *The Ambassador of the Republic of the Union of Myanmar, His Excellency Mr Maung Wai*, confirmed that his country was committed to good governance, transparency, accountability, the creation of a harmonious society and socio-economic reforms. These reforms were beginning to take shape but were impeded by international economic sanctions. He suggested that the time was right to review those sanctions in order to facilitate foreign investment and create job opportunities.
105. The Government of Myanmar had been in office for one year, during which time it had taken a number of constructive measures including the release of more than 28,000 prisoners and the enhancement of the political process to include a wider participation of political parties in the forthcoming by-elections on 1 April 2012. The Ambassador stated that the elections would be free and fair and that international and regional observers would be invited. Furthermore, his Government placed high emphasis on the rights and well-being of workers, and was taking measures to protect investments coming into the country. The newly adopted Labour Organizations Law allowed for the establishment of labour organizations.
106. The Supplementary Understanding between the Government of Myanmar and the International Labour Organization had been extended for one year, to 25 February 2013. Forced labour had never been a policy in Myanmar and the Government was engaged in constructive cooperation with the ILO to bring about its elimination. Myanmar was committed to justice and accountability. The Ward or Village Tract Administration Act had been adopted by Parliament, repealing the Village and Towns Act of 1907. Recognizing the urgent need to criminalize forced labour, the Ward or Village Tract Administration Law was amended on 23 March 2012 to reflect recommendations made by the ILO and bringing the definition of forced labour into line with the Forced Labour Convention, 1930 (No. 29). The processes for implementing the law were being developed and suggestions made by the ILO would be taken into consideration, where appropriate.
107. A Memorandum of Understanding, recording an agreement for developing a joint strategy for the elimination of forced labour by 2015, had been signed by the Government of Myanmar and the International Labour Organization. A joint working group to implement the strategy would be established, consisting of representatives nominated by the Government and the ILO.
108. The ILO high-level mission to Myanmar had been consulted on the redrafting of the Prisons Act, in order to bring it into line with the Forced Labour Convention, 1930 (No. 29) and other international labour standards. The high-level mission had also been briefed on the measures that were being taken to prevent the recruitment of under-age children, such as awareness-raising activities and distribution of brochures. Under-age recruitment was a high priority for the Government; action was being taken against perpetrators and the minors released. The Government placed great importance on the protection of the rights of peasants and could report that the cases in the Magwe region had been resolved. An amnesty of prisoners had been granted and certain individuals in respect of whom the ILO had expressed concern had been released. Following a request made by

the Governing Body, the visa for international staff member of the Liaison Office had been approved.

109. The Government had made good progress on the reform process and the promotion of workers' rights. In light of the considerable developments and taking into account its constructive cooperation with the ILO, it was no longer appropriate to place an item on Myanmar on the agenda of every ILO meeting; the time had come to review past ILO resolutions concerning the country.
110. *The Worker Vice-Chairperson* regretted that although progress was being made, 14 years had passed since the Governing Body expressed its views on forced labour in Myanmar, and the Government had as yet failed to bring an end to the practice. The observations made by the Committee of Experts, concerning the non-observance by Myanmar of Convention No. 29, was a crucial aspect that could not be ignored. The long-awaited changes in the country, although welcome, did not yet include the immediate elimination of all forms of forced labour.
111. He regretted that during the repeal of the Villages and Towns Act of 1907, ILO advice had not been taken into account. Amendments had eventually been made, but he remained concerned that the attitude of the Government of Myanmar was not one of collaboration with the ILO. The Committee of Experts had confirmed the continued and widespread practice of forced labour, particularly by the military. There had been increased use of forced labour in several states and no specific instructions had been issued to either the military or the population as a whole. The ILO had not received any information regarding the punishment of perpetrators of forced labour under section 374 of the Penal Code. Only a handful of cases had so far been prosecuted, however, the Workers' group noted the changes to the legislation and were awaiting further developments with interest.
112. The Workers' group welcomed the extension of the Supplementary Understanding for a further year. However, emphasis should be put on measures to prevent forced labour and strengthening the Liaison Office. The group welcomed the release of certain union activists but noted that 11 of them were still imprisoned or unaccounted for.
113. The group welcomed the three-year Memorandum of Understanding on the development of a joint strategy for the elimination of all forms of forced labour in Myanmar by 2015, agreed between the Government and the ILO. However, they insisted that the Government must adopt measures for the immediate elimination of forced labour and that all ILO programmes and activities should contribute to that goal. Awareness-raising and training activities should be based on Convention No. 29, the recommendations of the Commission of Inquiry and the comments of the Committee of Experts. The joint strategy must refer to the legal penalties for the extraction of forced labour. The Workers' group expected that their comments as well as the viewpoints of the Federation of Trade Unions of Burma (FTUB) and the international trade union movement, would be taken into consideration when developing the joint strategy, which should be completed no later than 31 May 2012.
114. Finally, while the Workers' group considered it was premature to place an item on the Conference agenda to review the resolution adopted by the 88th Session of the ILC (2000), it was prepared to review the measures contained in paragraphs 3(b) and (c) of the resolution adopted by the 87th Session of the ILC (1999) and agreed to the inclusion of an agenda item on that issue for the June 2012 session of the Conference.
115. *The Employer Vice-Chairperson* said that the Government of Myanmar had made positive progress over the years. The Memorandum of Understanding was welcome; however, forced labour persisted. Meanwhile, a consistent approach to civilian and military authorities nationwide was needed. Human rights and labour rights defenders should not

come under pressure and those in custody should be released. Respect for the rules and principles of the international community in respect of forced labour could be demonstrated by ending impunity. The involvement of the Liaison Office in specific actions and in case and situation analyses should continue. The group wished to know how the Liaison Office planned to accomplish its technical cooperation missions and monitoring tasks and asked for a clear map of the situation.

- 116.** The group urged the Government to clarify the situation and the steps taken concerning forced labour exacted for military causes in certain territories. The evolution of the democratization process should be accompanied by demonstrable improvements with regard to forced labour; separate rules should not apply to the military sector. The group requested information on penalties imposed on military personnel who had violated Convention No. 29. The proposal contained in paragraph 29 of document GB.313/INS/6 should be included on the International Labour Conference agenda. A more holistic vision was required, that encompassed the desire for enhanced cooperation between the Government and the Office on forced labour and recognized the need to accelerate the democratization process.
- 117.** *Speaking on behalf of ASPAG*, a Government representative of Australia said that the group welcomed the positive developments in Myanmar in respect of Convention No. 29 since November 2011 and encouraged the Government to continue with its reform agenda, including efforts to eliminate forced labour.
- 118.** *Speaking on behalf of the European Union (EU) and its Member States*, a Government representative of Denmark said that Albania, Bosnia and Herzegovina, Croatia, Iceland, Montenegro, Serbia, The former Yugoslav Republic of Macedonia and Ukraine had aligned themselves with the statement, which was also supported by Norway. The EU welcomed recent developments in Myanmar, in particular the signature of the Memorandum of Understanding, which remained to be followed by implementation and full compliance with the Convention. It had taken note that forced labour was henceforth explicitly prohibited by law and underscored that the military must cease to exact it in practice, with immediate effect. Constructive dialogue with the ILO on that issue must continue and the Government of Myanmar must continue to take effective steps to prosecute those who violated Convention No. 29.
- 119.** The EU urged the Government to continue its awareness-raising activities, including the distribution of information brochures in the relevant languages. It called for the swift, unconditional release of all remaining political prisoners and invited the Government to consult with all stakeholders to that end. Moreover, it encouraged the authorities to facilitate the work of the Liaison Officer and to avail itself of the assistance of the ILO to eliminate forced labour nationwide. The EU acknowledged the progress achieved and urged the Government to continue to expand its efforts. It supported discussion at the meeting of the Conference in June 2012 of the resolution adopted by the ILC in 1999.
- 120.** *Speaking on behalf of the Association of Southeast Asian Nations (ASEAN)*, a Government representative of Viet Nam said that the group welcomed recent developments and gave its full support to the Government of Myanmar's efforts to promote democratic reform and protect workers' rights. It encouraged the Government to seek assistance from the international community, including the ILO, to overcome the remaining challenges and called on the international community to support the democratization process in Myanmar. The Liaison Officer's contribution to raising awareness and sharing good practices were highly appreciated.
- 121.** *A Government representative of Japan* said that his Government appreciated the dedication of the ILO secretariat to improving the situation with regard to forced labour in Myanmar.

In addition, it welcomed Myanmar's acceptance of the high-level visit by the ILO, its extension of the Supplementary Understanding and its signature of the Memorandum of Understanding, which should result in a sound practical strategy and implementation. Furthermore, it welcomed the amendment of the Ward or Village Tract Administration Act in line with Convention No. 29 and took note with appreciation of the positive action taken to grant visas to ILO staff. However, numerous challenges remained. It was hoped that the Government of Myanmar would fully implement the relevant legislation on forced labour and continue to raise awareness, including through the translation of brochures on the complaints mechanism into minority languages.

- 122.** A *Government representative of Thailand* said that his delegation aligned itself with the statement of ASEAN. His country welcomed the political developments in Myanmar and its observance of the Convention, and commended its commitment to constructive dialogue with the ILO. The extension of the Supplementary Understanding, the signature of the Memorandum of Understanding and the amendments introduced to the Ward or Village Tract Administration Act were particularly positive steps. The granting of visas to ILO staff to facilitate the increased workload of the Liaison Office further reflected the Government of Myanmar's commitment to the reform process. His country wished Myanmar to continue such practices and for its observance of Convention No. 29 to be phased out as a standing agenda item. Its recent decision to invite international observers and the media to observe the April by-elections was most welcome. Although challenges remained, the international community should foster an enabling environment for dialogue and cooperation. His country supported the call for economic sanctions on Myanmar to be lifted, so that it could make social and economic progress.
- 123.** A *Government representative of Cambodia* said that his delegation associated itself with the statement of ASEAN. Considerable progress had been made and steps taken to promote democratic reform, improve working conditions, increase freedoms and eliminate forced labour. His delegation welcomed Myanmar's continued cooperation with the Liaison Officer and the continued commitment of the ILO to provide it with technical support and assistance; Myanmar should continue to engage with and seek assistance from the international community, including the ILO, to further the democratization and development process.
- 124.** A *Government representative of Switzerland* noted the encouraging progress made in recent months, notably the extension of the Supplementary Understanding. Her delegation hoped that the dialogue and cooperation would continue and that the Memorandum of Understanding would result in a consolidated strategy. The time was ripe for the Government of Myanmar to consider with the ILO how to expand its mandate in the field, to promote direct contacts. The Conference might wish to review the measures it had adopted to secure compliance by Myanmar with the recommendations of the Commission of Inquiry at its meeting in June 2012.
- 125.** A *Government representative of Canada* said her Government welcomed Myanmar's commitment to democratic reform and the release of political prisoners, while continuing to call for the unconditional release of all such prisoners. It also welcomed the signature of ceasefires with several non-state armed groups and urged all parties to seek to resolve long-standing conflicts and respect the rights of local populations. Forced labour continued to be exacted, particularly in conflict areas. Government efforts to raise awareness of forced labour, develop new governance and accountability structures and provide training to police and others in order to eliminate that practice were welcome. The extension of the Supplementary Understanding and the signature of the Memorandum of Understanding represented significant progress. Her delegation encouraged the authorities to continue to support the Liaison Officer by granting visas to staff and called on the Government to take more proactive and preventive measures to eliminate forced labour.

- 126.** *A Government representative of India* said that his delegation appreciated the recent progress with regard to Myanmar's observation of the Convention and cooperation with the ILO. The promulgation of the Ward or Village Tract Administration Act, which effectively prohibited forced labour, was highly significant as were government efforts to draft new prisons legislation. His country commended the efforts of the Director-General of the ILO to assist Myanmar in tackling forced labour and urged the Government to remain firmly engaged.
- 127.** In view of Myanmar's considerable progress, India concurred that its compliance with the Convention should not remain as a standing agenda item at ILO meetings.
- 128.** *A Government representative of Australia, also speaking on behalf of New Zealand,* said that both countries appreciated the dedicated work of the Liaison Office in Myanmar and the improvements it generated on the ground. They welcomed the extension of the Supplementary Understanding, in particular as the military continued to exact forced labour. The Government initiative to develop a joint strategy with the ILO demonstrated its commitment to the elimination of forced labour, as did the signature of the framework Memorandum of Understanding by both the Ministry of Labour and the Ministry of Defence. The amendment of the Ward or Villages Tract Administration Act to expressly prohibit forced labour was commendable. It remained for the authorities to meet their obligations under the amended domestic legislation and Myanmar's international obligations. Australia and New Zealand encouraged the Government of Myanmar to adopt the recommendations of the ILO on the implementation of revisions to the Prisons Act, including the *Jail Manual*, to make full use of the Liaison Office and to honour its commitment to grant visas to Liaison Office international staff.
- 129.** While the release of political prisoners in recent months, particularly of the labour activists referred to by name in the conclusions of the Governing Body in November 2011, had been a positive development, a number of them were still incarcerated and should be granted unconditional release without delay. The Government of Myanmar should ensure that democratic norms were followed during the April elections. In that connection, the invitation extended by the Government of Myanmar to international observers was most welcome and all such observers, including journalists, should be afforded unrestricted access during their visit. The use of forced labour in conflict situations, as well as human rights abuses, remained a serious problem. While the signing of preliminary ceasefire agreements by several armed groups was a positive development, the Government of Myanmar should continue its efforts to end long-standing ethnic conflicts.
- 130.** The effective implementation of the new legislation would be critical in determining whether the Government of Myanmar had complied with all the recommendations made by the 1998 Commission of Inquiry. In that connection, there were concerns that the current mandate of the ILO Liaison Officer prevented him from doing more to assist the Government of Myanmar. Therefore, the Governing Body should include an item on the Organization's mandate in Myanmar on the agenda of the next International Labour Conference.
- 131.** *A Government representative of China* said that the adoption of the Ward or Village Tract Administration Act, the joint strategy to eliminate all forms of forced labour, the release of individuals imprisoned as a result of complaints of forced labour, the punishment of military personnel for the recruitment of minors and the extension of the Supplementary Understanding until February 2013 were all positive developments. The fact that the Government of Myanmar had adopted legislation and prosecuted perpetrators of forced labour was a sure sign of its commitment to eliminating the practice. The agenda of the International Labour Conference should therefore include a review of the situation

concerning the 1999 resolution. In addition, discussions on lifting the sanctions imposed on Myanmar should begin as soon as possible.

- 132.** *A Government representative of the Bolivarian Republic of Venezuela* said that the ILO high-level mission that had visited the country in January 2012 had witnessed first-hand the progress achieved by the Government of Myanmar in eliminating forced labour. It was hoped that the extended Supplementary Understanding and the Memorandum of Understanding would pave the way for further progress. The agenda of the International Labour Conference should include a review of the measures adopted to ensure compliance with the recommendations made by the Commission of Inquiry, and the issue of the Government's observance of Convention No. 29 should no longer feature as a permanent agenda item for the Governing Body.
- 133.** *A Government representative of the United States* said that recent developments had provided the Government of Myanmar with a clear legal basis for eliminating the practice of forced labour. In reference to the three recommendations made by the 1998 Commission of Inquiry, the adoption of the Ward or Village Tract Administration Act addressed the issue of bringing legislative texts into line with Convention No. 29 and constituted the first step towards enforcing criminal penalties for exacting forced labour. The Government of Myanmar should now focus on imposing the penalties provided for in the new law.
- 134.** Despite the many positive developments referred to in the report of the ILO Liaison Officer, military personnel continued to use forced labour in conflict areas and often recruited minors. While efforts to raise awareness about basic worker rights had increased, they were insufficient for a country that was home to over 50 million people. There was little awareness of worker rights in some areas and the number of prosecutions for using forced labour was limited.
- 135.** The Memorandum of Understanding signed between the Government of Myanmar and the ILO represented a new avenue for addressing the long-standing issue of forced labour and set out a strategy that would allow the Government to tackle the problem effectively. The 13 action items included all the issues raised by the Governing Body. However, the fact remained that significant resources would be required to implement the strategy successfully. Moreover, there was a need to raise the awareness of Government and military officials about the existence of the law and its enforcement.
- 136.** *A Government representative of the Russian Federation* said that the new legislation aimed at eliminating forced labour was a welcome development and that the Government should proceed to release all remaining prisoners, to eradicate the recruitment of minors by military personnel and to penalize all perpetrators of forced labour. The extension of the Supplementary Understanding and the signing of the Memorandum of Understanding constituted important steps towards eliminating the practice of forced labour by 2015. The situation in Myanmar should be removed from the agenda of the Governing Body by means of an appropriate review at the International Labour Conference.
- 137.** *A Government representative of Cuba* said that the legislative reform process aimed at restoring the legal system and aligning domestic legislation with Convention No. 29 was of great importance. Furthermore, forced labour had been defined in domestic legislation for the first time. A provision of the Constitution expressly prohibited forced labour and allowed the Criminal Code to be applied to perpetrators of the practice.
- 138.** In addition, it was necessary to move forward with the joint strategy to eliminate all forms of forced labour by 2015 and to ensure continued cooperation between the Government of Myanmar and the ILO with a view to achieving the objectives set out in Convention No. 29.

139. *The Ambassador of the Republic of the Union of Myanmar informed the Governing Body that, as evidence of the commitment of the highest ranking military officials to ensuring compliance with civilian laws, the Commander in Chief of the armed forces had recently reminded all military personnel of their obligation to respect not only military laws but also civilian laws.*

Conclusions

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

1. *Welcomes the important and positive developments in Myanmar since the 312th Session of the Governing Body (November 2011) and in particular the further extension of the Supplementary Understanding (SU) and the adoption of legislation repealing the Village and Towns Acts of 1907 defining forced labour and providing for the criminal prosecution of perpetrators.*
2. *Further welcomes the initiative of the Government, including the defence services, in formalizing its commitment to develop a comprehensive, proactive, joint strategy with the ILO for the full elimination of all forms of forced labour by 2015. In so doing, it is emphasized that immediate effective measures are required and that every effort should be made to meet that objective earlier. The intention to maintain ongoing direct cooperation between the defence services and the ILO in this regard is an important part of the process as all sectors of the Government must respect the new legislation.*
3. *Whilst recognizing that these represent major steps towards meeting the recommendations of the Commission of Inquiry, notes that both the strict application of the new law and the prosecution and appropriate punishment of those who may violate it are critical to achieving the objective and as such should be built into the proposed strategy. This new strategy should be accompanied by a high-level public commitment to its implementation and to full compliance with Convention No. 29.*
4. *Notes the importance of ensuring that policy coverage and application encompasses the entire territory of Myanmar including border areas in context of achieving sustainable peace agreements.*
5. *Notes the information concerning the prosecution of some perpetrators and encourages the Government to maintain a process based on preventative education/awareness, the full application of the law and accountability by way of criminal prosecution of perpetrators as a means for combating impunity.*
6. *Welcomes the expansion of awareness-raising activities including the availability of the joint Government/ILO brochure in the Myanmar language and four other national languages and looks forward to further translations and their wide distribution.*

7. *Welcomes also the recent release from prison of a further number of labour activists and seeks the immediate unconditional release of all remaining imprisoned labour activists and prisoners of conscience.*
8. *Urges the Government to avail itself of the technical assistance of the Office including in further consultation in the drafting of relevant legislation.*
9. *Expresses its appreciation for the work of the Office and especially of the Liaison Officer and his small dedicated team and re-emphasizes the need to strengthen and expand the Liaison Office capacities including through the provision of adequate resources, the Government's expeditious approval of necessary visas on request and the engagement of local focal points for the strengthening and support of community networks.*
10. *Strongly encourages the Government and the people of Myanmar to continue their ongoing democratization efforts and emphasizes in that regard the need for full respect of human rights and international standards.*
11. *Decides to place on the agenda of the 101st Session of the International Labour Conference (June 2012) an additional item enabling a review of measures previously adopted by the Conference to secure compliance by Myanmar with the recommendations of the Commission of Inquiry.*
12. *Finally it requests the Officers of the Governing Body to undertake a mission to Myanmar and to report to the Conference on all relevant issues with a view to assisting its consideration of that review.*
13. *The total cost of the above mission, estimated at US\$58,000, will be financed in the first instance from savings in Part I of the budget or, failing that, through Part II of the budget.*

(GB.313/INS/6, GB.313/INS/6(Add.) and GB.313/INS/6(Add.2).)

Seventh item on the agenda

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

(GB.313/INS/7 and GB.313/INS/7(Add.))

141. *The Worker Vice-Chairperson said that the Labour Organizations Law, adopted in October 2011, had entered into force in March 2012 and had created a legal framework that would allow trade unions to be registered and to operate freely. While the Government had released a number of union activists imprisoned for trade union activities, there was still a*

general lack of compliance with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). Moreover, the Labour Organizations Law did not fully protect the rights guaranteed under the Convention. The Committee of Experts had carried out a preliminary review of the Labour Organizations Law but had not reviewed the implementing rules, as they were in draft form at the time. However, it did note some areas in which the Labour Organizations Law failed to comply with Convention No. 87. Furthermore, it appeared that various orders and decrees affecting the exercise of freedom of association still remained in force, including Order No. 2/88, Order No. 6/88, the Unlawful Association Act, Declaration No. 1/2006 and the 1929 Trade Disputes Act. The Committee of Experts had once again called on the Government of Myanmar to repeal those orders and decrees in 2012 and, in the case of the 1929 Trade Disputes Act, a new law had been submitted to Parliament but it was unknown whether it had been ratified. As a result, the framework regulating bargaining, dispute settlement and strikes might not enter into force for quite some time. The Workers' group was also concerned that while the Labour Minister had assured ITUC representatives that the FTUB could register and operate freely, it had not yet repealed Declaration No. 1/2006.

142. The group could not yet comment on the impact of the new legislation on the exercise of freedom of association. It was expected that applications for registration submitted previously would be approved as soon as possible and that registered unions would be able to operate freely without interference from the Government or employers. However, to date, no union had been registered. While a number of union activists had been released, the fact remained that others were still imprisoned or their whereabouts were unknown. As yet there was no evidence to show that the principles of freedom of association were respected in Burma. Given those circumstances, the Workers' group requested the Governing Body to defer the decisions on the establishment of a Commission of Inquiry until the November 2012 session.
143. In the meantime, the Government of Myanmar should work with the Office to consolidate the position of the Liaison Officer, possibly through recruiting additional personnel to promote respect for Convention No. 87 and to assist the Government and social partners in applying the law on freedom of association. They should also report on the registration process, especially in the case of the FTUB, address the inconsistencies of the Labour Organizations Law, release those activists who were still imprisoned and build the capacity of unions in Myanmar. In addition, the Bureau for Workers' Activities (ACTRAV) and the Office should become involved in educating all parties concerned.
144. *The Employer Vice-Chairperson* said that the working methods of the ILO Liaison Officer should take into account the most recent developments regarding the law that had entered into force in March 2012. The law would serve as a blueprint for determining how the registration process would work and the access of the social partners would have to such information. The Employers' group was not in favour of appointing a Commission of Inquiry and suggested broadening the mandate of the ILO Liaison Officer to enable him to deal with matters related to Convention No. 87 and to address concerns related to employment and Convention No. 29, and fostering close technical cooperation among the parties concerned in anticipation of the cultural shift that the democratic exercise of freedom of association would produce. Both ACTRAV and the Bureau for Employers' Activities (ACT/EMP) had a part to play in fostering technical cooperation, especially in view of the need to promote tripartism in Myanmar and the positive results such initiatives had yielded in the past. Progress would have been achieved only when there was respect for both the law and the fundamental rights regarding forced labour.
145. Lastly, he sought clarification on how the Office would communicate the follow-up to the issue of registration, given the need to determine the extent to which the registration of trade unions was a testament to the exercise of freedom of association in practice.

Decision

146. *The Governing Body, welcoming the important developments which have occurred since its last consideration of this matter in November 2011:*

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

(GB.313/INS/7, paragraph 8, as amended, and GB.313/INS/7(Add.).)

147. *The Ambassador of the Republic of the Union of Myanmar said that his country stood ready to cooperate with the ILO and that he endorsed the decisions taken, even if they did not entirely meet his Government's expectations. It was his firm hope that, from 2013, the Myanmar question would no longer appear as a standing issue on the agenda of the Governing Body.*

Eighth item on the agenda**Report of the high-level tripartite mission to the Bolivarian Republic of Venezuela**

148. *The Chairperson, recalling that the issue had been placed on the agenda for information, informed the Governing Body that the tripartite mission would take place in October 2012.*

Ninth item on the agenda**Reports of the Committee on Freedom of Association**

(GB.313/INS/9)

149. *The Chairperson of the Committee said that, of the 172 cases before the Committee, 38 had been examined on their merits. As regards Cases Nos 2726, 2847 and 2861 (Argentina), 2765 (Bangladesh), 2863 (Chile) and 2712 (Democratic Republic of the Congo), the Committee had observed that, despite the time which had elapsed since the submission of*

the complaints, it had not yet received the observations of the governments concerned, and had requested them to transmit their observations as a matter of urgency.

- 150.** Concerning the follow-up given to its recommendations, the Committee had noted with satisfaction that, of the 21 cases in which governments had kept it informed of the measures taken to give effect to its recommendations, it had noted with satisfaction or interest positive developments in eight of them: Cases Nos 2433 (Bahrain), 2355 (Colombia), 2463 (Iraq), 1991 (Japan), 1865 (Republic of Korea), 2591 (Myanmar), 2669 (Philippines) and 2611 (Romania). In the case concerning Japan, the Committee had expressed satisfaction at the fact that a solution had been found to the long-standing dispute. In the case of the Republic of Korea, the Committee had welcomed the introduction of trade union pluralism at the enterprise level. In the case of the Philippines, it had noted with interest the signing of a Manifesto of Commitment between the Department of Labor and Employment, the labor sector and the Armed Forces. Lastly, in the case concerning Myanmar, the Committee had welcomed the information provided by the Government, according to which the six workers detained had been released and the legal framework necessary for exercising the right to freedom of association was now in place.
- 151.** The Committee had desired to draw the attention of the Governing Body to three cases that it considered serious and urgent: Cases Nos 2761 (Colombia), 2609 (Guatemala) and 2254 (Bolivarian Republic of Venezuela). The Colombian case concerned allegations of murder, attempted murder and death threats, and arbitrary arrests. The Committee had taken note of the information provided by the Government on its efforts to combat impunity and violence, but had observed that investigations had been launched into only some of the acts referred to in the complaint. It trusted that such investigations would make it possible to shed light on the facts and punish the culprits, and had urged the Government to launch judicial investigations into those cases that had yet to be examined.
- 152.** In the second serious and urgent case, Case No. 2609 (Guatemala), concerning allegations of murder, attempted murder, assault, death threats, kidnappings, harassment and intimidation, and blacklisting, the Committee had recalled that trade union rights could only be exercised in a climate that was free of violence, pressure or threats, and had urged the Government to conduct independent inquiries into all pending cases and to ensure that they were concluded without delay so that the perpetrators were duly punished.
- 153.** The last serious and urgent case, Case No. 2254 (Bolivarian Republic of Venezuela), concerned a complaint presented by the International Organisation of Employers (IOE) and the Venezuelan Federation of Chambers and Associations of Commerce and Production (FEDECAMARAS) involving allegations of marginalization and exclusion of FEDECAMARAS from social dialogue, acts of discrimination and intimidation, legislation at odds with civil liberties and the rights of employers' organizations and their members, violent assault on the FEDECAMARAS headquarters, and the temporary abduction of three of its leaders, including Ms Albis Muñoz, Employer member of the Governing Body. The Committee had once again urged the Government to establish, with ILO assistance, a joint national committee to examine all pending allegations and issues with a view to resolving problems through direct social dialogue.
- 154.** *The Employer spokesperson* said that, during the current session, the Committee had dealt with an exceptionally large number of cases concerning Latin American countries. That development was not a new one, but one which warranted deeper reflection by the Committee, the Office and the Governing Body. Another development that the Employers considered worrying was the appearance of cases concerning human resources management issues, which should be dealt with through national administrative or legal channels. Case No. 2875 (Honduras) was an example of that tendency, and also of another

trend towards grouping a series of unrelated complaints against a variety of enterprises or national entities into a single case. If such cases became more common, the Committee might have to look at its procedures again to ensure that single cases dealt only with related matters.

- 155.** Case No. 2254 (Bolivarian Republic of Venezuela) remained deeply concerning for the Employers, who observed that the Government had failed to implement many of the recommendations made by the Committee during its March 2010 session. Indeed, the Government was now seeking to deny officials of the employers' organization private property rights. The Employers underlined the serious nature of the issues raised and emphasized the fact that the Government's promises had remained empty words.
- 156.** Cases Nos 2743 (Argentina) and 2609 (Guatemala) raised interesting issues about the nature of investigations called for by the Committee. The Committee regularly asked governments to conduct investigations; in some cases, that might mean the relevant labour inspection services. If a Government was acting in its capacity as an employer, an independent investigation was routinely requested. Case No. 2867 (Plurinational State of Bolivia) showed that the authorities should not impede collective bargaining by engaging in violence or by coercion of non-strikers. In Case No. 2684 (Ecuador), which was a legislative case, a technical cooperation mission had taken place.
- 157.** In a number of cases, the Committee had welcomed the actions taken by governments to implement its recommendations; Case No. 2751 (Panama) was one such. It was important to recognize that legislative progress had been made.
- 158.** Case No. 2888 (Poland) raised an important issue of principle about the scope of Conventions. The Committee had clearly stated that self-employed workers and those working under civil contracts had the right to form and join organizations of their own choosing.
- 159.** Case No. 2704 (Canada) dealt with a legislative matter that had recently been subject to a ruling by the country's Supreme Court. The Committee had welcomed the findings of the Supreme Court that agricultural employers had the duty to consider employee representations in good faith, but had considered that the protection of the Convention went further and that collective bargaining implied an ongoing engagement that recognized the voluntary nature of collective bargaining and the autonomy of the parties.
- 160.** In Case No. 2780 (Ireland), the Employers were pleased that the Government had taken steps to secure the view of the Irish employers in responding to the complaint. They wished to make two observations about the case: first, a certain number of factual disputes could not be resolved by the Committee; and second, they wished to draw the Governing Body's attention to the way in which the Committee had separated the enterprise issue from the broader legislative issue. The Committee had also recognized that tripartite social dialogue on social issues had yielded positive results in Ireland and had sought to utilize that goodwill in reviewing the existing framework.
- 161.** In conclusion, the Employer members supported the adoption of the report of the Committee on Freedom of Association and called on governments to respond constructively to the recommendations made, especially in regard to the serious and urgent cases.
- 162.** *The Worker spokesperson* highlighted the positive atmosphere in which the session had been conducted. Nevertheless, he expressed both regret that consideration of several cases had been delayed because of the late submission of information by governments, and concern that certain governments had once more failed to respond to the Committee's

requests, or had only responded in part. The situation was particularly worrying with regard to Cases Nos 2655 (Cambodia) and 2753 (Djibouti), which had been under consideration for many years without any progress being made, and Cases Nos 2609 and 2768 (Guatemala) and 2714 (Democratic Republic of the Congo).

- 163.** The Committee had examined several serious and urgent cases. Case No. 2761 (Colombia) involved numerous allegations of murders of trade union members and officials.
- 164.** Case No. 2609 (Guatemala) was also deeply worrying, as the Government had provided only partial information, while a large number of murders, attempted murders, assaults, death threats and kidnappings had been alleged. The Workers called on the ILO community to urge the Government to take every step to put an end to the situation as soon as possible.
- 165.** In Cases Nos 2809 (Argentina), 2850 (Malaysia), 2752 (Montenegro) and 2751 and 2868 (Panama), the Workers noted that lengthy procedures existed for recognizing trade unions, and that there was interference at odds with true respect for the right to freedom of association. The Committee had repeatedly and properly recalled that everything should be done to ensure that trade union members dismissed as a result of their union activities should be reinstated. In Case No. 2875 (Honduras), the allegations concerned the dismissal of entire executive committees.
- 166.** Case No. 2807 (Islamic Republic of Iran) was important from the point of view of the principles of freedom of association because it raised the issue of delegations to the International Labour Conference and had been examined by the Conference's Credentials Committee.
- 167.** The Committee had examined various cases of restrictions on the right and freedom to bargain collectively and had been obliged to remind the governments concerned of their obligations. In several cases, the restrictions were accompanied by allegations concerning on the right to strike, which was indivisible from the effective right to bargain collectively.
- 168.** With regard to Case No. 2704 (Canada), the Committee had recalled that agricultural workers should be able to exercise their rights fully and effectively without risk of sanction.
- 169.** Case No. 2684 (Ecuador) concerned in particular the right to bargain collectively in the public sector.
- 170.** In Case No. 2780 (Ireland) the Committee had called for collective bargaining to be strengthened and promoted in line with the principles of freedom of association in response to the attitude of a large air transport enterprise, which appeared to be turning restrictions on the right to bargain collectively into a form of economic management.
- 171.** The Workers welcomed the positive developments in Cases Nos 2177 and 2183 (Japan).
- 172.** Case No. 2854 (Peru) concerned respect for the right to strike in the ports sector. The Workers highlighted the contradiction between the Government's invocation of the obligation to ensure minimum services and the fact that it had taken a decision, without prior consultation, to privatize the enterprises in question.
- 173.** With regard to Case No. 2789 (Turkey), the ILO had been calling for the existing, very restrictive, legislation to be revised for several years.

- 174.** Cases Nos 2786 (Dominican Republic), 2602 (Republic of Korea) and 2888 (Poland) reminded governments of the fact that the right to bargain collectively applied to self-employed workers, workers employed by sub-contracting enterprises, and domestic workers.
- 175.** The Workers emphasized the fact that, very often, the Committee asked governments to investigate the allegations contained in complaints. Such requests reflected the need for governments, who were responsible for ensuring effective respect for the principles of freedom of association and collective bargaining and who had the means to conduct the necessary investigations, to supply all the relevant material.
- 176.** Lastly, the Workers also highlighted the developments mentioned in several cases examined during the session.
- 177.** *Speaking on behalf of GRULAC*, a Government representative of Brazil reaffirmed the importance that GRULAC attached to the activities of the Committee on Freedom of Association and the priority that governments in the region accorded to respecting freedom of association and collective bargaining.
- 178.** As on previous occasions, he expressed concern at the number of cases before the Committee that originated in his region, which accounted for 23 out of 37, or 62.1 per cent, of those currently under consideration.
- 179.** He recalled that freedom of association and the activities of the social partners were valued highly by the States of the region and, at the same time, gave rise to the largest number of cases. In that regard, it was regrettable that the admissibility criteria which the Committee ought to respect were not always met.
- 180.** In fact, in many cases, the Committee decided to examine complaints without any proof from the complainants; what was more, it transferred the burden of proof by asking governments for information and evidence that they obviously did not possess. Governments were therefore left unable to defend themselves in the face of the Committee's requests.
- 181.** He reminded the Committee of the universal principle of law that the accuser should provide proof. GRULAC could not accept any failure on the part of the Committee to respect that principle. Furthermore, various cases and situations examined by the Committee were being or could be remedied through national administrative or judicial channels, as neither the allegations nor the complexity thereof justified action by the ILO.
- 182.** Equally, in some cases, the Committee presented complaints without taking account of the realities of the region or the legal systems in force in different countries; such complaints were impossible to resolve satisfactorily.
- 183.** He observed that the Committee often examined and reached conclusions on issues that did not fall strictly within its competence, even giving views on issues relating to the criminal and judicial spheres, among others.
- 184.** The excessive ease and willingness with which complaints were judged to be admissible had a direct influence on the credibility, efficiency and quality of any work that the Committee might undertake in the Latin American and Caribbean region. Given the importance that GRULAC attached to the Committee as a body to monitor the application of standards, he wished to share its concerns with the Governing Body in order to avoid the Committee's actions losing their importance through lack of respect for clear and rigorous procedures. Consequently, and with all due respect, he called on the Committee to abide by

the admissibility criteria for complaints, confine itself strictly to its mandate, observe the universal principle of the burden of proof, and respect the legal systems of the countries concerned.

185. In conclusion, he invited the Committee to act in a more balanced and objective manner with regard to the countries of his region, so that the number of cases concerning Latin America and the Caribbean would increase no further.

Decision

186. *The Governing Body took note of the introduction to the report of the Committee, contained in paragraphs 1–237, and approved the recommendations made in paragraphs: 247 (Case No. 2660: Argentina); 261 (Case No. 2702: Argentina); 278 (Case No. 2743: Argentina); 289 (Case No. 2809: Argentina); 312 (Case No. 2837: Argentina); 361 (Case No. 2867: Plurinational State of Bolivia); 377 (Case No. 2792: Brazil); 387 (Case No. 2655: Cambodia); 401 (Case No. 2704: Canada); 437 (Case No. 2761: Colombia); 467 (Case No. 2602: Republic of Korea); 486 (Case No. 2753: Djibouti); 508 (Case No. 2786: Dominican Republic); 539 (Case No. 2819: Dominican Republic); 573 (Case No. 2684: Ecuador); 619 (Case No. 2609: Guatemala); 644 (Case No. 2768: Guatemala); 663 (Case No. 2811: Guatemala); 694 (Case No. 2875: Honduras); 705 (Case No. 2740: Iraq); 722 (Case No. 2807: Islamic Republic of Iran); 815 (Case No. 2780: Ireland); 852 (Cases Nos 2177 and 2183: Japan); 877 (Case No. 2850: Malaysia); 899 (Case No. 2828: Mexico); 922 (Case No. 2752: Montenegro); 950 (Case No. 2751: Panama); 1010 (Case No. 2868: Panama); 1045 (Case No. 2854: Peru); 1065 (Case No. 2856: Peru); 1087 (Case No. 2888: Poland); 1097 (Case No. 2714: Democratic Republic of the Congo); 1132 (Case No. 2789: Turkey); 1156 (Case No. 2892: Turkey); 1201 (Case No. 2839: Uruguay); 1240 (Case No. 2876: Uruguay); 1358 (Case No. 2254: Bolivarian Republic of Venezuela), and approved the 363rd Report of the Committee on Freedom of Association in its entirety.*

(GB.313/INS/9.)

Tenth item on the agenda

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

(GB.313/INS/10)

187. *The Employer Vice-Chairperson* supported the draft decision and invited the Office to ensure that meetings were held soon so that a specific proposal could be submitted to the November session of the Governing Body.

Decision

188. *The Governing Body requested the Office to convene meetings of the Geneva-based tripartite consultative group, in order to develop a plan of work, including time frames, and to present an updated document that takes into*

account the interventions made during the 313th Session (March 2012) of the Governing Body, for the consideration of the next meeting of the Working Party in November 2012.

(GB.313/INS/10, paragraph 28.)

Eleventh item on the agenda

Chairperson's summary report of the Working Party on the Social Dimension of Globalization

(GB.313/INS/11)

189. *The Chairperson* recalled that the document submitted was simply a reminder of the main points raised in the discussion that had taken place on the role that the ILO could play to stave off the threat of a renewed crisis.

190. *Speaking on behalf of the Africa group*, a Government representative of Algeria recalled that the Africa group had stressed, during the discussion, the need to reform the international monetary system to ensure a more equitable and just globalization. It had also requested a follow-up mechanism for the Global Jobs Pact.

Outcome

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

(GB.313/INS/11.)

Twelfth item on the agenda

Report of the Director-General

(GB.313/INS/12)

Obituary

Decision

192. *The Governing Body invited the Director-General to convey its condolences to the CUT and to the family of Ms María Rozas Velásquez.*

(GB.313/INS/12, paragraph 7.)

193. *The Governing Body took note of the information contained in the report.*

Second Supplementary Report: Follow-up to Governing Body decisions (GB.313/INS/12/2)

194. *The Chairperson* invited the Governing Body to comment and provide guidance on the format of the report.
195. There was broad agreement in the Governing Body that the format of the report was efficient and clear and that it was a useful tool.
196. *The Worker Vice-Chairperson* said that future reports should be more concise and focus on salient developments between reporting dates. They should highlight follow-up action taken and could mention certain categories of specific information.
197. *Speaking on behalf of the Africa group*, a Government representative of Kenya said her group encouraged the use of the current simplified report format.
198. *Speaking on behalf of the group of industrialized and market economy countries (IMEC)*, a Government representative of Switzerland said that her group proposed the inclusion of an additional column on obstacles to the implementation of decisions and sought clarification with regard to the criteria for the inclusion of decisions in the report. Future reports should contain decisions requiring follow-up action from the current Governing Body session and those that remained to be followed up from the previous session.

Decision

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

(GB.313/INS/12/2, paragraph 4.)

Third Supplementary Report: Report of the committee set up to examine the representation alleging non-observance by Japan of the Private Employment Agencies Convention, 1997 (No. 181), made under article 24 of the ILO Constitution by the Japan Community Union Federation (GB.313/INS/12/3)

Decision

200. *The Governing Body, in light of the Committee's conclusions set out in document GB.313/INS/12/3:*
- (a) *approved the report;*

- (b) *invited the Government to take due note of all the matters raised in the Committee's conclusions as well as the measures requested in paragraphs 38, 41, 42 and 43 of the report and to provide a detailed report this year under article 22 of the ILO Constitution in respect of the Private Employment Agencies Convention, 1997 (No. 181);*
- (c) *entrusted the Committee of Experts on the Application of Conventions and Recommendations with following up the matters raised in the report with respect to the application of Convention No. 181;*
- (d) *decided to make the report publicly available and closed the procedure initiated by the representation of the Japan Community Union Federation alleging non-observance by Japan of Convention No 181.*

(GB.313/INS/12/3, paragraph 44.)

Fourth Supplementary Report: Report of the committee set up to examine the representation alleging non-observance by Peru of the Seafarers' Pensions Convention, 1946 (No. 71), made under article 24 of the ILO Constitution by the Autonomous Confederation of Peruvian Workers (CATP)
(GB.313/INS/12/4)

Decision

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

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

- (iv) *ensure that full effect was given to the ruling of the Transitional Civil Chamber of the Supreme Court of Justice of 24 November 2009; and*
- (v) *take all necessary measures to ensure that the rate of the pensions paid to any of the former employees of the Peruvian Steamship Company (CPV) who had been seafarers and had completed a prescribed period of sea service was in all cases at least equal to the rate resulting from the application of the minimum replacement rate determined by Article 3(1)(a) of Convention No. 71, if necessary by revising the ceiling applicable to such pensions;*
- (c) *invited the Government to provide, in a report to be submitted for examination by the Committee of Experts on the Application of Conventions and Recommendations at its next session, detailed information on measures adopted to give effect to the above recommendations; and*
- (d) *declared closed the procedure initiated by the representation of the Autonomous Confederation of Peruvian Workers (CATP) alleging non-observance by Peru of Convention No. 71.*

(GB.313/INS/12/4, paragraph 41.)

Fifth Supplementary Report: Report of the committee set up to examine the representation alleging non-observance by Peru of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), made under article 24 of the ILO Constitution by the General Confederation of Workers of Peru (CGTP)
(GB.313/INS/12/5)

Decision

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

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

(GB.313/INS/12/5, paragraph 36.)

**Sixth Supplementary Report: Documents
submitted for information only
(GB.313/INS/12/6)**

Decision

- 203.** *The Governing Body took note of the information contained in the documents listed in the appendix.*

(GB.313/INS/12/6, paragraph 4.)

Thirteenth item on the agenda

Reports of the Officers of the Governing Body

**First report: Complaint concerning the non-observance
by Bahrain of the Discrimination (Employment and
Occupation) Convention, 1958 (No. 111), made by
delegates to the 100th Session (2011) of the
International Labour Conference under
article 26 of the ILO Constitution
(GB.313/INS/13/1)**

- 204.** *The Chairperson*, introducing the document under consideration, proposed that the decision point (paragraph 9(a)) should be amended to read: “to suspend consideration in its current session pending completion (and submission) of the Government’s and Director-General’s reports to the Governing Body in its 316th session in November 2012”. He explained that the amendment was the result of consultations between the Officers of the Governing Body, the Government of Bahrain and Bahraini workers’ and employers’ representatives.
- 205.** *The Worker Vice-Chairperson* expressed satisfaction at the positive developments in Bahrain and the reinstatement of hundreds of dismissed workers. The Workers’ group welcomed the tripartite agreement signed by the various stakeholders, in the expectation that it would enable pending problems to be solved, especially with regard to reinstating those workers still suspended. The issue of compensation was of the greatest importance and should be examined with care. The Workers’ group supported the point for decision, as amended.
- 206.** *The Employer Vice-Chairperson* welcomed the Office’s prompt reaction in the matter and the efforts of the various parties that had allowed a tripartite agreement to be reached.
- 207.** *A Government representative of Egypt* welcomed the efforts made by Bahrain to abide by the principle of non-discrimination and encouraged it to continue and strengthen its cooperation with the ILO.
- 208.** *A Government representative of India*, taking note of the updated information in the appendices to the report under consideration by the Governing Body, commended Bahrain for its efforts to foster a climate of trust and fairness while dealing with the issues raised in

the complaint. Given the substantial progress that had been made, the establishment of a Commission of Inquiry under article 26 of the ILO Constitution would constitute a duplication of the efforts currently under way at the national level.

209. *The Chairperson* clarified that the proposal before the Governing Body was to suspend all consideration of the complaint.

Decision

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

- (a) *suspended consideration in its current session pending completion (and submission) of the Government's and Director-General's reports to the Governing Body in its 316th Session in November 2012;*
- (b) *requested the Government to continue to provide reports on the effective implementation of the Tripartite Agreement signed by the tripartite constituents of Bahrain on 11 March 2012 and to report to the Governing Body at its 316th Session (November 2012) on the progress made to fully implement its provisions;*
- (c) *requested the Director-General to write to the Government, the General Federation of Bahrain Trade Unions (GFBTU) and the Bahrain Chamber of Commerce and Industry (BCCI) welcoming the significant progress made and inviting them to continue in this positive direction; and*
- (d) *requested the Director-General to take the necessary measures to provide all the technical assistance required by the tripartite constituents, if requested by the Government or the workers' or employers' representatives, to ensure the effective implementation of the Tripartite Agreement and to report to the Governing Body at its 316th Session (November 2012) on the progress made.*

(GB.313/INS/13/1, paragraph 9, as amended.)

