



## **Report of the Chairperson of the Governing Body to the International Labour Conference for the year 2012–13**

This report on the work of the Governing Body is submitted to the Conference in accordance with section 5.5.1 of the Standing Orders of the Governing Body. It covers the period since the last general session of the Conference (June 2012), i.e. the 315th (June 2012), 316th (November 2012) and 317th (March 2013) Sessions of the Governing Body. It focuses only on the highlights of the Governing Body's year, on the basis of the respective agendas, and does not cover any matter otherwise before the Conference.

For more extensive and detailed information on the work of the Governing Body, including the minutes of the three sessions under consideration, and the documents submitted to the Governing Body itself, please refer to the Governing Body website.<sup>1</sup>

### **I. Institutional Section**

#### **1. Declaration of loyalty by the Director-General**

Pursuant to article 1.4(a) of the Staff Regulations, Mr Guy Ryder, Director-General of the ILO, made and signed the prescribed declaration of loyalty at the 316th Session of the Governing Body (November 2012).

#### **2. Agendas of the 103rd (2014) and 104th (2015) Sessions and beyond of the International Labour Conference**

At its 316th Session (November 2012), the Governing Body considered proposals for the agenda of the 103rd Session (2014) and beyond of the International Labour Conference, taking into account informal tripartite discussions held prior to its discussion.<sup>2</sup> Such consultations are now integrated into the Governing Body agenda-setting process to provide tripartite guidance to the Office and facilitate discussions in the Governing Body. On this basis, the Governing Body deferred its decisions on this point until its 317th Session (March 2013).

<sup>1</sup> Visit [www.ilo.org/gb](http://www.ilo.org/gb).

<sup>2</sup> GB.316/INS/4.

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At its 317th Session (March 2013), the Governing Body undertook a further examination of the existing proposals together with other ones, in light of the discussion that took place during its 316th Session (November 2012) and additional consultations.<sup>3</sup> The Governing Body completed the agenda of the 103rd Session (2014) of the Conference by selecting two technical items, which were added to the recurrent discussion on the strategic objective of employment already selected under the recurrent discussion cycle. The two technical items are: (i) supplementing the Forced Labour Convention, 1930 (No. 29), to address implementation gaps to advance prevention, protection and compensation measures, to effectively achieve the elimination of forced labour (standard setting, single discussion); (ii) facilitating transitions from the informal to the formal economy (standard setting, double discussion). The Governing Body also approved the programme of reduced intervals for the preparatory stages of a single discussion and of a double discussion of a standard-setting item.<sup>4</sup>

Furthermore, and as part of the preparatory work for the standard-setting item concerning the informal economy, the Governing Body approved the arrangements for a Tripartite Meeting of Experts to be held from 16–20 September 2013. This same item was also included on the agenda of the 104th Session (2015) of the International Labour Conference, given that it is for a double discussion. Also on the agenda is the recurrent discussion on the strategic objective of social protection (labour protection), already selected under the recurrent discussion cycle. The Governing Body decided to defer to its 319th Session (October 2013) the adoption of a decision completing the agenda of the 104th Session (2015) of the Conference.<sup>5</sup>

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

In March 2013, the Governing Body examined an Office paper on the promotion of the fundamental principles and rights at work in countries which have not yet ratified the relevant Conventions.<sup>6</sup> The speakers noted with satisfaction the reporting rate of 100 per cent for the second consecutive year. They also noted the increase in the participation of employers' and workers' organizations in the process as well as the number of new ratifications of fundamental Conventions, which went from six in 2011 to 15 in 2012. While hoping that the implementation of the ILO Plan of Action on Fundamental Principles and Rights at Work would sustain the ratification and implementation processes, the Governing Body invited the Director-General to take into account its guidance with regard to assisting member States to respect, promote and realize fundamental principles and rights at work.<sup>7</sup>

<sup>3</sup> GB.317/INS/2(Rev.).

<sup>4</sup> GB.317/INS/2(Rev.), para. 12, as amended.

<sup>5</sup> GB.317/INS/2(Rev.), para. 17, as amended.

<sup>6</sup> GB.317/INS/3.

<sup>7</sup> GB.317/INS/3, para. 127.