211. *A Government representative of Bahrain* thanked the Office and tripartite constituents for the support they had given his Government to overcome the negative consequences of the regrettable events that had occurred in 2011. With that support, tripartite agreement had been reached in his country on the reinstatement of workers who had been dismissed in violation of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the resumption of trade union activities. The same tripartite cooperation would be deployed to deal with all remaining problems in that regard, preserving all parties' rights and ensuring a healthy and productive working environment for the well-being of both workers and employers. The King had emphasized the importance of decent work for all citizens, particularly in view of their key role in the country's development. Bahrain would continue to honour its obligations under the conventions to which it was a party and to implement labour standards. The Government would strive to combat discrimination, uphold trade union and workers' rights and bring local legislation into line with international labour standards.

Second report: Timing of the Governing Body sessions

(GB.313/INS/13/2)

- 212.** *Speaking on behalf of the Africa group*, a Government representative of Kenya noted that the aim of the proposed change to the timing of the Governing Body sessions was to facilitate the Governing Body reform package. Given that the purpose of the reforms was to promote institutional effectiveness and efficiency and on the understanding that the proposed meeting dates did not coincide with other meetings and that there were no budgetary or cost implications, the Africa group supported the point for decision in paragraph 9 of the document currently before the Governing Body.
- 213.** *Speaking on behalf of the Government group*, a Government representative of Sudan said that, in view of some of the information in the document under consideration, his group requested additional time for consultation.
- 214.** *Speaking on behalf of GRULAC*, a Government representative of Brazil said that, while he fully supported the reasons for holding the Governing Body meeting in October, it had become apparent that the list of meetings in the appendix to the document under consideration was incomplete. Several other high-level meetings were held in October, such as the Working Group on the Universal Periodic Review of the United Nations Human Rights Council and the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action. He therefore suggested that the Officers might wish to ensure that they had complete and accurate information at their disposal before taking any decisions.
- 215.** *The Chairperson* said that, to date, the focus had been on the executive bodies that habitually met in October. Nonetheless, with the agreement of the Officers, the Governing Body could indeed defer consideration of that item. The Office could verify the information it had received and place the item on the agenda of the June session of the Governing Body for further discussion, in the light of any additional findings.
- 216.** *Speaking on behalf of IMEC*, a Government representative of Canada suggested that consideration should also be given to changing the timing of the meeting of the Board of the Turin Centre, which normally took place immediately before the November session of the Governing Body. IMEC would also welcome clarification of whether there were any costs associated with moving the session from November to October. She noted that those issues could also be addressed at the forthcoming session of the Governing Body.
- 217.** *The Director-General* drew attention to the fact that, if the draft decision in the document under consideration was eventually adopted, there would still be only 18 weeks between the October and March sessions of the Governing Body, with 28 weeks separating the March and October sessions. He therefore suggested that, when the item was discussed again, the number of agenda items and consequently the number of documents requested should be apportioned appropriately.

Decision

- 218.** *The Governing Body postponed until its 315th Session (June 2012) the adoption of a decision on this agenda item.*

(GB.313/INS/13/2, paragraph 9.)

Third report: Representation alleging non-observance by France of the Labour Inspection Convention, 1947 (No. 81), submitted under article 24 of the ILO Constitution by the “SUD Travail-Affaires sociales” trade union
(GB.313/INS/13/3)

Decision

219. The Governing Body decided that the representation was receivable and established a committee for its examination.

(GB.313/INS/13/3, paragraph 5.)

Fourth report: Request by the Government of the Kingdom of Bhutan to send an observer delegation to attend the 101st Session of the International Labour Conference
(GB.313/INS/13/4)

Decision

220. The Governing Body, on the recommendation of its Officers, authorized the Director-General to issue an invitation to the Government of the Kingdom of Bhutan to send an observer delegation to attend the 101st Session of the International Labour Conference (Geneva, 30 May–15 June 2012).

(GB.313/INS/13/4, paragraph 3.)

Fifth report: Withdrawal of regional consultative status from the International Confederation of Arab Trade Unions (ICATU)
(GB.313/INS/13/5)

Decision

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

(GB.313/INS/13/5, paragraph 4.)

**Sixth report: Procedures for the election
of the Director-General**
(GB.313/INS/13/6)

Decision

222. *The Governing Body decided:*

- (a) that the ballot for the election of the Director-General would be conducted at a private sitting of the Governing Body;*
- (b) that immediately after that sitting, a public sitting would be convened to allow the public announcement of the results of the ballot, including the possibility for the Director-General-elect to address the Governing Body;*
- (c) that, in the framework provided by article 2.1.1bis and 2.2.1bis of the Standing Orders of the Governing Body, the Chairperson, in agreement with the two other Officers, would conduct appropriate consultations for the organization of the sitting of 28 May 2012.*

(GB.313/INS/13/6, paragraph 2.)

**Seventh report: Conditions of appointment
of the Director-General**
(GB.313/INS/13/7)

Decision

223. *The Governing Body decided that the remuneration and conditions of employment of the Director-General should consist of the following elements:*

- (a) a net base salary equal to that of the Administrator of UNDP;¹*
- (b) Geneva post adjustment as determined by the International Civil Service Commission;²*
- (c) a representation allowance of 40,000 Swiss francs (CHF) per year;*
- (d) a housing allowance, covering rent and fixed charges, of a maximum of CHF12,000 per month;*
- (e) all other allowances and benefits accruing to staff members in the Professional and higher categories in accordance with the Staff Regulations of the ILO;*

¹ Currently US\$156.760 at single rate and \$176.272 at dependency rate.

² Currently 101.5 per cent of the net base salary.

- (f) *participation in the United Nations Joint Staff Pension Fund (UNJSPF) at the pensionable remuneration rate applicable to the Administrator of the UNDP³ or the supplement for pension arrangements applicable to ungraded officials in the UN common system who decide not to participate in the UNJSPF (UNGA resolution 47/203).*

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

(GB.313/INS/13/7, paragraph 3.)

Fourteenth item on the agenda

Composition and agenda of standing bodies and meetings

(GB.313/INS/14)

Committee of Experts on the Application of Conventions and Recommendations

New appointments

Decision

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

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

(GB.313/INS/14, paragraph 1.)

³ Currently \$352,123.

101st Session of the International Labour Conference (Geneva, 30 May–15 June 2012)

Invitation of intergovernmental organizations

226. The Governing Body noted that, in addition to the intergovernmental organizations for which standing arrangements, approved by the Governing Body, provided for their automatic invitation to the International Labour Conference, its Officers had authorized the Director-General to invite the following intergovernmental organizations and institutions to be represented at the Conference as observers:

- Asia–Pacific Economic Cooperation (APEC);
- African Regional Labour Administration Centre (ARLAC);
- Central African Economic and Monetary Community (CAEMC);
- Centre Arabe pour l’Administration du Travail et de l’Emploi (ACLAE);
- Centre régional africain d’administration du travail (CRADAT);
- Commonwealth;
- Inter-American Development Bank (IDB);
- International Association of Economic and Social Councils and Similar Institutions (IAESCSI);
- International Committee of the Red Cross (ICRC);
- Latin American Economic System (SELA);
- North American Free Trade Agreement (NAFTA);
- Nordic Council (NC);
- Nordic Council of Ministers (NMR);
- Organisation of the Islamic Cooperation (OIC);
- Organization for Security and Co-operation in Europe (OSCE);
- Secretariat of the Pacific Community (SPC);
- West African Economic and Monetary Union (WAEMU);
- World Trade Organization (WTO).

Tripartite Meeting of Experts on Labour Statistics on the Advancement of Employment and Unemployment Statistics (Geneva, 28 January–1 February 2013)

Composition

Decision

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

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

(GB.313/INS/14, paragraph 6.)

Agenda

Decision

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

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

(GB.313/INS/14, paragraph 8.)

Invitation of intergovernmental organizations

230. The Governing Body noted that, in addition to the intergovernmental organizations for which standing arrangements, approved by the Governing Body, provided for their automatic invitation to the Meeting, its Officers had authorized the Director-General to invite the following intergovernmental organizations and institutions as observers:

- Asian Development Bank (ADB);
- Economic and Social Commission for Western Asia (ESCWA);

- Economic and Social Commission for Asia and the Pacific (ESCAP);
- Economic Commission for Latin America and the Caribbean (ECLAC);
- Economic Commission for Africa (ECA);
- Inter-American Development Bank (IADB);
- International Monetary Fund (IMF);
- Observatoire Economique et Statistique d’Afrique Subsaharienne (AFRISTAT);
- Statistical Office of the European Union (EUROSTAT);
- United Nations Economic Commission for Europe (UNECE);
- United Nations Statistics Division (UNSD);
- World Bank (WB);
- World Trade Organization (WTO).

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

Composition

Decision

231. The Governing Body, on the recommendation of its Officers, approved the composition formula for this Conference. According to the established practice for International Conferences of Labour Statisticians, the governments of all member States would be invited to nominate participants who would attend at the expense of their respective governments; it was expected that a great majority, if not all, would be statisticians. In addition, the Director-General proposed to invite three experts nominated by the Employers’ group of the Governing Body and three nominated by the Workers’ group. The experts nominated should have adequate knowledge to enable them to participate actively in the Conference.

(GB.313/INS/14, paragraph 13.)

Agenda

Decision

232. *The Governing Body, on the recommendation of its Officers, approved the proposed agenda for this Conference as follows:*

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

233. *The Governing Body took note that the reports prepared by the Office would examine concepts, statistical definitions and measurement methods and, except for the general report, would provide a draft resolution for examination and adoption by the Conference.*

(GB.313/INS/14, paragraph 16.)

Invitation of intergovernmental organizations

234. The Governing Body noted that, in addition to the intergovernmental organizations for which standing arrangements, approved by the Governing Body, provided for their automatic invitation to the Conference of Labour Statisticians, the Officers of the Governing Body had authorized the Director-General to invite the following intergovernmental organizations and institutions as observers:

- Africa Union Commission (AUC);
- Andean Community of Nations (CAN);
- Arab Institute for Training and Research in Statistics (AITRS);
- Asian Development Bank (ADB);
- Economic and Social Commission for Western Asia (ESCWA);
- Economic and Social Commission for Asia and the Pacific (ESCAP);
- Economic Commission for Latin America and the Caribbean (ECLAC);
- Economic Commission for Africa (ECA);
- Inter-American Development Bank (IADB);
- International Monetary Fund (IMF);
- Interstate Statistical Committee of the Commonwealth of Independent States (CIS);
- Observatoire Economique et Statistique d’Afrique Subsaharienne (AFRISTAT);

- Secretariat of the Pacific Community (SPC);
- Statistical Office of the European Union (EUROSTAT);
- United Nations Economic Commission for Europe (UNECE);
- United Nations Statistics Division (UNSD);
- West African Economic and Monetary Union (UEMOA);
- World Bank (WB);
- World Trade Organization (WTO).

Invitation of international non-governmental organizations

Decision

235. *The Governing Body decided to defer the decision to invite the International Confederation of Arab Trade Unions (ICATU) to be represented at the 19th International Conference of Labour Statisticians as an observer until such a time as the Governing Body might be able to review the status of the Confederation in greater detail.*

(GB.313/INS/14, paragraph 18, as amended.)

236. *The Worker Vice-Chairperson* denounced the recent attacks against the National Union of Workers of Mali (UNTM). It had been reported that the office of the general secretary had been set on fire and that the general secretary himself had been temporarily placed under arrest, which constituted a serious violation of freedom of association. The Workers' group of the Governing Body expressed its solidarity with the UNTM and with the entire trade union movement of Mali and called on the Governing Body to express its concern and to invite the Malian authorities to respect trade union and human rights.

Tributes to the Director-General

237. *The Chairperson* invited the Governing Body to pay tribute to the Director-General of the ILO, who was participating at a Governing Body session for the last time.

238. He reviewed the highlights of the Director-General's time in office, making reference in particular to: Decent Work, which had become a central feature of development programmes across the globe; the establishment of the World Commission on the Social Dimension of Globalization, in the aftermath of the 1998 crisis; the ILO Declaration on Social Justice for a Fair Globalization, 2008; and the Global Jobs Pact of 2009. He also mentioned the international labour standards adopted during the Director-General's time in office (the Maritime Labour Convention, 2006; the Domestic Workers Convention, 2011 (No. 189); and the HIV and AIDS Recommendation, 2010 (No. 200)), which, he said, were groundbreaking developments.

239. Thanks to Mr Somavia's dynamism, the ILO and the issues it addressed (labour, employment and social issues) featured more prominently than ever before in global debate

and on the international agenda. Mr Somavia had been one of the first leaders to call for greater policy coherence at the national and international levels and had been instrumental in promoting South–South cooperation as a new development model.

240. The Chairperson also welcomed the implementation of the ILO’s Strategic Policy Framework, aimed at turning decent work into a reality through tripartism and social dialogue, which were the hallmarks of the Organization. He also welcomed the reform of the Governing Body and the forthcoming reform of the International Labour Conference, which could also be credited to Mr Somavia.
241. On behalf of the Governing Body, the Chairperson thanked the Director-General for having made the ILO a more vibrant organization that was better equipped to face current problems.
242. *The Employer Vice-Chairperson* welcomed the Chairperson’s initiative, likening it to a family gathering in view of the prevailing friendly atmosphere in the Governing Body.
243. He drew attention to the balance that Mr Somavia had struck between the importance given to the Decent Work concept on the one hand, and the promotion of sustainable enterprises on the other. He would remember Mr Somavia as a man who had garnered the support of the Employers in implementing tripartism effectively and who had successfully brought together the positions of the Employers, Workers, Governments and civil society. In that regard, he mentioned the interest that had surrounded the establishment of the World Commission on the Social Dimension of Globalization.
244. In terms of challenges, he mentioned the 2008 Declaration, which had come about because of the trust that Mr Somavia had built in the debate between the Employers, Workers and Governments. He also referred to the responsiveness shown by the Office when the global economic crisis had broken out, by adopting recommendations in record time and changing the agenda of the International Labour Conference in order to place the crisis at the centre of the discussions.
245. The Global Jobs Pact owed a lot to the tenacity of Mr Somavia, who had made great efforts to ensure that the Employers and Workers reached a consensus. Mr Somavia had also been successful in reforming the Governing Body and in setting in motion the reform of the International Labour Conference, urging the Organization to reinvent itself. The speaker thanked the Director-General for his contribution to the ILO and trusted that Mr Somavia, who was leaving the Organization with his head held high, would continue his efforts to protect the rights of workers and for the benefit of all, even after his departure.
246. *The Worker Vice-Chairperson* said that a great deal had been achieved at the ILO in 13 years. Even prior to his appointment, Mr Somavia had started his efforts to achieve a more coherent and focused Office. A significant number of reforms had been made in the early period of his mandate. The Office had been reorganized and priorities had been set, which the Director-General saw as being essential.
247. In the late 1990s, the Organization had focused its activities on the impact of globalization and free trade, the regulation of financial markets, employment security and income inequalities. In response to those concerns, the Director-General had worked to establish the World Commission on the Social Dimension of Globalization, highlighting that globalization had to be managed by governments and international organizations to ensure that it produced benefits for all and not just for a small elite. There was no doubt that the lasting legacy of Mr Somavia was the Decent Work concept, which captured in two words all the values, principles and standards promoted by the ILO. Through that concept,

Mr Somavia had garnered the support of different stakeholders at both the national and international levels.

- 248.** *The Workers' group* also welcomed the Director-General's commitment to the issue of gender equality, among other issues, which had led to the adoption of new international labour standards (the Maternity Protection Convention, 2000 (No. 183); the Maritime Labour Convention, 2006; the HIV and AIDS Recommendation, 2010 (No. 200); the Domestic Workers Convention, 2011 (No. 189); and the Employment Relationship Recommendation, 2006 (No. 198)). Mr Somavia's vision, dynamism and creativity had enabled the ILO to respond to the global financial crisis (through the Global Jobs Pact), but had also enhanced the Organization's standing at the international and global levels, as a result of which it had been able to place the issue of employment on the agendas of forums such as the G20, the International Monetary Fund, the World Bank and the United Nations.
- 249.** The ILO Declaration on Social Justice for a Fair Globalization was also of great significance for the Workers, both because of the notion that the four strategic objectives of the ILO were "inseparable, interrelated and mutually supportive" and because it was a clear re-endorsement that the ILO's mandate was based on tripartism, as originally set out in the Philadelphia Declaration, and that its ultimate objective was to promote social justice.
- 250.** The Workers' group thanked Mr Somavia wholeheartedly for the work he had done on behalf of workers over the past 13 years, and for the solidarity and support he had shown to the trade union movement.
- 251.** *Speaking on behalf of the Group of the Americas (GRUA)*, a Government representative of Brazil expressed deep gratitude to the Director-General for all that he had accomplished, and paid tribute to his many qualities and merits. His most notable achievement was to have secured the universal recognition of the Decent Work concept, which placed the individual at the centre of concerns. Under his guidance, the ILO had taken on an influential role in global governance, notably because of the authority conferred by its tripartite structure. The adoption of the Global Jobs Pact in response to the crisis – another of Mr Somavia's accomplishments – highlighted the importance that needed to be given to the human being against a backdrop where banks were omnipotent.
- 252.** In conclusion, and referring to the work of the poet Pablo Neruda, who had stated that "*la tierra se llama Juan*" ("the Earth is called Juan"), which could be understood to mean that it was workers, personified as "Juan", who made the Earth what it was, the speaker drew a parallel by saying that "*la OIT se llama Juan*" ("the ILO is called Juan"), in other words, it was thanks to Juan Somavia that the ILO was what it was today.
- 253.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran paid tribute to the many qualities of the Director-General. He recalled that Mr Somavia had been the first representative of the southern hemisphere to head the Organization and had gradually introduced a new course and a new culture to the ILO, leading it and galvanizing it through the past two decades of cyclical, financial and economic crisis and placing it firmly on the world map.
- 254.** As part of his relentless commitment to do more with less, Mr Somavia had endeavoured to strengthen internal governance, introduce strategic budgeting and results-based management, promote improvements in information technology, mobilize extra-budgetary resources and promote gender equality at all levels of the Organization, including the highest grade posts.

- 255.** Decent Work, fair globalization, social justice and safeguarding the fundamental principles and rights at work, in particular those of the Arab workers of the region, Palestine and occupied Arab territories, could be counted among Mr Somavia's achievements. On behalf of his own Government (Islamic Republic of Iran), the speaker thanked the Director-General for the footprint he would leave in people's hearts and emphasized the sincere friendship between them.
- 256.** *Speaking on behalf of the EU and its Member States*, a Government representative of Denmark congratulated the Director-General on having positioned the ILO as a valuable, competitive organization. It was now the leading international policy-making body on labour market and social protection issues. Under his guidance, it had become an organization that constantly renewed its capacity to provide the highest quality research and information, provided effective, relevant and competent services to constituents and stakeholders, and strongly advocated its own ideals and principles, as enshrined in the ILO Constitution, the Declaration of Philadelphia and the Declaration on Fundamental Principles and Rights at Work. Mr Somavia had also ensured that development and gender had become cross-cutting issues across the Organization. The EU shared the Director-General's belief that lasting peace could only be secured through regional and international cooperation for social justice, and that social dialogue and stakeholders' involvement were crucial to social and employment policies. The Director-General had given the ILO some valuable tools that would help to meet the challenges of globalization in the twenty-first century. They included the Decent Work Agenda, the Declaration on Social Justice for a Fair Globalization, the Global Jobs Pact and the ILO mandate from the G20. His accomplishments would be an inspiration for others to ensure that coherence and sustainability became an integral part of economic and financial governance structures.
- 257.** *Speaking on behalf of the Gulf Cooperation Council and ASPAG*, a Government representative of the United Arab Emirates praised the Director-General for his leadership of the Organization over a 13-year period that had been fraught with challenges. He had made a great contribution to the institutional work of the ILO, particularly ensuring that the Governing Body became more transparent and truly involved all parties. The ILO now enjoyed a prominent position as the international organization that promoted social dialogue and decent work in order to combat unemployment, eradicate poverty and ensure respect for international labour standards. Under Mr Somavia's leadership, the Organization had achieved significant progress in developing policies on macroeconomics, sustainable enterprises and skills training. He had also laid the foundations for transparent and constructive work through cooperation among the parties, while ensuring respect for the specificities of the social and economic conditions of all member States.
- 258.** *A Government representative of Zimbabwe* paid tribute to the dynamic and visionary leadership of the Director-General, who had transformed the ILO into one of the most effective United Nations agencies. He had introduced social dialogue into Zimbabwe at a time when the political and economic situation was detrimental to workers and the public in general. The fact that social dialogue was now at the heart of development initiatives in her country was attributable to Mr Somavia's policy advice. His determination to eliminate child labour and his vast knowledge of social and economic issues had also been particularly influential in many quarters.
- 259.** *A Government representative of Switzerland* commended Mr Somavia for his unstinting commitment to social justice and employment during his term as Director-General. While the world of work had changed radically since he had taken up office in 1999, the fundamental values of the ILO remained as relevant as ever. He had embodied and defended those values unfailingly. The Director-General had ensured that the voice of the ILO was heard and respected, and thanks to him, decent work was now a universally

accepted concept. Moreover, all his achievements at the head of the ILO had also benefited Geneva and Switzerland in general.

- 260.** *Speaking on behalf of the Africa group*, a Government representative of Togo highlighted the crucial role of the Director-General in transforming the ILO and putting it and its values at the fore of the international community. He had given the ILO a sentinel role in a world dictated by the market, providing alternative realistic solutions, placing employment and social protection at the heart of development policies and promoting coherence and flexibility in the implementation of actions. The group were putting forward a candidate from Africa, hoping to build on Mr Somavia's achievements. The speaker thanked the Director-General for his vision, commitment, pragmatism and determination to promote social justice throughout the world and particularly in Africa.
- 261.** *A Government representative of Japan* praised the Director-General for his advocacy of decent work, which had led to its recognition worldwide. He established the relevance of the Organization in the international community and given it a voice at the G20 Summits. He highlighted Mr Somavia's work on the Declaration on Social Justice for a Fair Globalization and on the Global Jobs Pact, providing guidance for national and international policy in the economic crisis. He expressed particular gratitude for Mr Somavia's support of the 15th Asia and the Pacific Regional Meeting in Kyoto in 2011, in the wake of the earthquake in east Japan.
- 262.** *A Government representative of the Russian Federation* said that under Mr Somavia's tenure the concept of Decent Work had come to underpin the work of the ILO, as reflected in the Declaration on Social Justice for a Fair Globalization and in the Global Jobs Pact. The period had seen the implementation of international labour standards and core principles and rights in the world of work in over 180 member States. The Director-General had shown discernment and sensitivity to current developments and to the aspirations of billions of people. He thanked the Director-General for his support of the High-Level Conference on Decent Work to be held in Moscow, where ideas that Mr Somavia himself had put forward would be discussed.
- 263.** *A Government representative of Argentina* thanked the Director-General for his support to Argentina during its crisis at the start of the century, enabling the Government, only a few years later, to implement decent work policies. His tenure had been crucial in enabling the ILO to gain access to the G20.
- 264.** *A Government representative of France* said that although Mr Somavia would be missed at the ILO, the values he had embodied would remain ever present in the Organization.
- 265.** *A Government representative of the Netherlands* thanked Mr Somavia for putting the ILO back on the international stage and for seeking social justice. In particular, he praised Mr Somavia for ensuring the ILO's involvement in searching for a way out of the economic crisis and for putting social and employment policies high on the agenda.
- 266.** *A Government representative of India* expressed profound admiration for Mr Somavia's contribution to the cause of labour all over the world. His relentless focus on the need for fair globalization and decent work had resulted in policies on poverty alleviation, social protection, social development and job security. He praised him as an economist, diplomat and international statesman. He symbolized the aspirations of the developing world and his recent efforts towards South-South and triangular cooperation between the ILO and developing countries would go a long way towards opening up new avenues for partnership.

- 267.** *A Government representative of Brazil* commended Mr Somavia as the first Director-General from Latin America. Among his successes were the launch of the Decent Work Agenda and the large-scale ratification of the Worst Forms of Child Labour Convention, 1999 (No. 182). He had also re-established the ILO's leading role through the Declaration on Social Justice for a Fair Globalization of 2008 and the Global Jobs Pact of 2009. Mr Somavia had achieved the inclusion of the ILO in the G20 and of decent work in the Millennium Development Goals and his advocacy of South–South cooperation had been crucial in developing actions and cooperation programmes. He had contributed to increased social dialogue in Brazil resulting in the first national conference on decent work and employment scheduled for 2012.
- 268.** *A Government representative of Pakistan* commended the Director-General for raising the profile of the ILO. His vision and commitment had brought new synergy to the work of the Organization in pioneering initiatives, particularly through the Decent Work Agenda. His greatest contribution had been his commitment to social justice and freedom in the world of work, promoting the welfare of ILO constituents throughout the world.
- 269.** *A Government representative of the United States Department of Labor* commended Mr Somavia for his graceful and fair acquittal of a very difficult task. He had brought the ILO into the top tier of international organizations, and established it as the voice of social consciousness. His tenure had seen economic change and turbulence but he had kept the ILO focused on the social consequences of the evolving economy and on social justice.
- 270.** *A Government representative of the United States Department of State* said that while world leaders were often defined by a period of history, in many ways, the world was defined by the way that Mr Somavia had shaped the debate of the previous decades and provided insight on global changes. She commended his service to workers around the world.
- 271.** *A Government representative of China* praised the Director-General for his steadfast adherence to the spirit of tripartism and his friendship to the people of China. Among his achievements, the speaker highlighted the Decent Work Agenda and ideas that had translated into concrete actions with far-reaching effects on the world of work.
- 272.** *A Government representative of Trinidad and Tobago* thanked Mr Somavia and commended him for bringing countries and organizations together for the betterment of humanity.
- 273.** *The Government representative of Colombia* thanked the Director-General for his work and for the tangible improvements in social, economic and labour conditions in Colombia under his leadership.
- 274.** *A Government representative of Chile* acclaimed Mr Somavia as a universal Chilean. He had shown himself to be a man loyal to his principles, committed to the concerns of others and with the capacity for initiative in political decisions. By taking a public stand on decent work, the Global Jobs Pact and the Declaration on Social Justice for a Fair Globalization, he had put the ILO at the very heart of decision-making on the international stage and had legitimized social multilateralism. He also extended his thanks to the Director-General's wife, Adriana Santa Cruz, for supporting her husband in his task.
- 275.** *The Director-General* thanked the Officers and members for taking the time to mark his last Governing Body session. He had been enormously touched by colleagues' generous words and their solidarity. It was not yet time for him to bid farewell to the ILO; in June, the International Labour Conference would focus on youth unemployment. Despite the fact that the topic had been selected many months in advance, it was difficult now to think of a

more pressing issue in the contemporary world of work. Consultations with young people were currently under way in 45 countries, which was important because so many of them felt that their voices were not being heard. In the more immediate future, he would do everything in his power to make the transition to his successor as smooth, transparent and constructive as possible.

- 276.** The comments from the Africa group had echoed those voiced at the 12th African Regional Meeting. That region was close to his heart and the meeting had been a great success. The 15th Asia and the Pacific Regional Meeting had been another opportunity to express his gratitude. Mention of those regions brought to mind previous Governing Body chairpersons such as Mr Mdladlana and Mr Tou from Africa, and Mr Chung and Mr Jayatilleka from Asia and the Pacific.
- 277.** He had recognized very early in his time as Director-General that, while being the first head of the ILO to come from a developing country certainly shaped his thinking, he would not take an unbalanced approach. Hailing from a developing country had been and remained part of his identity; he had examined the issues in the light of that experience.
- 278.** He could not have accomplished any of the achievements that had been mentioned without the ILO teams that had surrounded him. In particular, the staff of Cabinet had assisted him enormously over the years, represented by the current Chief, Ms Maria Angelica Ducci and the Deputy Chief, Ms Annette-Marie Ching. He had huge respect for the professionalism and work ethic of the ILO staff and their desire to do more with less, to deliver the best possible product or service. A fundamental part of what he had been able to present to the Governing Body was a result of the work of the teams he had formed and with which he had had the pleasure to work.
- 279.** Nonetheless, all the achievements that had been listed had been the result of the joint endeavours of the Office and the decision-making capacity of the Governing Body. Indeed, it was the interaction between the Governing Body and the Office that was at the heart of the success of the ILO. One important element of that interaction was the lines of informal communication that had developed prior to the Governing Body sessions, which ensured that by the time the sessions began, there was general clarity on the direction that would be taken. Also of fundamental importance was the reciprocal respect for all parties' functions; the Governing Body made decisions and the Office implemented them. When the members disagreed with the way the Office carried out that task, they were right to be critical and to instruct the Office on how and what to change.
- 280.** He thanked the Governing Body for having given him the space and the freedom to bring before it his ideas, ideals, proposals and initiatives. It had allowed him to observe the world, interpret it, intuit the direction the ILO should take, and put forward his ideas without ever feeling constrained. That freedom had been a fundamental source of energy for him and had contributed greatly to the spirit of consensus building in the Governing Body. Hence, in part, the importance of the Governing Body reform – for which many thanks went to Ambassador Farani Azevedo and Mr Greg Vines – and the current discussions on the reform of the International Labour Conference. The whole reform process had begun with the Declaration on Social Justice for a Fair Globalization, when the decision had been taken to discuss each of the four strategic objectives each year. That had been a major shift, incorporating the very essence of the Decent Work Agenda into the constitutional functioning of the Organization. The ILO Governing Body had an incredible ability to reach consensus, move forward and decide to be relevant to and active in the world of work.
- 281.** One of the most striking achievements of the Governing Body had been to give effect to the rapid reaction capacity of the ILO. One example was when, only two months after

Lehman Brothers Holdings Inc. had declared bankruptcy in September 2008, the Governing Body had met and the Bureau had proposed six ways in which the ILO should react to the crisis. That had provided a guiding framework for the Global Jobs Pact, which the Governing Body had then adopted in June 2009. With the exception of the International Monetary Fund, which was directly related to the economic crisis, the ILO had been the only international organization able to put a product on the table. Similarly, in the wake of the Arab Revolution in January and February 2011, the leader of the Tunisian trade union federation, the new Minister of Labour of Egypt and the President of the General Confederation of Algerian Enterprises had attended the Governing Body session in March 2011. He advised the Governing Body to remain similarly open to the world and keep its collective finger on the pulse in order to ensure the continuation of that success. The ILO needed to combine its efforts to implement its agenda while remaining sensitive to global events.

- 282.** Turning again to the regions, he recalled that Latin America was his home, with which he maintained a lifelong relationship. Thinking of Europe, he recalled Mr Philippe Seguin, a previous Governing Body Chairperson who had decided, as a point of honour, to increase the ILO budget in real terms. It had been the only time the ILO budget had increased, by 1 per cent. As for the Employers and the Workers, he noted with regret the recent death of Lord Bill Brett, a former Chairperson of the Workers' group and Governing Body Chairperson.
- 283.** In response to the many people who had asked how he had been feeling, he said that he was fully engaged in running the Office and felt totally absorbed by his role as Director-General of the ILO. Yet at the same time, he had the curious feeling that he was sitting on the front row of the audience, observing proceedings. Part of his mind and his heart were already thinking about the future. The two combined to produce deep inner peace, borne of the certainty that he was exactly where he wanted to be. Citing the phrase, "feeling gratitude and not expressing it is like wrapping a present and not giving it", he communicated his profound gratitude to all the members of the Governing Body. He reiterated the sentiments he had expressed in the letter he had sent the Officers of the Governing Body informing them of his early departure, "always and forever, I shall be at the service of the International Labour Organization and its values, which I so deeply respect. I have come to love our organization in so many ways that I would never have imagined when you elected me for the first time". He reassured the Governing Body that he would continue to feel that way for the rest of his life.

Policy Development Section

Employment and Social Protection Segment

284. The Employment and Social Protection Segment was held on Tuesday, 20 March 2012. It was chaired by Mr Shahmir (Government, Islamic Republic of Iran), as appointed by the Chairperson of the Governing Body. The Employer spokespersons were Ms Hornung-Draus on agenda item 1, Mr Traore on agenda item 2 and Ms Goldberg on agenda item 3; the Worker spokespersons were Mr Veyrier on agenda items 1 and 3 and Ms Diallo on agenda item 2.

First item on the agenda

Follow-up to the Tripartite Meeting of Experts on Working-time Arrangements (GB.313/POL/1)

285. *A representative of the Director-General (Chief, Conditions of Work and Employment Branch) introduced the paper and the draft decision.*
286. *The Employer spokesperson expressed the Employers' satisfaction with the format, content and outcomes of the Tripartite Meeting of Experts on Working-time Arrangements (TMEWTA), which had provided factual information about working time and resulted in practical and well-informed conclusions. She drew attention to the diversity of practices and developments with regard to working-time arrangements at global level. She described the role of governments as setting a regulatory framework that was sufficiently large to allow for negotiations between social partners; there should be no direct government interference. Regarding technical assistance, she emphasized that the requests of member States should be the starting point for the Office's work, as opposed to the Office initiating programmes which were not requested. Referring to paragraph 4 of the conclusions, she stated that the "promotion" of international standards referred to technical assistance, not new normative activity. She emphasized governments' responsibility in linking working time with other public policies, such as reliable public transport and care services for children and the elderly. Concerning the paper, she requested the Office to be more precise on the cover page with regard to the implications. Lastly, she proposed an amendment to the draft decision in paragraph 18, emphasizing that it would better express the conclusions of the experts and link them more effectively to follow-up action by the Office.*
287. *The Worker spokesperson affirmed the importance of the TMEWTA and of its conclusions. He pointed to working time as a sensitive issue from both a social and an economic perspective, and referred to the historical importance of the first international labour Convention. Although that Convention had been adopted in 1919, its continuing relevance was reiterated in the conclusions. He further highlighted current challenges, such as globalization, the financial and economic crisis, and gender equality, which had led to new questions regarding working-time arrangements. He emphasized the importance of collective bargaining and pointed to the experts' ability to reach consensus as a powerful example of the strength of social dialogue. He concluded by emphasizing the Workers' support for paragraphs 4 and 5 of the conclusions of the Meeting, which pointed to the promotion of international standards and to the recurrent item on labour protection in 2015. He highlighted the fact that the TMEWTA should be recognized as the starting point*

for renewed discussions regarding working time, and confirmed the Workers' support for the amendment proposed by the Employers with regard to paragraph 18.

- 288.** *Speaking on behalf of the Africa group*, a Government representative of the Congo stated that the group supported the outcomes of the TMEWTA and that the issues addressed in the report were starting points for the discussion on labour protection at the International Labour Conference in 2015. He recommended that the ILO should collect all data on working time at the country level, including good practice. Despite the ILO Conventions on hours of work, he noted that the various gaps in working-time standards mentioned in paragraph 57 of the final report of the TMEWTA remained relevant and attested to the fact that working time should be fixed appropriately for different types of activities. He placed special emphasis on the impact of new technologies on the determination of working time, as well as monitoring procedures for the allocation of working hours. He supported the suggestion made in paragraph 70 of the final report to introduce instruments to improve the flexibility of working-time laws by allowing collective bargaining within national legislative frameworks. He recommended that the ILO should provide technical assistance to constituents on matters connected with the organization of working time in a comprehensive study, which also highlighted the circumstances in each region. Lastly, he agreed with the conclusions of the TMEWTA and supported the draft decision.
- 289.** *Speaking on behalf of the ASPAG*, a Government representative of Japan welcomed the results of the TMEWTA. He affirmed the group's appreciation for the concise nature of the unanimous conclusions of the Meeting and the clear guidance provided to the ILO as to how to move forward in the area of working time. He acknowledged the Office's support in preparing the report for discussion at the Meeting, *Working time in the twenty-first century*, reflecting the most recent literature, statistics and trends available on working time. He indicated that it was nevertheless necessary for the Office to conduct more research on both the potential benefits and negative effects of innovative forms of working time, and particularly what lay behind differing distributions in hours of work in developed and developing countries. He stressed that working-time policy played an important role in securing workers' health and well-being, and could contribute considerably to increasing enterprises' productivity. He emphasized the synergies between regulation, social dialogue and collective bargaining. He also stressed the need for working-time arrangements to adapt to the ever-changing patterns of the world of work, and pointed out that among the ASPAG countries, there was a wide variety of circumstances, which should be taken into consideration in ILO activities on working time. The Office should therefore provide information, advice and technical assistance, as requested, to constituents on various aspects of working time, in order to promote decent work. He expressed the group's support for the draft decision and for future collaboration with the Office in that area.
- 290.** *A Government representative of India* noted that working-time arrangements had undergone significant changes since 1919, when the Hours of Work (Industry) Convention, 1919 (No. 1), had been adopted. He underlined that with the advent of new technologies, emerging preferences for part-time jobs to better balance work and family responsibilities, and the competitive nature of private enterprises, it was important to regulate working time keeping in mind the overall health and well-being of workers. He welcomed the suggestion for further research regarding working hours in developed and developing countries and on the contemporary organization of working time in the context of new information and communication technologies (ICTs). He highlighted the fact that working hours in the informal economy and small and medium-sized enterprises (SMEs) were often unregulated and that many categories of workers, notably domestic workers, were not covered by Convention No. 1. He stressed that working-time flexibility established as "universalization" of working hours was not a practical solution, and that it was important to consider realistic options and distinguish between physical endurance limits and mental fatigue in different types of employment and occupations. He

emphasized the need for more regular analysis of working-time trends as a foundation for evidence-based policy-making. He concluded by supporting the draft decision.

- 291.** *The representative of the Director-General* agreed that the title page of the paper was too modest with regard to the implications. He also noted that many points raised during the discussion were covered in the conclusions of the TMEWTA, as was the increased demand from the constituents for technical support regarding working time. That highlighted the need for the Office to further develop its capacity in that area to respond effectively to constituent's requests.

Decision

292. The Governing Body:

- (a) *took note of the final report of the Tripartite Meeting of Experts on Working-time Arrangements and authorized the Director-General to publish the conclusions and the report of the Meeting; and*
- (b) *requested that the Director-General, when drawing up proposals for future work of the Office on working time, do so based on the conclusions of the Tripartite Meeting of Experts on Working-time Arrangements.*

(GB.313/POL/1, paragraph 18, as amended.)

Second item on the agenda

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

(GB.313/POL/2)

- 293.** *A representative of the Director-General* (Director, ILO Programme on HIV/AIDS and the World of Work (ILO/AIDS)), introduced the paper, explaining that it took into account discussions in previous Governing Body sessions following the adoption of the HIV and AIDS Recommendation, 2012 (No. 200), as well as the recommendations from the independent evaluation of the ILO strategy to address HIV and AIDS through the world of work and critical new developments, including the impact of the financial crisis on the Office's ability to support constituents' efforts to respond to HIV at country level. She stated that a revised strategy was needed for ILO/AIDS and the Office as a whole, as the epidemic continued to undermine the attainment of decent work and sustainable development. She noted that the seven building blocks of the strategic framework proposed were underpinned by a sound resource mobilization strategy and that existing human resources would be realigned and streamlined around those building blocks to ensure optimal delivery and achievement of the Office's strategic objectives in that area.
- 294.** *The Chairperson* provided an overview of the epidemic, noting the devastating impact of HIV and AIDS on adults and children worldwide and the obstacles the epidemic placed in the way of sustainable development in all countries and regions.
- 295.** *The Worker spokesperson* supported the revised strategy but expressed regret that it did not mention the need to strengthen collective bargaining, as an essential element to eliminate discrimination in workplaces. She highlighted the importance of a human rights approach to HIV, noting that the strategy should include provision of support to member

States for the extension of Article 1(1)(b) of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), to real or perceived HIV status, as contemplated in paragraph 8 of the resolution concerning the promotion and implementation of the Recommendation on HIV and AIDS and the world of work, 2010. She welcomed the proposed information gathering on stigma and discrimination at work and noted that partnerships with other partners should include collaboration in removing discriminatory laws, policies and practices. She strongly supported mainstreaming HIV and AIDS into the work of all departments at ILO headquarters and field offices.

- 296.** While recognizing the need to focus on priority countries, she stressed that it was equally important to respond to ILO constituents requesting assistance. In that regard, she emphasized the need for further capacity building of the social partners to effectively contribute to the development of national AIDS strategies. She suggested changing the title of the fifth building block to “Developing new partnerships to fight against HIV and AIDS” and consulting the ILO Bureau for Workers’ Activities on an ongoing basis with regard to the establishment of public–private partnerships. She also recommended further exploring synergies between Recommendation No. 200 and the Office’s work on multinational enterprises, based on the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy. She welcomed the proposal to extend social protection to persons living with HIV and recognized the importance of a good communications strategy to promote the Recommendation. She concluded by re-emphasizing that attention should be given to implementation through national legislation and collective bargaining agreements and that adequate resources should be allocated for that purpose.
- 297.** *The Employer spokesperson* thanked the Office for the support provided to the International Organisation of Employers (IOE) during the recent Conference of African Employers on Sustaining Employers’ Response to HIV/AIDS with less Donor Funding. He stated that the Employers were counting on the continued support of the Office in implementing the plan of action adopted at the Conference, based on four key elements: implementation of Recommendation No. 200, strengthening the capacity of the social partners, their involvement in the development of national AIDS strategies and increased collaboration with business partners. He noted that some concerns raised by the Employers in previous comments on the strategy remained to be addressed. With regard to resource mobilization, he recognized the difficult climate of declining resources. He therefore questioned how the Office would achieve the strategic objectives outlined with few resources, noting that the multipronged approach proposed was too ambitious and suggesting a focus on fewer priorities to ensure successful outcomes. He nevertheless agreed with the key factors outlined in paragraph 2 and the key results, lessons learned and challenges referred to in paragraphs 3–7. He recommended that the Office should focus on strengthening the capacities of the social partners and disseminate good practices. He expressed support for the approach to public–private partnerships outlined in paragraph 21 of the paper.
- 298.** *Speaking on behalf of IMEC*, a Government representative of France welcomed the revised strategy, stating that the document took account of the evolving profile of the epidemic and of the changing global environment, and that it was both timely and forward-looking. He welcomed the emphasis on the “Getting to zero” strategy of the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the mention of the United Nations 2011 *Political Declaration on HIV/AIDS: Intensifying our efforts to eliminate HIV/AIDS*, which was a key reference for governments and other stakeholders. He added that the Political Declaration supported employers’ and workers’ organizations as principal actors in the HIV response through the world of work. He reiterated IMEC’s commitment to implementing the key human rights principles laid down in Recommendation No. 200, particularly the principle of non-discrimination in employment and occupation on the basis

- of real or perceived HIV status. He underlined that gender equality and women's empowerment were also essential components of the HIV response. IMEC supported the focus on priority countries.
- 299.** He suggested that the proposed strategy could be adapted to better respond to the recommendations from the independent evaluation, which went beyond developing good practices. He therefore recommended that the revised strategy should shift its focus from the adoption of workplace policies to their effective implementation and should be linked to resource mobilization. He also indicated that the ILO/AIDS Programme should extend its outreach to vulnerable populations, with emphasis on the informal economy, youth and women. Following up on the work of the Global Commission on HIV and the Law, IMEC recommended that the Office consider providing support to member States in extending coverage under Convention No. 111. He stressed that the revised strategy should improve the ILO's accountability as a UNAIDS co-sponsor under the Unified Budget, Results and Accountability Framework (UBRAF), but that specific indicators for the UBRAF reporting should be further developed. He noted that the strategy supported the mobilization of additional resources, and underlined that a mainstreaming approach and greater coherence among departments and organizations were also key conditions for success. IMEC welcomed the strategy as a significant step forward and agreed that the Director-General should be invited to intensify resource mobilization efforts in support of its implementation.
- 300.** *Speaking on behalf of GRULAC*, a Government representative of Brazil noted that although new HIV infections showed a declining trend, prevention was still essential. He added that the HIV response remained a priority for GRULAC countries, some of which had been pioneers in the provision of free or affordable treatment. He stated that the Office should develop additional knowledge products to reach informal economy workers and increase the capacity of the social partners to develop, evaluate and implement workplace HIV policies. He emphasized that the focus on priority countries should not prevent the Office from providing assistance requested from constituents in other countries, and stressed the importance of taking the needs of the different regions into account. GRULAC supported the strategy on public-private partnerships and extension of social protection coverage. The speaker highlighted the need to combat workplace discrimination and supported the emphasis on the communication strategy.
- 301.** *Speaking on behalf of the Africa group*, a Government representative of the Congo expressed support for the multi-sectoral approach taken in the revised strategy. He emphasized that HIV remained a concern for developing countries, including in the Africa region. He supported the focus on priority countries and noted that resource mobilization was an issue of concern, given the current economic crisis and reduced availability of donor funding for HIV-related initiatives. He welcomed the development of public-private partnerships and recommended that governments incorporate HIV into the context of the revision of national social security schemes currently under way. He requested the Office to support information campaigns targeting rural workers, including rural cooperatives.
- 302.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran reiterated the group's support for Recommendation No. 200 and the accompanying resolution, as well as for the Global Action Plan, which was aligned with the UNAIDS strategy. He indicated that although HIV prevalence in the Asia and the Pacific region had remained stable between 2005 and 2009, 35 people nevertheless died of AIDS each hour regardless of sex, ethnic origin, race or social status. He stressed that the HIV response should be guided by the ILO's key instruments, including the *ILO code of practice on HIV/AIDS and the world of work* (2001), Recommendation No. 200 and its accompanying resolution. He reiterated that the Office should continue to build the capacity of constituents to respond effectively to HIV through the world of work.

- 303.** He expressed ASPAG's full support for the recommendations of the independent evaluation and endorsed the key elements of the revised strategy (paragraphs 5 and 8), particularly the focus on priority countries and inclusive social protection floor initiatives. He emphasized the need to address the obstacles preventing low- and middle-income countries from effectively responding to HIV and AIDS. He underscored the importance of generating knowledge products through research. He requested that best practices and lessons learned should be shared among the constituents, and highlighted the contribution ASPAG could make in that regard.
- 304.** *A Government representative of Trinidad and Tobago* endorsed the statement made by GRULAC and supported the revised strategy. She emphasized the importance of further building the constituents' capacity on free and fair collective bargaining processes. She supported mainstreaming HIV focus in other policies and greater collaboration and policy coherence, highlighting her country's experience in linking HIV to occupational safety and health and labour inspection, as well as the work of the Conciliation Unit in reducing workplace discrimination. Noting the importance of ensuring sustainability of measures taken, she referred to the HIV/AIDS Advocacy and Sustainability Centre established in February 2011, pointing out how the composition of its Advisory Board ensured greater coherence, optimal utilization of resources and greater involvement of all stakeholders, including the public and private sectors. She stressed the need for technical assistance from the Office to assist constituents in sustaining existing national responses to HIV/AIDS.
- 305.** *A Government representative of Argentina* welcomed the revised strategy and its focus on priority countries, noting that the involvement of all stakeholders expanded opportunities for intervention.
- 306.** *A Government representative of India* welcomed the draft strategy, strongly supporting the resource mobilization efforts proposed. He noted that India had taken steps to support workplace HIV responses through the adoption of a National Policy on HIV and AIDS and the World of Work in 2009. HIV awareness programmes were now mainstreamed in India's training institutions, in active collaboration with the social partners, state governments, public sector enterprises and corporations. He indicated that gaps between policy adoption and programme implementation could be bridged successfully with adequate financial resources, and that reduced resources necessitated mainstreaming approaches, including in occupational safety and health systems and labour inspection mechanisms. He asked for India to be included in the list of priority countries.
- 307.** *A Government representative of Zambia* endorsed the statement of the Africa group and thanked the Office for a timely and informative document. He said that Zambia was currently developing its third national strategy on HIV and AIDS, as well as a national tripartite workplace policy based on Recommendation No. 200, and that national long-term development goals were based on the vision of a Zambia free from HIV and AIDS by 2030. He noted that HIV prevention and mitigation was one of the three identified priority areas in Zambia's Decent Work Country Programme.
- 308.** *A Government representative of Canada* supported the statement of the IMEC group. She emphasized the importance of tripartite dialogue and noted that Canada had recently commissioned a study of initiatives taken by her Government, employers' and workers' organizations and non-governmental organizations to implement the Recommendation. She reported that the study had been completed and the best practices identified would be shared with the Office and constituents.
- 309.** *A Government representative of Ghana* concurred with the statement of the Africa group and expressed Ghana's support for the draft strategy, as it incorporated lessons learned from the changing global context. Noting the focus on gender, she encouraged the Office

to continue to pursue gender-sensitive strategies. She pointed out that Ghana had adopted a national workplace policy on HIV and AIDS and that her Government was collaborating with the ILO, the Ghana AIDS Commission, the tripartite partners and the Ghana Business Coalition against HIV/AIDS in organizing educational awareness-raising programmes focused on non-discrimination and responsible lifestyles. She stressed that effective workplace policies and programmes were fundamental, and resources were needed to ensure the sustainability of education programmes, particularly for young workers and for workers in the informal economy. She cautioned that progress made in reducing HIV prevalence rates should not be eroded.

- 310.** *A Government representative of Switzerland* noted that her Government would submit Recommendation No. 200 to its national competent authority in 2012 and that Switzerland's national programme on HIV and other sexually transmitted diseases (2011–17), adopted in December 2010, was aligned with the Recommendation. She recalled that unlike in many other industrialized countries, medical insurance in Switzerland was not linked to employment.
- 311.** *A Government representative of France* thanked the Office for the revised strategy and suggested that the Office take a coherent approach, both internally and within the multilateral system. Given the numerous international organizations working in that area and the available resources, he suggested further exploration of collaboration on activities that coincided with ILO initiatives, at least in the field.
- 312.** *The representative of the Director-General* thanked all the delegates for their input and support. She reiterated that the Office's objective in presenting the revised draft strategy had been to receive guidance from the Governing Body to inform the Office's roadmap in taking action on HIV and AIDS through the world of work. She recognized that collective bargaining was at the heart of the strategy and its visibility would be heightened. Indicators to measure deliverables were being developed for the UBRAF and would be shared. She highlighted the fact that under UNAIDS' division of labour, ILO was the lead agency for the private sector and was coordinating the Inter-Agency Task Team on workplace HIV programmes and private sector mobilization, which was aimed at building the capacity of the social partners. She added that the ILO/AIDS Global Programme focused on extending social protection floor initiatives. She thanked the delegates for sharing good practices and for their guidance and inspiration, which would be integrated into the revised strategy.

Decision

313. *The Governing Body:*

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

(GB.313/POL/2, paragraph 30.)

Third item on the agenda

Follow-up on the implementation of the ILO–G20 Training Strategy (GB.313/POL/3)

- 314.** *A representative of the Director-General* (Director, Skills and Employability Department) introduced the paper and the suggested points for debate and guidance. She highlighted the three main messages from the G20 Training Strategy: it provided an opportunity to expand the outreach of the ILO's conceptual and policy framework linking skills development to employability, productivity and social inclusion; it strengthened cooperation among international organizations to help developing countries build their own skills for employment strategies; and it proposed the development of a global public–private knowledge-sharing platform (Global KSP) on skills for employment.
- 315.** *The Employer spokesperson* thanked the ILO for providing the practical information needed by governments to respond to the global financial crisis and commended the Office for the quality of its responses in the framework of the Training Strategy. She added that the ILO provided a high-quality conceptual framework that made a real contribution to the labour market resilience of individuals and the resilience and productivity of enterprises. She reiterated the Employers' support for the Strategy and emphasized their interest in reinforcing its implementation and take-up. She expressed the hope that the Strategy would contribute to the discussions at the International Labour Conference on youth employment in June 2012 and beyond. She also endorsed the Strategy as relevant and useful to low-income countries and suggested that it be considered the ILO's Global Training Strategy and not as a G20 Strategy. Turning her attention to the G20 Development Working Group, she encouraged the Organisation for Economic Co-operation and Development (OECD) and G20 countries to review their options for supporting the work done in the initial pilot countries and others. In addition, she welcomed the Office's work on identifying lessons learned from country reviews of training and retraining programmes during the current crisis, suggesting it would be relevant to a future Governing Body session. Finally, she reminded the Office that the reports prepared for the Governing Body should include points for decision and indicate their policy and financial implications. The Employers would have liked to see conclusions that included Governing Body support for: the Training Strategy in so far as its relevance went beyond the G20 countries; endorsement of the Global KSP, including the development of focus and advisory groups as a practical means to advance its development; and continued cooperation with other international organizations.
- 316.** *The Worker spokesperson* expressed support for the Training Strategy and the Global KSP as a means to expand outreach and improve collaboration with other international agencies. He recommended that the Global KSP should promote awareness of the Strategy, while avoiding duplication. He emphasized that the ILO's role vis-à-vis the G20 should not be limited to the area of training and skills; it should draw increased attention to the social dimension of globalization. He noted that the document had set some very ambitious objectives for the Global KSP, requesting clarity on outcomes and further details on the issues of financing training and collective bargaining. He pointed out that skills development at the enterprise, local and national levels should be aligned with present and future needs – both enterprise needs and worker expectations – and with economic and social development concerns. He warned that in times of crises, training should not lead to the type of competition that reduced remuneration for skilled work. Likewise, he called on governments and enterprises to avoid shifting responsibility for

employability onto workers. He recommended that the ILO should assist constituents in developing countries outside the G20, drawing on lessons learned from the crisis.

- 317.** *Speaking on behalf of the Africa group*, a Government representative of the Congo acknowledged the importance of the Training Strategy, requesting the ILO to prioritize support for developing countries that lacked skills development strategies for job creation, had a low capacity to provide counselling services and training guidance for jobseekers and the unemployed, and would benefit from work on skills indicators. She noted the need to strengthen the support of tripartite constituents for the validation of the Global KSP. She recommended that the Office should continue to provide technical assistance with a view to making use of research findings and lessons learned through technical cooperation.
- 318.** *Speaking on behalf of the Group of the Americas (GRUA)*, a Government representative of Brazil highlighted the importance of linking training to youth employment in the activities of the G20 Task Force on employment. He noted that the G20 leaders had expressed their determination to keep employment at the centre of recovery strategies. The group considered that activities related to the Training Strategy had to adjust to national contexts and realities and should not lead to excessive bureaucracy and costs. He concluded that the group valued policies that offered holistic skills development for workers, and not simply skills development oriented toward market needs.
- 319.** *Speaking on behalf of ASPAG*, a Government representative of China observed that the development of core and higher skills as well as the portability of skills was pertinent. He acknowledged that implementation of the G20 Training Strategy could help bridge the gap between the world of education and training and the world of work and serve to improve growth in low-income countries. He welcomed the development of a set of internationally comparable skills for employment indicators and the support for a set of pilot low-income countries to implement their skills for employment strategies. He argued that overlapping mandates on skills development and a degree of competition between the ILO and other international organizations should not diminish recognition of complementarities of expertise and the generation of new knowledge through shared experience and lessons learned. In that regard, he encouraged all ILO member States to share their successful policies and practices on the Global KSP. The group sought Office support to integrate skills development and sustainable enterprises development into national and sectoral strategies in the region. In conclusion, he highlighted the importance of skills portability for migrant workers and requested Office guidance on skills recognition globally.
- 320.** *A Government representative of China* supported the view of ASPAG, adding that the Global KSP required enhanced involvement of tripartite constituents in order to become the reference for vocational training expertise. He emphasized that the ILO and other international organizations needed to translate complex knowledge into practical policies, relayed through the Global KSP.
- 321.** *A Government representative of Italy* noted that training and apprenticeships served as a bridge from school to work and that skills portability had an essential role, in particular through the identification of internationally comparable skills. Regarding the Global KSP, she highlighted the need to focus on anticipating skills needs and international standards of portability of skills. She reminded the Governing Body that the International Training Centre of the ILO had information dissemination expertise which could be drawn on for the Global KSP.
- 322.** *A Government representative of Japan* noted that the Global KSP was a useful tool for sharing successful skills training policies such as the “Job Card System” in his country, which focused on career counselling services through public employment services, practical vocational training, and an evaluation of skills acquired through on-the-job

training. He noted that his Government subsidized companies offering on-the-job training and concluded that the system had allowed 20,000 people to successfully transition to “regular work”.

- 323.** *A Government representative of Qatar* supported the G20’s work in low-income countries, emphasizing the need for consultations with those countries to define the conditions, means and needs for skills training. He highlighted the need to coordinate the activities of international organizations involved in the implementation of the Strategy.
- 324.** *A Government representative of India* expressed the hope that the discussion could pave the way for widening the scope of the Training Strategy, particularly in the informal economy, where innovations, ideas and expertise could play a crucial role in changing the lives of millions. Reflecting on the G20 Development Working Group, he stated that developing suitable, feasible indicators for the informal economy would be time-consuming and resource-intensive, and require tripartite consultations. He concluded by emphasizing his country’s willingness to share its experience, adding that South–South and triangular cooperation could play a very significant role in that regard.
- 325.** *A Government representative of Pakistan* highlighted the contributions made by the Office through its empirical research on national qualifications frameworks (NQFs) in 16 countries which demonstrated weaknesses, suggesting that regional qualifications frameworks should also be examined. He proposed an in-depth study to identify the skills requirements of labour-receiving countries to be made available to labour-sending countries. In conclusion, he noted the need to promote the employment of persons with disabilities and equip them with the appropriate skills.
- 326.** *A Government representative of Switzerland* welcomed the focus of the Training Strategy on labour market needs. She reaffirmed the need for collaboration with other international organizations to set up the Global KSP, requesting information on how the ILO would collaborate with the World Bank, OECD, and UNESCO in the area of skills training.
- 327.** In her response, the representative of the Director-General emphasized that collaboration with other international organizations continued through the Inter-Agency Group on Technical and Vocational Education and Training. She clarified that plans of action were country-specific yet drew on the building blocks of the G20 Training Strategy and that, depending on results in the pilot countries, a roll-out of the strategy to other low- and middle-income countries would be considered. She noted that the Office had prioritized research on collective bargaining in training strategies in 2011, the results of which would be discussed soon. She thanked the Members for their interest in the Global KSP and agreed that the Office would act on the proposals to establish advisory and focus groups and would work with constituents to populate the global knowledge sharing platform.
- 328.** *The Worker spokesperson* asserted that training could address the challenges faced by workers in the informal economy, but required policies different from those usually applied in technical and vocational education and training. He highlighted the importance of financing education and training policies, and the need to ensure access to training and the availability of basic education for all. The question of financing in the context of a redistribution of wealth and taxation needed to be linked to G20 policy work and to countries beyond the G20. He concluded that the design of specific training policies addressing the informal economy would benefit from increased exchange of experience and good practices.
- 329.** *The Employer spokesperson* emphasized that the work presented was a component of a complex set of other policies and interventions that all needed to work together to address the employment fallout of the recession and the financial crisis. She added that issues such

as the portability of skills and the recognition of prior learning could be addressed to some extent through the Global KSP. She noted other potential sources of information, such as the Inter-American Centre for Knowledge Development in Vocational Training (ILO/CINTERFOR). She summarized the discussion on funding: finding the resources from the G20 or elsewhere to fund the ILO's work and the work of its partners beyond the pilot countries; encouraging investment in skills development in national priorities and national budgets; and funding the ILO's work on skills and training.

- 330.** *The representative of the Director-General* explained that the G20 Training Strategy included a building block on improving accessibility, including for workers in the informal economy, adding that the Office was working with constituents to upgrade informal apprenticeship systems, a major provider of skills in informal economies, and that a new guide reflecting lessons learned had been published in 2012.
- 331.** *A representative of the Director-General* (Executive Director, Employment Sector) noted, in response to the issue of funding from the G20, that scaling-up of the G20's work was a valid topic for tripartite discussions in countries.

Outcome

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

Social Dialogue Segment

- 333.** The Social Dialogue Segment was held on Wednesday, 21 March. It was chaired by Mr Smidt (Government, Denmark), as appointed by the Chairperson of the Governing Body. Mr Woolford (Canada) and Ms Fox (United States) were the Employer and Worker spokespersons.

Fourth item on the agenda

Global dialogue forums and mandate of sectoral meetings: Global dialogue forums – lessons learned (GB.313/POL/4/1(&Corr.))

- 334.** *A representative of the Director-General* (Director, Sectoral Activities Department) recalled that the Governing Body, at its November 2011 session, had discussed various proposals regarding the improvement of the format of global dialogue forums (GDFs). GDFs had been created in 2007 to be focused, short, small-scale and timely meetings, not burdened with the formality of sectoral meetings, and to provide additional opportunities for sectoral social dialogue. The paper proposed an approach that capitalized on the innovations of the GDF format, drew on successful practices and standardized the format of inputs and outputs. It contained proposals that had received unanimous support in November 2011 and proposals based on statements made at that session of the Governing Body. A corrigendum had been issued, which removed from paragraph 16(b) of the draft decision an undue reference to the three groups. As originally drafted, that subparagraph had seemed to restrict Government participation in GDFs; however, that had not been the intention – all GDFs would continue to be open to all interested ILO member States.

- 335.** *The Employer spokesperson* recalled that there had been a substantial degree of consensus at the discussion at the November 2011 session of the Governing Body. Thanks to the creation of GDFs, the ILO now had a good range of different tools to promote social dialogue, reflecting the diversity of needs. He acknowledged that the results of the various meetings had been diverse and that it was important for the mandate of the GDF format to be clear: GDFs were venues for discussion and exploration and not for negotiations or bargaining. If the parties intended to negotiate, a tripartite sectoral meeting should be chosen as the means of addressing the topic. His group endorsed the proposals in the paper and the draft decision.
- 336.** *The Worker spokesperson* welcomed the paper and the new proposals. Her group endorsed paragraph 3 and encouraged the Office to prepare, in consultation with the secretariats of the groups, a detailed presentation on the rules and standing practices of GDFs, to be made available online and to be presented at each of the group meetings scheduled on the first day of each GDF. Her group agreed with the need to spread meetings as evenly as possible, but deemed that the proposal to hold eight meetings per biennium should be considered as an average number and not an absolute limit, thus allowing flexibility for meetings to be scheduled in response to unanticipated emerging issues. She agreed with the proposals in paragraphs 10–12 and, in particular, with the proposal to include in outputs a section on “issues that require further attention”, on the understanding that such a section would not need to be a standard element of each GDF outcome, and would be included only when appropriate. The goal of all sectoral meetings should continue to be to achieve consensus. The aim of including the “issues that require further attention” section was to recognize that there were some issues that were too complex to be resolved at the meeting. She supported paragraph 13, and reiterated that designating an experienced Governing Body member to chair a GDF would contribute considerably to the success of the meeting. She encouraged the Office to designate chairpersons well in advance, in consultation with the social partners, to give them time to prepare. She endorsed paragraph 15 and added that the duration of the final plenary sitting should be extended in order to allow for the thorough deliberation of the draft points of consensus.
- 337.** *Speaking on behalf of GRULAC*, a Government representative of Brazil expressed support for paragraphs 3 and 5. However, he reiterated concerns raised by his group at the 312th Session of the Governing Body that decisions concerning the composition of GDFs could not be delegated to the Officers of the Governing Body by virtue of article 2.3.1 of the Standing Orders of the Governing Body. Only the Governing Body had the legal authority to decide on the composition of sectoral meetings. That was also reflected in the Standing Orders for Sectoral Meetings. Therefore, his group strongly objected to paragraphs 6, 7 and 8. He agreed with paragraph 13 in that the chairperson of a GDF should be from the Government group. However, the experience of a participant should not be a limiting factor. He proposed that paragraph 16(a) of the draft decision should be amended to include a reference to paragraph 5 and that the reference to paragraph 8 should be deleted. He also proposed the deletion of paragraph 16(b) in its entirety.
- 338.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran stated that his group recognized the important role of GDFs in promoting decent work by addressing sector-specific issues through social dialogue. ASPAG supported all the proposals put forward, in particular paragraphs 3, 5, 10, 11 and 12. He encouraged the Office to continue to seek Governments’ opinions in terms of the future topics of forums and to give advance notice to potential candidates for chairing GDFs, to allow them to prepare themselves for the role. Although ASPAG supported paragraph 15, it was important to ensure that no GDF had a duration of more than three days. The group supported paragraph 8, as by delegating the decision on the composition of GDFs to the Officers of the Governing Body, timing problems and the number of submissions to the Governing Body could be reduced.

- 339.** *A Government representative of Australia* said that her delegation aligned itself with the statement of ASPAG. She expressed support for the proposals in the paper and in particular welcomed the proposal to delegate the decision regarding the composition of GDFs to the Officers of the Governing Body. That would allow the GDF format to better meet its objective of responding to emerging issues and minimizing delays due to the timing of the Governing Body sessions. The proposed standardization of the outputs was also supported, as was the inclusion of a section on “issues that require further attention”, as that would ensure that the richness of discussion was not lost and that all key issues were considered in the future. She further welcomed the proposal in paragraph 5 and encouraged the Office to continue to be open to participants’ feedback on the new format, in order to ensure that GDFs remained meaningful and responsive to the ILO’s constituents.
- 340.** *Speaking on behalf of the Africa group*, a Government representative of Niger welcomed the Office’s efforts to improve further the GDF format. His group endorsed all the proposals in the paper: both those in paragraph 3, and those in section III. The proposal to delegate the decision regarding the composition of the GDFs to the Officers of the Governing Body, as proposed in paragraph 8 of the paper, was acceptable to his group. He agreed that the number of meetings should be limited and that outputs should be standardized, and pointed out that it was important that any decisions concerning the designation of chairpersons should be reached by consensus.
- 341.** *A Government representative of India* stated that, although GDFs took stock of the new challenges, developments and crises facing the global economy, society and policy, they could be made more effective and inclusive by focusing more on the challenges faced by developing countries. His Government promoted social dialogue and tripartism and supported the focus on sector-specific subjects. Whereas his delegation endorsed the proposals in paragraph 3, it opposed the proposal to delegate decisions concerning the composition of GDFs to the Officers of the Governing Body. He shared the view of GRULAC in that regard, and pointed out that the collective wisdom of the Governing Body was essential for bringing innovative solutions. Referring to paragraphs 13 and 14, he stressed that decisions concerning the designation of a chairperson should be reached by consensus and that the duration of GDFs should not regularly be extended. His delegation endorsed the point for decision, as amended by GRULAC.
- 342.** *A Government representative of China* stressed the importance of the Office’s efforts to assist the participants of GDFs. The participants were knowledgeable about their sectors, but often were not familiar with the procedures. The resulting need for information could be addressed by providing them, in advance, with related documentation. He recommended that participants’ positions should be solicited before each GDF and made available to the participants well in advance in order to facilitate the discussions. He recalled the importance of fully involving governments in the selection of themes for GDFs, to ensure that they continued to address emerging real-life issues. Given that chairpersons needed time to prepare themselves for their role, they should be designated in advance.
- 343.** *Speaking on behalf of IMEC*, a Government representative of Canada supported the proposal to delegate authority to the Officers to approve the composition of GDFs. That authority should, however, be exercised within the constraints of approved budget allocations. For that reason, her group proposed the addition of the words “provided that costs do not exceed approved budget allocations” at the end of paragraph 16(b).
- 344.** *A Government representative of Algeria* concurred with the statement made on behalf of the Africa group and endorsed paragraph 16(b) in principle. It seemed inappropriate,

however, to invoke paragraph 2.3.1 of the Standing Orders, since that paragraph did not explicitly refer to the composition of meetings.

- 345.** *The Chairperson* observed that, while no agreement had been reached on paragraph 16(b), there was a consensus to adopt paragraph 16(a) without the reference to paragraph 8 and with the inclusion of a reference to paragraph 5.
- 346.** In response to a request by the Employer spokesperson for clarification on what steps would follow in relation to the proposal contained in paragraph 16(b), the Chairperson explained that the proposal could be revisited at some point in the future.
- 347.** *The Employer spokesperson* expressed his group's interest in revisiting the proposal and said that future consultations were necessary.
- 348.** *The representative of the Director-General* explained that, as no agreement had been reached on the changes to the procedure proposed in paragraph 16(b), the Office would, for the time being, continue to submit proposals on the composition of GDFs to the Governing Body. The explicit inclusion in the draft decision of the reference to a future review of the GDF format, as foreseen in paragraph 5 of the paper, however, opened the way for further consultations. She thanked the members for the remarks and feedback provided and assured them that the Governing Body's advice and guidance would continue to be sought to ensure that further improvements could be made to the GDF format.

Decision

- 349.** *The Governing Body approved the proposals for improvements to the format of global dialogue forums in paragraphs 3, 5, 9, 10, 11, 12, 13 and 15 of document GB.313/POL/4/1(&Corr.).*

(GB.313/POL/4/1(&Corr.), paragraph 16, as amended.)

Global dialogue forums and mandate of sectoral meetings: Procedure to give effect to the recommendations of sectoral and technical meetings (GB.313/POL/4/2)

- 350.** *The representative of the Director-General* indicated that the paper contained a proposal on how the Governing Body could streamline future discussions on the outcomes of sectoral and technical meetings. It proposed that the papers submitted to the Governing Body regarding the outcomes be introduced for information only, relying on the adoption of three standing decisions by the Governing Body authorizing the Office: to communicate the outcomes of the meetings such as reports or conclusions; to publish the outputs of meetings of experts, such as codes of practice or guidelines; and to reflect the recommendations made by those meetings in future programming. Those standing decisions could not preclude the Governing Body from taking a different decision for an individual meeting, to which effect an item would be included in the agenda of the Social Dialogue Segment upon the request of a Governing Body member to the Screening Group.
- 351.** *The Worker spokesperson* acknowledged that the paper had been submitted in response to a Governing Body request, and expressed understanding of its purpose. While she favoured the new practice of including the outputs of sectoral and technical meetings in a

- single document with a single decision paragraph, she objected to the proposal to submit those outcomes as documents “for information only”, as proposed in the paper. That would deprive the Governing Body from its governance and oversight role and of the opportunity to draw attention to the key issues and outcomes of those meetings. Some of the meetings were highly technical, but others provided outcomes that were extremely relevant to the broader policy discussions within the Governing Body. Although the Office’s proposal would allow for specific reports to be placed on the agenda by the Screening Group, the procedure proposed seemed to be too cumbersome, and likely to lead to long discussions in the Screening Group.
- 352.** *The Employer spokesperson* supported the point for decision. His group was not as concerned as the Workers about the need to draw items to the attention of the Governing Body and deemed that the proposal was sufficiently flexible to allow for cases when a discussion needed to be held on a specific meeting’s outcome. The existing procedure, requiring the Governing Body to formally adopt documents that had already been produced and made available online, seemed like a waste of time.
- 353.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran stated that GDFs were very useful, regardless of whether or not they adopted points of consensus. The purpose of the meetings was not to hammer out unanimous consensus. The GDF format would go down in history as a new innovative approach that had succeeded in providing a platform for discussion among the social partners and Governments, who had, as originally intended, all been interacting very actively in the meetings. ASPAG greatly welcomed the opportunities provided through sectoral and technical meetings, particularly GDFs, to promote decent work by addressing challenges and opportunities of great importance for specific sectors. He recognized the role of GDFs in strengthening tripartism and social dialogue and the cross-cutting nature of sectoral work. He recalled previous proposals to improve and streamline the procedures for reporting the outputs of sectoral and technical meetings to the Governing Body, and supported paragraph 9 of the document.
- 354.** *Speaking on behalf of GRULAC*, a Government representative of Brazil thanked the Office for the paper. His group recognized the importance of the subject and opposed the proposal, as it eliminated the essential reporting process that needed to be carried out after each sectoral and technical meeting. Under paragraph 6, the Governing Body would have only formal knowledge of these outcomes. However, as the meetings involved only a limited number of participants, who could not be considered representative of all member States, and given the importance of the outcomes and the need to ensure follow-up, the outcomes should continue to be formally put on the agenda of the Governing Body. Sectoral and technical meetings had no decision-making authority. Therefore, their recommendations and outputs needed to be submitted to the Governing Body, so that decisions on implementing their recommendations could be taken. If adopted, the Office proposal would reduce the importance of the Governing Body and result in a loss of the Director-General’s authority to implement the outcomes of the meetings. His group, therefore, strongly objected to the proposal made in the paper.
- 355.** *Speaking on behalf of the Africa group*, a Government representative of Niger welcomed the proposals for new procedures to give effect to the recommendations of sectoral and technical meetings and endorsed paragraph 9.
- 356.** *A Government representative of India* stressed the importance of holding regular GDFs and sectoral and technical meetings. His delegation did not support the draft decision in paragraph 9 of the paper, as submitting the recommendations of sectoral and technical meetings as documents “for information only” would lead to a dilution of the Governing Body’s authority.

357. *Speaking on behalf of IMEC*, the Government representative of Canada welcomed the proposed streamlined procedure to give effect to the recommendations of sectoral and technical meetings and supported the draft decision in paragraph 9.
358. *The Chairperson* concluded that consensus had not been reached on the draft decision in paragraph 9 and suggested that the issue might be taken up again in the context of the debate on the implementation of the previous year's Governing Body reform.

Outcome

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

Fifth item on the agenda

Effect to be given to the recommendations of sectoral and technical meetings (GB.313/POL/5)

360. *The representative of the Director-General* introduced the paper, noting that, in view of the preceding discussion, the matter would be reviewed again by the Governing Body at its November 2012 session. She noted that a significant number of meetings had been held during the second half of 2011.
361. *The Chairperson* drew attention to a correction to the draft decision in paragraph 26(a), to include the words "and health" after the words "Code of practice on safety".
362. *The Employer spokesperson* supported the draft decision in paragraph 26. The GDF on private employment agencies was a good example of the value of GDFs, having successfully brought the parties together on a very contentious issue. The result had been a very thorough examination of the points of view of the social partners, and an agreement to disagree. A first step towards building dialogue had been taken in the forum, by allowing the parties to listen to each other's point of view. Turning to the adoption of ILO Guidelines on training in the port sector, he asked the Office to ensure appropriate follow-up. He commended the Bureau for Employers' Activities for the Symposium on the Business of Representing Employers: Trends, since it had addressed issues at the very core of the employer constituency of the ILO. Recalling the evolution of trade associations in Canada, he stressed that employer organizations needed to recognize that they were also businesses and thus needed constantly to review how they served their members in a world that was changing rapidly and how they could provide the value demanded of them. As that phenomenon had not yet been adequately explored on the Employers' side, his group looked forward to the results of work within the academic research network mentioned in the paper.
363. *The Worker spokesperson* recalled that, although the participants at the GDF on private employment agencies had not reached agreement on a document outlining points of consensus, the meeting had nevertheless been important and useful. It had generated a frank discussion on topics of fundamental importance and increasing concern to workers and had brought to light a number of basic issues that required further attention by the Office, relating to the role of private employment agencies in relation to decent work or precarious work and to the role of governments and collective bargaining in regulating or limiting temporary agency work and addressing abuses. It had also illustrated the

importance of establishing rules on how, at future forums, issues requiring further attention could be identified. She commended the Bureau for Workers' Activities for the success of the Workers' Symposium on Policies and Regulations to Combat Precarious Employment and expressed her appreciation to the Director-General for his valuable contribution to the debate. She urged members of the Governing Body to read the background document and the report of the Symposium and endorsed the draft decision.

- 364.** *Speaking on behalf of the Africa group*, a Government representative of Niger said that, while his group agreed with the draft decision in paragraph 26, it regretted the low levels of Government participation in sectoral and technical meetings. While the costs of Worker and Employer representatives were covered, the costs of Government representatives were not; further consideration needed to be given to ways to improve the situation.
- 365.** *A Government representative of India* expressed his support and appreciation for the paper.
- 366.** *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran reiterated the importance of ensuring that those designated to chair GDFs were well prepared in advance. It was essential that they should have a thorough understanding of the task entrusted to them, the principles of tripartism, the desired outcomes and any potential sources of disagreement.

Decision

- 367.** *Subject to the availability of resources, the Governing Body:*
- (a) *authorized the Director-General to publish the revised ILO–IMO Guidelines on the medical examination of seafarers, the Guidelines on training in the port sector, the Code of practice on safety and health in the use of machinery and, as a joint publication, the Radiation Protection and Safety of Radiation Sources: International Basic Safety Standards;*
 - (b) *authorized the Director-General to communicate the final reports or notes on the proceedings of the sectoral and technical meetings referred to in Part I of document GB.313/POLS/5 to governments, requesting them to communicate the texts to the employers' and workers' organizations concerned, as well as to the international employers' and workers' organizations and other international organizations concerned;*
 - (c) *requested the Director-General to bear in mind when drawing up proposals for future work, the recommendations made by: the Global Dialogue Forum on the Needs of Older Workers in relation to Changing Work Processes and the Working Environment in Retail Commerce; the Joint ILO–IMO Meeting on Medical Fitness Examinations of Seafarers and Ships' Medicine Chests; the Tripartite Meeting on Promoting Social Dialogue on Restructuring and its Effects on Employment in the Chemical and Pharmaceutical Industries; and the Tripartite Meeting of Experts for the Review and the Adoption of ILO Guidelines on Training in the Port Sector; and*
 - (d) *requested the Director-General to bear in mind when drawing up proposals for future work, the views expressed by the participants in the Global*

Dialogue Forum on the Role of Private Employment Agencies in Promoting Decent Work and Improving the Functioning of Labour Markets in Private Services Sectors, as summarized in the final report of the discussion.

(GB.313/POL/5, paragraph 26, as amended.)

Sixth item on the agenda

Other questions: Follow-up to the resolution concerning tonnage measurement and accommodation (oral report)

- 368.** *The representative of the Director-General* delivered an oral report on consultations with the International Maritime Organization (IMO) on the follow-up to the resolution concerning tonnage measurement and accommodation, as requested by the Governing Body at its November 2011 session. The resolution, which had been adopted by the International Labour Conference in conjunction with the Work in Fishing Convention, 2007 (No. 188), called on the ILO to monitor work in the IMO that could lead to amendments to the IMO's International Convention on the Tonnage Measurement of Ships (1969).
- 369.** At its November 2011 session, the Governing Body had decided to authorize consultations with the IMO with a view to establishing a joint ILO–IMO working group on the impact of the tonnage measurement of ships on the living and working conditions of seafarers and fishers. The Director-General had subsequently written to the IMO Secretary-General on that matter. The IMO Assistant Secretary-General had replied, indicating that the issue had been discussed by the 54th Session of the IMO's Sub-Committee on Stability and Load Lines and on Fishing Vessels' Safety (SLF) in January 2012. The Sub-Committee, among other things, had considered earlier submissions by Germany and the ILO on the subject and had established a correspondence group on tonnage measurement, which had been instructed to review the rules and requirements of the 1969 Tonnage Measurement Convention, taking into account the submissions by Germany and the ILO.
- 370.** Therefore, the IMO Assistant Secretary-General had recommended that the ILO should await the outcome of the correspondence group, which would report to the 55th Session of the SLF in February 2013, and had encouraged the ILO to participate actively in that group. In the light of such developments, the Governing Body might wish to include an item on the issue on the agenda of its March 2013 session.
- 371.** *The Worker spokesperson* thanked the Office for its oral report and said that, if necessary, she would make more detailed comments on a written report when and if it was submitted to the Governing Body.
- 372.** *The Employer spokesperson* thanked the Office for its oral report.

Outcome

- 373.** *The Governing Body took note of the oral report made by the Office.*

Technical Cooperation Segment

- 374.** The Technical Cooperation Segment was held on Thursday, 22 March. It was chaired by Mr Okio (Government, Congo), as appointed by the Chairperson of the Governing Body. Mr Traore and Mr Gómez Esguerra were the Employer and Worker spokespersons.

Seventh item on the agenda

South–South and triangular cooperation: The way forward (GB.313/POL/7)

- 375.** *A representative of the Director-General* (Director of the Partnerships and Development Cooperation Department) noted that the concept of South–South cooperation, while not new, had gained momentum recently, in great part due to the economic growth of countries of the global South. The concept had also been recognized at the 2009 United Nations (UN) Conference on South–South Cooperation, held in Nairobi, and through the subsequent endorsement of the outcome document by the UN General Assembly in 2010. South–South and triangular cooperation (SSTC) had also received support from other forums as well, such as the G20, the G77 plus China and the India–Brazil–South Africa Dialogue Forum (IBSA).
- 376.** Many South–South arrangements had been motivated by a sense of solidarity and reciprocity among nations, which went beyond the flow of funds. In the current complex world, triangular cooperation – whereby a partner from the North supported cooperation between two or more countries from the South – was a means of addressing that complexity. South–South cooperation would not replace, but would complement, the traditional development cooperation between the industrialized and the developing worlds. SSTC could benefit from the experience accumulated by international development agencies over the past 60 years.
- 377.** The ILO could play an important role in fostering SSTC and fostering partnerships among equals (which would also encompass the facilitation of partnerships between social partners from the South). It could also provide its tested tools and strategies to facilitate South–South cooperation and, where necessary, provide advice and expertise. Given its experience, the ILO could play a leading role in fostering triangular arrangements and could mobilize its partnerships with numerous regional economic commissions to facilitate SSTC at a subregional level. The ILO could also learn from SSTC and from its flexibility, sense of innovation and focus on non-monetary forms of collaboration. Such lessons should be included in existing ILO projects and programmes.
- 378.** Regarding the ILO’s proposed SSTC strategy for 2012–13, there was a need to enhance the ILO’s internal awareness and capacity to identify and implement SSTC opportunities and a need to increase the number of governments, social partners, UN agencies and non-state actors that advanced the Decent Work Agenda through SSTC arrangements.
- 379.** The speaker concluded by pointing out that SSTC was a very welcome addition to the growing range of funding modalities of the ILO’s Technical Cooperation Programme, including the Regular Budget Supplementary Account (RBSA) which, in the previous biennium, had amounted to a total of US\$54 million. Continued donor support for RBSA in the current biennium would be critical to achieve overall ILO results, as would an expanding portfolio of South–South and triangular partnership arrangements.

- 380.** *The Employer spokesperson* said that the paper before them concerning SSTC displayed certain shortcomings, describing what South–South cooperation entailed but not leaving much space for strategy. The advantages of SSTC were that some emerging countries had a constantly increasing amount of resources and skills that it would be possible for them to share. The countries of the South could also contribute to the technical cooperation of the ILO if the latter was more involved in international strategy. The mobilization of resources was one of the possibilities to explore. He drew the Governing Body’s attention to the fact that the paper before them made no mention of the funds allocated by the Governing Body to the new budget line for the promotion of South–South cooperation. The strategy required more definition and clarification and should be better targeted. The Office was invited to review and coordinate the proposed strategy.
- 381.** *The Worker spokesperson* said that South–South cooperation expressed solidarity and promoted the exchange of experience and good practices among constituents who were facing similar challenges. He underlined the role of cooperation between Brazil and certain African countries in the areas of social security and occupational health and safety, and mentioned as an example of triangular cooperation the ACTRAV initiative with the Global Labour University (GLU), which enabled trade unionists from countries of the South to exchange knowledge on labour and economic issues.
- 382.** He mentioned the promotion of tripartism and respect for international labour standards as a priority area of South–South and triangular cooperation and in agreements with other UN organizations. Respect for such values was necessary in SSTC agreements. It was important that the indicators for measuring progress of the strategy referred to the contribution of South–South cooperation to the Decent Work Agenda in various countries.
- 383.** He asked the international community to continue to show solidarity with Haiti and called for collaboration from the ILO so that such solidarity would be an example of new modes of cooperation. He requested more information on the implementation of the SSTC strategy.
- 384.** *Speaking on behalf of GRULAC*, a Government representative of Brazil said that South–South cooperation was a priority for his regional group. He considered that the strategy paper represented major progress, as did the fact that provision had been made for South–South cooperation in the biennial programme of the ILO.
- 385.** The strategy of the ILO should include, in line with the language approved in Nairobi, references to respect for national sovereignty, national ownership and independence, equality, non-conditionality, non-interference in domestic affairs and mutual benefit. He underlined the importance of access to knowledge and technology as key factors in the promotion of development, and valued the Nairobi document as a framework for the revitalization of the UN system in its efforts to promote South–South cooperation and development.
- 386.** He suggested that it was important to include diversification of member countries as a means for achieving better outcomes. Finally, he expressed GRULAC’s support for the draft decision.
- 387.** *Speaking on behalf of ASPAG*, a Government representative of Viet Nam noted the importance of South–South and triangular cooperation and stressed that it had proven to be particularly useful in the efforts to promote decent work as well as an important tool to establish development partnerships and share best practices among developing countries. South–South and triangular cooperation could be further enhanced by strengthening technical, cultural, economic and political exchanges between southern countries, UN agencies and developed countries. ASPAG recognized the ILO’s commitment to support

- initiatives using South–South and triangular cooperation and encouraged the promotion of specific topics such as child labour, skills development, migration, social security, employment-intensive investments and knowledge sharing. He supported the draft decision.
- 388.** *Speaking on behalf of IMEC*, a Government representative of Italy recognized the importance of South–South and triangular cooperation as an instrument for inclusive and effective partnership. The integration of SSTC approaches in Decent Work Country Programmes (DWCPs) could promote the Decent Work Agenda. She highlighted that South–South cooperation, through enhanced ownership, leadership and capacity building among southern countries, could be recognized as a useful model for the application of the 2009 Global Jobs Pact and the 2008 ILO Declaration on Social Justice for a Fair Globalization. SSTC was also recognized in the report of the Development Working Group of the G20 Summit in November 2011.
- 389.** IMEC favoured the involvement of interested governments and partners in key areas such as the promotion of employment generation, social protection, green jobs, knowledge sharing and child labour. The International Training Centre of the ILO in Turin (Turin Centre) could help in knowledge sharing related to SSTC. IMEC was of the view that the indicator of Outcome 1 of the proposed strategy did not show the impact of the ILO's actions; it therefore requested a revision of Outcome 1 and its indicator, to be reported for information to the Governing Body at its November 2012 session.
- 390.** *Speaking on behalf of the Africa group*, a Government representative of Zambia appreciated the consistent efforts by the Office to promote the SSTC initiative as outlined in the Programme and Budget for 2012–13. SSTC was in line with the African vision, which established the need to cooperate strategically with other regional groups, international organizations and member States. The Africa group supported the use of the United Nations Joint Inspection Unit's recommendations on the means to enhance system-wide contributions to SSTC. The Office should develop a results-based model of capacity-building interventions in order to ensure the success of the two proposed outcomes. He supported the draft decision.
- 391.** *A Government representative of Brazil* emphasized that the inclusion of the subject in the Director-General's programme and budget proposals reflected the recognition from the Office and constituents of the added value and complementary role of South–South cooperation in the promotion of development and decent work for all. That mode of cooperation was a priority for Brazil, the first country of the South to implement SSTC projects with the ILO. She emphasized that the assistance received in past decades, especially in relation to issues concerning child labour, forced labour and labour inspection, made it possible for Brazil now to share the experience gained with third countries.
- 392.** *A Government representative of China* noted that SSTC was an important component of international development and cooperation and an effective means to share knowledge. The ILO had mobilized available resources and had done an effective job in implementing SSTC. China was also a developing country and an active supporter of SSTC, which should be based on the demand of recipient countries for assistance with initiatives that needed to be implemented locally. Countries should pay attention to the efficiency of implementation and resources should be aimed at capacity building and training. He supported the ILO's SSTC strategy.
- 393.** *A Government representative of the Republic of Korea* noted that SSTC was a useful tool to promote the development of recipient countries by engaging the participation of diverse stakeholders. The importance of SSTC was reaffirmed in the Busan Partnership for

Effective Development Cooperation, adopted at the Fourth High-Level Forum on Aid Effectiveness, held in the Republic of Korea in 2011. The ILO's efforts to actively pursue its cooperation programmes in a way that promoted the Decent Work Agenda through SSTC were a timely step and would serve to increase the effectiveness of ILO cooperation programmes.

- 394.** *A Government representative of Qatar* said that the ILO had an important role to play in SSTC. ILO regional offices should coordinate with other organizations concerned to study opportunities for SSTC and come up with proposals for subsequent meetings. The ILO should strengthen its role in the transfer of knowledge, together with the Turin Centre. Cooperation should also be strengthened between developing countries and least developed countries. SSTC was not a substitute for North–South cooperation. He agreed that the indicator for Outcome 1 was not adequate to measure progress. A group of indicators could be adopted to allow for the measurement of progress over a longer time. There was a need to concentrate on the quality of partnerships to determine their effectiveness. He noted that the document did not give details on how the 2012–13 budget allocation for SSTC would be used and asked that it be distributed fairly, especially given the small sum. The subject of SSTC should be reviewed on a regular basis by the Governing Body in order to follow up on possible developments. He supported the draft decision.
- 395.** *A Government representative of India* stated that collaboration between the emerging economies through SSTC was an important feature of global economic development. SSTC involved socio-economic initiatives and was a useful tool to promote the ILO's Decent Work Agenda. He reaffirmed India's commitment towards promoting South–South cooperation for achieving sustainable and inclusive growth that benefited all, especially the vulnerable sections of society, but noted that such cooperation was not a substitute for North–South collaboration. His Government, with the ILO, had organized an IBSA International Conference on South–South Cooperation in New Delhi in March 2012. The labour ministers and delegates of 23 countries from Asia, Africa and South America had participated. The Conference had shown that countries from the South wanted home-grown solutions to be shared, and that, if countries learned from such innovative solutions, they could accelerate job creation, identify opportunities for institutional coordination across borders in the South between labour training and research institutes, and find linkages between the informal economy, social protection, livelihood creation and employment.
- 396.** The speaker recalled that the IBSA Conference had called for the further development and promotion of SSTC according to countries' priorities, in order to contribute effectively to the implementation of the Decent Work Agenda through the building of partnerships and exchange of experiences in the fields of employment, social protection, rights at work and social dialogue. The IBSA Conference had also underlined the importance of public employment programmes, employment guarantees, green jobs, conditional cash transfers and other innovative social protection schemes. Countries should work together to exchange information and ideas with a view to developing a concrete plan of action.
- 397.** Regarding the proposed indicators, the speaker noted that results should be for the national governments to design and monitor. He supported the draft decision without amendment.
- 398.** *A Government representative of the Islamic Republic of Iran* noted that the SSTC initiative had shown that, with the right kind of planning, commitment, partners and reciprocal respect, SSTC could produce impressive results on a very small budget. Language and cultural differences ceased to matter when collaborators shared their technology and knowledge in a reciprocal setting. Traditional North–South cooperation had led to the development of essential tools of project management, organization and accountability,

which SSTC had successfully applied. In other cases, many ideas being implemented as part of South–South cooperation were generated in the North but were not being adapted to the realities of the global South. SSTC experience indicated that a quadrilateral North–South–South–ILO cooperation strategy based on mutual respect, reciprocity, participation and willingness to teach and be taught could provide new and improved paths towards achieving global development goals. He supported the draft decision.

- 399.** *A representative of the United Nations Joint Inspection Unit recalled the 2011 report by the Joint Inspection Unit on South–South and triangular cooperation in the United Nations system, which contained 12 recommendations for the UN system. Recommendation 3 stressed the importance of establishing identifiable and dedicated structures, mechanisms and focal points to ensure coordination on SSTC. According to Recommendation 9, 0.5 per cent of the core budget resources of organizations should be devoted to SSTC, and donor countries should agree to use a specific portion of extra-budgetary resources for that purpose.*
- 400.** *The representative of the Director-General noted that the discussion had revealed strong support for the concept of SSTC as an important means for the ILO to advance the Decent Work Agenda. The Office was prepared to present a more robust indicator for Outcome 1 at the next session. In response to a question raised by the Worker spokesperson, he indicated that, in Haiti, \$12 million had been mobilized to employment promotion projects, including through important triangular cooperation arrangements with Brazil and the United States.*

Decision

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

(GB.313/POL/7, paragraph 11, as amended.)