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#### **4. Matters arising out of the 101st Session (2012) of the International Labour Conference**

##### ***Follow-up to the decision adopted by the International Labour Conference on certain matters arising out of the report of the Committee on the Application of Standards of the 101st Session (2012) of the International Labour Conference***

At the 101st Session (2012) of the International Labour Conference, the Committee on the Application of Standards was not able to adopt for discussion a list of cases on the application of ratified Conventions. As a result, the Committee requested the Conference to refer certain matters arising out of its report to the Governing Body at its 315th Session (June 2012), inviting it to take appropriate follow-up as a matter of urgency, including through informal tripartite consultations prior to its 316th Session (November 2012).

At its 315th Session (June 2012), the Governing Body: (a) decided to include on the agenda of its 316th Session (November 2012) the decision taken by the Conference; (b) authorized the Chairperson of the Governing Body, assisted by the two Vice-Chairpersons, to undertake informal tripartite consultations with the Government, Employers' and Workers' groups for consideration by the Governing Body at its 316th Session.<sup>8</sup>

These informal tripartite consultations were held on 19 September 2012 under the direction of the Chairperson of the Governing Body.

At its 316th Session (November 2012), the Governing Body was provided with a summary report on the informal tripartite consultations held in September 2012. Noting the outcome of these consultations and the participants' commitment to pursue discussions in a constructive manner, the Governing Body invited its Officers to pursue informal tripartite consultations and to report to the Governing Body at its 317th Session (March 2013).<sup>9</sup>

A second round of informal tripartite consultations was held on 19–20 February 2013. Upon the recommendation of the Director-General, the Officers of the Governing Body, within the context of these consultations, invited the Committee of Experts on the Application of Conventions and Recommendations (CEACR) to meet with constituents.

Another summary report of these consultations was submitted to the 317th Session (March 2013) of the Governing Body.<sup>10</sup> The Director-General proposed a way to proceed on the basis of a distinction between immediate issues – those to be dealt with up to the 102nd Session (June 2013) of the Conference – and those which could be dealt with in the medium and long term. This way to proceed was endorsed by the Governing Body.<sup>11</sup>

<sup>8</sup> GB.315/INS/4, para. 4.

<sup>9</sup> GB.316/INS/5/4, para. 14.

<sup>10</sup> GB.317/INS/PV/Draft, paras 52–76.

<sup>11</sup> GB.317/INS/4/1.

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

At its 101st Session (2012), the International Labour Conference adopted a resolution concerning efforts to make social protection floors a national reality worldwide, in conjunction with the Social Protection Floors Recommendation, 2012 (No. 202). Recognizing the crucial role of social protection in social and economic development, the resolution invites governments, employers and workers to jointly give full effect to Recommendation No. 202 as soon as national circumstances permit. It also invites the Governing Body to give guidance to the Director-General on points for ILO action.

To this effect, the Governing Body, at its 316th Session (November 2012), endorsed the ILO strategy for action. It requested the Director-General: (a) to take into account the guidance given by it in pursuing this strategy for action and to draw on it in preparing future programme and budget proposals and in developing resource mobilization initiatives; and (b) to communicate the resolution to the governments of member States and through them to the national employers' and workers' organizations in the standard manner.<sup>12</sup> The ILO strategy for action defines five areas of action: (i) promotion of the implementation of the Recommendation; (ii) building national capacities; (iii) supporting constituents in their efforts to implement national social protection floors through knowledge sharing as well as technical cooperation and advice; (iv) supporting national dialogue processes; and (v) intensifying cooperation and coordination with relevant international and regional organizations, constituents and relevant and representative organizations of persons concerned. It complements the Plan of Action endorsed by the Governing Body at its 312th Session (November 2011).<sup>13</sup>

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

At its 313th Session (November 2012), the Governing Body endorsed and expressed support for the follow-up plan presented by the Office to give effect to the resolution – The youth employment crisis: A call for action,<sup>14</sup> adopted by the Conference at its 101st Session (2012). The resolution underlines the urgency of immediate and targeted action to tackle the unprecedented youth employment crisis that is affecting all regions.

The follow-up plan provides guidance to the ILO over the next seven years (2012–19). It is based on the multi-pronged and balanced approach outlined in the 2012 conclusions of the Conference Committee. This approach includes the following elements: pro-employment growth; decent job creation through appropriate macroeconomic policies; measures to promote employability and labour market policies; entrepreneurship and rights for young people. The follow-up plan includes concrete activities in the following areas: (i) promotion of the call for action; (ii) knowledge development and dissemination; (iii) technical assistance and capacity building at the country level; (iv) partnerships and advocacy; and (v) implementation arrangements and resource mobilization strategy.