Eighth item on the agenda

Regional perspectives on technical cooperation: The African region

(GB.313/POL/8)

- 402.** *A representative of the Director-General (Regional Director for Africa) recalled that, at the 12th African Regional Meeting, constituents had adopted a set of recommendations to accelerate the implementation of the Decent Work Agenda in Africa 2007–15. He highlighted several achievements in the region in relation to the four strategic objectives of the ILO, and underlined that \$50.5 million had been mobilized for technical cooperation programmes and projects in 2011. Resources from the RBSA and the regular budget for technical cooperation (RBTC) had provided an additional \$2.1 million for capacity building for employers' and workers' organizations. An additional \$1 million had been allocated from RBTC funds to strengthen labour administrations and labour market governance.*
- 403.** *Extra-budgetary resources had fluctuated since 2008 because of the economic crisis. If that trend continued, there would be an impact on the level of operations in the region.*

Nonetheless, he was pleased that \$40 million had already been approved for Africa since the beginning of 2012, much of which had been mobilized at the local level, highlighting the need for a local resource mobilization strategy.

- 404.** Through a roadmap for recovery and decent work developed with constituents in Egypt, the ILO had locally mobilized \$20 million in 2011 for six technical cooperation projects. The ILO had also accompanied the transition in Tunisia and had so far secured approvals of \$10 million to support the roadmap that had been agreed upon with constituents there. The speaker expressed his appreciation to the numerous donors that had made such accomplishments possible.
- 405.** *The Employer spokesperson* welcomed the Office's decision to present a series of studies on technical cooperation in the regions. The scale of technical cooperation in Africa raised the question of whether the interventions had a real impact on the ground and whether their impact was sustainable. The tripartite involvement of constituents in the implementation of programmes was strongly encouraged. The programmes and projects sought to help constituents in Africa integrate employment into national policies and promote entrepreneurial attitudes and skills development. There was a need to promote good practices, such as One UN in the United Republic of Tanzania. Better integration of modern technologies in labour-intensive investments should also be encouraged. The same applied to cooperatives, and entrepreneurial attitudes, sound management and the promotion of small and medium-sized enterprises (SMEs) and small and medium-sized industries (SMIs) and should not be overlooked. The Employers' group welcomed the efforts made concerning the abolition of child labour and the promotion of social dialogue. Efforts had also been made to increase the delivery rate, but no provision had been made for outcomes with respect to employers' organizations. The draft decision was approved and the importance of allocating more extra-budgetary resources to the social partners was reiterated.
- 406.** *The Worker spokesperson* stated that the key objectives in technical cooperation in Africa were the full participation of the constituents in the formulation, delivery and evaluation of DWCPs and an integrated and more balanced allocation of technical cooperation resources among the strategic objectives, as an imbalance existed in both extra-budgetary and RBSA expenditure. He also stressed that similar comments had been made in previous meetings on technical cooperation regarding these imbalances and lack of capacity building for constituents and that the Office should finally address this.
- 407.** He called on the Office to draw up a resource mobilization strategy that took account of the following points: more balanced and equitable distribution of resources in relation to the strategic objectives and within each objective; development of specific projects for workers in the fields of freedom of association, collective bargaining, minimum wages, social protection, monitoring with regard to HIV/AIDS, and discrimination; promotion and application of international labour standards and social dialogue in DWCP priorities; and the need to tackle the humanitarian tragedy in Somalia. Finally, the speaker expressed his support for the draft decision.
- 408.** *Speaking on behalf of IMEC*, a Government representative of Italy said that it was important to avoid unnecessary duplication. The Office should ensure that the proposed effort in the field of resource mobilization for Africa took place under the overall ILO resource mobilization strategy.
- 409.** *Speaking on behalf of the Africa group*, a Government representative of Zambia noted with satisfaction that action was being taken by the Office to move forward some of the recommendations of the 12th African Regional Meeting. The past decade had seen the Africa region build a policy and programme infrastructure aimed at realizing fundamental

- principles and rights at work. Currently, over 30 countries were implementing DWCPs, a number of which were second generation programmes. Most of the evaluations that had been conducted highlighted the need to increase the DWCP delivery rate. The problem of resource gaps had been cited as one of the major factors to have affected programme implementation. He agreed that securing adequate resources to address the key priorities of the 12th African Regional Meeting was a challenge. The Africa group was pleased that the Office proposed to make systematic use of findings of past monitoring and evaluations exercises when designing new projects and programmes. He supported the draft decision.
- 410.** *A Government representative of Ghana* stated that the effective implementation of projects had contributed to the improvement of policy development and to the realization of poverty reduction and growth strategies in African countries. The results achieved in some of the technical cooperation projects outlined in the document were encouraging. Through the efforts of the field offices, the delivery rates for technical cooperation in Africa had improved significantly since 2008, exceeding the target of 75 per cent adopted by the Governing Body in 2009. She appreciated the work done by the ILO Regional Office for Africa in terms of strengthening the capacity of field offices in the monitoring and evaluation of projects, and supported the measures being put in place to address the decline in delivery rates recorded for 2011. She supported the draft decision.
- 411.** *A Government representative of Zimbabwe* supported the draft decision and emphasized the need for the ILO to ensure that technical cooperation interventions were closely aligned to DWCPs. He urged the Office to strengthen the use of impact assessments.
- 412.** *A Government representative of France* said that technical cooperation supplied to countries by the ILO should play a key role. The issue was to help transpose the ILO's work into the context of the country concerned in order to achieve the results expected by the DWCPs. It was in order to give backing to the Office's action on the ground that France was supporting not only the International Programme on the Elimination of Child Labour (IPEC) but also programmes including the Employment Intensive Investment Programme (EIIP) and the Programme to Support the Implementation of the ILO Declaration on Fundamental Principles and Rights at Work (PAMODEC) in the Africa region. Convinced of the importance of the cooperation that had been developed in the region, the French Government approved the points mentioned in the document. It was also necessary to take account of the results of evaluations and establish new partnerships. He asked the Office to indicate how it intended to reinforce its collaboration and action concerning resource mobilization with the other organizations on the ground which were already cooperating with the regional and subregional offices. The quality of the projects and the value added by the ILO to their implementation were crucial for attracting voluntary contributions.
- 413.** *A Government representative of Kenya* supported the draft decision and stated that the implementation of decent work in Africa required a resource mobilization strategy that would take into account identified priorities, such as youth employment. Kenya supported the draft decision.
- 414.** *The representative of the Director-General* noted the comments made by the Employers' group regarding the need to promote cooperatives, SMEs and SMIs and groupings of enterprises. He recognized the importance of mobilizing more resources for the social partners, an issue also raised by the Workers. It would require a joint effort – from employers, workers, development partners and the ILO – to discover why an imbalance persisted between the strategic objectives.
- 415.** The speaker noted that, while not mentioned in the paper, the Employment for Peace, Stability and Development in the Horn of Africa framework, developed with the

Intergovernmental Authority on Development and the African Union Commission, had helped mobilize resources, including for significant projects in Somalia. In response to the question raised by the representative of IMEC, he indicated that the resource mobilization strategy would be closely coordinated with the overall technical cooperation strategy. Thanking the Government of France for its support to the ILO in Africa, he agreed that more should be learned from joint evaluations. He thanked the Africa group for its intervention and concurred with the view that DWCPs should play a central role in mobilizing resources.

Decision

- 416.** *The Governing Body requested the Office, in order to accelerate the implementation of the Decent Work Agenda in Africa, as called for by the 12th African Regional Meeting, to develop a regional strategy for resource mobilization, taking into account the points outlined in Part V of document GB.313/POL/8.*

(GB.313/POL/8, paragraph 29.)

Multinational Enterprises Segment

- 417.** The Multinational Enterprises Segment of the Policy Development Section was held on Thursday, 22 March. It was chaired by Mr Elmiger (Government, Switzerland), as appointed by the Chairperson of the Governing Body. Ms Hornung-Draus and Mr Gurney were the Employer and Worker spokespersons.

Ninth item on the agenda

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

(GB.313/POL/9)

- 418.** *The Employer spokesperson* stressed that the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) continued to be a very relevant instrument of orientation and guidance and that they wanted to use the full potential of that Declaration. The follow-up mechanism was not too cumbersome and made an important distinction between promotional activities, on the one hand, and the collection of data and factual analysis, on the other. Concerning promotional activities, the proposals included and integrated the MNE Declaration into existing ILO activities to mainstream it more effectively. At the same time, it should not be used to impose anything, because it was very important to preserve the voluntary nature of the MNE Declaration.
- 419.** The Working Group had benefitted greatly from the input of the Leibniz Institute for the Social Sciences in the area of data collection and factual analysis; and she appreciated the fact that the survey would be designed by an independent research institute before being submitted to the Governing Body for approval. With regard to the questions and the size of the survey, governments and social partners should not be overburdened with reporting obligations; the right balance needed to be found. She fully supported the draft decision and looked forward to implementing those recommendations.

420. *The Worker spokesperson* emphasized that the recommendations were based on two key prerequisites. Firstly, there had to be a genuine commitment to principles which went beyond mere statements of goodwill and was backed by a system of periodic reporting. Secondly, the promotion of the MNE Declaration required its integration into existing national frameworks and ILO mechanisms. The work of the ILO was geared towards activities and outcomes in the real economy; therefore the ILO had to have something relevant to say about operational practices with multinational enterprises (MNEs). The ILO Helpdesk had already responded to 605 requests since its establishment, and each of those responses had helped to put the principles of the MNE Declaration into practice. The recommendations on promotional activities could lead to a rethink of that important but hitherto under-pursued area of work. He was particularly pleased to have reached an agreement on paragraph 15. An operational plan, to be presented in November, would be essential to ensure that all of the recommendations were implemented.
421. Turning to the survey, he strongly supported the separation between the collection of data and the various promotional activities, and desk research to supplement the survey. The proposal that a set of core questions should be maintained from survey to survey would enable the ILO to compare macro trends and then possibly take action as appropriate to reflect those trends. The changing thematic modules could be linked to the items for recurrent discussion at the International Labour Conference.
422. The recommendations could contribute to a renewed affirmation of the role of the State, not only in reaffirming the rule of law and the responsibility of government, but also because it was through governments that space could be created at the national level to discuss the impact of MNEs on industrial development and policies, on the basis of a tripartite consensus. They could also help the ILO to reassert its comparative advantage (its mandate and unique composition) and maintain its relevance in the twenty-first century.
423. *Speaking on behalf of ASPAG*, a Government representative of China emphasized that the MNE Declaration needed assertive promotion outside the ILO. Further promotional work was also needed within the Office for more constructive engagement with MNEs in the formulation of public-private partnerships and mainstreaming of the MNE Declaration into training and technical cooperation projects. ASPAG supported improved gathering of information on MNE activities at the national level and sharing of good practices through regional and sectoral meetings. The MNE Declaration was promotional in nature; therefore the survey should not increase the reporting burden of governments.
424. *Speaking on behalf of IMEC*, a Government representative of Canada highlighted the urgent need to agree on a new promotional mechanism for the MNE Declaration, given that it was referenced in many international documents as one of the key instruments for promoting corporate social responsibility (CSR), and in times of crisis CSR had a key role to play in making further business acceptable to all stakeholders. Greater awareness of the Declaration could be raised from within the ILO, by the Office as well as by constituents. The main challenge was managing a survey which provided first-class information by directly involving MNEs and accurate data of a professional and non-bureaucratic nature, which would in turn enable the Office and Governing Body to deliver appropriate guidance, update their knowledge, and promote awareness and social dialogue. The prospect of a new periodic survey was not welcome. The design of the operational plan needed to take into account the mobilization of national tripartite constituents and coordinate with other ILO discussions, including the recurrent discussions at the Conference; and it should prevent new bureaucratic developments in any follow-up.
425. *Speaking on behalf of the Africa group*, a Government representative of Niger said that care should be taken to avoid placing a heavier reporting burden on governments, while

facilitating debate; he considered that existing ILO mechanisms and national frameworks should be used. He reiterated the proposal put forward by the Africa group in November 2011 to strengthen cooperation between the ILO and other international organizations in order to ensure better follow-up of the Declaration, in particular with regard to awareness-raising activities, with an emphasis on the key role of multinational enterprises. The Africa group endorsed paragraphs 9 to 22 of the report.

- 426.** *A Government representative of Switzerland* said that her Government endorsed the IMEC statement. She expressed her delegation's concern at the proposals contained in part B of the recommendations, pointing out that there appeared to be a lack of consistency in proposing to continue the promotion of an instrument without having an effective follow-up mechanism. She highlighted the need for the ILO to update the Declaration and adapt it to the changes that had occurred in multinational enterprises in recent years, in order to make it a strategic instrument that was in step with reality. Given the proliferation of CSR agreements between multinational enterprises and trade union organizations referring to the Declaration, the ILO should seize the opportunity to build links among the different stakeholders, while taking care to maintain ownership of the Declaration.
- 427.** The speaker called for additional information on paragraphs 16 et seq. of the Working Group's recommendations, and wished to know, among other things, whether the planned surveys would entail an additional burden for the constituents, what their financial implications were and what their main objective was.
- 428.** *A Government representative of Qatar* supported the statement made by ASPAG and noted the difficulty of conducting a general survey. Priorities should be set concerning the sectors to be covered. The Office should include precise details of the survey, including funding, in its operational plan. He supported the draft decision.
- 429.** *A Government representative of Canada* supported the statement made by the IMEC group. The periodic survey would not yield useful results. Data relating to MNEs did not exist at the national level. Past surveys were based only on respondents' opinions. The scarcity of resources and the reporting burden were also a cause for concern. She supported the promotional activities, yet wished to see the financial implications before endorsing them; and requested details on the operationalization of paragraph 11.
- 430.** *A Government representative of Argentina* supported the promotion of the MNE Declaration through events such as the MultiForum Cono Sur. In the light of its experience in the 2009 pilot exercise, his country did not agree with the proposal to gather data through a survey. Argentina would be willing to serve as a pilot for promoting the MNE Declaration under the umbrella of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and would promote the MNE Declaration in national and regional events as well as sectoral social dialogue. Argentina supported the draft decision.
- 431.** *A Government representative of India* expressed concern that the governments' workload would increase enormously. Concerning the establishment of tripartite focal points, the main challenge would be that in most countries such bodies were located not in ministries of labour but in ministries of commerce.
- 432.** *A representative of the Director-General* (Executive Director, Employment Sector) thanked all the Working Group members and reflected that both the promotion of the Declaration and data collection posed challenges. Previous survey attempts had not been successful because the MNE Declaration covered a wide range of issues, making a comprehensive survey very cumbersome; and many countries did not collect MNE-related data. If constituents agreed on a focused questionnaire, then the reporting burden could be

minimized. The Office recognized governments' reporting burden and proposed bringing back a sample questionnaire for the November 2012 Governing Body session for governments and the social partners to consider. The Office would prepare an operational plan with costing for the November 2012 session.

433. *The Worker spokesperson* agreed that past surveys had been based mostly on opinions and not on empirical data; however, the Ad Hoc Working Group had taken into account the guidance from the survey design experts in drafting the recommendations. The survey would not become an additional requirement as a reporting requirement for the survey was already in place but currently suspended. On the issue of national focal points, the experience in Argentina had proved useful.
434. *The Employer spokesperson* supported the statement made by the Worker spokesperson and agreed to the approaches outlined by a representative of the Director-General. It was also governments' responsibility to promote the MNE Declaration, for example, through the establishment of a national focal point.
435. *The Chairperson* turned to the points for decision. There was consensus on paragraphs 10 to 15. Paragraphs 16 to 22 were set aside for further discussion, subject to the development of an operational plan.

Decision

436. *The Governing Body:*

- (a) *thanked the members of the Ad Hoc Working Group on the Follow-up Mechanism of the MNE Declaration for their report;*
- (b) *adopted the recommendations of the Ad Hoc Working Group in paragraphs 10 to 15 of the report annexed to document GB.313/POL/9 and took note of the recommendations in paragraphs 16 to 22 for their consideration and further discussion at the 316th Session (November 2012) of the Governing Body, together with an operational plan to be proposed by the Office under paragraph (c), subject to further review of the financial implications arising from the activities endorsed;*
- (c) *requested the Office to prepare for its 316th Session (November 2012), in consultation with the tripartite constituents, a proposed operational plan for putting in place the MNE Declaration follow-up mechanism and the specified promotional activities on the basis of the recommendations submitted by the Ad Hoc Working Group at the present session;*
- (d) *decided to further suspend, until its 316th Session (November 2012), the decision taken at its 258th Session (November 1993) to conduct surveys of the MNE Declaration every four years, to consider adoption of an operational plan for the follow-up mechanism.*

(GB.313/POL/9, paragraph 6, as amended.)

Legal Issues and International Labour Standards Section

437. The Legal Issues and International Labour Standards Section was held on Tuesday, 27 March 2012. It was chaired by Mr Corres (Government, Argentina). Mr Syder was the Employer spokesperson and the Worker Vice-Chairperson of the Governing Body, Mr Cortebeek, was the Worker spokesperson.

Legal Issues Segment

First item on the agenda

Legal protection of the International Labour Organization in its member States, including the status of its privileges and immunities (GB.313/LILS/1)

438. *The Worker Vice-Chairperson* commended the Office for its efforts to promote ratification of the 1947 Convention on the Privileges and Immunities of the Specialized Agencies and recalled the importance of that Convention in ensuring protection of the Organization and the effectiveness of its work. The Workers' group welcomed the accession of two new States to the Convention since March 2009. However, he regretted the lack of significant progress and expressed concern at the fact that 29 member States did not provide protection to the Organization. The Workers' group encouraged all member States to take the necessary steps to accede to the Convention or to multilateral and bilateral agreements. In addition, he highlighted the relevance of the measures taken by the Office to promote accession to the instruments on privileges and immunities, in particular the new booklet on legal protection of the ILO in its member States and the online database on the subject. With regard to the Framework Agreement for Cooperation (FAC), he recommended giving absolute priority to accession to the 1947 Convention and using the FAC only in cases in which objective considerations temporarily prevented accession to the Convention.
439. *Speaking on behalf of the Employers' group*, an Employer member noted that overall progress towards accession to the 1947 Convention on the Privileges and Immunities of the Specialized Agencies was slow: only two countries had acceded to the Convention since 2009. She requested some clarifications on the measures taken by the Office. First, it was important to focus on the 29 member States that did not grant any legal protection to the ILO, and identifying those States would permit a better understanding of future promotional steps. In relation to the direct engagement with member States mentioned in the document, her group wished to know which 40 member States the Office had contacted, and in which of those countries the ILO had extensive activities. She also wished to know more about the reasons behind the obstacles to accession to the Convention or to the adoption of a bilateral agreement. In order for that information to be included in the next discussion of the subject, she proposed a revision for point 15(c) of the draft decision. With reference to the FAC contained in Appendix II to the document, the Employers' group wondered whether the FAC was intended to be a model for future bilateral agreements, whether it had already been submitted to any ILO member States, and whether reservations to some of the provisions would be accepted. In addition, she wished to know the differences between the protection afforded by the FAC and that provided by the 1947 Convention, as well as the relationship between the FAC, the standard technical assistance agreements (STAAs) and other bilateral agreements. Noting that there was no

draft decision on the FAC, she asked the Office whether there should be one and what it intended to do with that model agreement. The Employers' group recognized that the new information resources could be effective tools to increase the general understanding of the importance of the legal protection of the ILO, but wished to know their impact in addressing the obstacles to accession to the Convention. Lastly, the Employers' group again raised the issue of extension of privileges and immunities to the officials of the International Organisation of Employers (IOE) when performing their functions to obtain better conditions to pursue and realize their objectives. In that regard, the group stressed the fundamental role that the secretariats of employers and workers, in particular the IOE and the International Trade Union Confederation (ITUC), played in the ILO's institutional framework. The Employers' group requested that the Governing Body recognize the need for States to accept the importance of the role of both the IOE and the ITUC, which was in line with paragraphs 19 and 23 of the revised Introductory note to the Compendium of rules applicable to the Governing Body of the International Labour Office adopted in June 2011. The Employers' group secretariat was, from an institutional point of view, an integral part of the ILO, although, as a consequence of the fundamental principle of tripartism, it was an independent institution. In her view, tripartism implied that the three parties in the work process of the ILO could enjoy equal positions with respect to privileges and immunities to the extent necessary to carry out their tasks adequately. The employees of the IOE and ITUC were called upon to fulfil sensitive missions in member States and often to defend legitimate positions in conflict with those of national governments. For that reason, the Employers' group proposed a revision to point (c) of the draft decision, replacing the wording after the words "report periodically" with: "on the material obstacles to the accession to the 1947 Convention and Annex I; on the adoption and developments of bilateral agreements; on the measures to be taken in order to address material obstacles to the accession to the 1947 Convention and its Annex I and the bilateral agreements". In addition, the Employers' group proposed a new point 15(d) which read: "The Governing Body requests the Office to undertake an analysis of the question of immunities and privileges of the IOE and ITUC officials in the execution of their functions related to the ILO and to propose possible legal approaches at the Governing Body session in November 2013". With those two proposed amendments, the Employers' group supported the draft decision.

440. *Speaking on behalf of GRULAC*, a Government representative of Brazil, noting that the FAC was not submitted for approval, supported points (a) and (b) of the draft decision. He further clarified that his group's approval of point (c) did not mean approval of Appendix II as a fixed document. The group preferred to continue studying the FAC, as it had already found several ambiguities and wished to submit its suggestions for improvements. He believed that the FAC could not apply in countries which had not acceded to the Convention because of incompatibilities with national legislation and practice. In addition, in some of the articles of the FAC it appeared that the ILO could act unilaterally; in others, such as articles II, III, V, and VIII, the possibility was left open to implement the provisions as necessary. Article I, conversely, referred to the basic conditions for cooperation agreed between the ILO and the member State. Paragraphs 5 and 6 of Article XI seemed contradictory in so far as they referred to two different systems for continuation of obligations upon termination of the Agreement. With regard to point (c) of the draft decision, GRULAC noted the statement in paragraph 9 of the document that the Office would keep the FAC under review. With regard to the proposals of the Employers' group, he stressed that those types of proposals should be submitted sufficiently in advance to give the Governing Body members the possibility of consulting internally before deciding on them.

441. *A Government representative of Brazil*, endorsing the statement by GRULAC, reiterated his country's commitment to privileges and immunities and agreed with the need to

reaffirm the importance of the legal protection of the ILO in its relations with member States, in line with points (a) and (b) of the draft decision. His delegation supported continuing promotion as mentioned in point (c) of the draft decision. Nevertheless, he wished to recall that, based on the principle of the protection of workers, Brazilian labour courts had recognized the need to apply privileges and immunities in a flexible manner in situations in which the worker whose rights had been violated was left in a state of clear vulnerability without redress. The Brazilian judiciary had acted in that way in the past in view of the very principles and values of the ILO.

442. *A Government representative of Switzerland* recalled that her country had concluded a Headquarters Agreement with the ILO on 19 March 1946 which afforded the Organization privileges and immunities that were equivalent to those guaranteed by the 1947 Convention. That was why Switzerland was not a party to the Convention. However, her country was currently envisaging accession to the Convention.
443. *Speaking on behalf of the Africa group*, a Government representative of Angola recalled that, according to article 40 of the Constitution of the ILO, member States were required to recognize the privileges and immunities of the Organization. He acknowledged that the purpose of legal protection of the Organization in member States was to guarantee the independence of the Organization and its ability to provide its services efficiently, limiting the delays and costs entailed in financing and carrying out its activities. The Africa group proposed supporting the three points of the draft decision as set out in the document.
444. *A Government representative of Canada* reiterated that her country's Privileges and Immunities (International Labour Organization) Order granted adequate protection to the ILO, a view which it had affirmed during the previous discussion of the subject. In addition, Canada extended privileges and immunities to the ILO and its staff, to the delegates of member States attending ILO meetings in Canada and to ILO-designated experts on mission in Canada. Canada supported the draft decision and recommended that the FAC be targeted to countries that had not ratified the 1947 Convention and did not provide an equivalent level of protection.
445. *A representative of the Director-General* (the Legal Adviser) pointed out that the issue of recognition of privileges and immunities in member States was a broad one, and regularly gave rise to problems. He explained that the priority for the Office was member States that had not acceded to the Convention. They included States which refused accession as a matter of principle, and it was those States which posed a problem that was particularly difficult to solve, and for which the Office needed assistance from member States. The second category consisted of States that had lodged instruments of accession, while expressing reservations which related to essential points and had therefore been rejected by the ILO and other organizations. That second category of States required a joint effort with other United Nations organizations in order to understand the reasons for the reservations and encourage States to withdraw them, where possible. With regard to the FAC, the Office was not asking the Governing Body to adopt it, as its content was not fixed, but was subject to discussions on a case by case basis, bearing in mind that certain points were essential and should be included without fail. With regard to the FAC and the 1947 Convention, the main difference between the two was that the FAC was a bilateral instrument enabling the ILO and its officials to enjoy the guarantees provided by the Convention, but was much broader in scope as it also covered other matters such as intellectual property, dependants and information concerning cooperation activities. Where an FAC had been concluded in a country in which an STAA was already in force, the FAC replaced the STAA on all common points, but the other points of the STAA remained in force. Lastly, with regard to privileges and immunities for employers' and workers' organizations, the Legal Adviser proposed undertaking clarification of the legal aspects of the matter in consultation with the parties concerned.

446. *The Worker Vice-Chairperson* noted with satisfaction the forthcoming ratification of the 1947 Convention by Switzerland and agreed with point (d) of the draft decision proposed by the Employers. However, the Workers' group did not agree with the proposed amendment to point (c) as it was too detailed.
447. *Speaking on behalf of GRULAC*, a Government representative of Brazil, following a brief consultation among the members of the group, suggested a subamendment to the Employer group's amendment to point 15(d), which replaced the words "in the execution of their functions related to the ILO" with the words "in the context of the 1947 Convention and Annex I, in the execution of official missions of the ILO defined in a tripartite manner". He noted the need to review the Governing Body procedure for adoption of amendments, since there should have been more time to discuss the amendment proposed by the Employers.
448. *Speaking on behalf of the Employers' group*, an Employer member requested the Office for advice on the subamendment wording proposed by GRULAC to point 15(d), in consideration of the fact that it was the members of the secretariats of the IOE and the ITUC who went on mission and who needed to be protected, not the secretariats themselves.
449. *The representative of the Director-General* (the Legal Adviser) stated that what the Office was being asked to do was to verify the status, in the context of the 1947 Convention, of officials of the IOE and ITUC while carrying out official missions of the ILO defined in a tripartite manner. That wording summed up the role of group secretariats fulfilled by the IOE and the ITUC during official ILO meetings and reflected the fact that the two non-governmental organizations acted as secretariats. That was the current meaning of the text, and if it corresponded to what the delegations wanted it to mean, the text could be maintained.
450. *Speaking on behalf of the Employers' group*, an Employer member confirmed that her group supported the meaning of the text as explained by the Legal Adviser and requested that the Office align the translations. The group thus agreed with the subamendment to its amendment to point 15(d), and also agreed to withdraw its amendment to point 15(c).

Decision

451. The Governing Body:

- (a) reaffirmed the importance of legal protection for the ILO in its relations with member States, and in particular its privileges and immunities recognized in the 1947 Convention on the Privileges and Immunities of the Specialized Agencies and Annex I relating to the ILO;**
- (b) urged member States which have yet to do so, to accede to the 1947 Convention and apply its Annex I;**
- (c) requested the Office to continue its efforts to promote the legal protection of the ILO through the measures indicated, and to report periodically on the legal situation of the ILO in its member States, with a view to taking further measures as necessary;**
- (d) requested the Office to undertake an analysis of the question of immunities and privileges for officials of the International Organisation of Employers**

(IOE) and the International Trade Union Confederation (ITUC), in the context of the abovementioned Convention and Annex I, in the execution of official missions of the ILO defined in a tripartite manner, and to propose possible legal approaches at the November 2013 session of the Governing Body.

(GB.313/LILS/1, paragraph 15, as amended.)

Second item on the agenda

Final provisions of international labour Conventions

(GB.313/LILS/2)

- 452.** *A representative of the Director-General* (the Legal Adviser) emphasized that the four approaches to the final provisions of international labour Conventions suggested in paragraph 9 of the document did not exclude any other approaches that the Governing Body members might wish to propose.
- 453.** *The Employer spokesperson* considered that a comprehensive discussion of the subject was of the utmost importance to maintain a robust body of up-to-date international labour standards that responded to the needs of the world of work. The proper place to examine the question of the final provisions was therefore in the context of the ongoing Governing Body discussions on a future standards review mechanism. His group proposed that the issue be postponed to the November 2012 session of the Governing Body, pending tripartite consultations concerning the modalities of the standards review mechanism.
- 454.** *The Worker Vice-Chairperson* asserted that the final provisions issue formed part of standards policy as it was closely linked to the question of new approaches to international labour standard setting. It should therefore be included in the wider discussion on standards policy and could not be dealt with in isolation. His group proposed to evaluate further developments in that wider discussion in order to decide when to come back to the issue of the final provisions.
- 455.** *Speaking on behalf of IMEC*, a Government representative of Canada was satisfied with the current final provisions and practice, as reflected in paragraph 9(a) of the document, since such practice provided stability and the necessary flexibility. The practice of having the Conference Drafting Committee insert the final clauses with identical values into proposed Conventions should be maintained. While strengthening the coherence of the body of international labour standards and facilitating its legibility, it also avoided a discussion of the final provisions by the technical committees of the Conference, whose workload was already considerable. Those committees should make a restrictive use of their power to adopt different values for the open parameters of certain final provisions. Higher thresholds for the entry into force of a Convention should be used only where justified by the reciprocal character of the obligations. However, IMEC also noted that since the parameters in the articles on entry into force and denunciation of the Convention dated back to 1928, it could be appropriate to re-examine them from the perspective of improving ILO standards-related activities, taking into account the goal of wide ratification of the Conventions. IMEC was aware that that required in-depth discussions following the approach outlined in paragraph 9(d) of the document, which could be successful only if there was initial consensus to move in that direction.

- 456.** *Speaking on behalf of GRULAC*, a Government representative of Brazil noted that, while the document referred to the practice of not submitting the question of the final provisions of a Convention to the technical committees, it also mentioned recent examples where the parameters concerning entry into force and denunciation of a Convention had been discussed by the competent committee. While it was a simple and practical solution to let the Conference Drafting Committee deal with the inclusion of the final provisions, the provisions on entry into force and denunciation were closely linked to the substance of the Convention under development, as illustrated, for example, by Conventions Nos 31, 46 and 110. Therefore, his group wished to maintain the possibility for the technical committee dealing with the substance of a Convention to determine the figures for entry into force and time limits for denunciation. The favoured approach was a combination of those outlined in paragraph 9(a) and (b) of the document. Finally, in connection with the standard final Article B, referring to the registration of ratifications with the Director-General, the group stressed that that function had to be discharged in full compliance with the provisions of the Vienna Convention on the Law of Treaties and no incompatible practice could be accepted.
- 457.** *Speaking on behalf of the Africa group*, a Government representative of Angola wished the Governing Body to propose to the Conference a more substantial revision of the final provisions to be used in future Conventions, so that such a proposal could be discussed by the competent committee of the Conference.
- 458.** *Speaking also on behalf of the Government of Denmark*, a Government representative of Switzerland believed it was essential to avoid having different final provisions proposed for different Conventions at each session of the Conference. A more substantial revision of the final provisions, as suggested in paragraph 9(d) of the document, could therefore be envisaged. Such revision would ensure legal certainty and the proper functioning of the supervisory system and would result in a new consensual global solution. The question should be included in the discussions on the future standards review mechanism. At the same time, the possibility of adopting special systems, such as the ones in the Work in Fishing Convention, 2007 (No. 188), and in the Maritime Labour Convention, 2006, should remain.
- 459.** *A Government representative of India* indicated that his Government was open to discussing, as a matter of improvement in standard-setting activities, the proposal made by the Employers' group at the 100th Session (2011) of the Conference, according to which 18 ratifications would be required for a Convention to come into force. As the standard final provisions in their current form dated back to 1946, there was a need to make them more flexible to better suit developing countries, while their core structure could be kept intact. He supported the approaches outlined in paragraph 9(a) and (b) of the document.
- 460.** *A Government representative of China* noted that the final provisions currently in use dated back more than half a century, during which the ILO had witnessed a sharp increase in its membership as well as the rise of economic globalization, which had resulted in considerable changes in the world of work. Against that background, the conditions for denunciation of a Convention now appeared overly strict, discouraging wider ratification, while the conditions for entry into force seemed so loose that they weakened the authority of the Conventions. He invited the Office to carry out an in-depth analysis, resorting to all available expertise, and to make proposals allowing the Governing Body to take the necessary decisions at an upcoming session.

461. *A Government representative of Australia* agreed with the Workers and the Employers that the final provisions of the Conventions could not be discussed in isolation from other improvements in ILO standards policy before the Governing Body, namely, the standards review mechanism, which included new approaches to standard setting and consideration of means for the preparation and adoption of standards. The possibility for technical committees of the Conference to also consider the final provisions of the Conventions under development was important to ensure that the Conventions adopted were robust and able to be ratified. However, it was equally important to ensure consistency and comparability across the international labour code, and the provision of default values that could be flexibly applied to suit atypical situations provided a strong foundation for such a result. The capacity for ILO Conventions to be ratified and to come into force was considered to be an integral aspect of the realization of decent work for all.
462. *The representative of the Director-General*, summarizing the debate, noted the views of members relating to the need to adapt the current system and, at the same time, preserve the coherence of the system of final clauses and of the standards system as a whole, while keeping the flexibility needed to accommodate the specific features of certain Conventions. Those ideas would be taken up during discussion of the question in connection with the standards review mechanism to be examined at the November 2012 session of the Governing Body.
463. *The Worker Vice-Chairperson* made it clear that, while his group had agreed to link the issue of the final provisions to the question of the standards review mechanism, it had not supported any change to the existing system of final provisions.

Outcome

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

Third item on the agenda

Standing Orders of the Special Tripartite Committee established to give effect to Article XIII of the Maritime Labour Convention, 2006 (GB.313/LILS/3)

465. *A representative of the Director-General* (the Legal Adviser) recalled that the Maritime Labour Convention, 2006 (MLC, 2006), provided for the establishment of a particular body, a Special Tripartite Committee, which would be required to carry out certain tasks relating to the application of the Convention. In order for the Committee to function, it had been necessary to draw up its Standing Orders, which had been drafted at two meetings of a preparatory tripartite committee. The Office had opted to add an Introductory note to the draft Standing Orders.
466. *A representative of the Director-General* (Director, International Labour Standards Department (NORMES)) indicated that governments and their social partners had made tremendous progress in ratification and effective implementation of the ground-breaking MLC, 2006. To date, that Convention had been ratified by 25 member States and one non-member State which was due to become a member State in order to enable registration of the instrument. Those 25 ratifications represented more than 56 per cent of the world's

fleet. In addition, the approach adopted by the Office with regard to the MLC, 2006, was singularly different from that taken with regard to other ILO Conventions. A very important technical assistance and technical cooperation programme supported its effective implementation. With data systems, the Office had already facilitated the undertaking of legislative gap analysis by more than 50 countries, particularly developing countries. Capacity building and training were also organized through the Maritime Labour Academy at the Turin Centre. The Office had prepared a number of tools including a handbook on model provisions, a handbook on implementing the social security provisions of the MLC, 2006, a revised question and answer handbook, and a revised “frequently asked questions” booklet; in addition, it was currently preparing a handbook on maritime occupational safety and health. She expressed her appreciation to the Governments of Sweden, Italy, United Kingdom and Australia for their continued support in that regard. All of those tools, together with a dedicated website relating to the Convention, provided the maximum amount of information and advice needed. Many of the provisions dealt with by the Standing Orders were in the final provisions of the MLC, 2006.

- 467.** *Speaking on behalf of the Employers’ group*, an Employer, supporting the draft decision, expressed the group’s appreciation of the way in which the activities relating to the upcoming entry into force of the MLC, 2006, were being carried out and of the work of the Preparatory Tripartite MLC, 2006, Committee. The preparatory meetings showed that excellent results could be reached in a climate of dialogue and consultation when all relevant parties worked together to enable the Convention to start functioning properly following entry into force. The Standing Orders under consideration currently reflected the decisions agreed during the preparatory meetings. Her group welcomed the clarity of the Introductory note, which summarized and reproduced some of the provisions of the Standing Orders, and agreed to its adoption on the understanding that the note had been added further to a request for clarification during the preparatory meetings.
- 468.** *The Worker Vice-Chairperson* emphasized that the Standing Orders were the result of detailed consultations among the governments and social partners concerned. The group supported the draft decision and, welcoming the progress made in the number of ratifications, hoped that the Convention, which was of great importance, would soon come into force.
- 469.** *Speaking on behalf of the Africa group*, a Government representative of Angola, supporting the draft decision, noted that the adoption of the Standing Orders of the Committee by the Governing Body was one of the measures needed to give effect to Article XIII of the MLC, 2006. The Africa group also thanked the member States which had already ratified the MLC, 2006, and invited all the other member States to join them in undertaking national ratification procedures.
- 470.** *A Government representative of the United States* thanked the Office for the excellent work done over the years with regard to the innovative MLC, 2006, and fully supported the adoption of the Standing Orders and accompanying Introductory note. Her Government, however, wanted to clarify and reaffirm, notwithstanding the language of article 9(2) of the draft Standing Orders, that the mandate of the MLC Committee should be limited solely to matters related to the MLC, 2006. The United States Coast Guard, in cooperation with all the relevant agencies, was currently conducting a detailed analysis of the MLC, 2006, in order to determine whether any obstacles existed to ratification by the United States, and the assistance of the Office was appreciated in that regard.
- 471.** *A Government representative of Switzerland* affirmed that the text faithfully reflected the discussions which had taken place in December 2011, in which the Swiss social partners of the sector had taken part. Indeed, Switzerland had ratified the MLC, 2006, in February

2011. Switzerland supported the draft decision but wished to emphasize a particular point. In the light of the modalities established in article 4 of the Standing Orders concerning the composition of the committee, it would be wise to avoid setting up too large a body. The intention was currently to have four persons for each ratifying State. In view of the growing number of ratifications, it would mean having to work within a committee that might consist of several hundred members. The initial idea for the committee had been to limit the number of participants for reasons of efficiency. Her delegation preferred a smaller, more operational body, and otherwise her Government hoped that the subsidiary bodies provided for in article 15 of the Standing Orders could compensate for that. Since the implementation of the MLC, 2006, would certainly raise many issues relating to application, the effectiveness and working capacity of the committee were of prime importance.

- 472.** *A Government representative of Japan*, supporting the draft decision, stated that the MLC, 2006, contributed to the improvement of the working environment for seafarers by establishing international labour standards, and ensuring a level playing field in maritime industries through fair competition and other standards. His Government fully recognized the importance of the Convention and was proceeding with preparations for its ratification. The draft amendments necessary for its ratification had been submitted to the National Diet in late February, and in early March a cabinet decision had been made to request the approval of the Diet to ratify the Convention. After the approval by the Diet and the passage of any amendments concerned, the Government would deposit its ratification as soon as possible.
- 473.** *A Government representative of China*, supporting the draft decision, appreciated the ILO's work in safeguarding the rights and interests of maritime labour, particularly the positive role and effective work in drafting the Convention and promoting its entry into force. Improving the professional competence of maritime workers and safeguarding their legitimate rights and interests were the foundations for sustainable development of a maritime industry in which China was a major power. His Government had always put people first and had adopted multiple approaches in legislation to promote the employment of seafarers and the protection of their rights and interests. The Government of China was ready to work with the stakeholders to promote the ratification and implementation of the MLC, 2006. A fair, rational and professional dialogue mechanism and standing orders could help promote the improvement and implementation of the Convention and reach its ultimate goals.
- 474.** *A Government representative of Denmark* stated that Denmark had continuously participated in the work involving the MLC, 2006, and its representatives had attended the Second Meeting of the Preparatory Tripartite MLC, 2006, Committee in December 2011, when Denmark had chaired the Government group. Denmark had ratified the Convention on 23 June 2011 and supported the adoption of the Standing Orders, including the proposed adjustments and the Introductory note.
- 475.** *A Government representative of France* expressed his great appreciation of the added value of the Introductory note and suggested that that method should be extended to other subjects, where appropriate. He indicated agreement with the draft Standing Orders, firstly because they accurately reflected the collaboration and consultation that had taken place, and secondly because they were essential to the functioning of a key component of the mechanism to ensure the ongoing implementation of the Convention. Lastly, he affirmed that a highly complex parliamentary process, with many preparatory phases, had reached the final stage as the draft legislation for the ratification of the Convention was currently before Parliament.

476. *A Government representative of Italy*, supporting the draft decision, noted with satisfaction the results achieved by the Preparatory Tripartite MLC, 2006, Committee, and the tripartite consensus reached at the December 2011 meeting concerning the text of the draft Standing Orders. With regard to the additional changes to the text of the Standing Orders, his delegation agreed with the proposal. The ratification process was still under way, and the Government was making every effort to be able to ratify the Convention at the end of 2012. It was currently bringing the national legislation into line with the provisions of the Convention prior to ratification. The Ministry of Transport had established a Tripartite National Maritime Committee in order to ensure collaboration between the Government and the social partners and maximum transparency in the process of application of the Convention.

Decision

477. *The Governing Body:*

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

(GB.313/LILS/3, paragraph 10, as amended.)

Fourth item on the agenda

Standing Orders of the International Labour Conference: Amendments relating to the reform of the Governing Body

(GB.313/LILS/4)

478. *The Worker Vice-Chairperson* endorsed the draft decision, and stated that the consultations by the Chairperson of the Governing Body to which article 18 referred should take place as swiftly as possible in order to avoid delays in the decision-making process.

479. *The Employer spokesperson* agreed with the draft decision.

480. *Speaking on behalf of the Africa group*, a Government representative of Angola supported the draft decision, acknowledging the efforts of the Office to address the concerns that the Government group had voiced at the previous session of the Governing Body.

481. *Speaking on behalf of the Government group*, a Government representative of Sudan welcomed the new proposals which had been prepared following consultations with the Government group. Supporting the draft decision, he conveyed the group's commitment to complying with the new working procedures, which included a strong involvement of the

Government group. The group looked forward to cooperating with the Chairperson of the Governing Body in that regard following adoption of the amendments by the Conference.

Decision

482. *The Governing Body:*

- (a) invited the International Labour Conference, at its 101st Session (June 2012), to approve the amendments to article 18 of the Standing Orders of the International Labour Conference proposed in Appendix I of document GB.313/LILS/4;*
- (b) approved the amendment to paragraph 21 of the Introductory note to the Compendium of rules applicable to the Governing Body proposed in Appendix II of document GB.313/LILS/4.*

(GB.313/LILS/4, paragraph 5, as amended.)

International Labour Standards and Human Rights Segment

Fifth item on the agenda

Improvements in the standards-related activities of the ILO: ILO standards policy: The establishment and the implementation of a standards review mechanism

(GB.313/LILS/5)

- 483.** *A representative of the Director-General (Director, NORMES) noted that, although no substantive paper had been submitted on the item, the Office had prepared, following consultations with the groups, a draft decision for the consideration of the Governing Body. She stated that, although there had been a clear acknowledgment at the 312th Session (November 2011) of the Governing Body of the critical importance of the ILO standards policy and the proposed standards review mechanism (SRM), it had also been obvious that there was a need to build confidence among the tripartite constituents in order to engage substantively in the options and modalities contained in the document submitted to that session of the Governing Body.¹ She noted that, in agreeing to the establishment of an SRM, the Governing Body had invited the Office to engage in consultations on modalities and to make a proposal in that regard during the March 2012 session. The Office had therefore arranged for informal consultations to be held with the Employers' and Workers' groups. The regional coordinators and, separately, representatives of IMEC and the European Union had been informed of the consultations that had taken place. She stressed that the consultations had been designed to build trust and confidence in the process so that, once substantive discussions began, the tripartite constituents would have a shared understanding of, and commitment to, the objectives and key principles. From the Office's perspective, the confidence-building process had been promising, and discussions had paved the way for further in-depth tripartite consultations*

¹ See GB.312/LILS/5.

on substantive issues relating to the SRM, as well as for further discussions in the Governing Body, which it was hoped would take place as of November 2012. The SRM would play a crucial role in establishing a clear, robust and up-to-date body of standards. Within the framework of the ILO Declaration on Social Justice for a Fair Globalization, 2008, the SRM would contribute to ensuring that international labour standards played a full and effective role in achieving the constitutional objectives of the Organization. The coordination of the SRM with other important processes, such as the recurrent discussions and the setting of the Conference agenda, would be a key prerequisite to achieving optimum results. In that context, the aim of the current and further consultations should be to enable the Office to prepare a paper for the November 2012 session of the Governing Body, resulting in full ownership by the tripartite constituents. That was of critical importance and provided the rationale for the continuation of the consultations.

- 484.** *The Employer spokesperson* recalled that, in November 2011, the Governing Body had taken a major decision concerning the creation of the SRM. It had established a means to respond to the expectations set out in the ILO Declaration on Social Justice for a Fair Globalization and to those concerning the role of the ILO in setting relevant international labour standards relating to the real world of work. His group took the issue seriously and, therefore, since November 2011, had been reaching out to the Workers' group to build trust and confidence. Significant steps had been taken since then to create an understanding between the Employers' group and the Workers' group, including an agreement on common principles, which the two groups jointly put forward to governments as a tripartite basis on which to move forward. The Employers' group firmly believed that there was a need for a clear, robust and up-to-date body of standards for the purpose of protecting workers, taking into account the needs of sustainable enterprises, and that a coherent policy framework was necessary to achieve such a goal. The Employers firmly supported continuing consultations so that a proposal could be made to the Governing Body in November 2012 on the options set out in document GB.312/LILS/5.
- 485.** *The Worker Vice-Chairperson* agreed that it was important to continue consultations and that trust and confidence were essential. He referred to the common principles agreed between the Employers' group and the Workers' group, which emphasized the need for: (1) policy coherence in the context of the ILO Declaration on Social Justice for a Fair Globalization; (2) a clear, robust and up-to-date body of standards for the purpose of protecting workers, taking into account the needs of sustainable enterprises; (3) the adoption of decisions by consensus and, in the absence of consensus, existing decisions should remain in place; (4) negotiations in good faith leading to a clear, robust and up-to-date body of standards; and (5) agreement among the social partners to implement those commitments. Those common principles constituted a good start and it was important to work on them with the Governments.
- 486.** *Speaking on behalf of GRULAC*, a Government representative of Brazil wished to clarify that the meeting held at the beginning of March with the regional coordinators had been an information session on the progress achieved in building basic trust among social partners and could not be described as an actual consultation. He indicated that the fundamental position of GRULAC was clear and had been set out in detail during the November 2011 session of the Governing Body. GRULAC was always willing to participate in any consultations that may prove necessary.
- 487.** *Speaking on behalf of IMEC*, a Government representative of Canada said that her group understood that the consultations undertaken between November 2011 and March 2012 had not developed into in-depth discussions on the modalities and that more time was needed. IMEC fully supported the Governing Body's decision of November 2011 to establish the SRM and agreed that further consultations should be held prior to the

November 2012 session of the Governing Body. Those consultations should include all the groups and be planned and announced in due time so that governments could make arrangements for their proper representation. An alternative would be to hold written tripartite consultations. The modalities of the SRM needed to be developed on the basis of a number of fundamental considerations, namely: all parties must have full confidence in the SRM; the importance of consensus, clarity, transparency and consistency must be taken into account; the mechanism must be flexible, regularly evaluated and adjusted as necessary; and emphasis must be given to the importance of having clear understanding of the distinct roles and strengths that all the relevant mechanisms and processes (SRM, recurrent discussions, and the Conference) brought to the overall goal of improving ILO standards-related activities. IMEC supported the draft decision.

- 488.** *Speaking on behalf of the Africa group*, a Government representative of Botswana noted that the Office had initiated consultations and, although progress had been made, the Office and the constituents considered that further consultations were necessary before the Office would be in a position to present a new document to the Governing Body for examination. The group urged the Office to continue consultations, including on the modalities of the SRM, and to make a proposal to the Governing Body in November 2012. It supported the draft decision.
- 489.** *A Government representative of Australia* supported the statement made by IMEC. She expressed the hope that the ongoing consultations would result in the approval of the SRM by the Governing Body in November 2012, which was fundamentally important. A critical aspect was ensuring that all constituents had the confidence, trust and collaborative spirit to move forward. She referred to the importance of building consensus to create real and lasting change in the world of work, which was at the heart of the ILO and could be accomplished by the SRM.
- 490.** *The representative of the Director-General* reiterated that the consultations held so far had not addressed the substance of the SRM, but had focused on purely procedural and confidence-building measures. She reaffirmed the Office's commitment to organizing tripartite consultations in a timely manner in order to receive the best input possible and to prepare a document that would meet the constituents' expectations.

Decision

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

(GB.313/LILS/5, paragraph 3.)

Sixth item on the agenda

Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2013 (GB.313/LILS/6)

492. *A representative of the Director-General* (Director, NORMES) recalled that it was the responsibility of the Office to propose the report form for the preparation of a General Survey, which was a report by the Committee of Experts on the Application of Conventions and Recommendations reviewing the law and practice of member States concerning the instrument(s) selected by the Governing Body. In the context of the ILO Declaration on Social Justice for a Fair Globalization, a decision had been taken to align the topic of General Surveys with the subject of the recurrent discussions held each year by the International Labour Conference. There had already been two such discussions, one on the strategic objective of employment and the other on the strategic objective of social protection (social security). The Governing Body was currently being invited to decide on the topic of the General Survey to be prepared by the Committee of Experts in 2013 for discussion by the International Labour Conference in 2014, one year before the recurrent discussion on labour protection scheduled for June 2015. She recalled, in that respect, that in reviewing the functioning of the recurrent discussions, the Steering Group on the Follow-up to the ILO Declaration on Social Justice for a Fair Globalization had concluded that it would be more effective if the General Survey was examined and discussed by the Conference one year before the recurrent discussion, as that would permit the report for the recurrent discussion to take into account the General Survey and the comments of the Conference Committee on the Application of Standards in that regard. Different views had been expressed as to how broad or narrow the range of the Conventions selected for General Surveys should be, and several General Surveys on wages and working time had been prepared in recent years. The Office thought, however, that because of the topicality of the question of minimum wage fixing, and taking also into account that the last General Survey on that topic had been discussed in 1992, that issue would be appropriate for consideration.
493. *The Worker Vice-Chairperson* supported the idea that the review of the General Survey by the Conference Committee on the Application of Standards should take place one year in advance of the recurrent discussion on the corresponding strategic objective, in order to facilitate better integration of the standards-related aspects into the discussion. He supported the proposal to undertake a General Survey on social protection (labour protection) and, in particular, on the Minimum Wage Fixing Convention, 1970 (No. 131), and Recommendation, 1970 (No. 135). The issue of wages was a central concern for the Workers and its importance had been underlined recently by the ILO Declaration on Social Justice for a Fair Globalization and the Global Jobs Pact and emphasized by the Committee of Experts on the Application of Conventions and Recommendations. The issue was also of great importance in combating precarious employment. Even though links existed among the various Conventions relating to wages, the targeted approach proposed by the Office would enable the Committee of Experts to focus on Convention No. 131 and Recommendation No. 135, which had not been the subject of a General Survey for 20 years. In conclusion, the speaker supported the draft decision.
494. *The Employer spokesperson* agreed with the selection of the Minimum Wage Fixing Convention, 1970 (No. 131), and Recommendation, 1970 (No. 135) for the purposes of the General Survey to be examined by the International Labour Conference in 2014. He welcomed the fact that the proposed General Survey would cover a small number of

instruments, as that would allow for thorough analysis. He also agreed that a General Survey on Convention No. 131 would be timely, as the last General Survey on that topic had been prepared 20 years ago. However, agreement on the selection of those instruments should not be taken to mean approval of those standards as being up to date, responding to the needs of workers or taking into account the needs of sustainable enterprises. In the Employers' view, all ILO standards that were not obsolete should occasionally be the subject of General Surveys; General Surveys had a primarily technical function but were not instruments to promote individual standards. With regard to the draft report form, he referred to the scope of the reporting obligation set out in article 19 of the ILO Constitution and indicated that only questions falling squarely within the limits of that constitutional obligation should be included in the report form. The Employers felt that the current draft report form did not fully meet that requirement and needed to be reviewed. The speaker accordingly proposed an amendment to the second point of the draft decision, to read: "Against this background, the Governing Body invites the Office to organize consultations between the constituents and to report on the report form concerning minimum wage fixing instruments referred to in the appendix at its June 2012 Governing Body discussion."

- 495.** *Speaking on behalf of IMEC*, a Government representative of Canada recalled that IMEC had always supported the realignment of the reporting cycle of the General Surveys so that they would be examined by the Committee on the Application of Standards one year before the respective recurrent discussion. It was for that reason that IMEC had proposed skipping the General Survey on employment for 2014, in order to report for the General Survey on labour protection in 2013 and to discuss that survey at the Committee on the Application of Standards in 2014 with the respective recurrent discussion taking place in 2015. Concentrating on two instruments would allow for an in-depth examination. As to the selection of instruments, IMEC members would express their views separately.
- 496.** *Speaking on behalf of the Africa group*, a Government representative of Botswana acknowledged that the General Survey was an important source of information on law and practice. He agreed with the proposal to select a theme one year in advance of the discussion to facilitate better consideration of standards, and also agreed with the proposal that the General Survey to be discussed in June 2014 should cover the theme of labour protection, focusing on wages-related instruments in view of the need to maintain decent wage levels in the context of the global economic crisis. He expressed support for the draft decision.
- 497.** *A Government representative of the United States* expressed support for the statement by IMEC regarding the new alignment of the General Surveys and the recurrent discussions. She also supported the choice of the minimum wage fixing instruments for article 19 reporting in 2013. The second question in part III of the draft report form went beyond that narrow focus of the instruments in question and, while some abusive pay practices, such as recourse to undeclared wages, were linked to minimum wage fixing, the other issues clearly related to the Protection of Wages Convention, 1949 (No. 95) and the Protection of Workers' Claims (Employer's Insolvency) Convention, 1992 (No. 173). The report form should maintain a narrow focus.
- 498.** *A Government representative of Italy*, recognizing the importance of General Surveys in providing extensive information on the law and practice of member States, as well as on any impediments to the ratification of the Conventions under examination, endorsed the statement made on behalf of IMEC and, in particular, the related proposal for the Conference Committee on the Application of Standards to examine the General Surveys one year before the respective recurrent discussion took place. He also endorsed the Office's proposal that the General Survey to be discussed at the International Labour Conference in 2014 should address the instruments relating to minimum wages and concluded by expressing his support for the draft decision.

- 499.** *A Government representative of Switzerland* said that the General Survey to be reviewed by the Conference at its June 2014 session should be on the topic of social protection (labour protection). However, in the context of the operational follow-up to the ILO Declaration on Social Justice for a Fair Globalization, General Surveys should deal with specific themes and no longer with a single instrument. Consequently, and contrary to the proposal from the Office to limit the General Survey to instruments relating to minimum wages, the speaker proposed that other instruments, relating to occupational safety and health or hours of work, should not be excluded. Finally, she supported the Employers' proposal to amend the second subparagraph of the draft decision in order for the Office to organize consultations on the report form.
- 500.** *A Government representative of Canada* supported the statement made on behalf of IMEC and the choice of the two minimum wage fixing instruments for the article 19 report for 2013. However, she shared the views of the Employers' group with respect to the scope of certain questions in the proposed report form that went beyond the provisions of the instruments in question and supported the Employers' proposed amendment to the draft decision.
- 501.** *A Government representative of India* expressed his approval of the draft report form and the draft decision.
- 502.** *The representative of the Director-General* clarified that, even if the General Survey was to be limited to the question of minimum wage fixing, that would not have an impact on the scope of the recurrent discussion, which would still cover labour protection in general.
- 503.** *The Worker Vice-Chairperson* said that the follow-up to the ILO Declaration on Social Justice for a Fair Globalization referred explicitly to the possible need for some adaptation of the modalities for the application of article 19, paragraphs 5(e) and 6(d), of the ILO Constitution, the aim being to collect useful information with a view to the recurrent discussion. He expressed his disagreement with the highly restrictive approach followed by the Employers' group with regard to the scope of the General Survey and wished to know precisely what kind of questions the Employers considered unhelpful.
- 504.** *The Employer spokesperson* referred to the need to take the ILO Declaration on Social Justice for a Fair Globalization into account. He shared the concerns raised by the Government representatives of the United States and Canada regarding the scope of certain questions in the report form and expressed the view that further consultations were needed. After having further discussions with the Worker Vice-Chairperson, he proposed a new amendment to the second point of the draft decision to read: "Against this background, the Governing Body wishes to postpone the approval of the report form concerning minimum wage fixing instruments referred to in the appendix to the June 2012 Governing Body discussion, subject to further consultations."
- 505.** *The Worker Vice-Chairperson* approved the latest proposed amendment.

Decision

506. *The Governing Body:*

- (a) *requested that governments submit reports for 2013, under article 19 of the Constitution, on the Minimum Wage Fixing Convention, 1970 (No. 131), and the Minimum Wage Fixing Recommendation, 1970 (No. 135); and*
- (b) *postponed the approval of the report form concerning minimum wage fixing instruments referred to in the appendix to document GB.313/LILS/6 to its 315th Session (June 2012), subject to further consultations.*

(GB.313/LILS/6, paragraph 12, as amended.)

Seventh item on the agenda

Other questions: Form for reports on the application of ratified Conventions (article 22 of the Constitution): Domestic Workers Convention, 2011 (No. 189) (GB.313/LILS/7/1)

507. *A representative of the Director-General (Director, NORMES) stated that it was standard procedure for the Office to prepare soon after the adoption of a new international labour Convention a report form to allow ratifying countries to submit reports on its application. She also indicated that report forms were useful tools going beyond ratification, as they provided assistance to governments with regard to the effective implementation of international labour standards. Turning to the proposed report form for the Domestic Workers Convention, 2011 (No. 189), she drew attention to four minor modifications. First, in the section entitled “Practical guidance for drawing up reports”, under the heading “Subsequent reports”, the words “evaluations or audits” in paragraph 2(b) should be replaced by “inspections”. Second, in point (a) of the question concerning Article 2 of the Convention, the words “in the first report” should be added after the words “please indicate”, and the word “and” should be added after “(a) and (b)”. Third, in point (c) of the same question, the words “in subsequent reports” should be added after the words “please describe”. Fourth, in the question concerning Article 3 of the Convention, the words “as set out in the Convention” should be inserted after the words “human rights of all domestic workers”.*
508. *The Employer spokesperson indicated that, in the question concerning Article 11 of the Convention, “a” should be deleted from the part of the sentence that read: “To the extent that a minimum wage fixing machinery exists”.*
509. *The Worker Vice-Chairperson recalled the emotion that had surrounded the adoption of the Domestic Workers Convention, 2011 (No. 189), and Recommendation, 2011 (No. 201). The Office and the ILO constituents should now strive to ensure that the aforementioned instruments became the practical expression of real improvements in the living and working conditions of domestic workers throughout the world. He welcomed the indications that a number of governments had submitted the instruments to the competent authorities, that in many cases tripartite consultations had generated proposals in favour of ratification of the Convention and that some States had announced their intention of ratifying it. Governments, especially those that were members of the Governing Body,*

were invited to follow that course of action if they had not yet done so. In conclusion, he endorsed the report form with the technical amendments proposed by the Office and the Employers' group.

510. *Speaking on behalf of the Africa group*, the representative of Botswana expressed support for the draft report form concerning Convention No. 189.

511. *A Government representative of Colombia*, recalling that many countries had incorporated provisions guaranteeing the rights of domestic workers into their domestic legislation with a view to making equal working conditions for domestic workers a reality, indicated that Colombia had taken the decision to ratify Convention No. 189. The decision to incorporate the instrument into its domestic legislation was not only a testament to the country's commitment to respecting the rights of domestic workers but would also allow it to develop mechanisms aimed at improving their working conditions. She concluded by expressing her support for the statement made by the representative of the Director-General regarding the usefulness of report forms.

512. *The Employer spokesperson* approved the report form subject to the amendments that had been discussed.

Decision

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

(GB.313/LILS/7/1, paragraph 2, as amended.)

Programme, Financial and Administrative Section

514. The Programme, Financial and Administrative Section of the Governing Body met on 22, 23 and 29 March 2012. It was chaired by the Chairperson of the Governing Body. Mr Julien and Ms Sundnes were the Employer and Worker spokespersons.

Programme, Financial and Administrative Segment

First item on the agenda

ILO programme implementation 2010–11 (GB.313/PFA/1 and GB.313/PFA/1(Add.))

515. *The Director-General*, in his introductory remarks, provided an overview of the ILO's performance in 2010–11 on the basis of the documents before the Governing Body, and recalled the programme, finance and administrative reforms introduced by the Office over the past decade. The Director-General's statement is reproduced in Appendix I to this Segment.
516. *The Worker spokesperson* welcomed the new format of the implementation report. It was shorter and more user-friendly and had a structure that facilitated comparisons of results across outcomes. The large number of results reported on could also be of interest to other United Nations (UN) agencies and development partners. The sections headed "Linkages to other outcomes", "Building the capacity of constituents" and "Lessons learned and the way forward" were particularly welcome. She drew attention to four interrelated points. Firstly, results should reflect needs. Work had to take into account real needs, even when results might be difficult to achieve or might be achieved only in the long term. Secondly, extra-budgetary resources needed to be allocated to country programme outcomes and global products in a manner that reflected needs, and not merely in support of activities leading to short-term results. Thirdly, more efforts were needed to capture the qualitative dimensions of the results, including those of the measurement criteria. Fourthly, future implementation reports should better reflect information-matching synergies established to address needs arising out of Decent Work Country Programmes (DWCPs) and the follow-up on decisions made by the governing organs at the global level and in ILO regional meetings. Those reports should also include a final chapter on regional trends across outcomes in order to better assess where more efforts were needed or should be refocused, as well as a section on challenges encountered across all outcomes and the strategies used to tackle them. Those dimensions had not been systematically highlighted in the current report.
517. *The Employer spokesperson* had four observations to make. Firstly, he expressed satisfaction at the constantly increasing quality of the document. Indeed, the report before the Governing Body was concise and well drafted, it contained more data and figures, and it was specific. The linkages of each of the 19 outcomes to the other outcomes had been established and the coverage of the issue of capacity building was among the aspects that contributed to enhancing the quality of the report. Secondly, the qualitative aspect of the design of the document needed improvement. A clearer linkage was needed between the outcomes indicated in the document and ILO action. In other words, the value added by the

ILO should be defined in each of the outcomes and secondary outcomes mentioned. The action and effectiveness of the ILO would thus become more visible. Furthermore, a number of inaccuracies in the document showed that progress also needed to be made in the area of data feedback and checking, and possibly also in the coordination between the various departments of the Office.

- 518.** The third observation related to the involvement of social partners, whose points of view should be taken into consideration to a greater extent not only in the implementation of policies but also in data feedback and the drafting of the report. Social partners needed more room to manoeuvre in the field in order to implement their actions; the Bureau for Employers' Activities (ACT/EMP) too often found that the conditions placed on its actions did not take into account its political priorities.
- 519.** The fourth and final observation related to indicators: employers had approved the list of indicators and the idea of keeping it relatively unchanged so that progress achieved over time could be measured, but some indicators appeared to have become irrelevant and the time was ripe to reconsider them in the context of the midterm review of the policy framework.
- 520.** *Speaking on behalf of IMEC*, a Government representative of the United Kingdom said that the report reflected progress in the assessment of the results achieved by ILO programmes using results-based management and was an essential step towards improving performance in the field. It endeavoured to address all requests for detailed information on particular countries. Also it systematically presented gender equality and the involvement of constituents under each outcome. However, a clearer picture of the Organization's progress towards its strategic objectives was needed, as was information in a more accessible format. A short introduction summarizing the main achievements, overall results, priorities and resources per objective and region, in the form of a qualitative assessment followed by the relevant quantitative information, could improve clarity. The group agreed that measurement criteria that better reflected the quality, cost and scale of interventions would be preferable, that the document did not capture the qualitative dimensions of results and that reporting on the 19 outcomes as they stood represented a major challenge. It therefore welcomed Office plans to pilot selected qualitative indicators. The approach adopted in document GB.312/POL/10 was useful and could be explored; the type of information therein and the way it was communicated through informative figures and tables were a good basis for discussing priorities, results and resources. It would also be helpful to understand how the ILO was achieving its objectives over time in relation to milestones, targets and objectives. Moreover, member States would be better able to provide guidance to the Office on the implementation of the programme for 2012–13 and the preparation of the programme for 2014–15 if the report contained the following elements: a clear summary of contents and the main options for guidance on key issues; indications of tangible improvements and solutions to identified problems, including a time frame for implementation; analysis of the current results framework organized in 19 outcomes for effective programme implementation and performance reporting; an absence of redundant information; and links between improvements in results-based management and performance in the field. The group presented a proposal for a draft decision orally.
- 521.** *Speaking on behalf of GRULAC*, a Government representative of Brazil said that the report was more concise, analytical and reader-friendly than previous reports. While the group recognized the difficulties of presenting such highly detailed information, it considered that the outcomes in paragraph 15 placed undue emphasis on processes initiated rather than on specific results obtained. Moreover, the group noted a discrepancy between paragraph 7 of the report, which indicated that the ILO provided services to all member States to promote policies for decent work, and conflicting information communicated by the Office

that no activities had been recorded in 23 countries in 2010–11. The Office should explain such discrepancies or gaps in ILO activities. Each of the outcomes in the report was accompanied by a brief description of the main related challenges or obstacles. However, the description accompanying outcome 3 did not reflect the fundamental question, namely, the main challenges facing the creation of sustainable enterprises. The section entitled “Lessons learned and the way forward” in the Executive overview did not refer specifically either to lessons learned or to the way forward. Three out of the five issues presented in that section appeared to indicate that current practice should be continued and intensified and that change would be too complicated. GRULAC therefore proposed that such an important section should be subject to more careful and detailed analysis in future.

522. *Speaking on behalf of ASPAG*, a Government representative of China said that the group acknowledged overall improvements and appreciated the results achieved by the ILO in the Asia–Pacific region during the 2010–11 biennium. The ILO needed to be able to respond promptly and effectively to events such as natural disasters and conflicts that had an impact on social partners and governments. The group recognized the steps taken by the ILO to enhance the quality, transparency and relevance of its programme evaluation. Further improvements could include the inclusion of qualitative criteria for each indicator across the 19 outcomes in order to better assess the effectiveness of ILO action. Detailed information on the impact of ILO programmes on the advancement of its strategic objectives would be useful, as would detailed descriptions of successful DWCPs, which would improve understanding of the tangible results of ILO activities. Member States would benefit from more information on the specific activities undertaken by individual units and programmes and from improved access to the contact information of ILO staff. Such information could be made available through the ILO website. The group encouraged the Office to continually review its measurement and reporting procedures as doing so would increase its opportunities to attract additional resources for its vital projects.

523. *Speaking on behalf of the Africa group*, a Government representative of Zimbabwe noted that while the report provided a starting point for review and proposals, issues of concern to Africa, such as training, social protection and labour inspection, had not been sufficiently taken into account. The group appreciated the contribution made by the ILO to the fight against HIV and AIDS in Africa and anticipated that such an area would continue to be given priority. It also acknowledged the Office’s efforts with regard to employment promotion and drew the attention of the Governing Body to the need to increase support in Africa in the areas of youth employment and skills development. The group commended the support, ranging from policy advice to advocacy, extended by the Office to 17 African countries in connection with action to eliminate child labour. It further noted with appreciation the positive changes that had taken place during the biennium, including the reform of the Governing Body, the involvement of constituents in the preparation of DWCPs and Office-wide measures to limit and cut costs. Members of the group had expressed concern that little support had been given to labour inspection, even though it was central to the Decent Work Agenda. Significant support should be given to constituents in that area, with specific attention to capacity building. Support for strengthening social dialogue during the period under review and activities aimed at improving ratification of up-to-date Conventions had also been scant. Those elements were important and needed to be properly resourced. The group proposed that the impact and effectiveness of ILO programmes, projects and activities should be subject to evaluation in future. Such evaluations should involve constituents, as the responsibility to improve situations lay with them. While linking programmes or activities to outcomes as had been done in the report was welcome, the positive changes that resulted from ILO-assisted interventions needed to be identified. In addition, information on challenges faced in the implementation of activities should be highlighted. The fact that some resources allocated for the biennium 2010–11 had not been fully utilized while some programmes had

insufficient funding and others could not be implemented because of a lack of resources had given cause for concern.

- 524.** *A Government representative of France* endorsed the IMEC statement. He underscored the improvements in the report, notably the wealth of information provided, the underlying methodology using results-based management, and the linkages established across outcomes. The value added by ILO activities warranted further highlighting, however. The performance evaluation was still too abstract. An operational summary accompanied by tangible options at the beginning of the document would help constituents to draw lessons from the 2010–11 period. The presentation could be improved by drawing on examples from other agencies. For example, a summary report could be published on the ILO website to help explain the work of the Organization.
- 525.** *A Government representative of Switzerland* subscribed to the IMEC's statement. She questioned the methodology of the report: the mix of tables and analysis did not help comprehension. The report was still too long to enable the Governing Body to make future strategic choices. Emphasis should only be on the most relevant items related to the implementation of the programme, such as the main priorities for action, the lessons learned and the way forward. Concerning the content, the country lists disaggregated by indicator were unclear; the Office needed to clarify its choices. Many results were linked back to a single cooperation programme, yet that programme might affect several results. Similarly, results were recorded only in a few countries of the many covered by the same cooperation programme. The implementation of the ILO programme should not replace or measure the impact of cooperation programmes since other instruments already served that purpose. A more integrated approach would facilitate a better understanding of priority results.
- 526.** *A Government representative of Sri Lanka* noted that although the report lacked some qualitative information, it did provide good quantitative information on the different areas of the ILO's work. His Government called for a greater focus on developing countries and on priority areas in the implementation of future programmes.
- 527.** *A Government representative of India* commented on the improvements in the document in comparison with previous reports. He emphasized three points. Firstly, there was scope for improvement in the distribution of programmes across the different regions, particularly in the Asia–Pacific region. Secondly, greater priority should be given to the informal sector and a direct approach should be taken to that sector. Thirdly, a review of staffing patterns might be desirable to ensure that programmes were appropriately backed by staff in field offices.
- 528.** *The Employer spokesperson* questioned the definition of indicators under outcome 1. For example, indicator 1.1 was easy to satisfy. The report should show the effectiveness of policy advice in bringing about concrete outcomes for individuals.
- 529.** In view of the importance of efforts to combat the informal economy, the target for indicator 1.6 (regarding initiatives that facilitate the transition from informal activities to formal ones) was already not ambitious enough. It was even more disappointing that the target had not been met. The Employers' group recognized that by supporting suitable frameworks for sustainable enterprises and the promotion of productive employment the ILO was already helping to move people into formal employment. However, those efforts had to be accompanied by measures targeting the informal sector directly. The speaker applauded the ILO's efforts to create green jobs but stressed that it was important to keep the focus on creating employment in general, not just green jobs. Under outcome 2, the enhancement of skills and the employability of women were under-represented among the

results achieved and not enough activities directly addressed women. It was important for the Office to develop more practical initiatives providing accessible, relevant and high-quality support to constituents, for example, by the establishment of the Global Business and Disability Network. Outcome 3 was the closest to job creation, which for the Employers' group was one of the ILO's most fundamental strategic objectives. That should be reflected in the resources, the strategic positioning and the operational focus of the outcome. In that context, he welcomed the development and use of the Enabling Environment for Sustainable Enterprises (EASE) assessment tool. Paragraph 151 specified that ILO advocacy and policy dialogue work had resulted in an invitation addressed by the European Commission to all European-based multinational enterprises inviting them to comply with the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) by 2014. The Employers' group considered the Commission's plan to monitor such commitments to be questionable since it risked compromising the nature of the Tripartite Declaration. The non-involvement of the Office's Bureaux for Employers' and Workers' Activities (ACT/EMP and ACTRAV) in that advocacy and policy dialogue work was also regrettable.

- 530.** *The Worker spokesperson* made four general comments on the chapter on organizational results as a whole. Firstly, the linkages between outcomes were weak, particularly in the case of outcomes 9 and 10, which raised doubts over resource sharing with these outcomes. Secondly, the specific section on capacity building for constituents under each outcome was welcome. However, the involvement of the tripartite constituents and support to their activities should also have been highlighted throughout the other sections. Outcome 8 was a good example in that respect. Thirdly, information on participants at the training courses provided by the Turin Centre was appreciated. A breakdown of constituents for each outcome would have been useful. The imbalance in relative levels of participation across the strategic objectives was noteworthy, with the majority of participants attending courses related to employment. Fourthly, the section on lessons learned provided valuable information on priorities and activities in 2012–13 and future biennia. The revision of some measurement criteria would be necessary and would need to take qualitative aspects into consideration. The increased focus on the ILO knowledge base and assistance to countries in the area of data collection were welcome, as was cooperation with other UN organizations with a view to mainstreaming the Decent Work Agenda into their policies and programmes. Regarding proposed action on crisis responses, the challenge was to ensure support for the strategic commitments made by member States.
- 531.** Turning to the strategic objective on employment, the speaker requested clarifications regarding the absence of any reference to the Global Employment Agenda and on how support to member States on employment policy had led to results in terms of better employment outcomes. The poor linkage between outcome 1 and other outcomes, especially those related to social dialogue, OSH, working conditions and international labour standards, required that in the future the quality dimension of employment should be addressed through greater collaboration between the Employment Policy Department and other ILO departments. The findings of the independent evaluation of the ILO's strategy on social finance mentioned in paragraph 134 should be shared with the Governing Body for guidance. The implementation of outcome 3 had been the most problematic. The discussion in the Employment and Social Protection Segment of the Governing Body session in November 2011 had shown that the Office had failed to meet both workers' and employers' expectations in its work on sustainable enterprises. The Workers' group therefore expected the Office to urgently address the social pillar and Decent Work Agenda in line with the 2007 Conference conclusions. Concerning the strategic objective on social protection, the speaker praised the ILO's work on the social protection floor and wages, notably the upcoming Conference discussion on the Social Protection Floor Recommendation and the Global Wage Report. Welcoming the adoption of the HIV and AIDS Recommendation, 2010 (No. 200), and the Domestic Workers

Convention, 2011 (No. 189), she called for greater promotion of occupational safety and health standards. The ILO should also promote a comprehensive rights-based approach to migration and take an active role in the preparation of the 2013 High-level Dialogue and in the Global Migration Group. With regard to the strategic objective on social dialogue, the speaker expressed appreciation for the work done to follow up on the resolution on labour administration adopted by the International Labour Conference in 2011, as well as to promote the Employment Relationship Recommendation, 2006 (No. 198). The Workers' group also welcomed work under outcome 13, including on the promotion of sectoral standards, as well as work under outcome 12 on collective bargaining and the expansion of the knowledge base on industrial relations, including the useful survey of trade union density. Concerning the strategic objective on standards, the speaker noted the 115 new ratifications occurred during the biennium and welcomed progress made in the implementation of ILO instruments. Results for indicator 18.4 showed that DWCPs in 23 member States included normative components – a figure that remained very low given that standards should be mainstreamed in all DWCPs. The ILO should also step up advocacy work and support constituents to ensure that measures taken in response to the economic crisis would not encroach on workers' rights, particularly on freedom of association and collective bargaining. The work, strategy and lessons learned in outcome 14 had the support of the Workers' group, although more resources were needed in that area including in all regions. The speaker requested a clarification on how progress had been measured in Bangladesh, given that the overall situation in the area of freedom of association remained serious, with hardly any union existing in the textile industry despite it being the largest industry in the country. In outcome 15, more emphasis should be placed on the right to organize as a means of freeing those in forced labour. In outcome 16, the Workers' group supported the strengthening of work in supply chains where child labour was present. Another priority was for the International Programme on the Elimination of Child Labour to work closely with ACT/EMP and ACTRAV to fully involve the social partners in its operations, strategies and funding priorities. Finally, as indicated in paragraph 348, more work was needed to address discrimination on multiple grounds and beyond gender equality only. In that respect, discrimination on grounds of maternity should be added to the list in paragraph 348.

- 532.** *The Employer spokesperson*, resuming the discussion on the strategic objective on social protection, noted the positive results achieved in terms of access to social security benefits. However, it was not clear whether those benefits were more gender equitable. Paragraph 171 was too general to elicit conclusions on the progress of outcome 4. The feedback in paragraph 177 on cooperation with international organizations such as the World Bank and the International Monetary Fund was appreciated. Such cooperation was necessary and could be of great benefit to the ILO in developing its own organizational culture. Most efforts under outcome 5 concentrated on the areas of domestic work, maternity protection and minimum wages. The Employers' group regretted that the Work Improvement in Small Enterprises (WISE) methodology had almost disappeared from that outcome. Outcome 6 provided no explanations as to why almost no activity took place in the Arab States and the Americas. Better data collection was needed to assess ILO activities in that area. In outcome 7 the role of employers' organizations in the activities in question was not given much prominence. In outcome 8 the Employers' group was satisfied with ILO assistance to constituents for the development of national tripartite HIV and AIDS policies and mobilization of resources from the Global Fund. The ILO needed to take a practical approach at the country level, including by supporting HIV and AIDS interventions using national resources, public-private partnerships and employers' expertise in resource mobilization. The Office should clarify the reasons why no activities had been conducted in the Arab States. Concerning the strategic objective on social dialogue, the spokesperson expressed his group's satisfaction with the results in outcome 9, which reflected a concentration of efforts and resources on priorities. Other

factors behind the strong performance included: the fact that targets had been set relatively low at the outset in response to PROGRAM's request and before extra-budgetary funding levels were confirmed; the fact that the application of specific tools such as EESE had helped achieved targets; and the inclusion in the results tables also of results achieved by means of the programme of the ACT/EMP at the Turin Centre. Going forward, indicators and measurements should be further refined to better reflect actual results. Furthermore, it was essential that work to strengthen employers' organizations should continue to be managed centrally, with field specialists from the ACT/EMP reporting on the technical components of the programmes to the Director of ACT/EMP. Referring to the strategic objective on standards, the spokesperson noted that paragraph 303 could be misleading. The issue there was that the minimum conditions, not previous gains, set by international labour standards should not be undermined by the crisis. The focus on ratification in paragraph 305 was too narrow. Proper implementation of ratified Conventions and Protocols was even more important. His group supported the finding in paragraph 360 that the combination of technical cooperation, capacity building and legal implementation was essential for the application of labour standards.

533. *The Worker spokesperson* noted that the Decent Work Agenda and Global Jobs Pact had been referred to in high-level meetings such as the G20, and that a new requirement to consult workers' and employers' organizations during the preparation of United Nations Development Assistance Framework (UNDAF) documents had recently been introduced. In that connection, her group asked for clarifications regarding which specific elements of the Decent Work Agenda had been incorporated into policies by international organizations and into the UNDAFs. Some trade union reports suggested that the Decent Work Agenda was applied in word but not in deed and that in some cases not all of the most important elements, such as international labour standards, trade union rights and collective bargaining as well as wages, had been incorporated into UNDAFs. The Asian Development Bank still did not include freedom of association in its policies on loans to countries. The ILO should increase support to constituents wishing to develop alternative policies based on the Decent Work Agenda, while resisting attempts by organizations such as the European Central Bank, the International Monetary Fund and the European Commission to undermine collective bargaining, weaken labour legislation and cut wages. Finally, the Workers' group welcomed efforts to mainstream gender equality into DWCPs and work on participatory gender audits. Further work was necessary to promote the ratification and implementation of Conventions Nos 100, 111, 156 and 183 and to strengthen trade union capacity to promote the use of collective bargaining and social dialogue in addressing discrimination in employment and occupation.

534. *Speaking on behalf of GRULAC*, a Government representative of Brazil regretted that the 17th American Regional Meeting, held in Chile in 2010, was not included in the list of high-level meetings mentioned in paragraph 116. Paragraph 134 noted among the lessons learned that the ILO was effective in achieving more influence on microfinance at the global level. That seemed to contradict results reported under indicator 1.2, which showed that only one country had received assistance in social finance and microinsurance. The Office's work on crisis response to natural disasters and other risks deserved recognition, including in terms of extra-budgetary resources mobilized. The low level of targets achieved under outcome 2 was a concern. The two indicators related to the training of people with disabilities and of rural communities showed that no activities had been carried out in the Americas. Results under outcome 3 were uneven across the four indicators, which suggested that either the targets were not correctly prioritized or that the Office should improve the balance in the activities developed for each indicator. Results for the strategic objective on social protection by indicator and by region were in general satisfactory. The speaker expressed regret that the ILO had struggled to develop joint initiatives with other international agencies at the national level, as noted in paragraph 177. That contradicted steps taken at the global level, as shown by a resolution adopted by the

United Nations Economic and Social Council (ECOSOC) on the Global Jobs Pact. Concerning lessons learned in outcome 5, the report should identify the challenges for the future and ways to improve rather than the successes of the past. The targets set and results achieved for outcomes 6, 7 and 8 looked fairly modest and their scope could be extended. With regard to ILO activities to reinforce tripartism and social dialogue, it was noteworthy that employers' and workers' organizations in 56 member States had strengthened their institutional capacity following ILO assistance. Under outcomes 9 and 10, the Office should continue to pursue activities in step with priority areas identified by the social partners. The lessons learned listed under outcome 11 provided a good example of identifying challenges and seeking solutions. Given the importance of outcome 12, it was regrettable that its targets could not be achieved. The lessons learned in that outcome simply described the merits of the Office's work, failing to present a critical view of the work undertaken. Concerning the strategic objective on standards, the text of outcome 14 did not provide a regional breakdown of the number of cases analysed by the Committee on Freedom of Association (CFA), despite GRULAC's request to that effect. An analysis undertaken by GRULAC showed that more than 60 per cent of the cases analysed by the CFA concerned countries in Latin America and the Caribbean. The fact that the social partners were more active in the region had resulted in a higher number of cases there. The cases before the CFA were a consequence of an enabling environment for freedom of association, more than a methodology to promote outcome 14. Overall, the low results achieved under the two indicators for the aforementioned outcome pointed to the need to strengthen activities in that area. Outcomes 15 and 16, which were particularly important for the region, displayed considerable differences in terms of results achieved. The Office should foster more synergies across the two outcomes, as there were policies and practices that could serve both, for example, in the area of labour inspection.

535. *The Worker spokesperson* regretted that the Regular Budget Supplementary Account (RBSA) failed to address the structural imbalances of extra-budgetary funding. In 2010–11 allocations to outcomes 9 and 10 had been sporadic and limited. The Office needed to coordinate the management procedures of RBSA with ACT/EMP and ACTRAV and involve them in the decision-making process. She emphasized the importance of enhancing the ILO's knowledge base and appreciated ongoing efforts in that regard. The creation of a repository of national micro-databases would be important to strengthen statistical evidence-based research. At present, clear gaps persisted in ILO knowledge: for instance, to her knowledge, the Office did not possess Eurostat's micro-data for the European labour force survey. Concerning governance, the Workers' group regretted that the report did not address the issue of how useful the existing structure of the Office had been in delivering its programme. Under the new field structure, some countries in the Asia region were technically supported directly by the regional office rather than by a Decent Work Team. It raised the question of how country priorities were determined – an issue on which the Office should provide more information. In that context, the Workers' group considered that an evaluation of the new field structure might be timely.

536. *The Employer spokesperson* was pleased to note that the Office was able to reduce the time taken in filling vacancies and to promote internal mobility through the Recruitment and Placement System (RAPS). The Office should provide more information in that regard, as well as on plans to address the low rates of compliance with the Performance Management Framework and low staff satisfaction in the areas of career development and performance recognition. On technical cooperation, additional information was necessary to ascertain how extra-budgetary resources had contributed to the achievement of results. The Office should address those issues in order to assess the effectiveness of the technical cooperation strategy and to attract the interest of other member States in technical cooperation. ACT/EMP and ACTRAV should be fully involved in the appraisal procedure for technical cooperation projects referred to in paragraph 402. Public–private partnerships, as referred

to in paragraph 419, should not be managed by individual departments concerned with a particular topic but through a consistent and coherent Office-wide approach. Regarding knowledge, the Employers' group regretted that the report did not include the criticisms from constituents on the quality and scientific basis of some ILO publications. The group supported the establishment of the Global Research and Publications Task Force, with which it offered to collaborate. Finally, the Employers' group also supported outcome-based workplanning (OBW) but regretted that the way it was being implemented was creating confusion. The underpinning vision and processes required further improvements in order for OBW to become an effective tool.

- 537.** *Speaking on behalf of GRULAC*, a Government representative of Brazil, noted the progress made in the field roll-out of IRIS and enquired when IRIS would reach other field offices. He welcomed the creation of a Project Management Office and requested more information on its mandate, its staffing and its location within the Office. Underscoring the importance of technical cooperation for his region, he expressed satisfaction that 350 ILO officials had undergone training on project cycle management. Strengthening the role of constituents in developing, monitoring and assessing national development policies and programmes and strengthening tripartism needed to continue as priorities of the Office. The inclusion of decent work in UNDAFs was welcomed, although further progress was required in that area. The speaker noted that the focus of the OBW approach was on processes rather than on what was being achieved in the field. Concerning the lessons learned in the chapter, the Office should present a critical vision of the challenges faced rather than being descriptive about the merits of the policies implemented.
- 538.** *A Government representative of the United States* welcomed the improvements in human resources practices and requested more information on the time taken in filling vacancies and on the Office's plans to redress the low rates of compliance with the Performance Management Framework. Current efforts to strengthen the ILO knowledge base were commendable, including the implementation of a peer review mechanism, the establishment of the Global Research and Publications Task Force and the wider use of social media options. She noted the creation of a high-profile multidisciplinary working paper series proposed by the Expenditure Review Committee and enquired if there were any other recommendations made by the Committee and follow-up actions taken by the Office. She welcomed the new procedures to follow up on internal audit recommendations and evaluation results, and the introduction of a risk management policy and a risk register for 2012–13. The Office should report on these areas in future, including on the success of efforts to improve performance and accountability.
- 539.** *A representative of the Director-General* (Director, Bureau of Programming and Management (PROGRAM)) thanked the Governing Body for the fruitful discussion and valuable comments provided during the debate. The implementation report was not only an accountability instrument to report on past performance; it was also a valuable tool to give visibility to the value of ILO work, not only among constituents but also for the larger public. As many speakers had pointed out, the Office needed to provide stronger evidence of the link between an observed result and the ILO contribution to its achievement. Similarly, further work was required to improve the qualitative dimensions of performance indicators and measurement criteria. Comments on necessary improvements to the format of future implementation reports were noted; they spanned the inclusion of an introductory summary and a concluding section, balancing overall achievements across outcomes and identifying challenges ahead as well as ways to address them. Pending the preparation by the Office of a consolidated response to the questions and clarifications raised on specific issues, the speaker elaborated on seven general points. First, concerning the distribution of staff between headquarters and field offices, a document made available to the present section of the Governing Body specified that 60 per cent of overall staff were located in offices and projects outside ILO headquarters and 40 per cent at headquarters. Second, the

Office acknowledged the need for improved reporting on results that could be attributable to more than one outcome. Third, the Turin Centre had progressively aligned its training delivery with the ILO's results framework, whereby a programme was now offered by the Centre in each of the 19 outcome areas. Fourth, the uneven distribution of results and activities across regions had to be considered within the framework of the budget level adopted for the biennium and the performance indicators adopted to report on performance. The implementation report did not attempt to be exhaustive. For example, for 2010–11 it included results achieved in 160 countries, although activities had also taken place in the other 23 member States. Fifth, regarding the comment made on freedom of association in Bangladesh, the reported result was retained as it met the measurement criteria under indicator 14.2. It did not pretend to pass a general judgement on the situation of freedom of association in that country. Sixth, while efforts to include all pillars of the Decent Work Agenda in UNDAFs would continue, it had to be recognized that the competition between UN agencies and programmes was often intense. The ILO had been able to make a significant contribution to the processes concerned, for example in the Asia–Pacific region, where a paper on the social protection floor prepared by the ILO within the framework of the regional coordination network had been adopted by the regional coordination mechanism of the UN and was now pursued in all UNDAFs in that region. Seventh, concerning issues related to governance, support and management, additional information and statistics were available online on the ILO website. In conclusion, the speaker underscored the importance that an ILO contribution to date could have in the longer run in terms of far-reaching developments for countries. Current work on the extension of social protection coverage in a number of countries was a case in point, as was progress made in other countries under the Better Work Programme.

- 540.** *A Government representative of the United Kingdom* explained that the proposed draft decision was not intended to request a new report but rather to guide the Office with regard to the information that governments needed in order make decisions on future priorities, including for future programme and budget documents.
- 541.** *The Employer spokesperson* indicated that he shared the concerns expressed by the Government representative of the United Kingdom.
- 542.** *The Worker spokesperson* expressed the objections of her group concerning the procedure followed in submitting the draft decision. The document had been presented for debate and guidance. In future, the IMEC group should respect the tripartite nature of the Governing Body and share the draft proposal in advance. Regarding the proposal itself, the Workers' group considered that it was unnecessary to have a report on the report. Therefore, point (a), which read "To continue reviewing its measurement and reporting procedures and report to the November 2012 meeting on how it addresses the concerns raised in this discussion", should end after the words "reporting procedures". Point (b) was acceptable for her group. Point (c), which read "To provide reports that better identify important issues for informing Governing Body decisions on future programme and budgets, and advise on the timescale for implemented proposed improvements", was not necessary.
- 543.** *A Government representative of the United Kingdom* explained that in proposing the draft decision, the IMEC group was seeking to secure relevant information for decision-making, and therefore to have a better understanding of the impact of ILO activities, their value added and challenges. Such information was essential for governments to justify their support to the ILO. The speaker agreed to the draft decision as amended by the Workers' group.

544. *A Government representative of France* indicated that the point “follow-up action required” as formulated on the first page of document GB.313/PFA/1 had created some misunderstanding in the discussion as to what was expected of the Governing Body.
545. *The Chairperson* recalled the two points for follow-up agreed by the Governing Body, namely the draft decision and the consolidated response to the specific questions raised in the debate, to be prepared by the Office and reported back to the Governing Body.

Decision

546. *The Governing Body requested the Office:*

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

Second item on the agenda

Delegation of authority under article 18 of the Standing Orders of the International Labour Conference (GB.313/PFA/2)

Decision

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

(GB.313/PFA/2, paragraph 4.)

Third item on the agenda

Other financial questions

Scale of assessment of contributions to the budget for 2013 (GB.313/PFA/3/1)

Decision

548. *The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, to base the ILO scale of assessment for 2013*

on the UN scale for 2012, and it accordingly decided to propose to the International Labour Conference the adoption of the draft scale of assessment for 2013 as set out in the appendix to document GB.313/PFA/3/1, subject to such adjustments as might be necessary following any further change in the membership of the Organization before the Conference is called upon to adopt the recommended scale.

(GB.313/PFA/3/1, paragraph 3.)

Building questions

(GB.313/PFA/INF/2(Add.) and GB.313/PFA/3/2)

- 549.** The Governing Body decided to discuss an Office paper, submitted for information, as an update on the headquarters renovation project.
- 550.** *The Employer spokesperson* pointed out that the paper was for information even though it reported on a change made by the Office to a Governing Body decision. Apart from the fact that the paper had been communicated very late, such practice was not acceptable with regard to a matter of principle. On 18 November 2010, the Governing Body had approved a comprehensive plan for the renovation of the building and instructed the Director-General to commence the renovation project. The speaker recalled that any change to the plan had to be the subject of a new decision of the Governing Body, the need being that much greater when the change was substantial, and he considered the situation to be a source of concern. Indeed, it was not the first time that the Office had exceeded the mandate given to it by the Governing Body. Moreover, the reason cited in the information note was insufficient to explain a change of scenario: the Office had been aware that time would be needed to obtain a building permit. Whether the application was submitted late or the Office had believed that it could dispense with it, there had been some dysfunction. Finally, the Employers, through Mr Barde, had called for the appointment of a project manager who would be responsible for the whole renovation and favoured a scenario enabling staff to stay put during the work, two proposals whose relevance was receiving fresh recognition.
- 551.** The Employers wondered why the Office had abandoned the plan to build an annex and why it had not seen fit to consult the Governing Body. They also wished to obtain a complete breakdown of all costs already incurred, an evaluation of any costs that would result from the abandonment of the project and the choice of a new option, information on the consequences for the staff and constituents, and also further details of the time frames for the performance of the work. The Employers once again requested the appointment of a qualified project manager with sole responsibility for the renovation, appointed by the Director-General for the duration of the work and reporting every three months to the Governing Body. The speaker expressed the wish that the Office submit a full report to the Governing Body as soon as possible, while making recommendations on the governance of the project – which was clearly inadequate – and submitting all the necessary figures. Finally, the Employers expressed the wish that a decision be submitted to the Governing Body to enable it to discuss the situation. They were prepared to discuss the renovation project during the session due to take place after the Conference in June.
- 552.** *The Worker spokesperson* supported the statement made by the Employers' group.
- 553.** *A Government representative of Brazil* agreed that it would be more convenient for the staff to stay in the current building during the renovation works. However, he expressed

concern regarding the danger of taking quick decisions and reminded the Office that it was the role of the Governing Body to decide any change of strategy. He invited other stakeholders and the Staff Union to share their opinions on the subject.

- 554.** *A Government representative of France* supported the statements by the Employers' and Workers' groups and, although supporting the proposal in the document, expressed concern that the Office had not consulted the Governing Body about a decision not to build the temporary building. Surprised at the Office's delay in applying for a building permit, he wondered whether informal contacts had been made with the Swiss authorities about the plans. He described the construction of the temporary building as a key element in the renovation project and reminded the Office that that option had been decided by the Governing Body. By having staff remain in the building during the renovation, the Office could face major problems such as the presence of asbestos or a lack of flexibility in terms of space allocation. In order for the Governing Body to take a decision, he requested the Office to provide detailed information justifying the new proposal.
- 555.** *A Government representative of the United Kingdom* supported the statements made and believed the Governing Body should not delay in making a decision on the proposal. The Governing Body needed information on costs associated with a decision since it was essential that the project remain within budget. He expressed concern about the financial implications resulting from a delay in making a decision.
- 556.** He suggested the creation of a group, like the Building Subcommittee, that could meet and share information about the progress of the renovation project.
- 557.** *A representative of the Director-General* (Director, Department of Facilities Management (FACILITIES)) suggested that a tripartite consultative mechanism could be set up to ensure a regular information exchange between the Office and Governing Body members concerning the project and to decide which matters should be discussed by the Governing Body and which should not.
- 558.** To avoid delays and the consequent cost increases that could result from requesting a building permit for the temporary annex, as had been suggested informally by the host country, the Office had asked two independent consultants to study the technical feasibility and possible consequences in terms of delay and cost of undertaking the refurbishment of floors 1 to 11, one third at a time, which would make it possible to keep practically all staff in the building during the renovation. The consultants had both concluded that that was technically feasible and should not cause major delays or cost increases. It would also eliminate the logistical and security problems resulting from operating in two locations and avoid the negative environmental impact of a new construction.
- 559.** In response to the questions raised, he explained that some CHF200,000 had been spent on the preliminary studies related to the annex. The Office had determined that by strictly applying the existing space allocation rules for staff up to P4 level and slightly reducing space for senior staff, it would be possible to accommodate most staff within the existing building during the refurbishment.
- 560.** *The Employer spokesperson* considered the representation of the Director-General's reply well argued but insufficient and regarded the submission of the issue for information only as an error of judgment by the Office, which signified a problem of governance.
- 561.** The Employers could not endorse the change of decision on the basis of the information that had just been presented. The Governing Body could not take a decision under those circumstances, since time for analysis was needed in view of the importance of the information and the financial amounts at stake. Discussion of the issue should resume in

June in the light of the detailed information previously requested by the speaker. The Employers therefore accepted Mr Hofmeijer's suggestions for now while awaiting more comprehensive proposals on the management of the building renovation, although only the Governing Body could modify its own decisions.

- 562.** *The Worker spokesperson* expected that the Governing Body would receive a detailed document for decision at its following session in June.
- 563.** *The representative of the Director-General* confirmed that a three-month delay in reaching a decision would inevitably have negative cost implications for the project.
- 564.** *A Government representative of Germany* supported the statements by the social partners and suggested that the Office provide detailed information so that a decision could be taken before the end of the current Governing Body session.
- 565.** The discussion continued with the introduction of a new Office paper.
- 566.** *The representative of the Director-General* introduced the paper. He apologized for the failure to submit a paper for decision. The Office would ensure that in future the Governing Body remained fully informed and involved in all aspects of the project.
- 567.** The Office had three main goals in managing the project: (a) to guarantee the safety of staff and of the workers undertaking the renovation works; (b) to complete the project on time and within budget; and (c) to minimize the environmental footprint of the project. Not constructing the temporary building would make it more likely that those goals could be achieved, while constructing the building would have a negative environmental impact and would likely delay project implementation and increase the overall cost of the project.
- 568.** The Office hoped to sign the contract with the project pilot in the very near future. The pilot's contribution would be essential to the success of the project, since it would bring the necessary technical expertise through a team of architects, engineers and other construction specialists. The pilot team was an integral part of project management, working with the ILO team under the guidance of the project steering committee, the Director-General and the Governing Body.
- 569.** The speaker reminded the Governing Body that in response to the Employers' suggestions regarding project management in the years leading up to the approval of the project, in 2010 the Director-General had created the Department of Facilities Management specifically to manage the project. During the last meeting of the Building Subcommittee in March 2011, the Employers had in fact expressed their satisfaction with that arrangement.
- 570.** He noted that the Director-General had informed the President of the International Social Security Association (ISSA) in February 2011 that the ISSA secretariat would need to move out of the building during the renovation, and the Office had confirmed that in writing to the ISSA secretariat in May 2011. The Office would continue its usual constructive dialogue with ISSA to arrive at a mutually satisfactory solution.
- 571.** *The Employer spokesperson* thanked the Office for the figures it had provided and emphasized that it was essential to submit a document for decision. Summing up the situation, he recalled that three studies had been carried out since 2006, which had all led to contradictory conclusions, since it had been recommended first to keep staff in the building, then to build an annexe, only to go back to the first option. A total of CHF200,000 had thus been wasted. Those prevarications undermined the Employers'

confidence in the Office's management capacity, all the more so given that the financing plan for the renovation project had yet to be finalized. That raised questions with respect to decision-making, the cost of the consultancies conducted in February 2012 and guarantees with regard to transparency and professionalism. At the current stage, the speaker wondered how it would be possible to move the whole staff in the absence of a project manager in charge of the renovation.

- 572.** Recalling that his group had not been in favour of the plan to build an annex from the outset, the speaker explained that the Employers were nonetheless unable to endorse the draft decision. Firstly, there was not enough information on costs. Secondly, the proposed tripartite mechanism was superfluous, as the Governing Body already fulfilled that function. Thirdly, the matter was urgent and had to be decided by June at the latest, not November. Fourthly, the Office should undertake to recruit a professional from the private sector who would be accountable to the Director-General for the entire duration of the renovation. Only on those conditions would the Employers be able to endorse the first part of the draft decision.
- 573.** *The Worker spokesperson* remarked that the proposed changes in approach for the refurbishment of floors 1 to 11 were due to the Office not taking into account the fact that a building permit was necessary for the construction of the annex. As to the draft decision, she agreed that a decision should be taken as soon as possible in order to avoid further delaying the renovation.
- 574.** She expected that the Office would provide a report with a complete overview of the building renovation project budget and expenditure to date, independently of the sources of funds, including a comprehensive overview of savings and costs for the new proposal. The overview should include any additional costs not already provided for in the document, such as the cost of the independent consultants hired to re-examine the options, the cost of having work done outside office hours, the cost of renting swing space, and the cost of operating a shuttle service.
- 575.** She was concerned about the impact of the building renovation project on staff and expected the Office also to provide more information to the Governing Body on how it would tackle noise and disruption to the working environment, including the Office's plans on occupational safety and health, evacuation plans in case of fire and other emergencies, plans on teleworking should a higher number of staff wish to telework owing to noise and disruptions, and any negotiations with the Staff Union related to issues having an impact on staff.
- 576.** Concerning the establishment of a tripartite mechanism for the November 2012 session of the Governing Body as proposed in the draft decision, that was not needed, as the tripartite mechanism already existed in the Governing Body itself. She recalled that the Building Subcommittee had been abolished to allow the Governing Body to receive information directly and take decisions.
- 577.** The Workers' group supported the draft decision, with a request to modify point (b) of the decision by adding a full stop after "... progress report on the project".
- 578.** *A Government representative of France* did not concur with the analysis of the reasons behind the current situation, and did not agree with the way arguments previously used had been reinterpreted to reach a different conclusion. Lessons would need to be learned from mistakes made regarding risk mitigation, in the implementation of the preliminary phase of the project, and in the way the Governing Body was kept involved.

- 579.** He acknowledged that in the current situation and on the basis of the additional information provided in the document, the proposed approach seemed appropriate, but added that that appreciation was largely dependent on the information communicated by the Office. Although the financial, human, and operational risks were seen as significantly higher with the new approach despite the theoretical financial leeway resulting from the abandonment of the temporary building solution he supported the draft decision.
- 580.** He stressed, however, that that support was contingent on the Office more clearly identifying the mistakes that had been made and demonstrating its realization of what the project's financial and human issues represented for the constituents. He added that the Office's efforts in relation to results-based management and governance should clearly apply in practice to such significant projects.
- 581.** He acknowledged the Employers' group proposal to hire an expert to lead the project, and concurred that, notwithstanding some additional constraints, it was justified in light of the outcome of the past few years.
- 582.** He requested the Office to provide, before the June session of the Governing Body, a detailed report, and reserved the right to request that the matter be added to the PFA Section agenda should the report fail to meet expectations.
- 583.** *A Government representative of Switzerland* explained that the ILO had asked to meet with the Swiss authorities in November 2011 to discuss the building renovation project, and in particular the construction of a temporary building. She added that legislation and procedures had substantially changed since the construction of the headquarters building; in particular, new cantonal legislation had been introduced since that time to support international organizations when submitting requests for construction permits. That assisted the international organizations by ensuring that no appeals were allowed after the permit was approved.
- 584.** The Swiss authorities had informed the ILO of the relevant steps to follow to submit construction permits without unduly delaying the renovation, and had offered to set up a pilot team to assist the Office with the required administrative procedures to obtain the necessary construction permits.
- 585.** The speaker took note of the new approach proposed in the document, and reported that the Swiss authorities were still ready to set up a task team composed of members of the ILO, the Property Foundation for International Organizations (FIPOI) and the host country to help the Office with the administrative steps required by the local authorities.
- 586.** *A Government representative of the Netherlands* recalled the 1961 agreement between the ILO and ISSA. The latter would be required to leave the building if the ILO left. While a Memorandum of Understanding had been signed one week previously to promote further collaboration between ISSA and the ILO, he expressed concern that ISSA might not be participating in the planning of the newly proposed approach. He suggested that the Office consult with ISSA to determine how it would participate in the planning process.
- 587.** *A Government representative of Germany* stated that the decision to ask ISSA to rent commercial space outside the ILO building was not appropriate, and had a direct impact on ISSA staff. He asked the Office to explain why that decision had been taken.
- 588.** *The Chairperson* stated, with regard to the question of the appointment of a project manager, that he had been informed by the Office that the estimated cost over the seven-year life of the project was some US\$1.84 million.

589. *The Employer spokesperson* stated that, in the light of the costs incurred and the mistakes made, there was an urgent need to recruit a professional. It was not a question of costs, firstly because such recruitment was dictated by the circumstances, and secondly because dropping the plan to build an annex meant that there would be substantial savings. The speaker wished to have a full report submitted in June.
590. *The representative of the Director-General* indicated that the only cost related to the project that had not been mentioned in the paper was some CHF25,000 for the two most recent studies. Regarding the possible recruitment of an engineer as project manager, he pointed out that such expertise would be available through the project pilot and added that the Office might have difficulty finding a qualified candidate, since recent experience had shown that the salary and benefits that the ILO could offer were not competitive in the local construction market. He reassured the Governing Body that that all necessary measures would be taken to ensure the safety of ILO staff and the workers undertaking the renovation works. He clarified that the cost related to logistics under the new approach would be modest, since the units that would move out were relatively independent from the rest of the Office and the number of officials involved would be limited. He confirmed that in future the Office would submit regular, more detailed project progress reports. Lastly, he thanked the Government of Switzerland for its offer to assist the Office in the implementation of the project and was sure that the Office would reply positively to that offer.
591. *Another representative of the Director-General* (Officer-in-Charge, Office of the Executive Director, Management and Administration Sector (ED/MAS)) confirmed that negotiations were under way between the ILO and ISSA. The current agreement with ISSA dated back to 1961, when there were four or five staff, as compared with the 50 ISSA staff members currently housed on ILO premises. The speaker had discussed the issue of space with the ISSA Secretary-General and was convinced that a solution would be found. ISSA had sent a letter to the Director-General that proposed that ISSA staff join other ILO officials who would be housed outside the headquarters building during the renovation. The speaker welcomed the proposal and suggested further discussions. He pointed out that the Office faced a practical problem of limited space and further work was required to identify available space and who would be required to move to outside premises. The Office was committed to reinforced collaboration with ISSA under the recently signed Memorandum of Understanding.

Decision

592. The Governing Body:

- (a) approved the proposal not to construct a temporary prefabricated building for use as “swing space” during the renovation of the headquarters building, provided the project remains within the original budget and schedule;**
- (b) requested the Office to submit to the 315th Session (June 2012) of the Governing Body a further progress report on the project; and**
- (c) requested the Director-General to commence action to appoint a full-time professional project manager for the duration of the project, and to report on this to the Governing Body at its 315th Session (June 2012).**

(GB.313/PFA/3/2, paragraph 18, as amended.)

Audit and Oversight Segment

Fourth item on the agenda

Follow-up to the report of the Chief Internal Auditor for the year ended 31 December 2010 (GB.313/PFA/4)

- 593.** *The Worker spokesperson* expressed appreciation of the fact that many of the Chief Internal Auditor's recommendations had already been implemented or that implementation was in progress. The e-learning programme on risk management should be mandatory for all Office managers, while the one on governance should be mandatory for all staff.
- 594.** She expressed appreciation of the progress made in the negotiations with the Staff Union concerning recruitment policies and procedures.
- 595.** *The Employer spokesperson* supported efforts to develop a risk management governance framework. That work should be a priority for the Office. His group believed that risk management should be included in training programmes across all functional areas, and it should be made a mandatory training subject for all managers. There was merit in the Chief Internal Auditor's proposal that a lead sector or department be formally designated to coordinate the adoption and implementation of risk management in the ILO. The Office was encouraged to respond quickly to the proposal.
- 596.** The speaker was concerned that audit recommendations had not been responded to on a timely basis. According to the report of the Chief Internal Auditor for the year ended 31 December 2011, none of the auditees had responded within the six-month deadline. The Chief Internal Auditor's recommendation that a focal point be established for each sector and regional office was supported, as the focal points would help to ensure that responses were made in due time.
- 597.** He said that the Office's time frame for completing procedures manuals, by the end of 2013, was too long. The manuals should be accessible to ILO officials with stewardship roles as soon as possible. Similarly, procedural training for staff should be implemented in a coordinated manner immediately, since high risks were associated with staff who did not know the proper procedures.
- 598.** *Speaking on behalf of GRULAC*, a Government representative of Brazil noted that implementation of five of the recommendations had been completed, while four were still in progress. Requesting clarifications concerning recommendation 2, he wondered what the expected review time frame was and when the results would be implemented.
- 599.** With regard to recommendation 3, he asked whether the English version of the internal governance and accountability e-learning programme was available. He wondered why the publication of the IGDS manuals was only expected to be completed by the end of 2013, and asked to what extent the Office had learned from the experiences of other organizations in that area.
- 600.** He requested more detailed information on the negotiations in progress with the Staff Union regarding recruitment policies and procedures.

601. He supported the use of software to gather information on recurrent audit findings as a useful instrument for the future. The Office was encouraged to meet a target date of 30 June 2012 for the implementation of such a system.
602. *Speaking on behalf of the Africa group*, a Government representative of Egypt noted that the Office had made progress regarding a risk management framework. While endorsing the benefits of a separate administrative structure, he emphasized that in order to be efficient, a risk management framework should be integrated into all processes.
603. *A representative of the Director-General (Officer-in-Charge, ED/MAS)* responded to questions regarding risk management. The Office was in the process of establishing central support for risk management and was planning training sessions for senior management. The required IGDS documents would be issued by the end of 2012.
604. *Another representative of the Director-General (Director, Human Resources Development Department (HRD))* announced that accountability training, which would become mandatory for all staff, was in the testing phase and that the English version would be rolled out in April 2012, with the French and Spanish versions planned for June 2012. He noted that interim adjustments to the recruitment and selection procedures had been agreed upon with the Staff Union and that after completing the required work to adjust procedures, proposals would be submitted to the Governing Body in March 2013.

Outcome

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

Fifth item on the agenda

Report of the Chief Internal Auditor for the year ended 31 December 2011 (GB.313/PFA/5)

606. *The Employer spokesperson* praised the report and inquired as to whether the Office had a whistle-blower policy in place. The speaker supported the proposal for a lead department to support the implementation of risk management across the ILO and for a regional or sectoral focal point to be nominated to liaise directly with the Office of the Treasurer and Financial Comptroller on the implementation of audit recommendations. The speaker agreed that business continuity planning was essential but requested that the Office clarify why it was considered separate from risk management. A concern was raised as to the delay in the Office's response to some of the audit recommendations, and the speaker stated that all staff should undergo training on procedures.
607. *The Worker spokesperson* requested the Office's view on the proposed lead department for risk management and business continuity planning implementation, and questioned whether there were not already existing resources which could provide those functions. The speaker was surprised to learn that certain offices delegate authority to other UN organizations during the absence of their directors and expressed the need for a procedure in field offices for delegation of authority when directors were on leave. The speaker declared that an evaluation of the new performance management framework was required in order to determine why there were delays in the completion of appraisals.

- 608.** *Speaking on behalf of the Africa group*, a Government representative of Egypt advised the Office to look to other UN organizations and to benefit from their experiences with risk management. The speaker stated that there was no need for a heavy, separate structure and that all staff should be involved in the risk management framework. The nomination of regional or sectoral focal points was supported, and the need for focused procedural training for senior management in the field was stressed. The speaker encouraged the Office to respond to specific recommendations relating to field offices.
- 609.** *A Government representative of France* noted that a risk management framework would lead to better coordination and identification of risk, and emphasized that that should be part of the ILO culture. He highlighted the importance of business continuity plans and stressed the key role of the Internal Auditors and their contribution to positive reform.
- 610.** *A representative of the Director-General* (Chief Internal Auditor) explained the Office's whistle-blower policies and procedures and stressed the confidentiality and protection that those provided for whistle-blowers. The speaker noted that while business continuity plans were indeed part of risk management, they merited special attention and were thus presented separately in the recommendations.
- 611.** *Another representative of the Director-General* (Officer-in-Charge, ED/MAS) confirmed that his sector was responsible for implementing Office-wide risk management. The resources involved in risk management were currently not all located in a single department. As part of the enterprise risk management plan, the Office would centralize those resources to improve coordination and efficiency in their use.

Outcome

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

Sixth item on the agenda

Independent Oversight Advisory Committee (IOAC): Annual report (GB.313/PFA/6/1(Rev.))

- 613.** *The Chairperson of the Independent Oversight Advisory Committee (IOAC)* explained that during the past four years, the IOAC had strongly supported the internal audit function and contributed to its effectiveness. Major contributions from the IOAC had included support for a more effective system of follow-up to audit recommendations, encouragement for the development of a sustainable training programme for managers, emphasis on the need for a formal accountability framework and an improved decision-making process at the Senior Management Team level.
- 614.** The IOAC had recommended that information technology projects should be approved on the basis of total cost of ownership, that the Office should better assess availability of key staff to fill existing gaps and that self-declared skills and professional records of achievements should be independently validated. The speaker was not convinced that the existing system of results-based management based on outcomes was well understood and accepted by all users.

- 615.** The speaker reminded the Governing Body that the Committee's mission was to alert the Office and the Governing Body to critical problems and to help ensure that effective solutions were found and implemented. He confirmed that over the past four years, the Committee had received strong support from the Office. The Committee's independence had not been at risk.
- 616.** He believed that the continuing success of the Committee would be based on the professional skills of its members. He stated that personal commitment should be given special consideration during the selection of members of the Committee.
- 617.** *The Worker spokesperson* noted that there was a large degree of consistency between the Committee's report and other evaluations undertaken by the internal and external auditors in many areas, such as training and business continuity planning. She commended the Office's responsiveness to the recommendations made by the Committee.
- 618.** *The Employer spokesperson* shared the concern of the IOAC regarding the slow response to and implementation of audit recommendations, an issue that was raised in both the 2010 and 2011 reports of the Chief Internal Auditor. The Committee was right to propose that the Office should not only focus on compliance, but that the time frame for implementation of recommendations should be reduced once a higher level of reporting compliance had been achieved.
- 619.** He was pleased that the report had addressed the comments made by the External Auditor on performance management, and encouraged the Committee to follow up on that topic. He supported the recommendation that approval of information technology (IT) projects should include adequate consideration of the total cost of ownership, including staff costs of involvement of the user community and business units in the implementation and support of those projects. He stated that that was part of sound management and should apply to the approval of all projects.
- 620.** The speaker shared the Committee's view that the skills mapping data collection should be done more quickly, and that maintenance of the skills data needed to be ongoing to keep the data up to date. The time frame between training needs identification and training delivery was not acceptable. Skills mapping, if integrated in a proper human resources strategy, was necessary, but the low level of ownership by the staff had to be addressed.
- 621.** He recommended that the incumbent members of the Committee should continue for one more mandate in order to ensure continuity.
- 622.** *Speaking on behalf of GRULAC*, a Government representative of Brazil considered that the recommendations made by the IOAC were important for the efficiency of the future work of the Office. He asked what type of review was made by the Office regarding the total direct management cost of IT projects, and what measures would be taken to refine those types of studies.
- 623.** Regarding human resources, the speaker noted that the Committee had expressed dissatisfaction with the extended implementation date concerning skills mapping. He agreed with the Committee's statement that there was a critical need for readily accessible information on the skills of existing ILO staff. He encouraged the Office to follow up on recommendations 2 and 3.
- 624.** The speaker considered that the formal sign-off of the audit follow-up implementation reports would contribute to increased timeliness in the implementation of audit recommendations. He stressed that that formality would not guarantee the effective implementation of the recommendations.

- 625.** His group endorsed recommendation 6. He considered the Committee's recommendations to be adequate and pertinent. The speaker called for implementation of the recommendations and for follow up of the recommendations by the Governing Body.
- 626.** *Speaking on behalf of ASPAG*, a Government representative of Australia supported all the recommendations and encouraged the Office to implement them and report on progress.
- 627.** *Speaking on behalf of IMEC*, a Government representative of Japan welcomed the IOAC report, and remarked that management of the Office had notably improved as a result of its activities. The speaker supported all the recommendations.
- 628.** On the topic of financial and administrative systems, he shared the Committee's concerns on the implementation of the field roll-out of IRIS. He endorsed the recommendation that the approval process for IT projects should consider wider aspects and implications. It was also important that the Office explain to constituents what kind of computer system would be deployed to smaller offices and projects following the implementation of IRIS in the regional offices.
- 629.** The speaker supported the recommendations for a quicker skills mapping exercise and implementation of an integrated IT solution for that work.
- 630.** He noted that while the Office's response to internal audit recommendations had improved, the response rate for certain recommendations was still unsatisfactory. He was pleased that the Committee was satisfied with the work of the External Auditor and the progress made by the Office in implementing external audit recommendations. He looked forward to the Committee's report on Office follow-up to its recommendations.
- 631.** *A Government representative of France* supported the IMEC statement and expressed appreciation for the independence and competence of the Committee, and the constructive recommendations made. He favoured having the IOAC meet three times a year, given the positive benefits that had been achieved through those meetings and the reports received. He expressed his support for the recommendations on IRIS and skills mapping as they were both important to the Office.
- 632.** *A Government representative of India* noted the Committee's concerns and supported its recommendations. To ensure sound management, particular attention and follow-up should be given to taking an inventory of the skills of ILO staff, training for the roll-out of IRIS, and addressing the risks associated with vacant key posts.
- 633.** *A representative of the Director-General* (Officer-in-Charge, ED/MAS) expressed his appreciation for the important support given by the Committee in IRIS-related matters. He noted that the Office had established a Project Management Office, and that a total cost approach was being used. He explained different factors which affected the timeline for the roll-out of IRIS. First priority had to be given to implementing IRIS in the regional offices, and the Office recognized that a different arrangement would have to be made for smaller field and project offices.

Outcome

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

Independent Oversight Advisory Committee (IOAC): Proposed membership and selection process (GB.313/PFA/6/2(Rev.))

635. *The Employer spokesperson* said that while he supported the draft decision, the proposed text on the selection process gave mixed messages with regard to regional representation and independence, and should have been clearer in that respect.
636. A key success factor of the Committee was the independence of its members – independence not only from the Office, but also from national or regional considerations. The idea of regional representation among Committee members was, in his view, in contradiction to the independent character of the IOAC. Similarly, a social partner background should not be taken into account when selecting Committee members. Only the independence and professional qualifications of candidates should be considered.
637. The speaker was satisfied with the proposal for an independent consultant to screen candidates based on experience and qualifications.
638. *The Worker spokesperson* supported the draft decision and noted that extensive consultations had taken place.
639. *Speaking on behalf of IMEC*, a Government representative of Japan expressed his thanks for the extensive informal consultations that had been held concerning the proposed membership and selection process. It was important to ensure that the Governing Body appointed new Committee members at the November 2012 session, and in that regard he urged the Office to initiate the selection process according to the document presented. While he supported the draft decision, he requested the Office to begin informal consultations on revision of the terms of reference as soon as possible.
640. *Speaking on behalf of ASPAG*, a Government representative of Australia supported the proposal on the composition and selection procedures for membership of the Committee. The proposal was the result of a long and complex consultation among tripartite constituents. She considered the work of the Committee to be critical for the governance of the Office, and looked forward to continued cooperation in further developing the terms of reference of the Committee. The speaker supported the draft decision.
641. *Speaking on behalf of the Africa group*, a Government representative of Egypt stated that his group would have preferred that the Committee be comprised of seven instead of the five experts indicated in the document, as that would better allow for geographical distribution as well as balance between developed and developing countries, and also widen the professional capacity of the Committee. The selection process should be based on transparency, professionalism, competitiveness and equitable geographic distribution.
642. Members of the IOAC should be subject to financial disclosure requirements and should declare any potential or apparent conflict of interest that could impair their independence or ability to perform objectively. In line with best practices as reflected in a 2010 report of the Joint Inspection Unit (JIU), members should not be selected from the host country of an organization's headquarters, or from the same country as an organization's executive head.
643. The Africa group believed that paragraph 6 of the appendix to the document was not required, as it was not clear how those criteria would be defined and measured. The references to the specific nature of the ILO in paragraphs 2 and 5 were sufficient. The

speaker held the view that the restriction in paragraph 8(e) should be limited to executive positions rather than applying to any employment with the Organization.

644. He highlighted the challenges that might arise in a situation where temporary appointments to the Committee might be necessary. He believed that proper handover procedures would be required to ensure audit continuity, and requested that relevant provisions be included to address handover arrangements.

Decision

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

(GB.313/PFA/6/2(Rev.), paragraph 4.)

Seventh item on the agenda

Other questions

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

(GB.313/PFA/7/1)

646. *The Worker spokesperson* endorsed the planned assessment of the effectiveness of the ILO's strategic framework, noting that lessons learned from evaluations should be included in the recurrent discussion reports to the ILC. She emphasized the need to evaluate links between outcomes and provide a comparative overview of how the ILO results had been achieved across outcomes. Referring to her comments on the Implementation Report and linkages between delivery of results and needs, she had the same concern related to performance management. She asked the Office to consider the means by which to report on the quality of performance where results were achieved over a longer term. She pointed to the need for DWCPs to include constituents through mandatory measures and the need for evaluations to look at how constituents are involved and how outcomes are integrated, with attention to mainstreaming international labour standards in all DWCPs. She asked that the planned evaluation of the field structure reform look at how decisions were being made at the governance level and subsequently reflected in DWCPs. She closed by asking how the additional costs associated with the planned activities would be financed and endorsed the point for decision in paragraph 2 and requested the Office to take into account the comments made.
647. *The Employer spokesperson* welcomed the intention of having two high-level evaluations each year to provide impact information to support recurrent discussions at the ILC. With regard to the plan to review indicators as of 2013, he asked that the assessment be done sooner to be of use during the current biennium. He also requested that findings of evaluations be well integrated in the programme implementation report for 2012–13.

648. *Speaking on behalf of IMEC*, a Government representative of the Netherlands welcomed the plans laid out, including the proposal to strengthen managerial accountability and review assumptions and risks linked to outcomes within the current Strategic Policy Framework. He welcomed systematic reviews to synthesize information on impact to feed into ILC recurrent discussions. However, he stressed the need to generate new impact evaluations as well and asked the Office to include suggestions to that effect in the budget proposals for the 2014–15 biennium. He commended EVAL for reprioritizing to find the necessary resources to carry out the additional work, but questioned why the document expressed doubt as to the timing of the evaluation of the field structure review and the adequacy of performance information on country programme outcomes.
649. *Speaking on behalf of the Africa group*, a Government representative of Egypt drew attention to the valuable contribution of the Africa region within the 17 ambitious targets set for the Decent Work Agenda for Africa 2007–15, which was fully aligned with those in the Strategic Policy Framework. He called on the Office to reinforce national leadership and ownership of DWCPs and reminded the Office that monitoring and evaluation were to be shared responsibilities with constituents, ideally linking into national systems. To that end, he emphasized the Office’s intended role in building constituent capacities and strengthening national systems for cooperative monitoring and evaluation.
650. *A representative of the Director-General* (Director, Evaluation Unit (EVAL)) reported that the planned evaluability review of the Programme and Budget for 2012–13 would follow on to work done in 2011 and would look for advances made. He explained that systematic reviews would look at a wide range of information resources, including impact evaluations. In addition, EVAL was working with various technical programmes that were investing in impact evaluations, and had set up an internal network of resource persons on impact evaluation. He assured those present that evaluations would look at interdependence between outcomes. He expressed confidence that the performance data on country programme outcomes would be available for the 2013 analysis, and that evaluation results would be covered in the following implementation report, and confirmed his intention to proceed with the evaluation of field structure reform. He concluded by recalling the 25 per cent budget increase of EVAL for the current biennium, which, together with savings on high-level evaluations, would ensure that the programme of work of the Evaluation Unit would not be compromised.

Decision

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

(GB.313/PFA/7/1, paragraph 2.)

Personnel Segment

Eighth item on the agenda

Statement by the staff representative

652. The statement by the Staff Union representative is reproduced in Appendix II to this Segment.

Ninth item on the agenda

Matters relating to the Administrative Tribunal of the ILO

Composition of the Tribunal (GB.313/PFA/9)

Decision

653. The Governing Body:

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

The General Conference of the International Labour Organization,

Decides, in accordance with article III of the Statute of the Administrative Tribunal of the International Labour Organization,

- (a) to convey its deep appreciation to Ms Gaudron for the valuable services she has rendered as judge and as President of the Tribunal and express regret at the resignation of Ms d’Auvergne;*
- (b) to renew the appointments of Mr Ba (Senegal), Mr Barbagallo (Italy) and Ms Hansen (Canada) for a term of three years; and*
- (c) to appoint Hon. Michael Francis Moore (Australia) for a term of three years.*

(GB.313/PFA/9, paragraph 7.)

Tenth item on the agenda

Other personnel questions

(GB.313/PFA/10/1 and GB.313/INF/7)

- 654.** *The Chairperson* of the Governing Body explained that GB.313/PFA/INF/7 had been presented by the Director-General to the Officers of the Governing Body, who had considered it appropriate to submit it to the Governing Body for decision; hence the late availability of the documents.
- 655.** *The Worker spokesperson* indicated that her group was satisfied that the matters contained in GB.313/PFA/INF/7 fell within the delegated authority of the Director-General as defined in article 14.7 of the Staff Regulations, as amended by the Governing Body in November 2011. Therefore, she supported the first option proposed for decision in GB.313/PFA/10/1.
- 656.** *The Employer spokesperson* indicated that owing to the lateness of the documents, his group had not had an opportunity to discuss the matter. The Employers' group requested clarification of the role and added value of Staff Union observers as described in paragraph 5 of GB.313/PFA/INF/7. As that was a point that had policy implications, it should be submitted in due course to the Governing Body in November 2012.
- 657.** *A Government representative of Switzerland* shared concerns about the very late availability of the documents and considered that some elements required more detailed consideration. She was also in favour of postponing a decision on the matter to the November session.
- 658.** These views were echoed by Government representatives of the Islamic Republic of Iran, the United Kingdom, France and China, all of whom endorsed the proposal to refer the matter to the November session.
- 659.** *A Government representative of Germany* found it encouraging that the text reflected the positive outcome of the mediation process. Accordingly, he proposed that approval on a temporary basis, as suggested in the second option proposed for decision in GB.313/PFA/10/1, might provide an appropriate compromise.
- 660.** *The Worker spokesperson* urged the Governing Body to reconsider the course of the discussion. She referred to discussions in previous sessions in which the Director-General had been asked to take a flexible approach to finding a solution to the matters at issue between the administration and the Staff Union. The Governing Body was now intervening in a matter which had been agreed through collective bargaining and was micromanaging the Office. The Governing Body should be pleased with the agreed outcome of the mediation.
- 661.** *A representative of the Director-General* (Director, HRD) recalled the historical aspect of the papers before the Governing Body. The Director-General had been asked to enter mediation and to find a solution. The agreement reflected in GB.313/PFA/INF/7 was provisional and was to be reviewed at the end of 2012 with a view to presenting a final proposal to the Governing Body for statutory reform in March 2013. With regard to the substance, the observer role in the recruitment process had always existed but had taken place in the form of a post facto review of the panel reports. Instead, the observer would now be present during the process but would have an entirely passive role. Noting several comments to the effect that the matter was not urgent, he explained that failure to address the matter in the current session would effectively paralyse the ongoing round of the

Recruitment, Assignment and Placement System (RAPS) in which almost 50 vacancies were involved. The agreement should be given the opportunity of a trial period and reviewed after one year on the basis of informed experience.

662. *The Employer spokesperson* reiterated that he was not comfortable with the process; the issue required proper reflection and discussion and should be referred to the November 2012 session.

663. *The Director-General* noted that while further discussion and the decision of the Governing Body would be deferred to a later meeting, his understanding was that, in the absence of a decision at the current session of the Governing Body, the Office had the authority to implement in the interim the agreement reached with the Staff Union through the mediation process.

Outcome

664. *The Governing Body postponed a decision on the matter until its 316th Session (November 2012) and took note without objection of the Director-General's understanding that the Office had the authority to implement in the interim the agreement reached with the Staff Union Committee.*

Appendix I

Statement by the Director-General to the Programme, Financial and Administrative Section of the Governing Body (313th Session – March 2012)

Greg Vines, Chairperson of the Governing Body,
Emmanuel Julien, spokesperson of the Employers' group,
Trine Lise Sundnes, spokesperson of the Workers' group,
Government, Employer and Worker delegates to the ILO Governing Body,
Dear friends and colleagues,

I will address the implementation report of the ILO programme for 2010–11, which is the first report under the Strategic Policy Framework set for 2010–15, and also to make a number of comments on how our programme, finance and administrative policies have evolved over the years.

Allow me to beg your indulgence; as you know, this is my last address as Director-General to the Programme, Financial and Administrative Section of the Governing Body. Consequently, I would like to take some time to review progress and to highlight some key issues that may not fall within the strict confines of the programme implementation report 2010–11.

I. Context

First of all, a word about context.

The global crisis has increased the demand for ILO services in countries, regions and globally. The Decent Work Agenda, crystallized in the Declaration on Social Justice for a Fair Globalization, has demonstrated its relevance to the crisis, especially as expressed in the Global Jobs Pact.

Many countries applied emergency employment and social protection measures, and those that have broadly followed the Global Jobs Pact approach are recovering better and more quickly from the crisis, as is the case in many emerging and developing countries.

And yet, the social impact of the crisis in terms of unemployment – particularly on youth – the reduction of wages and pension rights, the loss of social protection and the growth of poverty continue to be high in many countries, both developed and developing.

Why am I saying all of this? Because the crisis – its management, consequences and responses – has been and will continue to be a major factor in the way the ILO implements the Programme and Budget for 2012–13 and defines its future policies and activities. When looking to the future, it is difficult to draw conclusions from the implementation report without seeing it in the context of the crisis.

II. Results for 2010–11

The report before you details results achieved by outcome, country and region. It constitutes further improvement in our results-based management strategy.

Of the 50 targets set, 34 have been fully achieved, including 14 which have been significantly overachieved. A further 12 have been near full achievement; and four were significantly under-achieved. The end result is that, in total, 46 out of 50 targets have been broadly met.

For each outcome we explain:

- the linkages to other outcomes;
- the gender dimensions;
- the capacity-building elements; and
- lessons learned.

More detailed reports on results in individual countries are available on our website.

Also, we look for a good balance between the need to respond to large-scale programmes with economies of scale, as in the case of the International Programme on the Elimination of Child Labour or Better Work, and the necessary response to tailor-made services for individual constituents, like helping to draft a labour law or promoting stronger employer organizations or trade unions.

We report on results with a clear link between ILO support and the observed consequence.

As this report shows, the ILO technical cooperation strategy and resource mobilization are aligned with the Strategic Policy Framework and Decent Work Country Programmes.

Through your regular budget and extra-budgetary contributions, the ILO expended some US\$1.2 billion in 2010–11 to respond to your collective or individual demands in your countries.

Working in close collaboration with some 20 donors who contribute the bulk of the ILO voluntary contributions, we have maintained a volume of some US\$225 million per year.

Your support to the Regular Budget Supplementary Account has permitted us to work in more countries and areas than allowed by the regular budget and project-funded voluntary contributions.

We have continued to strengthen the role of constituents in national development frameworks, particularly the United Nations Development Assistance Frameworks, beyond our own activities.

Measures taken to enhance quality control of technical cooperation projects and staff training have contributed to the higher delivery rates.

Each programme and budget has strengthened our results framework. Last year, the Chief External Auditor acknowledged the progress made in putting together all the pieces of strategic programming, budgeting, implementing and reporting.

In 51 countries with an active Decent Work Country Programme we are working on all four strategic objectives, with an important role for social dialogue.

Cross-sectoral cooperation is increasing.

We show progress on international policy coherence through our tangible cooperation with the United Nations, the IMF, the WTO, the World Bank, and with regional development banks and economic commissions and the United Nations Development Assistance Framework.

What is the reach of our programme?

Let me point to some aggregate figures for the biennium:

- 53 countries have taken action on child labour in cooperation with the ILO;
- 42 countries on HIV and AIDS;

- 20 countries on social security;
- 67 countries on international labour standards.

The global database on trade union membership further developed, with data available for 61 countries, data on trade union density available for 77 countries and data on collective bargaining coverage available for 62 countries. We estimate some 50,000 policy-makers participate every year in discussions and action on ILO policies, initiatives and values, from the International Labour Conference to the Turin Centre activities and technical meetings in the regions. Practice shows that for participants, this experience has significant policy-making influence and a long-term identification effect with the Decent Work Agenda and the ILO's values, as well as facilitating social dialogue at home.

Among the direct beneficiaries of ILO programmes in 2010–11, some:

- half a million new students took the Know About Business course;
- 600,000 workers (85 per cent of them women) were reached by the Better Work Programme;
- 60,000 women entrepreneurs were reached by ILO programmes;
- 100,000 direct jobs generated by ILO assisted infrastructure investment programmes;
- 800 cases of progress were identified by the Committee of Experts in 2010–11.

Yet, on a global scale, progress in decent work for working women and men has been far too slow, relative to what would be possible if countries took the political decision to make policy convergence around this objective a greater national and multilateral priority, and international organizations acted accordingly.

And ironically, I think the crisis has helped to focus on this and the role of the Decent Work Agenda in moving forward.

With all the difficulties and limitations, I am proud of what we have achieved together with the commitment of our staff cooperating with you, Government, Employer, and Worker constituents in your countries.

There is so much more to do. But progress there is, and small streams converge to make larger ones.

III. Challenges ahead

Dear friends, progress always demands more and better.

Further improvements are certainly warranted to strengthen our strategic framework, the formulation of indicators and measurement criteria, and the definition of strategies. Reporting on results in regions also requires better attention.

I want to share a reflection with you. In thinking about our results-based methodology, we must address the fact that there are many worthwhile activities carried out by the ILO in member States, at headquarters and globally, that are not recorded in the implementation report as a measurable result, as defined by our present approach.

I have raised this issue with you before.

It is certainly necessary to put emphasis on quantitative measurements but we also need a basic foundation of qualitative criteria.

Our present indicators do not reflect some key dimensions of how the ILO actually works.

The ILO is much, much more than the sum of what we presently measure. This is a very fundamental issue.

So how do we value the rest? I leave this to you because I think it is an essential component of what you will need to address.

Some examples:

At a very practical level, the political significance of our capacity for rapid response to the revolution and changes in the Arab world, which has produced valuable identification in many countries like Egypt and Tunisia with the ILO agenda, or has demanded our continued vigilance like in Bahrain, where, by the way, the “ILO method” has recently yielded good tripartite results that will be addressed next week. What about this immediate capacity to react, which was never in the programme and budget?

Or the institutional significance of the Office’s work in supporting trade union and employer leaders in distress, some of whom have been or are currently members of our Governing Body.

Or the multilateral recognition of and support for our agenda, from the United Nations and the G20, or the now regular presence of Presidents and Prime Ministers at our Conference. What is the value that we give to that? How do you value it? How do you measure it?

Or the day to day work of our technical staff in that essential trust-building exercise in our relations with our constituents that is a precondition for our policies to move forward.

In this sense, the return on the investments of staff, time and resources is also long term. How do we take that into account?

If all of this cannot be seen as a result, and you are judged on results now, it means that the evaluation system tends to downgrade the fundamental promotional function of the ILO system, which is the foundation for later results.

As you know, I have raised this issue before. We have decided to implement results-based management in cooperation with the Governing Body, and we have come to the conclusion that this is what the Governing Body would like to see. But I do need to say that I believe that there are other areas which are indispensable for the Governing Body to think about.

I urge you to address these issues in the preparation of the next programme and budget. Let’s put our collective knowledge together because many of you have dealt these issues in your own national contexts, so there’s nothing new about them. I think we have to bring more of these things that I have mentioned into the manner in which we value the work that we do.

IV. Longer term results

While this report is about results achieved in 2010–11, I would like to address our longer term evolution up to now.

For each of our four strategic objectives, comparing today with 13 years back when I initially proposed them as a foundation of the Decent Work concept, we can point to significant changes in the acceptability, feasibility and application of our approaches, based on ILO values.

The 2008 Declaration made them an institutional objective of the ILO and through the global acceptance of Decent Work, they also became part of a wider multilateral agenda.

Something similar has happened with other proposals originating in the ILO, from those of the World Commission on the Social Dimension of Globalization, the notion of working out of poverty, and the promotion of sustainable enterprises to the global acceptance more recently of the Global Jobs Pact and the need for social protection floors.

These advances shape and strengthen our institutional potential today and looking towards the future.

V. **Governance, oversight and management**

Dear delegates, I turn now to the programme, financial and administrative issues of the Governing Body.

As you and your predecessors know, these are issues on which I felt many changes were needed in the ILO, from the day I arrived.

Early on, I expressed my conviction that it is the way we work and deliver on the basis of our values that ultimately shape our relevance.

In the Executive Introduction to my budget proposals for 2000-2001, discussed in the Governing Body in March 1999, I stated the following:

- “This budget presentation sets in motion a process of strategic budgeting [...]. It moves away from the previous structure based on 39 major programmes to a new one centred on four strategic objectives and their corresponding operational objectives.” They later became the foundation of the Decent Work Agenda.
- I added “together with [that Agenda], a thorough analysis of present methods of monitoring and evaluation will be undertaken in order to ensure that programmes are formulated, funding allocated, and expenditures approved on the basis of targets, clear outputs and measurable performance indicators”.
- At that time, I made the point that “... in a world of competition for limited public resources, cost-effectiveness, impact and image are crucial to the challenge of explaining why the ILO should be funded [...]. In the long term, only relevance and effectiveness ensure success and only success ensures adequate funding.” Although, when a crisis comes around, you know, it affects everybody.

And I linked this to institutional vision and commitment:

- “Any successful endeavour depends on people, their commitment, sense of team play and dedication to the task. But for ILO staff to be motivated, they need a motivating mandate. They need to know from the decision-making bodies and the Director-General where the Organization is heading, what the overall vision is and the way in which their work contributes to a larger picture.” That was the whole sense of the Decent Work concept.

I think you can well understand that, if I am looking back, it is because this is my last address to you – my last presentation to the Governing Body on programme, financial and administrative responsibilities.

So please bear with me a little moment.

Since then, we have progressively established a solid internal governance and oversight system, the product of a creative and, for me, very stimulating interaction between the governance responsibilities of the Governing Body and the management responsibilities of the Office and that has been a permanent dimension and richness of the governing system of the ILO.

Beyond strategic budgeting and results-based management, let me also highlight some key achievements:

- a robust and independent evaluation function;
- a strengthened internal audit with expanded investigation capacity;
- an Independent Oversight Advisory Committee;
- an established accountability framework;

- strong and transparent procurement procedures;
- annual disclosures of financial interests and of potential conflicts of interests of senior staff;
- an ethics officer;
- a risk register and related management responsibilities being developed;
- we are on track to be fully compliant with the International Public Sector Accounting Standards (IPSAS) for the year ending 31 December 2012; and
- recently, an annual external audit cycle.

As to the ILO headquarters building renovation, we have endeavoured to complete the various phases within budget and on schedule in accordance with the objectives approved by the Governing Body. Concrete options have been assessed, taking also into consideration the involvement of staff, security concerns and working conditions.

We have invested heavily in information technology. What started out as a special project for an integrated resource information system is now a full-fledged system processing all our accounts; this is being extended to regional offices according to the agreed timetable. We have proceeded cautiously and wisely. It was not possible to simply deliver everything in a parallel manner.

Let me also highlight a few key advances on human resources development:

- an effective assessment and selection procedure to fill vacancies;
- dedicated staff development funds;
- a strengthened performance management framework;
- a leadership and management training programme;
- a full-fledged staff induction training programme;
- an internal conflict resolution system;
- a full-time mediator position; and
- I'm very proud that I took the initiative to set in motion a process of collective bargaining with the Staff Union which simply had not been possible before in the 80-year history of the ILO – quite a contradiction with the fundamental values of this Organization, but collective bargaining did not exist in this House.

On gender equality, I am especially proud of our results.

For Professional staff under 45 years old, gender parity is already a reality – 52 per cent are women. As you can imagine, each time we had high-level appointments, you had three men, and no women, or three men and maybe one woman.

And the glass ceiling has been broken for women in higher grades.

In Executive Director, Regional Director and Director positions, the share of women increased from 18 per cent to 44 per cent between 1999 and 2011. Four of our five Regional Directors are women. Why do I say this? Because it can be done, if you, the Governing Body and the Office show the leadership necessary to make these things happen. This places the ILO well on the way to overall gender parity in the near future. And our gender audit has acquired general acceptance.

As you know, we have established the Expenditure Review Committee, as you suggested. The Committee is examining in detail areas of document printing, information technology support functions and a number of other areas.

This session bears testimony to the reform of the Governing Body. Early signs are very encouraging. Comparing November 2011 and 2010, interpretation costs have decreased by 15 per cent and staff overtime by 10 per cent. This is because the length of agendas has been trimmed – 70 in November 2010, 55 in November 2011 and 43 in March 2012. Consequently, the number of printed documents has also decreased: 90 in November 2010, 67 in November 2011, and 43 printed documents in March 2012. Let me also say, I know that some of you are annoyed that some documents have been distributed late. As you have heard me say for 13 years, I take full responsibility for that. I understand that they should have been on time, they were not, and you want to act on that fact. I will certainly tell my successor to be very careful about the timing of the reception of the reports, because I feel that you're perfectly right to say that if we establish rules, we have to stick to them and make sure the reports are there. Given the timing of Governing Body meetings and the time it takes to translate and produce the documents, most reports have to be ready by the beginning of January. This is not an excuse, but there is an objective timing problem – we have about 31 weeks between the Conference meeting in March and November and 18 weeks between November and March. Please bear that in mind when dealing with that problem.

VI. Financial management

Conservative stewardship of the resources made available to the Office has been one of my key priorities and there has been no overspending of budgets. I underline the word “conservative”, because it has been that way from day one. In the ILO, there are no deficits.

The 2010–11 biennium has once again recorded a high rate of delivery – around 99 per cent of the approved expenditure level. In these difficult times, I can report to you a favourable budgetary surplus for the biennium of some US\$10 million which result from, inter alia:

- not drawing down on the contingency reserve for unforeseen expenditure;
- reduced needs in relation to ILO Pension Fund beneficiaries;
- budgetary savings on health insurance premiums;
- savings on travel related to technical meetings beyond that which had been budgeted; and
- a more cautious and prudent use of resources as uncertainty settled in over income levels from the middle of the biennium.

This budgetary surplus mitigated a shortfall in contributions received from member States of some CHF60.5 million.

The combination of the budgetary surplus and the income shortfall resulted in a net deficit for 2010–11 of US\$52.6 million, which was temporarily financed from the Working Capital Fund and other internal borrowings. This temporary “internal” financing has now been completely reimbursed from arrears of contributions received in 2012 from member States.

As you know, I have been particularly vigilant about the need to maintain a healthy ratio of extra-budgetary resources to regular budget resources at approximately one-third of our resources.

This has ensured greater outreach for ILO programmes without resulting in over-dependence on voluntary and volatile funding sources. In the present crisis situation, such dependence has created problems for many international organizations, which went far beyond what would have been reasonable in terms of extra-budgetary funding and are now feeling the impact of that policy.

However, in the case of the ILO, we need to be vigilant to ensure that areas of our work where we do need to rely on extra-budgetary funding sources, such as child labour, forced labour and HIV and AIDS, are sustained, because of the volume of those activities.

The ILO financial position is currently sound, and well positioned for the future.

Let me mention in closing one development which I find symbolic. Since the adoption of the Domestic Workers Convention last June, governments in Chile, Singapore, Spain, the Philippines and the United States, among others, have already taken or announced actions to improve employment and working conditions of domestic workers. We have approved many conventions and recommendations in the time I have been here, but this has been incredibly quick, similar to the child labour issue. Such quick reaction is a further illustration of the ILO's standard setting relevance in the world of today.

Dear friends,

Thank you again for what has been an extremely enriching personal and institutional experience with PFA issues engaging with you and your predecessors – an experience that has reinforced my belief in the key responsibilities and role of the ILO, this unique, tripartite organization.

Some of you may not believe it, but I will miss our exchanges, our reciprocal frankness, the space you gave me to place my convictions and my vision before you, and your ability to find the common institutional interest.

You are a fundamental backbone of the governance system of the ILO and I want to thank you and congratulate you and urge you to confront the major challenges ahead, because in this part of the Governing Body, it is the activities that you carry out that give the fundamental foundation to the governance system of the ILO. If the PFA Segment does not work, I can assure you that the rest of the institution is affected. I have seen it work, over and over again, for 13 years.

Thank you so much.

Appendix II

Statement by the Chairperson of the Staff Union Committee to the Programme, Financial and Administrative Section of the Governing Body (313th Session – March 2012)

Good afternoon, Mr Chairperson,

Director-General,

Members of the Governing Body,

Dear colleagues still here with us so close to the weekend, and those following via the Intranet.

In November 2010, late in the evening, following one of only eight work stoppages in the history of our Organization, I addressed this assembly (now I was tempted to say this Committee, but was advised not to do that so I do not have to put a franc in the jar for calling it “Committee” instead of “Section”). So, I addressed this assembly on behalf of the staff, and I did so, seeking a way out, for what had become a total impasse in the industrial relations system in the ILO.

Through the commitment of our Director-General, the Administration and the Union, and under the guidance of this Governing Body, we agreed on a series of immediate measures, as well as to a mediation process, which we had hoped would put things back on the right track. As we stated on more than one occasion, if we cannot make collective bargaining work within the ILO – within the house of social dialogue – something is very wrong.

We approached the mediation with optimism, cautious optimism, but optimism. It must be said that the process was not an easy one. Discussions were difficult and the entire process up to the end of last year was extremely frustrating. Our statement to the November Governing Body made reference to this.

However, today, just over one year after the mediation began, there has been a tangible change in the climate, and a deliberate move away from a culture of conflict to one of partnership and genuine good-faith bargaining. For this we truly thank the Government of Belgium, the *Division de Conciliation Sociale* of the *Direction Générale des Relations Collectives de Travail*, and the mediators themselves, whose expertise, impartiality and commitment were all instrumental to getting us to where we are now.

And where exactly are we now? Well, today we have reached tentative agreements on policies, procedures and practices which had been subject to dispute for years. We come before you during this session with embryonic agreements which, with any hope, and given the momentum that has been gained, can be turned into formal collective agreements in the very near future.

Without going into too much detail:

- we have agreed on interim adjustments on recruitment and selection procedures, which are being piloted with a view to ensuring the best possible system for the years to come;
- we have made efforts to close the gap between staff who have spent many years on technical cooperation (TC) contracts and those on the regular budget;
- we will soon be reviewing the generic job descriptions with a view to reflecting the evolution of work in the ILO over the past decade, in the framework of a global review of job classification, which is urgent for staff in the field;

- we are seeking a common understanding of and agreed approach to classification of TC positions;
- negotiations on contracts policy are being restarted, with particular attention being paid – from the union side – to diminishing precarious work in the house; and
- proper industrial relations procedures have been, and are being, developed, with a view to preventing and resolving such disputes in the future.

Given the difficulties which punctuated industrial relations in the recent past, these are great strides. We hope that the Governing Body, which was instrumental in steering us in this direction, recognizes them as such.

Let me pass to another item, which was not formally on your agenda, but which weighs heavily on the minds of the staff: that of the building renovation. As we have mentioned in the past, the staff union has been following this question with great interest, as there is little which will impact our lives more than the environment in which we come to work. We welcome the fact that the Staff Union is now represented not only in the project team, but also as an observer in the Steering Committee, when that Committee is considering questions which will have an impact on the staff. I believe that the experience of the first few months under this new arrangement has been positive for both sides, with the union representative – selected based on her expertise in occupational safety and health questions – representing the interests of the staff, wherever appropriate.

Unfortunately, we were not consulted on the decision to abandon the annex in favour of moving staff around within the building during the renovation. However, we have raised this with the administration, and we have since been informed – not consulted but informed – on the space allocation issues. We are now seeking more information and further consultation on the implications of this decision for the staff, including in relation to what space will be allocated within and outside of the negotiated rules.

One final point on the renovation: and this is to stress the need for immediate information and regular updates to the staff. We have mentioned this, again, directly to the administration, including through both the Steering Committee and the project team. We are pleased with the commitment to communicate, and we look forward to another information session in the very near future. We also look forward to contributing to the communication strategy for the medium to long term.

Having just returned from a two-week mission to Bangkok, where I represented our international federation during the 74th Session of the International Civil Service Commission (ICSC), I wanted to share one or two thoughts on what has become quite a common term, that of, and I quote, “doing more with less”. The latest ICSC session considered a proposal to use the post-adjustment system to effectively freeze pay for Professional staff. We also witnessed the fallout of an extremely negative result of the local salary survey while in Bangkok, which could have been even worse had it been implemented under the newly adopted methodology.

While we are fully aware of the limitations imposed by the member States on their national civil services, and the responses of the public in light of these measures, we must also urge caution when using a technical methodology or changing a methodology which has stood the test of time, in order to achieve short-term financial or political objectives. These actions erode the confidence of the staff and the impartiality and objectiveness of the ICSC as an independent body for establishing fair terms and conditions of work.

By no means am I the first Chairperson of the Staff Union Committee to come before the Governing Body and question whether the ICSC or the common system is the best mechanism for establishing terms and conditions for ILO staff, or the wisdom of a “one-size-fits-all” approach, but what is clear is that a push towards One UN or “delivering as one” at a time when the methodologies for establishing and adjusting our wages, our

pensions and our working conditions cannot necessarily be trusted as independent and objective, makes little sense. And in these circumstances the logic of harmonization becomes questionable.

And harmonization at all costs overlooks one important factor. Far from being One UN, we are far from being ourselves “One ILO”. We have vastly different terms and conditions applying to staff, whether you look at the differences between technical cooperation and regular budget staff, whether you would look at differences between headquarters-based officials and those in the field, Professional versus General Services and national officers, not to mention the Turin Centre, which we have long sought to integrate without much success.

Coming back to the question of “doing more with less”, this idea can be looked at in two ways. On the one hand, undertaking more work with fewer resources resulting in overwork, burnout and stress, or doing more work for less pay, linked to the erosion of conditions of employment in work, as I mentioned previously.

More work with fewer resources means something has to give, either the staff members themselves, or expectations of just how much can be squeezed out of people, many of whom are already working 50 or 60-hour weeks. The Staff Union recently carried out a stress survey, whose results have shown that 75 per cent of respondents are already finding their job stressful, with 60 per cent stating that their stress levels have increased over the past two years. These results are also confirmed by the Human Resources Development Department’s staff satisfaction survey, in particular in relation to staff reporting that they are overworked.

Our survey shows that 23 per cent of staff report that their quality of work has declined because of stress and half say that job satisfaction has declined. This is evidence of a demotivated workforce. While we can continue to try squeezing more out of the staff, it is our responsibility to sound the alarm and to note that such efforts will inevitably result in burnout of even more staff, as is happening in the outside world where work-related stress is fast becoming the number one cause of invalidity in many countries.

Finally, and as this is the last time I will address the PFA in front of our Director-General, let me take this opportunity to congratulate you, Mr Director-General, for the work that you have done to place the ILO on the multilateral map and Decent Work into the public conscience. What the staff has been able to achieve for the working men and women of the world, under your leadership, is nothing short of remarkable.

As you noted yesterday, one of our crowning achievements within the House was the introduction of collective bargaining. And while it has not always been easy, we really appreciate the commitment that you have shown over the past year to make collective bargaining work.

We wish you all the best for the future, Mr Director-General.

Thank you.

Appendix III

Update of member States' contributions received between 29 February 2012 and 23 March 2012

Since 29 February 2012, contributions for 2012 and prior years amounting to 89,757,436 Swiss francs (CHF) have been received from 19 member States as follows:

Member States	Contribution received for 2012	Contribution received for arrears	Total contributions received in CHF
Austria	3 083 211		3 083 211
Botswana	64 952		64 952
Costa Rica		47 563	47 563
Eritrea	3 617		3 617
Ethiopia	28 945		28 945
Germany	21 763 206		21 763 206
Guatemala	101 277		101 277
Guinea		6 064	6 064
Haiti	10 829	19 403	30 232
Italy	14 702 587		14 702 587
Korea, Rep. of		5 467 978	5 467 978
Panama	22 587		22 587
San Marino	10 851		10 851
Saudi Arabia	3 006 074		3 006 074
Thailand	507 684		507 684
Togo ¹	3 595	56 658	60 253
United Kingdom	18 030 735		18 030 735
United States		22 808 764	22 808 764
Zimbabwe	10 856		10 856
Total	61 351 006	28 406 430	89 757 436

¹ Togo has regained its right to vote.

Including contributions received between 29 February 2012 and 23 March 2012, the total contributions received in 2012 amounts to CHF206,031,612. Of this amount, CHF127,417,130 represents contributions for 2012 and CHF78,614,482 represents contributions for arrears.

The balance due as of 23 March 2012 is CHF288,283,692.

Appendix IV

Draft scale of assessments of contributions to the budget for 2013

State	Draft scale of ILO assessments 2013 (%)
1 Afghanistan	0.004
2 Albania	0.010
3 Algeria	0.128
4 Angola	0.010
5 Antigua and Barbuda	0.002
6 Argentina	0.287
7 Armenia	0.005
8 Australia	1.934
9 Austria	0.852
10 Azerbaijan	0.015
11 Bahamas	0.018
12 Bahrain	0.039
13 Bangladesh	0.010
14 Barbados	0.008
15 Belarus	0.042
16 Belgium	1.076
17 Belize	0.001
18 Benin	0.003
19 Bolivia, Plurinational State of	0.007
20 Bosnia and Herzegovina	0.014
21 Botswana	0.018
22 Brazil	1.612
23 Brunei Darussalam	0.028
24 Bulgaria	0.038
25 Burkina Faso	0.003
26 Burundi	0.001
27 Cambodia	0.003
28 Cameroon	0.011
29 Canada	3.208
30 Cape Verde	0.001
31 Central African Republic	0.001
32 Chad	0.002
33 Chile	0.236
34 China	3.190
35 Colombia	0.144
36 Comoros	0.001
37 Congo	0.003

State	Draft scale of ILO assessments 2013 (%)
38 Costa Rica	0.034
39 Côte d'Ivoire	0.010
40 Croatia	0.097
41 Cuba	0.071
42 Cyprus	0.046
43 Czech Republic	0.349
44 Democratic Republic of the Congo	0.003
45 Denmark	0.736
46 Djibouti	0.001
47 Dominica	0.001
48 Dominican Republic	0.042
49 Ecuador	0.040
50 Egypt	0.094
51 El Salvador	0.019
52 Equatorial Guinea	0.008
53 Eritrea	0.001
54 Estonia	0.040
55 Ethiopia	0.008
56 Fiji	0.004
57 Finland	0.566
58 France	6.126
59 Gabon	0.014
60 Gambia	0.001
61 Georgia	0.006
62 Germany	8.021
63 Ghana	0.006
64 Greece	0.691
65 Grenada	0.001
66 Guatemala	0.028
67 Guinea	0.002
68 Guinea-Bissau	0.001
69 Guyana	0.001
70 Haiti	0.003
71 Honduras	0.008
72 Hungary	0.291
73 Iceland	0.042
74 India	0.534
75 Indonesia	0.238
76 Iran, Islamic Republic of	0.233
77 Iraq	0.020
78 Ireland	0.498
79 Israel	0.384

State	Draft scale of ILO assessments 2013 (%)
80 Italy	5.001
81 Jamaica	0.014
82 Japan	12.535
83 Jordan	0.014
84 Kazakhstan	0.076
85 Kenya	0.012
86 Kiribati	0.001
87 Korea, Republic of	2.261
88 Kuwait	0.263
89 Kyrgyzstan	0.001
90 Lao People's Democratic Republic	0.001
91 Latvia	0.038
92 Lebanon	0.033
93 Lesotho	0.001
94 Liberia	0.001
95 Libya	0.129
96 Lithuania	0.065
97 Luxembourg	0.090
98 Madagascar	0.003
99 Malawi	0.001
100 Malaysia	0.253
101 Maldives, Republic of	0.001
102 Mali	0.003
103 Malta	0.017
104 Marshall Islands	0.001
105 Mauritania	0.001
106 Mauritius	0.011
107 Mexico	2.357
108 Moldova, Republic of	0.002
109 Mongolia	0.002
110 Montenegro	0.004
111 Morocco	0.058
112 Mozambique	0.003
113 Myanmar	0.006
114 Namibia	0.008
115 Nepal	0.006
116 Netherlands	1.856
117 New Zealand	0.273
118 Nicaragua	0.003
119 Niger	0.002
120 Nigeria	0.078
121 Norway	0.872

State	Draft scale of ILO assessments 2013 (%)	
122	Oman	0.086
123	Pakistan	0.082
124	Panama	0.022
125	Papua New Guinea	0.002
126	Paraguay	0.007
127	Peru	0.090
128	Philippines	0.090
129	Poland	0.828
130	Portugal	0.511
131	Qatar	0.135
132	Romania	0.177
133	Russian Federation	1.603
134	Rwanda	0.001
135	Saint Kitts and Nevis	0.001
136	Saint Lucia	0.001
137	Saint Vincent and the Grenadines	0.001
138	Samoa	0.001
139	San Marino	0.003
140	Sao Tome and Principe	0.001
141	Saudi Arabia	0.831
142	Senegal	0.006
143	Serbia	0.037
144	Seychelles	0.002
145	Sierra Leone	0.001
146	Singapore	0.335
147	Slovakia	0.142
148	Slovenia	0.103
149	Solomon Islands	0.001
150	Somalia	0.001
151	South Africa	0.385
152	Spain	3.178
153	Sri Lanka	0.019
154	Sudan	0.010
155	Suriname	0.003
156	Swaziland	0.003
157	Sweden	1.065
158	Switzerland	1.131
159	Syrian Arab Republic	0.025
160	Tajikistan	0.002
161	Tanzania, United Republic of	0.008
162	Thailand	0.209
163	The former Yugoslav Republic of Macedonia	0.007

State	Draft scale of ILO assessments 2013 (%)
164 Timor-Leste	0.001
165 Togo	0.001
166 Trinidad and Tobago	0.044
167 Tunisia	0.030
168 Turkey	0.617
169 Turkmenistan	0.026
170 Tuvalu	0.001
171 Uganda	0.006
172 Ukraine	0.087
173 United Arab Emirates	0.391
174 United Kingdom	6.607
175 United States	22.000
176 Uruguay	0.027
177 Uzbekistan	0.010
178 Vanuatu	0.001
179 Venezuela, Bolivarian Republic of	0.314
180 Viet Nam	0.033
181 Yemen	0.010
182 Zambia	0.004
183 Zimbabwe	0.003
TOTAL	100.000

Appendix V

Independent Oversight Advisory Committee (IOAC)

International Labour Office

Composition

1. The IOAC shall comprise five independent expert members serving in their personal capacity.
2. Professional competence, experience and integrity shall be of paramount consideration in the selection of members. Membership shall reflect the tripartite and international nature of the International Labour Organization and have due regard to:
 - (a) geographical distribution;
 - (b) gender balance;
 - (c) public- and private-sector experience; and
 - (d) developed and developing countries.
3. All IOAC members should have experience and appropriate qualifications as a senior oversight professional, auditor or senior financial manager.
4. All IOAC members shall be proficient in at least one of the three working languages of the ILO.
5. To undertake their role effectively, members of the IOAC should possess knowledge, skills and senior-level experience in at least one of the following areas:
 - (a) finance and audit;
 - (b) organization governance and accountability structure, including risk management;
 - (c) senior-level management;
 - (d) the organization, structure and functioning of the United Nations system and/or other intergovernmental organizations; and
 - (e) a general understanding of the ILO's mandate, values and objectives.

Collectively, the Committee should possess knowledge, skills and senior-level experience in all of the above areas.

6. Members should have, or acquire rapidly, an understanding of the mandate, values and objectives of the Organization, its tripartite governance and accountability structure and the relevant rules governing it, and its organizational culture and control environment.

Independence

7. Since the role of the IOAC is to provide objective advice, members shall remain independent of the International Labour Office, the Governing Body and the International Labour Conference, and shall be free of any real or perceived conflict of interest.
8. Members of the IOAC shall:
 - (a) not hold a position or engage in any activity that could impair their independence from the ILO;

- (b) not currently be, or have been within the three years prior to appointment to the IOAC, employed or engaged in any capacity by the ILO, or have an immediate family member (as defined by the ILO Staff Regulations) working for, or having a contractual relationship with, the ILO;
 - (c) not currently be, or have been within the three years prior to appointment to the IOAC, a member of the ILO Governing Body nor have an immediate family member (as defined by the ILO Staff Regulations) serving as a member of the ILO Governing Body;
 - (d) not currently be, or have been within the three years prior to appointment to the IOAC, an employee of a member of the United Nations Panel of External Auditors or a member of the Joint Inspection Unit; and
 - (e) not be eligible for any senior employment with the ILO for at least three years immediately following the last day of their tenure on the IOAC.
9. IOAC members shall serve in their personal capacity and shall not seek or accept instructions in regard to their work on the IOAC from any government, constituent or other authority internal or external to the ILO.
10. Members of the IOAC shall sign an annual declaration of independence and statement of financial interests (Appendix I).

Selection, appointment and term

11. Members of the Committee shall be appointed by the Governing Body following a triennial tripartite selection process as set out in the following paragraphs.
12. The Director-General shall:
- (a) invite ILO Governing Body members and other member States to nominate individuals who are deemed to possess appropriate qualifications and experience as specified in this document;
 - (b) place in reputable international magazines and/or newspapers, and on the Internet, a call for expressions of interest from suitably qualified and experienced individuals.
- Member States nominating individuals under subparagraph 12(a) above and applicants responding to the expression of interest under subparagraph 12(b), shall be requested to provide the same information, including a detailed curriculum vitae in English, French or Spanish, and within the same time frame.
13. The Director-General shall, in consultation with the Officers of the Governing Body, engage an external consultant, specialized in the recruitment for senior positions, to screen all applications, interview candidates deemed suitable, and prepare a shortlist of the most suitable candidates (not exceeding 15) based on the criteria contained in paragraphs 3 and 5 above. In finalizing the short list, the consultant shall have regard to the diversity referred to in paragraph 2. The consultant shall also provide a report containing a brief assessment of the unsuccessful candidates. The consultant will be engaged following a competitive procurement process in accordance with the ILO's Financial Rules and related procedures, the results of which shall be reported to the Governing Body.
14. A selection panel (comprising a representative of the Government group Chair, representatives of regional groups, the Employers' group and Workers' group) shall receive the consultant's report, review the shortlisted candidates, taking into account the criteria contained in this document, and propose a list of candidates, equal to the number of current vacancies on the IOAC, to the Officers of the Governing Body. The information to be provided to the Officers shall include each candidate's name, gender, nationality, qualifications and professional experience. The decisions of the selection panel will be

made to the extent possible by consensus. If there is no consensus the issue will be referred to the Officers.

15. The Officers shall review the proposal and, if in agreement, refer it to the Governing Body for final consideration and approval.
16. The selection panel shall also create and retain a list of suitably qualified candidates for consideration by the Officers and the Governing Body, in order to propose alternative candidates should any candidate of the first list not be approved by the Officers or the Governing Body, or to fill a vacancy arising for any unforeseen reason (for example resignation or incapacity) during the term of the Committee.
17. Members of the IOAC are appointed to serve for a term of three years, renewable for a second and final term of three years, which need not be consecutive. To ensure continuity of membership for future mandates, two of its five members shall be appointed in November 2012, for a single non-renewable term of three years to be decided, if necessary, by the drawing of lots. Members of the inaugural Committee whose mandate ends in November 2012 may present their candidature for one further non-renewable term of three years.
18. The Chairperson shall be selected by the IOAC members from among their number and shall serve in this capacity for a maximum of one three-year term.
19. A member of the IOAC may resign his/her membership by giving notice in writing to the Chairperson of the Governing Body. A special temporary appointment for the remainder of the outgoing member's term shall be made in accordance with the provisions set out in Appendix I to cater for such a vacancy.
20. A member appointed by the Governing Body during the term of the Committee shall serve the remainder of the term of the outgoing member and shall be eligible for reappointment to the IOAC for a second and final term.
21. An appointment to the IOAC may only be revoked by the Governing Body.

Declaration of independence of members of the Independent Oversight Advisory Committee

I _____ declare to the best of my knowledge that, having read the terms of reference of the International Labour Office's Independent Oversight Advisory Committee (IOAC), I am eligible to serve as a member of that Committee. I undertake to discharge my functions and responsibilities as a member of the Committee with the interests of the International Labour Organization alone in view and not to seek or accept instructions in regard to the performance of these functions from any government, constituent organization or other authority external or internal to the International Labour Organization.

I also declare that I have no personal, financial or other interests that could or could be seen to influence the decisions or actions I am taking or the advice I am giving in the course of my duties as a member of the IOAC.

To the best of my knowledge, no member of my immediate family has personal, financial or other interests that could or could be seen to influence the decisions or actions I am taking or the advice I am giving in the course of my duties as a member of the IOAC.

Should there be any change in my relationship with the International Labour Organization with respect to my independence, I will immediately inform the Chairperson of the ILO Governing Body.

Signed: _____

Date: _____

High-Level Section

Working Party on the Social Dimension of Globalization

665. The High-Level Section met on Monday, 26 March. It was chaired by the Chairperson of the Governing Body. Mr Funes de Rioja and Mr Sommer were the Employer and Worker spokespersons.

First item on the agenda

Staving off renewed crisis: The role of the ILO (GB.313/HL/1)

666. The Governing Body had before it a paper reviewing the global economic and employment outlook and the scope for continuing the promotion of the Global Jobs Pact. The Chairperson recalled that the entire High-Level Section would be conducted as the Working Party on the Social Dimension of Globalization. That would allow a deeper discussion of the paper and widen the participation beyond Governing Body members. However, as the Working Party was not a decision-making organ of the Governing Body, any request for a decision arising from the discussion would be referred to the Institutional Section for consideration, together with the Chairperson's report.

667. *The Director-General* introduced the paper. He said that the rich set of data contained in the paper showed how the jobs crisis was continuing unabated, with very high levels of unemployment and precarious work, and looming threats to social protection and social dialogue. The question of jobs was emerging as a unifying theme of multinational discussions on efforts to promote and sustain recovery. He raised four issues.

668. First, the emerging and developing economies seemed to have been better able to manage the impact of the financial crisis, at least in terms of economic growth. One reason was greater policy autonomy. Learning from their experience with the financial and economic crises of the 1980s and the 1990s, countries in Latin America and Asia had adopted policies different from the one-size-fits-all prescriptions of the international financial institutions, for instance, increasing minimum wages, expanding social protection, regulating financial systems, relying on public finance and supporting small and medium-sized enterprises (SMEs). Some industrialized countries adopting similar approaches had also better weathered the global financial turmoil. That raised a question for the ILO regarding the influence of the new policy thinking on ensuring greater balance and stability in a global economy where no single country could exert policy leadership.

669. Second, the efforts to deal with the problems of sovereign debt in some countries in the Eurozone were actually piling up social debt in terms of cuts in wages, pensions and social services; reforms of industrial relations systems; infringements of freedom of association; and widespread failures of small businesses. Social backsliding in Europe had implications for the values and the whole vision of the ILO. A more balanced approach should be sought in order to address fiscal problems and restore the confidence of financial investors at the same time as restoring public confidence.

670. Third, the main drivers of globalization were changing and the ILO had to take that fact into consideration. Financial deregulation had led to dramatic instability. The ILO had no

expertise on financial issues but it represented the real economy. As such, it had an interest in having a financial system that would work well for the real economy and it had a right of opinion on that matter. In order to achieve the ILO goals it was critical to strengthen those financial flows that were contributing to economic growth through innovation and investment in productive capacities. As it concerned trade, the trend was towards regional clustering and growing emphasis on domestic demand and green industrial transformation.

- 671.** Fourth, the end of the era of unfettered globalization was likely to be followed by a period of transition and uncertainty before a new pattern could emerge. The values and the agenda of the ILO were central to any thinking about the future, as they were deeply rooted in people's concerns about jobs, social protection, voice and rights.
- 672.** The Director-General then introduced the invited speaker, Professor Ian Goldin, Director of the Oxford Martin School at Oxford University, recalling his distinguished career in development policy.
- 673.** *Professor Goldin* expressed his appreciation for the contribution of the Director-General to the ILO and to mainstreaming the issues of jobs and youth unemployment into the global economic agenda and the G20 process. He stressed that while such needs had been recognized, resolution was no closer due to the crisis. The world had changed with the emergence of globalization and hyper-connectivity, which had increased the capacity to share knowledge, learn policy lessons, reduce poverty and illiteracy, and improve life expectancy. The achievement of decent livelihoods and jobs for all, however, had not become any easier, as more interconnection meant growing inequality and systemic risks. Sharing goods, services, financial systems and people had increased vulnerability and the risk of xenophobic, nationalist and protectionist backlashes.
- 674.** Those outcomes could be avoided by focusing attention on jobs, equity and management of systemic risk. However, national governments had shown their limits in acting collectively for effective global governance. The well-known "tragedy of the commons", that individual self-interested actions did not sum up to global goods, was mirrored in the tragedy of economics, whose assumptions about rationality of expectations were now under question. There was also a tragedy of ethics. At the individual level, chief executive officer salaries bore no relationship with shareholder value or employment creation. At the national level, there was a generalized failure of trust in governments, some of which had not kept up with their international commitments, were not transparent in their budget processes, had failed in their economic and social management, and had lost the trust of the electorate.
- 675.** He pointed out that policy still mattered. There was a need to regulate finance and trade, which should be made safer, more efficient and fairer, working on prudential regulation and on such areas as agricultural policies and investment codes for multinationals. Aid flows and the harmonization of development assistance should also be sustained. He highlighted the demographic changes seen in OECD (Organisation for Economic Co-operation and Development) economies and in some emerging economies where fertility was collapsing, aging accelerating and dependency ratios increasing. Neither youth frustration nor the importance of promoting dynamism within societies must be underestimated. He stressed the considerable contribution to innovation being made by migrants.
- 676.** Professor Goldin concluded by emphasizing the importance of highly representative institutions such as the ILO and warning that time was pressing to take action as the financial crisis could be just the first of a series of cascading failures induced by the lack of understanding of the dynamics of globalization, hyperconnectivity and technical change.

- 677.** *The Employer Vice-Chairperson* recalled the nature of the Working Party as a forum for discussion – not decision – and stressed that the importance of the Global Jobs Pact would be determined in each country. Stimulating business and investor confidence was essential to ensure that economic recovery was matched by employment growth. Governments should encourage microeconomic stability without raising direct or indirect costs on business. He cautioned against confusing workplace flexibility with precarious work. The Employers believed that temporary jobs and work-sharing belonged to possible formal sector responses to crisis. The real problem was informality. He noted the Employers' concerns about the mass movement to the informal sector and highlighted the need to reduce red tape and social costs on small enterprises.
- 678.** The ILO's policy role should be focused on its specific areas of expertise, leaving certain types of macroeconomic and financial analysis to organizations with better capacity in those areas. He emphasized the importance of the ILO Declaration on Social Justice for a Fair Globalization for guiding the ILO's work, which should respond to client needs and priorities. Regarding the Global Jobs Pact, he maintained that wider analysis of different national experiences was needed. Additional policy options that needed to be examined were minimum wage reductions and an increase in the retirement age. He referred to the experience of Australia, which he felt had been misrepresented in the paper – from mid-2009 to mid-2010 there had been an effective minimum wage pause in response to the crisis.
- 679.** He expressed strong support for the ILO's focus on skills development, which was especially pertinent for developing countries where there were large gaps between available skills and employers' needs. He closed by saying that the late delivery of the papers had made it difficult to discuss important issues, such as the assessment of the Global Jobs Pact, with ILO Members who were not part of the Governing Body.
- 680.** *The Worker spokesperson* recalled that the global economic outlook was bleak and there was still a deep jobs crisis. Despite universal recognition that the crisis had been due to the failure of the financial markets, it was surprising how governments still seemed to have confidence in the judgment of those markets, including continued regard for the approval of the rating agencies, which had so clearly failed. The Workers viewed the current wave of austerity programmes in Europe as an unprecedented attack on the European Social Model that was undermining the recovery and weakening core workers' rights and industrial relations, including national systems of collective bargaining, wage-setting procedures and pension systems. In some cases, greater labour market flexibility had resulted in the violation of labour rights and in decent work being replaced by precarious work. He called for measures to fight precarious work. He stressed that despite the Stability Pact the outlook in Europe remained fragile, and he feared that the failure of employment-intensive measures and stimulus would worsen the crisis. He recalled that the crisis in Germany in 2009 had been resolved, not by cutting and saving, but by establishing labour and employment policies.
- 681.** Referring to the Global Jobs Pact and also the Global Employment Agenda, he stressed that they remained very relevant. The Workers' group expected the Office to stress tripartism as a fundamental element in furthering recovery and the role of the unions and collective bargaining, including the application of the right to collective bargaining to workers in SMEs. An income-led growth strategy for job creation and redistributive measures, such as progressive taxes and taxes on financial transactions, as well as the social protection floor and support for training programmes, particular for young people, were also important. He also emphasized the significance of the Millennium Development Goals, promotion of green jobs and productive investments, a greater role for the development state and of the effective regulation of the financial sector, with special

attention being given to the negative effects of trade liberalization on the development and specialization in low value added production.

- 682.** In closing, he underscored that the Workers' group expected the Office to play a determining and more visible role in labour and economic policies when dealing with other international agencies, including in such cases as the international response to the debt crises in Greece and Spain. The Workers' group wanted to see international labour standards, social dialogue and wage-led growth at the core of the anti-crisis measures proposed by the Office. He also called on the Office to influence the discussion on international trade liberalization in the relevant organizations such as the IMF, WTO and OECD in order to ensure that people were benefiting, rather than suffering, from its consequences. Proper employment impact assessments were also needed.
- 683.** *Speaking on behalf of the Africa group*, a Government representative of Algeria concurred with the paper regarding how the real economy had suffered from the crisis. The better outcomes for emerging economies needed further analysis, however. The crisis in Europe had caused particular difficulties for the African continent as a result of reduced commodities exports and a drop in remittances. African countries would need to grow much faster in order to achieve the Millennium Development Goals, a great challenge in view of the high levels of informality and unemployment, particularly among young people. His group viewed increasing middle-class impoverishment as a threat to social cohesion. He noted the successful application of the Global Jobs Pact in attenuating the effects of the crisis and requested that the Office review the country experiences and develop relevant action programmes. He called for further implementation of the social protection floor. The Africa group urged the ILO to ensure that its messages were well represented in the United Nations Post 2015 Development Agenda and Rio +20 discussions. The Office should expand Decent Work Country Programmes to more countries, promote analysis and the sharing of good practices beyond the G20 countries and support African countries in formalizing their economies.
- 684.** *Speaking on behalf of GRULAC*, a Government representative of Brazil said that the Global Jobs Pact must be continued and promoted as it had improved the capacity of countries to face the crisis. Counter-cyclical measures adopted in his region, such as investments in infrastructure and human capital, the establishment of social protection mechanisms and increases in minimum wages, had helped countries support economic sectors where the need was greatest. Regional gross domestic product (GDP) growth had been just under 4.3 per cent in 2011, although it had slowed in the second half due to the spillover from the Eurozone debt crisis. However, domestic consumption had grown above GDP rates, unemployment had fallen from 7.3 to 6.8 per cent and real wages had increased. He stressed that comprehensive policies promoting economic growth, employment, equality of opportunity and social inclusion had helped countries in the region weather the crisis better than other regions. Debt reduction, the expansion of productive activity and entrepreneurship, and the training and requalification of workers in micro, small and medium enterprises (MSMEs) had contributed to generating employment, increasing income and reducing informality in the labour markets. He welcomed the upcoming opportunities for action at the international level, highlighting the Rio +20 Conference and the Economic and Social Council (ECOSOC) as platforms to mobilize and promote Global Jobs Pact policies and place decent work at the heart of economic recovery. He noted the need for those efforts to focus on youth employment.
- 685.** *Speaking on behalf of ASPAG*, a Government representative of China highlighted the relevance of the Global Jobs Pact to achieve sustainable and balanced global economic recovery and stressed that the most important role for the ILO was to assist its Members in creating jobs, promoting decent work, establishing a social protection floor and strengthening tripartite cooperation. He encouraged the Office to offer guidance on good

practices and to assist in implementing the Global Jobs Pact, particularly in countries with high unemployment rates. He supported the Office's cooperation with relevant international organizations to develop and implement job-centred macroeconomic policies and he emphasized the need for closer North–South and South–South cooperation in order to better cope with continued job crisis challenges.

- 686.** *Speaking on behalf of the European Union and its Member States*, the acceding candidate and potential candidate countries, as well as Armenia and the Republic of Moldova, the Permanent Representative of the European Union to the United Nations affirmed the importance of the discussion but regretted the lack of time for preparation due to the late arrival of documents. She noted that the European Union was taking a two-pronged approach to stabilize Members' economies and foster growth, with particular attention being paid to youth unemployment and a greener economy. She affirmed the relevance of the Global Jobs Pact, adding that policy responses should be adapted to national or regional contexts and include innovative solutions that went beyond the Pact. She called on the ILO to ensure that employment and social dimensions were reflected in the outcomes of the ECOSOC, G20 and Rio +20 conferences. The ILO should also work with the multilateral system to develop strategies for young people not in education, employment or training; to analyse the medium-term employment outlook and policy responses; to promote skills development policies; and to establish and adapt social protection floors in different countries. She encouraged the ILO to support and monitor the implementation of the fundamental principles and rights at work and to coordinate its actions with other international organizations more effectively in order to achieve greater policy coherence and mobilize the ILO's know-how and resources to support national action within its mandate.
- 687.** *Speaking on behalf of ASEAN*, a Government representative of Viet Nam endorsed the statement made by ASPAG and added that employment and social protection were critical concerns for ASEAN. He encouraged the ILO to provide governments with policy guidelines tailored to their circumstances to deal with the crisis. He welcomed constructive contributions from the G20 Task Force on Employment.
- 688.** *A Government representative of Panama* noted the relevance of the ILO Declaration on Social Justice for a Fair Globalization and the Decent Work Agenda to promoting employment, skills development, sustainable enterprises and economic growth, while expanding social security and worker protection. She recalled how the crisis had led to a fundamental reassessment of national economic and social policies. In Panama, Government policies included infrastructure investment and improved sanitation and highway transport systems. Those measures had a positive impact on competitiveness, technological advancement and MSME growth. In 2011, unemployment had been at a historic low of 4.45 per cent.
- 689.** *Professor Goldin*, in his response to the discussion, welcomed the European Union spokesperson's comments on the need for the ILO to have a focused message on labour market policies. He commended Latin America's broad-based crisis response policies as a stabilizing force. He noted that OECD countries currently had less potential for countercyclical or other measures, but policies to address unemployment and inequality were still measures they could take to prevent systemic risks. He expressed concern about demographic trends on savings and global imbalances. Pension policies built on 7–8 per cent risk-free returns were a fantasy and a looming disaster in view of aging populations. He recalled the Africa group spokesperson's comment on remittances: their significant countercyclical impact on past crises no longer held in the current crisis. The confusion of remittances with aid by governments was dangerous. He agreed with the Director-General

that the future was uncertain and that policy formation must reflect the ideas of a greater number of participants. He commended the Director-General on his remarkable legacy.

- 690.** *A Government representative of Zimbabwe* noted that the response and mitigation offered by the Global Jobs Pact had had a positive impact in countries hard hit by the crisis. She asked the Office to continue promoting the Global Jobs Pact in its interaction with United Nations agencies, the Bretton Woods institutions, the G20 and other multilateral groups. She called on countries to continue mainstreaming the principles enshrined in the Global Jobs Pact in national development plans and regional employment protocols. She suggested that the ILO strategy “Working out of poverty” should be guided by the Decent Work Agenda and the Global Jobs Pact.
- 691.** *A Government representative of France* concurred with the European Union statement that the role of the ILO was indispensable in view of its expertise and support for measures to promote employment and fundamental rights. He noted the already encouraging signs for a global recovery, citing how the recent measures taken in the Eurozone had stabilized the financial markets and the agreement on the Greek debt had reduced pressure. He recalled the importance of policy coherency among international bodies on economic and social priorities and the opportunities that the upcoming ECOSOC and Rio +20 conferences and the G20 task force on youth employment would provide in that regard. His country believed that the main priorities were employment, especially for youth, the implementation of social protection floors and respect for fundamental rights at work.
- 692.** *A Government representative of Egypt* recalled the deterioration of the situation in Egypt and the Arab region since 2008 compounded by strong trade linkages with Europe and falling foreign investment. The recent Eurozone crisis had made the situation worse. Macroeconomic instability and currency fluctuations had caused balance of payment imbalances. Reducing high unemployment, which had increased considerably among the middle class and university graduates, was a key government priority. Since the revolution in January 2011, substantial progress had been achieved in the area of workers’ rights, and a draft law on trade union activity was currently under discussion in Parliament. The establishment of a legal framework ensuring the free operation of trade unions and social dialogue was already bearing fruit in worker complaint resolution. In closing he expressed his country’s gratitude to the ILO for its assistance.
- 693.** *A Government representative of Argentina* recalled how her country had implemented a series of pro-employment policy measures since 2003 that had strengthened the domestic market while creating a positive climate for foreign trade. The tripartite National Council on Employment and Productivity had coordinated a 302 per cent increase in real minimum wages since 2003. Meanwhile, labour market institutions and policies in place since 2004 had contributed to improved working conditions in private and public sectors and the expansion of pension coverage to 2.5 million people. Also, an expansion of universal child allowance, family allowance and special non-contributory pensions had increased coverage to reach 84 per cent of the population. Her country had implemented measures in the areas of training and subsidies for enterprises in difficulty, which had helped retain workers, support MSMEs and drive down unemployment to a historic low of 6 per cent in the second half of 2011. In view of those results, she reiterated her country’s support of the Global Jobs Pact.
- 694.** *A Government representative of the United Republic of Tanzania* expressed appreciation for the Office’s efforts to promote the Decent Work Agenda, and concurred with the paper that the Global Jobs Pact was a good instrument for addressing crises. He stressed that youth employment remained a challenge and noted the problems of underemployment, low labour productivity and increasing informality in Africa. He encouraged the Office to

develop a more action-oriented strategy, including international cooperation, for an effective implementation of the Pact by member States.

- 695.** *A Government representative of India* said that global imbalances should be leveraged to address development issues. He noted that one way to add demand to the global economy was to expand infrastructure investment in developing countries. He recognized the contribution of the Global Jobs Pact and also highlighted national employment generation and poverty alleviation schemes that had provided employment to disadvantaged groups in India. He highlighted the need to build human resources and drew attention to India's national skills development policy in that regard.
- 696.** *A Worker member from Italy* recalled that the employment forecast for 2013–14 in the Eurozone showed that Europe was approaching a period of long stagnation and recession, but there was no reference in the paper to the harmful adjustment measures taken by European Union governments with regard to labour market institutions and the lack of negotiated solutions with the social partners. The need for economic governance was being used as a means to dismantle the existing social model by restricting negotiating mechanisms, attacking industrial relations systems, weakening social protection and the right to strike, privatizing public services, and putting downward pressure on collectively agreed wage levels. She warned that premature fiscal consolidation would not reduce sovereign debt in the absence of strong private demand, fair taxation policies and control over the financial sector. She called on the Office to demonstrate to its international partners, such as the G20 and the International Monetary Fund (IMF), the importance of achieving recovery without cuts in social protection measures, and without wage and social dumping.
- 697.** *A Government representative of the Russian Federation* noted that the objectives of the Global Jobs Pact were consistent with his country's priorities for socio-economic development. National strategies had emphasized modernization of the economy and the improvement of employment opportunities. The Russian economy was expected to remain dynamic in 2012. Improvements had been achieved in the areas of labour legislation, occupational safety and health and social protection, although challenges remained in the social security and pension systems. The Russian Federation sought to create 25 million jobs by 2020 by modernizing workplaces, providing greater support to young jobseekers and guaranteeing decent work. With reference to the G20 Summit in Cannes, the Paris Meeting of G20 Labour and Employment Ministers, the upcoming session of ECOSOC and the Rio +20 Conference, he called on ILO experts to actively promote employment, decent work, social security and poverty eradication.
- 698.** *A Government representative of the Bolivarian Republic of Venezuela* stated that the repercussions of the crisis of capitalism had been severe for workers, with job losses, wage cuts and an erosion of rights. He deplored the fact that the policies implemented in some crisis-hit countries had led to a slump in consumer demand and greater job insecurity, irrespective of people's needs and benefiting only international financial capital. He urged the ILO to speak up in defence of the principles and policies enshrined in the Global Jobs Pact.
- 699.** *A Government representative of the Republic of Korea* emphasized that economic recovery would not be sustainable without robust labour market recovery. He put forward his country as a good example of the successful implementation of Global Jobs Pact policies, including tripartite social dialogue. Those policies had made the Republic of Korea one of the fastest-recovering economies. His Government believed that the enhanced resilience of the labour market to economic crisis, efficient job-centred macroeconomic policies and well-established social protection floors were necessary. He requested the ILO to continue

identifying best practices to enable member States to apply those policies in their own countries.

- 700.** *A Worker member from Ghana* stated that the global crisis had impacted negatively on developing countries, in particular their export sectors, and had also led to a reduction in remittances. The negative consequences of the crisis could portend a great danger for nascent democracies in Africa. He stressed that unfair trade liberalization could lead to an influx of foreign goods, which would lead to the collapse of local industries and undermine job-creation opportunities in developing countries. He encouraged the ILO not to become subordinate to the trade policies promoted by the World Trade Organization (WTO), and to ensure that those policies were designed to promote decent work. The engagement of developing countries with international financial institutions was also placing restrictions on employment opportunities in the public sector. Youth employment in developing countries should be promoted through innovative policies and programmes, skills development and improved standards in the informal economy.
- 701.** *A Government representative of Brazil* stated that the milder impact of the economic crisis on Brazil was attributable to sound macroeconomic policies as well as to the social policies put in place in the previous decade. In spite of the economic downturn, poverty rates had continued to fall, largely owing to the increase in minimum wages and transfers to the least privileged. He stressed the importance of exchanging policy experiences and referred to the numerous cooperation agreements signed by his Government with the aim of sharing good practices and lessons learned. He underlined that sustainable development could only be achieved by policies leading to a fairer and more inclusive society.
- 702.** *A Government representative of Kenya* recalled the challenge of generating decent work opportunities for Africa's 1 billion young people. Slow trade and capital flows and high inflation rates were serious concerns. The Office should continue to promote multilateral policy consistency to reinforce the connection between employment and social policies and good macroeconomic performance, taking full advantage of the opportunities provided by ECOSOC and the Rio +20 Conference. It was regrettable that little attention had been paid to reviewing experiences in sub-Saharan Africa in the area of the promotion of Global Jobs Pact policies. She asked for greater support for the implementation of the Pact in her region.
- 703.** *A Government representative of Trinidad and Tobago* recalled that economies in the Caribbean were deeply affected by crisis because of their vulnerability to external shocks. The youth unemployment rate had increased by 2.8 per cent since 2008. She expressed appreciation for the ILO's consistent support for social partners in the region. The Global Jobs Pact had served as a platform for linking labour markets with economic and financial sectors. A number of measures had been undertaken in her country, including the improvement of financial market access for SMEs and support for the development of cooperatives. She asked the Office to give greater emphasis to capacity-building for implementation at the country level.
- 704.** *A Worker member from China* recalled that the European debt crisis was having an impact in the developing world. He asked for wider effort to collect country experiences and policy lessons. He stressed that the ILO should advocate respect for workers' rights and should encourage governments to adjust their investment strategies to focus on SMEs. He called for greater attention to the protection of the fundamental rights of informal workers, including freedom of association and collective bargaining. Governments should strengthen labour inspection, put in place a minimum wage system and pursue measures to safeguard the least protected workers.

- 705.** *A Government representative of Italy* stressed the sensitivity of the discussion on labour market reform in her country and the measures recently proposed by her Government to redress the current situation. Those measures intended to achieve two goals: to ensure financial stability and fiscal consolidation, while enhancing growth, competitiveness and employment. She noted that the proposed reform was being scrutinized by the Parliament. She emphasized the need for international cooperation. Her Government commended the quality of the ILO's contribution and was looking forward to exchanging views and finding solutions at the forthcoming meetings of ECOSOC, the G20 and Rio +20.
- 706.** *A Government representative of Qatar* said the statistics contained in the Office paper showed that measures by the ILO and the other international organizations had had a limited effect in softening the impact of the economic and financial crisis on labour markets. He believed that the Global Jobs Pact was valid beyond crisis periods and asked the Office for additional studies on good practice for dissemination through its regional offices. He noted the dysfunctions in the global financial system and called on the ILO to intensify its efforts to promote the social protection floors and provide technical assistance to member States. He stressed the importance of training, skills development and education in meeting the needs of national labour markets. He asked the Office to prepare a study on policy coordination in those areas for presentation at a future Governing Body session. He underlined the need to focus on youth employment and SME development and to enhance South–South, North–South and triangular cooperation.
- 707.** *A Government representative of China* stated that the paper provided a good overview of the global economic and employment situation. He advocated better coordination between employment, social and economic strategies. He shared some successful measures undertaken by the Chinese authorities: a comprehensive employment policy coordinated at all levels with supportive fiscal and industrial policies; a focus on new types of employment and initiatives to increase high-skill job opportunities; and a more proactive array of labour market policies. He acknowledged the international work of the ILO and the assistance it provided to its national constituents and urged the Office to further advance international cooperation and the promotion of the sharing of knowledge and experience across member States.
- 708.** *A Worker member from Bahrain* stated that the international crisis had had an adverse impact on both economic development and social progress. He noted that social dialogue was not a strong practice in his country, with negative consequences for social justice. New approaches standing apart from neoliberal thinking were needed to promote economic growth, employment and decent work. Policies should reflect the needs and priorities of the population of a country, with respect for social and workers' rights at their core. He called for further assistance from the ILO in fighting corruption and strengthening institutions that gave priority to social dialogue.
- 709.** *A Government representative of Pakistan* commended the focus of the paper on the sharing of experiences between different governments and constituents. He reiterated the support of his country for the ILO's Decent Work Agenda and stressed the importance of active labour market policies in overcoming the global recession. He drew attention to the large number of informal workers and homeworkers who were not covered by labour legislation. Pakistan was drafting a policy to extend its labour laws and social protection to home work. The country was also strengthening national technical education and training institutions and using programmes such as the Benazir Income Support Programme to address poverty by means of microcredit loans, vocational training and social protection.
- 710.** *A Government representative of Zambia* underlined that Zambia's export sector had not been unaffected by the crisis. To address those issues, Zambia had integrated the Global

Jobs Pact into its Decent Work Country Programme. Zambia was implementing policies to promote skills upgrades and SME development targeting school leavers, entrepreneurs, the unemployed and the underemployed. The country was also introducing an apprenticeship scheme to help young people manage the transition from school to work. In dealing with the crisis, Zambia had embraced social dialogue. He urged the Office to analyse micro and macro policies and governance capabilities and to take into consideration the informal economy.

- 711.** *A Government representative of Sudan* stressed that the difficult situation of his country had worsened since the independence of South Sudan. His Government was trying to address the problem of high unemployment and underemployment among university graduates and poorer families, in consultation with the social partners. Policies targeted infrastructure and microcredit. He called for support from development partners and the ILO to ensure stability and balanced economic and social development.
- 712.** *A Worker member from Brazil* noted that countries in the Latin America and Caribbean region, while enjoying relatively strong economic growth compared to other regions, faced continued inequalities between rich and poor. Some countries consistently violated fundamental rights and that was detrimental to growth and social protection. He underlined the good example of Argentina, Brazil and Uruguay, where strong involvement in tripartite dialogue had helped sustain social protection and redistributive policies that were consistent with the Global Jobs Pact and the Decent Work Agenda.
- 713.** *A representative of the Council of Europe* recalled that the European Social Charter adopted by the Council of Europe in 1961 guaranteed social and workers' rights in line with ILO standards. Along with the European Convention on Human Rights, it represented the core principles of the European democratic and social model. Fiscal austerity was making it difficult to implement and respect the social rights embedded in the Charter. The Charter offered a way to balance those conflicting constraints. Several complaints concerning Greece had been registered with the European Committee of Social Rights and other such developments were expected in 2012. He invited the ILO to join the Council of Europe Conference of Ministers responsible for social and labour issues planned for October 2012.
- 714.** *The Employer Vice-Chairperson* underlined the richness and variety of national experiences in applying the Global Jobs Pact. Referring to the point made by the Worker spokesperson about the introduction of a tax on financial transactions, he stated his group's opposition to such an initiative. The different policy initiatives to cope with the crisis had to be part of a stable macroeconomic environment that would encourage private investment. A focus on skills and employability should be linked to the issue of productivity since competitive pressures on enterprises were stronger during economic recession. The impact was particularly strong on SMEs, forcing them out of the market or into the informal economy. The task ahead would be to bring them back into formality by reducing constraints and providing better access to credit. He reiterated the need to respect the rule of law, the fundamental principles and rights at work and social protection. He called for clear distinctions between what was considered precarious employment and stable jobs. The Employers' group attached great importance to the involvement of the social partners in designing new policies adjusted to the current stage of the crisis and it considered that the Global Jobs Pact remained relevant.
- 715.** *The Worker spokesperson* pointed out that the components of the Global Jobs Pact had been carefully negotiated and should not be taken selectively, leaving out those concerned with respect for people's basic rights or with stimulating demand. He welcomed the Government representative of Egypt's announcement that Egypt would bring its labour legislation into line with the ILO's standards, in particular Conventions Nos 87 and 98. At

the same time, he demanded that the charges against an Egyptian trade unionist who had recently been sentenced to a six-month jail period be dropped. He welcomed the emphasis on the importance of sharing good practices and suggested that work in that area should continue. He remarked that the most vulnerable people had suffered most from the crisis and that they should be the target of policy initiatives. He also highlighted the importance of safeguarding minimum standards, social standards and automatic stabilizers. Referring to the remarks made by the representative of the Council of Europe, he called for further consideration of the need to respect social standards in Europe in spite of the difficult economic situation.

716. *The Director-General* concluded the discussion by highlighting some areas of convergence. Firstly, he noted evidence that the crisis was far from over and that it was affecting all countries. Unprotected workers, small enterprises and the poor were suffering most. Therefore, the ILO must continue to take action. Secondly, the Global Jobs Pact continued to be relevant in providing the necessary guidelines. The Pact was based on decent work and it drew its coherence from the coherence of the strategic pillars of the Decent Work Agenda. Country experiences showed that many national policy responses to the crisis had been inspired by the Pact and that the more the foundations for those policies had been put in place before the crisis the more successful they had been. The Pact was not just an ad hoc instrument for crisis response, but also a comprehensive approach to development. Thirdly, policy dialogue and the coherent articulation of investment, trade, finance and labour policies were ingredients of success at both the national and international levels. Fourthly, there was a common concern over developments in the Eurozone and their implications for social standards in Europe and beyond. The critical issue was fiscal consolidation approached in a socially responsible manner. Fifthly, opinions were divided concerning the taxation of financial transactions, but the need to put the financial system more at the service of the real economy was real and possibly worth a separate discussion.

717. Finally, he noted several references to the support provided by the Office to its constituents, for instance the importance of research and policy analysis and the Office's participation in relevant multilateral processes, as well as the idea of using the Global Jobs Pact approach as a basis for future Decent Work Country Programmes, adapted to each country's unique circumstances and priorities. In conclusion, he underlined that the discussion had provided concrete and practical elements forming a basis for the decisions that might be taken later in the governance segments of the Governing Body.

Outcome

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

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

313^e session - Genève - mars 2012
313th Session – Geneva – March 2012
313.^a reunión - Ginebra - marzo de 2012

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- Mr K. KIYONO, Deputy Director, International Affairs Division, Minister's Secretariat, Ministry of Health, Labour and Welfare.
- Mr T. OKI, Section Chief, International Affairs Division, Minister's Secretariat, Ministry of Health, Labour and Welfare.
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Lituanie Lithuania Lituania

- Mr J. RUDALEVICIUS, Ambassador Extraordinary and Plenipotentiary, Permanent Representative, Permanent Mission, Geneva.

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accompanied by:

- Mr A. GAILIUNAS, Minister Counsellor, Permanent Mission, Geneva.

Niger Níger

- M^{me} F. SABO, Ministre de la Fonction publique et du Travail.

suppléant(s):

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- M. H. SIDDO, Secrétaire général adjoint, ministère de la Fonction publique et du Travail.
- M. D. ISSA, Conseiller technique du Ministre, ministère de la Fonction publique et du Travail.
- M. D. ABDYOU, Directeur général du travail, ministère de la Fonction publique et du Travail.

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- M. A. BARINGAYE, Directeur général, Caisse nationale de sécurité sociale.
- M. S. GARANKÉ, Directeur général, Agence nationale pour la promotion de l'emploi.
- M^{me} M. KOUNTCHÉ GAZIBO, Première secrétaire, Mission permanente, Genève.

Qatar

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**Royaume-Uni
United Kingdom
Reino Unido**

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**Fédération de Russie
Russian Federation
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Mr S. KUZMENKOV, First Secretary, Permanent Mission, Geneva.

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**République-Unie de Tanzanie
United Republic of Tanzania
República Unida de Tanzania**

Ms G. MUGOSI KABAKA, Minister of Labour and Employment.

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Mr M. AYUB, Labour Officer, Ministry of Labour and Employment.

Mr C. MSIGWA, Director, Commission for Mediation and Arbitration, Ministry of Labour and Employment.

Togo

M. N. BROOHM, Ministre du Travail, de l'Emploi et de la Sécurité sociale.

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 M. K. NARTEH-MESSAN, Deuxième secrétaire, Mission permanente, Genève.

**Trinité-et-Tobago
 Trinidad and Tobago
 Trinidad y Tabago**

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Zambie Zambia

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Membres gouvernementaux adjoints Deputy Government members
Miembros gubernamentales adjuntos

Algérie Algeria Argelia

M. T. LOUH, Ministre du Travail, de l'Emploi et de la Sécurité sociale.

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République de Corée Republic of Korea República de Corea

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Emirats arabes unis United Arab Emirates Emiratos Árabes Unidos

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 Mr R. ARUAN, Deputy Director, Ministry of Manpower and Transmigration.
 Mr R. AMRULLAH, Ministry of Manpower and Transmigration.
 Ms M. DHANUTIRTO, Third Secretary, Permanent Mission, Geneva.
 Mr K. CAKERA, Director for Employment Opportunity, Ministry of Manpower and Transmigration.

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Kenya

Mr J. MUNYES, Minister of Labour.

substitute(s):

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Dr T. OKEYO, Ambassador, Permanent Representative, Permanent Mission, Geneva.

accompanied by:

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 Dr S. NYAMBARI, Labour Commissioner, Ministry of Labour.
 Ms E. ONUKO, Deputy Labour Commissioner, Ministry of Labour.
 Mr P. WAMOTO, Counsellor (Labour), Permanent Mission, Geneva.

Liban Lebanon Líbano

M^{me} N. RIACHI ASSAKER, Ambassadeur, Représentante permanente, Mission permanente, Genève.

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 M. A. FAYAD, Chef de Cabinet, ministère du Travail.
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Malte Malta

Ms A. CUTAJAR, Chargé d'affaires a.i., Permanent Mission, Geneva.

Mexique Mexico México

Sr. J. GÓMEZ CAMACHO, Embajador,
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Pakistan Pakistán

Mr M. RAJA, Federal Secretary, Ministry of
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Panama Panamá

Sra. A. CORTÉS AGUILAR, Ministra de
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Sr. A. FALCÓN, Asesor, Ministerio de Trabajo
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**Pays-Bas Netherlands
Países Bajos**

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 Mr J. VAN DER VELDEN, Policy Adviser, Ministry of Social Affairs and Employment.
 Ms M. VAN DER LINDEN, Policy Adviser, Ministry of Social Affairs and Employment.
 Ms J. BAAK, Policy Adviser, Ministry of Foreign Affairs.
 Mr W. VAN DIJK, Policy Adviser, Ministry of Foreign Affairs.
 Mr E. DRIESSEN, First Secretary, Permanent Mission, Geneva.
 Mr A. MELKERT.

**Roumanie Romania
Rumania**

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 Ms A. SPANU, Second Secretary, Permanent Mission, Geneva.

Soudan Sudan Sudán

Mr F. ABDALLA, Minister of Labour.

substitute(s):

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Mr H. AHMED, Deputy Permanent Representative, Permanent Mission, Geneva.

accompanied by:

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 Mr S. ABDALLAH, Ministry of Labour.
 Mr O. MOHAMMED, Counsellor, Permanent Mission, Geneva.
 Mr A. MOHAMED, Second Secretary, Permanent Mission, Geneva.

Sri Lanka

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 Mr R.P.A. WIMALAWEERA, Senior Assistant Secretary (Labour and Foreign Relations), Ministry of Labour and Labour Relations.
 Mr U.L.M. JAUHAR, Minister, Permanent Mission, Geneva.

Suisse Switzerland Suiza

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suppléant(s):

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M. D. LEDERGERBER, Secrétariat d'Etat à l'économie (SECO), Affaires internationales du travail.

M. D. VACHERON, Secrétariat d'Etat à l'économie (SECO), Affaires internationales du travail.

Thaïlande Thailand Tailandia

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Venezuela (Rép. bolivarienne) Venezuela (Bolivarian Rep.) Venezuela (Rep. Bolivariana de)

Sr. G. MUNDARAÍN HERNÁNDEZ, Embajador, Representante Permanente, Misión Permanente, Ginebra.

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Zimbabwe

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Membres employeurs titulaires Regular Employer members Miembros empleadores titulares	
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Mr A. FURLAN, accompanying Mr Lima Godoy.

Mr B. PANT, accompanying Mr Modi.

**Membres employeurs adjoints Deputy Employer members
Miembros empleadores adjuntos**

- Mr O. ALRAYES (Bahrain), Bahrain Chamber of Commerce and Industry.
- M. K. DE MEESTER (Belgique), Premier conseiller, Fédération des entreprises de Belgique.
- M. O. DIALLO (Côte d'Ivoire), Conseiller du Président, Confédération générale des entreprises de Côte d'Ivoire.
- Mr D. DJIMANTO (Indonesia), Deputy Chairman, The Employers' Association of Indonesia.
- Sr. A. ECHAVARRÍA SALDARRIAGA (Colombia), Vicepresidente Asuntos Jurídicos y Sociales, Asociación Nacional de Industriales (ANDI).
- Mr A. FRIMPONG (Ghana), Chief Executive Officer, Ghana Employers' Association.
- Ms L. HORVATIC (Croatia), Director, International Affairs, Croatian Employers' Association (CEA).
- Mr A. JEETUN (Mauritius), Director-General, Mauritius Employers' Federation.
- Sr. A. LINERO (Panamá), Consejo Nacional de la Empresa Privada (CONEP).
- Ms H. LIU (China), Deputy Director, China Enterprise Confederation (CEC).
- Mr M. MDWABA (South Africa).
- M. M. MEGATELI (Algérie), Secrétaire général, Confédération générale des entreprises algériennes (CGEA).
- Ms M. MOSKVINA (Russian Federation), Director, Labour Relations, Russian Union of Industrialists and Entrepreneurs (RSPP).
- Sra. A. MUÑOZ (Venezuela (Rep. Bolivariana de)), ex Presidenta, Federación de Cámaras y Asociaciones de Comercio y Producción de Venezuela.
- M. A. SAVANÉ (Guinée), Secrétaire général, Conseil national du patronat guinéen (CNP-Guinée).
- Mr F. WELZIJN (Suriname), President, Suriname Aluminum Company LLC.
- Mr P. WOOLFORD (Canada), President, Clairmark Consulting Ltd.
- M. A. YUMA (Rép. Dém. du Congo), Président du Conseil d'administration, La Générale des carrières et des mines.

-
- Ms Y. KULAK, accompanying Ms Moskvina.
- M^mc S. NEGHAZA, accompagnant M. Megateli.
- Mr O. ROMANOVSKY, accompanying Ms Moskvina.
- Mr A. SHOKHIN, accompanying Ms Moskvina.
- Mr J. VAN DER BRAAK, accompanying Ms van Embden Andres.
- M. H. YOUSFI, accompagnant M. Megateli.

Membres suppléants assistant à la session:

Substitute members attending the session:

Miembros suplentes presentes en la reunión:

Mr M. JAVED (Pakistan), President, Employers Federation of Pakistan (EFP).

M. B. MATTHEY (Suisse), Directeur général, Fédération des entreprises romandes Genève (FER-GE).

Membres travailleurs titulaires Regular Worker members Miembros trabajadores titulares	
Vice-président du Conseil d'administration: Vice-Chairperson of the Governing Body: Vicepresidente del Consejo de Administración:	M. L. CORTEBEECK (Belgique)
Secrétaire du groupe des travailleurs: Secretary of the Workers' group: Secretario del Grupo de los Trabajadores:	Sra. R. GONZÁLEZ (ITUC)
Secrétaire adjoint du groupe des travailleurs: Deputy Secretary of the Workers' group: Secretario adjunto del Grupo de los Trabajadores:	Ms E. BUSSER (ITUC)

Mr N. ADYANTHAYA (India), Vice-President, Indian National Trade Union Congress (INTUC).

Mr F. ANTONY (Fiji), Fiji Trade Union Congress.

Mr K. ASAMOAH (Ghana), Secretary General, Ghana Trade Union Congress (TUC).

Ms B. BYERS (Canada), Executive Vice-President, Canadian Labour Congress (CLC–CTC).

M. L. CORTEBEECK (Belgique), Vice-président du Conseil d'administration du BIT, Président, Confédération des syndicats chrétiens.

M^{me} R. DIALLO SERAH (Guinée), Présidente d'honneur, Confédération nationale des travailleurs de Guinée (CNTG).

Ms S. FOX (United States), American Federation of Labor and Congress of Industrial Organizations (ALF–CIO).

Sr. J. GÓMEZ ESGUERRA (Colombia), Secretario General, Confederación General del Trabajo (CGT).

Mr S. GURNEY (United Kingdom), Labour Standards and World Trade, Trade Union Congress (TUC).

Mr G. JIANG (China), Executive Committee Member, All China Federation of Trade Unions (ACFTU).

M^{me} H. KADDOUS (Algérie), membre de la Commission exécutive nationale, Union générale des travailleurs algériens (UGTA).

Mr T. SAKURADA (Japan), Adviser on International Affairs, JTUC–Rengo.

Mr M. SHMAKOV (Russian Federation), President, Federation of Independent Trade Unions of Russia (FNPR).

Mr M. SOMMER (Germany), President, Deutscher Gewerkschaftsbund (DGB).

M. E. BEN MOUHOU, accompagnant M^{me} Kaddous.

Ms M. HAYASHIBALA, accompagnant Mr Sakurada.

Ms B. KÜHL, accompagnant Mr Sommer.

M^{me} V. ROUSSEAU, accompagnant M. Cortebeek.

Mr A. ZHARKOV, accompagnant Mr Shmakov.

Membres travailleurs adjoints Deputy Worker members
Miembros trabajadores adjuntos

- Mr F. ATWOLI (Kenya), General Secretary, Central Organization of Trade Unions (COTU).
- Sra. I. CARCAMO (Honduras), Secretaria de Educación, Confederación Unitaria de Trabajadores.
- M. R. DE LEEUW (Belgique), Président, Fédération générale du travail de Belgique (ABVV-FGTB).
- Ms C. DEL RIO (Italy), Head of the International Department, Unione Italiana del Lavoro (UIL).
- M. F. DJONDANG (Tchad), Secrétaire général, Union des syndicats du Tchad (UST).
- Sra. E. FAMILIA (República Dominicana), Vicepresidenta, Confederación Nacional de Unidad Sindical (CNUS).
- Sra. M. FRANCISCO (Angola), Secretaria, Relaciones Internacionales, Unión Nacional de los Trabajadores, Confederación Sindical (UNTA-CS).
- M. B. HOSSU (Roumanie), Président, Confederația Națională Sindicală Cartel Alfa (Cartel ALFA).
- Mr A. HUSSAIN (Bahrain), Assistant General Secretary for Arab and International Relations, General Federation of Bahrain Trade Unions (GFBTU).
- Sr. G. MARTINEZ (Argentina), Secretario internacional, Confederación General del Trabajo (CGT).
- Ms M. NIZAMANI (Pakistan), Pakistan Workers' Federation (PWF).
- Mr B. NTSHALINTSHALI (South Africa), Deputy General-Secretary, Congress of South African Trade Unions (COSATU).
- Ms B. PANDEY (Nepal), General Federation of Nepalese Trade Unions.
- Mr R. SILABAN (Indonesia), Chairman, Konfederasi Serikat Buruh Sejahtera Indonesia (K-SBSI).
- Ms S. SIWELA (Zimbabwe), First Vice-President, Zimbabwe Congress of Trade Unions (ZCTU).
- Mr N. SOUZA DA SILVA (Brazil), Secretario, Relaciones Internacionales, Força Sindical.
- Ms T. SUNDNES (Norway), Confederal Secretary, Landsorganisasjonen i Norge (LO).
- M. Y. VEYRIER (France), Secrétaire confédéral, Confédération générale du travail - Force ouvrière (CGT-FO).
- Ms A. WOLANSKA (Poland), Head, International Department, Niezależny Samorządny Związek Zawodowy "Solidarność" (NSZZ).

M. R. LAMAS, accompagnant M. de Leeuw.

Représentants d'autres Etats Membres de l'Organisation assistant à la session
Representatives of other member States of the Organization present at the session
Representantes de otros Estados Miembros de la Organización presentes en la reunión

Afrique du Sud South Africa
Sudáfrica

Mr N. NHLEKO, Department of Labour.
 Mr M. SKHOSANA, Department of Labour.
 Mr S. NDEBELE, Minister, Permanent Mission,
 Geneva.

Albanie Albania

Mr S. QERIMAJ, Ambassador, Permanent
 Representative, Permanent Mission, Geneva.
 Ms D. XHIXHO, Second Secretary, Permanent
 Mission, Geneva.

Arabie saoudite Saudi Arabia
Arabia Saudita

Mr W. ALORAINAN, Adviser, Ministry of
 Labour.
 Mr A. ELTELAWI, Legal Expert, Ministry of
 Labour.

Autriche Austria

Ms I. DEMBSHER, Head of International Social
 Policy Unit, Federal Ministry of Labour,
 Social Affairs and Consumer Protection.
 Mr C. STROHAL, Ambassador, Permanent
 Representative, Permanent Mission, Geneva.
 Ms E. JAMEK, Counsellor, Permanent Mission,
 Geneva.
 Ms C. LOBNIG, Adviser, Permanent Mission,
 Geneva.

Bahreïn Bahrain Bahrein

Mr J. HUMAIDAN, Minister of Labour
 Mr Y. BUCHEERI, Ambassador, Permanent
 Representative, Permanent Mission, Geneva.

Mr M. ALANSARI, Assistant Undersecretary
 for Labour Affairs, Ministry of Labour.
 Mr F. MOHAMED, Director of Public and
 International Relations Directorate, Ministry
 of Labour.
 Mr E. ALTAWIL, Director of Minister's Office,
 Ministry of Labour.
 Mr B. AHMED, Second Secretary, Permanent
 Mission, Geneva.
 Mr F. ALBAKER, Second Secretary, Permanent
 Mission, Geneva.
 Mr A. SAMET, Legal Adviser, Ministry of
 Labour.

Bélarus Belarus Belarús

Mr I. STAROVOYTOV, Deputy Minister of
 Labour and Social Protection.
 Mr M. KHVOSTOV, Ambassador, Permanent
 Representative, Permanent Mission, Geneva.
 Mr A. ANDREEV, First Secretary, Permanent
 Mission, Geneva.

Belgique Belgium Bélgica

M. F. ROUX, Ambassadeur, Représentant
 permanent, Mission permanente, Genève.
 M. F. VANDAMME, Conseiller général, Chef
 de la Division des affaires internationales,
 Service public fédéral emploi, travail
 et concertation sociale.
 M^{me} T. BOUTSEN, Conseillère générale,
 Division des affaires internationales, Service
 public fédéral emploi, travail et concertation
 sociale.
 M^{me} S. SISSOKO, Collaboratrice, Cabinet du
 Ministre de l'Emploi, Service public fédéral
 emploi, travail et concertation sociale.
 M^{me} M. DENEFFE, Conseillère, Mission
 permanente, Genève.
 M^{me} S. KEPPENS, Attachée, Service public
 fédéral affaires étrangères, commerce
 extérieur et coopération au développement.

M. M. CLAIRBOIS, Conseiller, Délégation de la communauté française de Belgique et de la région wallonne à Genève.

Ms J. BYNENS, Representative of the Flemish Government to the Multilateral Organizations.

M. W. CARLIER, Policy Officer, Flemish Department of Foreign Affairs.

Bénin Benin

M^{me} M. KORA ZAKI LEADI, Ministre du Travail et de la Fonction publique.

M. Z. IBRAHIMA, Conseiller technique aux affaires sociales, ministère du Travail et de la Fonction publique.

M. E. DJAGOUN AFOUDA, Directeur général du travail, ministère du Travail et de la Fonction publique.

M^{me} P. DJIDJOHO, Directrice des normes du travail, ministère du Travail et de la Fonction publique.

Bolivie (Etat plurinational) Bolivia (Plurinational State of) Bolivia (Estado Plurinacional de)

Sra. A. NAVARRO LLANOS, Embajadora, Representante Permanente, Misión Permanente, Ginebra.

Sr. F. ROSALES LOZADA, Primer Secretario, Misión Permanente, Ginebra.

Sr. R. LÓPEZ GARCÍA, Segundo Secretario, Misión Permanente, Ginebra.

Bosnie-Herzégovine Bosnia and Herzegovina Bosnia y Herzegovina

Ms I. SUZNEVIC, First Secretary, Permanent Mission, Geneva.

Burkina Faso

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

M^{me} S. BAKYONO, Deuxième conseillère, Mission permanente, Genève.

Cameroun Cameroon Camerún

M. A. NKOU, Ambassadeur, Représentant permanent, Mission permanente, Genève.

M. F. NGANTCHA, Ministre conseiller, Mission permanente, Genève.

République centrafricaine Central African Republic República Centroafricana

M. L. SAMBA, Ambassadeur, Représentant permanent, Mission permanente, Genève.

M. G. TOUANGAI, Premier conseiller, Mission permanente, Genève.

Côte d'Ivoire

M. G. KAFANA, Ministre d'Etat, Ministre de l'Emploi, des Affaires sociales et de la Solidarité

M. K. ADJOUANI, Ambassadeur, Représentant permanent, Mission permanente, Genève.

M. N. BAMBA, Directeur général du travail, ministère de l'Emploi, des Affaires sociales et de la Solidarité.

M. F. GLEGLAUD, Premier conseiller, Mission permanente, Genève.

M^{me} B. QUACOE, Conseiller, Mission permanente, Genève.

M. T. MORIKO, Conseiller, Mission permanente, Genève.

M. L. BAMBA, Conseiller, Chargé du protocole, Mission permanente, Genève.

Croatie Croatia Croacia

Ms V. VUKOVIC, Ambassador, Permanent Representative, Permanent Mission, Geneva.

Ms J. DERSVIS, Minister Counsellor, Permanent Mission, Geneva.

Ms D. ZUNEC BRANDT, First Secretary, Permanent Mission, Geneva.

Ms L. ROMANO, Second Secretary, Permanent Mission, Geneva.

Equateur Ecuador

Sr. A. MORALES, Representante Permanente Alterno, Misión Permanente, Ginebra.
 Sr. L. ESPINOSA SALAS, Consejero, Misión Permanente, Ginebra.
 Sr. J. SÁNCHEZ, Primer Secretario, Misión Permanente, Ginebra.

Espagne Spain España

Sr. B. MONTESINO MARTÍNEZ DEL CERRO, Embajador, Representante Permanente Adjunto, Misión Permanente, Ginebra.
 Sr. M. VECINO QUINTANA, Consejero, Misión Permanente, Ginebra.
 Sr. J. MEMBRADO GINER, Agregado, Misión Permanente, Ginebra.
 Sr. M. FERNÁNDEZ DIEZ-PICAZO, Subdirector General de Análisis del Mercado de Trabajo, Ministerio de Empleo y Seguridad Social.
 Sra. C. RÓDENAS CARRETERO, Asesora Internacional, Ministerio de Empleo y Seguridad Social.
 Sr. M. FRAILE PASTOR, Gabinete Ministra, Ministerio de Empleo y Seguridad Social.
 Sra. N. MARTÍ NIKLEWITZ, Asistente, Misión Permanente, Ginebra.

Estonie Estonia

Ms M. HION, Counsellor, Permanent Mission, Geneva.

Ethiopie Ethiopia Etiopía

Mr G. AYEHU, Minister Counsellor, Permanent Mission, Geneva.

Finlande Finland Finlandia

Mr H. HIMANEN, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Mr A. RYTÖVUORI, Minister, Deputy Permanent Representative, Permanent Mission, Geneva.

Ms R. KANGASPERKO, Government Counsellor, Ministry of Employment and the Economy.

Ms L. HEINONEN, Senior Officer, Legal Affairs, Ministry of Employment and the Economy.

Ms P. KANTANEN, Administrator, Legal Affairs, Ministry for Foreign Affairs.

Mr T. KIVELÄ, Counsellor, Ministry for Foreign Affairs.

Ms H. NISSINEN, Second Secretary, Permanent Mission, Geneva.

Ms K. ROTHSTEN, Permanent Mission, Geneva.

Géorgie Georgia

Ms E. KIPIANI, Counsellor, Permanent Mission, Geneva.

Grèce Greece Grecia

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

Ms S. DIMARCHOPOULOU, Permanent Mission, Geneva.

Guatemala

Sr. C. CONTRERAS, Ministro de Trabajo y Previsión Social.

Sr. C. MARTÍNEZ ALVARADO, Representante Permanente, Misión Permanente, Ginebra.

Sra. A. CHÁVEZ BIETTI, Ministro Consejero, Misión Permanente, Ginebra.

Haïti Haiti Haití

M. J. ALEXANDRE, Ministre Conseiller, Mission permanente, Genève.

Honduras

Sr. R. BERMÚDEZ, Embajador, Representante Permanente, Misión Permanente, Ginebra.

Sra. M. BENNATON, Embajadora, Representante Permanente Alternativa, Misión Permanente, Ginebra.

Sra. A. LANZA, Consejera, Misión Permanente, Ginebra.

Iraq

Ms M. AL-ADHAMI, Third Secretary, Ministry of Foreign Affairs.

Irlande Ireland Irlanda

Mr G. CORR, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Mr D. MORRIN, Deputy Permanent Representative, Permanent Mission, Geneva.
 Ms M. M^CMAHON, Employment Rights Legislation Division, Department of Jobs, Enterprise and Innovation.

Jordanie Jordan Jordania

Mr R. SUKAYRI, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Mr M. NIMRAT, Deputy Permanent Representative, Minister Plenipotentiary, Permanent Mission, Geneva.
 Mr S. DAJANI, Special Adviser for ILO Affairs, Permanent Mission, Geneva.

Lesotho

Mr L. RAMONE, Minister Counsellor, Permanent Mission, Geneva.

Ex-République yougoslave de Macédoine, The former Yugoslav Rep. of Macedonia Ex Rep. Yugoslava de Macedonia

Mr B. BILALI, Third, Secretary, Permanent Mission, Geneva.

Malaisie Malaysia Malasia

Mr A. AB RAHAMAN, Deputy Director of Labour, Ministry of Human Resources.
 Mr D. HASHIM, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Ms S. ADNIN, Deputy Permanent Representative, Permanent Mission, Geneva.
 Mr A. BAKHTIAR, Counsellor, Permanent Mission, Geneva.
 Mr R. BAHARI, Labour Attaché, Permanent Mission, Geneva.
 Mr J. SUNDARAM, Assistant Secretary-General for Economic Development, United Nations.
 Mr J. JOACHIM, Deputy Director-General of Labour, Ministry of Human Resources.

Maroc Morocco Marruecos

M. O. HILALE, Ambassadeur, Représentant permanent, Mission permanente, Genève.
 M. A. LASSEL, Ministre plénipotentiaire, Mission permanente, Genève.
 M. A. SAMRI, Ministre plénipotentiaire, Mission permanente, Genève.

Mozambique

M^{me} F. RODRIGUES, Ambassadeur, Représentante permanente, Mission permanente, Genève.
 M. J. DENGO, Premier secrétaire, Mission permanente, Genève.

Namibie Namibia

Mr S. MARUTA, Chargé d'affaires a.i., Permanent Mission, Geneva.
 Mr C. HORN, Deputy Director, International Relations and Advice, Ministry of Labour and Social Welfare.
 Ms S. NGHINAMUNDOVA, First Secretary, Permanent Mission, Geneva.
 Mr A. NGHIFITIKEKO, First Secretary, Permanent Mission, Geneva.
 Ms S. KATJINGISIUA, Second Secretary, Permanent Mission, Geneva.

Nigéria Nigeria

Mr E. WOGU, Minister of Labour and Productivity
 Mr A. OZODINOBI, Permanent Secretary, Federal Ministry of Labour.
 Mr O.C. ILLOH, Director (Productivity Measurement), Federal Ministry of Labour and Productivity.
 Mr A.A. ADEYEMO, Deputy Director (Nelex), Federal Ministry of Labour and Productivity.
 Ms T. BRAIMAH, Deputy Director (Productivity Measurement), Federal Ministry of Labour and Productivity.
 Mr P. AJUZIE, Minister /Labour Attaché, Permanent Mission, Geneva.

Norvège Norway Noruega

Ms G. KVAM, Director-General, Ministry of Labour.
 Ms G. YTTERDAL, Senior Adviser, Ministry of Labour.
 Ms C. ANDERSEN, Senior Adviser, Ministry of Foreign Affairs.

Nouvelle-Zélande New Zealand Nueva Zelandia

Mr M. HOBBY, Principal Adviser, International, Department of Labour.

Paraguay

Sra. N. DA SILVA BOSCHERT, Ministra, Misión Permanente, Ginebra.
 Sr. R. RECALDE, Segundo Secretario, Misión Permanente, Ginebra.

Pérou Peru Perú

Sra. L. CABALLERO DE CLULOW, Representante Permanente Alterno, Encargada de Negocios a.i., Misión Permanente, Ginebra.
 Sr. H. WIELAND CONROY, Representante Permanente Alterno, Misión Permanente, Ginebra.

Sra. S. ALVARADO SALAMANCA, Segunda Secretaria, Misión Permanente, Ginebra.

Philippines Filipinas

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

Pologne Poland Polonia

Mr R. HENCZEL, Ambassador, Permanent Representative, Permanent Mission, Geneva.
 Ms M. NOJSZEWSKA-DOCHEV, First Secretary, Permanent Mission, Geneva.
 Ms A. MARZEC-BOGULAWSKA, Executive Director, National AIDS Centre, The Agency of the Ministry of Health.
 Ms J. GLAZEWSKA, Specialist, National AIDS Centre, The Agency of the Ministry of Health.
 Ms N. WALCZAK, Permanent Mission, Geneva.

Portugal

M. A. VALADAS DA SILVA, Conseiller, Mission permanente, Genève.

République dominicaine Dominican Republic República Dominicana

Sr. H. HERNÁNDEZ SÁNCHEZ, Embajador, Representante Permanente, Misión Permanente, Ginebra.
 Sr. P. MEDINA JIMÉNEZ, Ministro Consejero, Misión Permanente, Ginebra.
 Sr. R. CÉSPEDES.

Saint-Siège The Holy See Santa Sede

M^{gr} M. TOMASI, Nonce apostolique, observateur permanent du Saint-Siège, Mission permanente, Genève.

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

Sénégal Senegal

M. F. SECK, Ambassadeur, Représentant permanent, Mission permanente, Genève.
M. A. WAHAB HAIDARA, Ministre conseiller, Mission permanente, Genève.
M^{me} N. LO, Première conseillère, Mission permanente, Genève.

**Singapour Singapore
Singapur**

Ms Y. TAN, Ambassador, Permanent Representative, Permanent Mission, Geneva.
Mr S. PANG, Deputy Permanent Representative, Permanent Mission, Geneva.
Mr B. YIM, Deputy Director (Criminal Practice Group B), Legal Services Department, Ministry of Manpower.
Mr D. CHAN, Manager, International Labour and Ops Policy, Labour Relations and Workplaces Division, Ministry of Manpower.
Ms C. LEE, First Secretary, Permanent Mission, Geneva.

**Slovénie Slovenia
Eslovenia**

Ms K. STERBENC, Senior Adviser, Ministry of Labour, Family and Social Affairs.

Suède Sweden Suecia

Mr J. REITER, Deputy Head of Mission, Permanent Mission, Geneva.
Mr U. LINDELL, Minister Counsellor, Permanent Mission, Geneva.
Ms A. SÖDER, Director, Ministry for Foreign Affairs.
Ms M. SAHLIN, Senior Adviser, Ministry of Employment.
Mr C. ERIKSSON, Director, Special Expert, Ministry of Employment.

Mr O. EKÉUS, First Secretary, Permanent Mission, Geneva.
Mr J. FREDERIKSSON, Permanent Mission, Geneva.

**République tchèque
Czech Republic
República Checa**

Mr M. FUCHS, Director, Department of European Union and International Cooperation, Ministry of Labour and Social Affairs.
Mr I. PINTÉR, Counsellor, Permanent Mission, Geneva.

Tunisie Tunisia Túnez

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

Turquie Turkey Turquía

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

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

**Nations Unies
United Nations
Naciones Unidas**

Mr J. TYSZKO, Senior Adviser, Cosponsor Relations and Governance, Joint United Nations Programme on HIV/AIDS.
Ms A. PHILLIPS-PEARCE, Partnership Adviser, Partnership Department, Joint United Nations Programme on HIV/AIDS.
Ms A. HEWSON, External Relations Officer, Cosponsor Relations and Governance, Joint United Nations Programme on HIV/AIDS.

**Joint Inspection Unit
Corps commun d'inspection
Dependencia Común de Inspección**

M. M. ZAHRAN, Président.
M^{me} S. FRUEH, Secrétaire exécutive.

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

Mr A. EGZIABHER, Senior Environmental Coordinator, Operations Solutions and Transitions Section, Division for Programme Support and Management.

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

Ms C. MOLINIER, Director, UNDP Office in Geneva.
Mr A. LAFFITTAN, UNDP Office in Geneva.

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

Mr A. OULD AHMED, Director, FAO Liaison Office with the United Nations.

**Organisation des Nations Unies pour l'éducation, la science et la culture
United Nations Educational, Scientific and Cultural Organization
Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura**

Ms K. HOLST, Liaison Officer of the Geneva Office.

Fonds monétaire international
International Monetary Fund
Fondo Monetario Internacional

Mr E. VAN DER MENSBRUGGHE, Director, Offices in Europe, IMF Offices in Europe.

Banque mondiale
World Bank
Banco Mundial

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

Organisation mondiale du commerce
World Trade Organization
Organización Mundial del Comercio

Ms J. CHAKARIAN-RENOUF, Counsellor, Trade and Environment Division.

Organisation internationale pour les migrations
International Organization for Migration
Organización Internacional para las Migraciones

Mr T. PASHA, Senior Labour Migration Specialist, Department of Migration Management.

Ms P. PACE, Migration Law Specialist, International Migration Law.

Ms L. WHITE, Project Officer, Department of Migration Management.

Ms S. BORJA, Administrative Assistant, Migration Health Division.

Organisation internationale de la francophonie
Organización Internacional de la Francofonía

M. R. BOUABID, Ambassadeur, observateur permanent.

M^{me} S. COULIBALY LEROY, observatrice permanente adjointe.

Union africaine
African Union
Unión Africana

Mr G. NAMEKONG, Chargé d'affaires a.i., Permanent Delegation of the African Union in Geneva.

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

Organisation arabe du travail
Arab Labour Organization
Organización Árabe del Trabajo

Mr A. LUQMAN, Director-General.

Mr R. GUISSOUMA, Head, Permanent Delegation of the ALO in Geneva.

Ms D. SAEED, Chief of Cabinet.

Ms Z. KASBAOUI, Permanent Delegation of the ALO in Geneva.

Union européenne**European Union****Unión Europea**

Ms M. ZAPPÌA, Ambassador, Head of the Permanent Delegation of the European Union to the United Nations in Geneva.

Mr D. ILIOPOULOS, Ambassador and Deputy Head of the Permanent Delegation of the European Union to the United Nations in Geneva.

Ms J. HIVONNET, Minister Counsellor, Permanent Delegation of the European Union to the United Nations in Geneva.

Mr M. FERRI, First Counsellor, Permanent Delegation of the European Union to the United Nations in Geneva.

Ms M. PLAZENET, Permanent Delegation of the European Union to the United Nations in Geneva.

Mr M. MORASS, Acting Head, Unit for External Relations, Neighbourhood Policy, Enlargement IPA, Directorate General for Employment, Social Affairs and Inclusion, European Commission.

Ms S. BOEHMERT, Administrator, Unit for External Relations, Neighbourhood Policy, Enlargement IPA, Directorate General for Employment, Social Affairs and Inclusion, European Commission.

Ms B. ZABOROWSKA, Administrator, Unit for External Relations, Neighbourhood Policy, Enlargement IPA, European Commission.

Ms E. PICHOT, Administrator, Unit for Labour Law, Directorate General for Employment, Social Affairs and Inclusion, European Commission.

Conseil de l'Europe**Council of Europe****Consejo de Europa**

Mr P. DUMITRIU, Permanent Observer of the Council of Europe in Geneva.

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

**Fédération syndicale mondiale
World Federation of Trade Unions
Federación Sindical Mundial**

Ms O. OVIEDO DE LA TORRE, Permanent Representative at the ILO.
Mr M. ALIGISAKIS, Adviser.

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

Mr B. WILTON, Acting Secretary of the Employers' group of the ILO Governing Body.

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

Mr H. SUNMONU, Secretary-General.
Mr D. DIOP, Deputy Secretary-General.
Mr A. DIALLO, Permanent Representative to the ILO and UN Office in Geneva.

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

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

**Confédération syndicale internationale
International Trade Union Confederation
Confederación Sindical Internacional**

Ms R. GONZALEZ, Director, Geneva Office.
Ms E. BUSSER, Assistant Director, Geneva Office.
Mr K. ADU-AMANKWAH, General-Secretary, ITUC–Africa.

**Mouvement de libération
Liberation movement
Movimiento de liberación**

Palestine Palestina

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

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