<sup>12</sup> GB.316/INS/5/1(Corr.), para. 32.

<sup>13</sup> GB.312/PV, para. 314.

<sup>14</sup> GB.316/INS/5/2.

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The Governing Body requested the Director-General to take full account of the 2012 Conference conclusions when preparing and implementing the Programme and Budget for 2014–15 and the two following biennia, as well as when allocating such other resources as may be available during the current biennium. It also requested him to facilitate the mobilization of extra-budgetary resources for the implementation of the follow-up plan.<sup>15</sup> Jobs and skills for youth are in fact areas of critical importance in the Programme and Budget proposals for 2014–15.

The next recurrent discussion on employment, planned for the 2014 session of the Conference, will also include a focus on youth employment.

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

Following the resolution and framework for action adopted at the 101st Session of the International Labour Conference (2012), a plan of action corresponding to the principal ILO means of action and a matrix identifying specific action in each area were submitted for consideration by the Governing Body at its 316th Session (November 2012).<sup>16</sup> The plan of action was adopted and the Director-General was requested to allocate the necessary resources for its implementation.<sup>17</sup>

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

The 101st Session (2012) of International Labour Conference resolved to rescind the restrictions imposed by the 1999 Conference decision and to suspend the majority of the provisions of its 2000 resolution for a 12-month period, calling on the Office to produce a paper for the 316th Session of the Governing Body (November 2012) on the progress made in the development of a new programme of work in Myanmar. The 316th Session thus received and endorsed the proposed interim programme framework for technical cooperation activities in Myanmar developed by the Office in consultation with the Government and the social partners. It requested the Office to report on progress in its implementation at the 319th Session (October 2013); and called upon member States and international organizations to provide voluntary contributions to the ILO programme in Myanmar.<sup>18</sup>

<sup>15</sup> GB.316/INS/5/2, para. 37.

<sup>16</sup> GB.316/INS/5/3.

<sup>17</sup> GB.316/INS/5/3, para. 37.

<sup>18</sup> GB.316/INS/5/5, para. 67.

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***Follow-up to the resolution concerning the measures on the subject of Myanmar adopted under article 33 of the ILO Constitution, by the Conference at its 101st Session (2012)***

As a follow-up to the resolution concerning the measures on the subject of Myanmar adopted under article 33 of the Constitution by the Conference (2012), the 317th Session of the Governing Body (March 2013) decided to place an item on the agenda of the 102nd Session (2013) of the Conference enabling a further review of remaining measures previously adopted by the Conference under article 33 of the ILO Constitution. It further recommended that the 102nd Conference arrangements include a suspension by the Conference on its opening day of paragraph 1(a) of its 2000 resolution pending a review by the Selection Committee. The Governing Body requested the Director-General to report to the Conference on all relevant issues involving an update to the situation in Myanmar, and on ILO activities in the country, with a view to assisting the Conference's consideration of this item on the agenda; finally, it requested the Director-General to provide a report from the Liaison Officer on ILO activities in Myanmar to March meetings of the Governing Body.<sup>19</sup>

**5. Decent Work in the post-2015 development agenda**

In November 2012, the Governing Body discussed a paper<sup>20</sup> on this subject. In the discussion, strong support for placing the Decent Work Agenda firmly at the centre of the post-2015 development strategy was expressed. It was clear, however, that whatever post-2015 strategy was adopted, it should not detract from efforts to accelerate progress towards the current Millennium Development Goals (MDGs), attainment of which remained unsure.

The Governing Body requested the Director-General to develop and implement a strategy for the adoption of full and productive employment and decent work as an explicit goal of the global development agenda beyond 2015, also including a reference to the need for social protection floors; prepare concept papers as a support for constituents in their engagement in the debate on the post-2015 global development agenda and briefing notes for them on the progress of the deliberations; and to strengthen ILO support to constituents to assist countries that are still lagging behind in meeting the relevant MDGs.<sup>21</sup>

<sup>19</sup> GB.317/INS/4/2, para. 9, as amended.

<sup>20</sup> GB.316/INS/6.

<sup>21</sup> GB.316/INS/6, para. 28, as amended.

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**6. 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**

Following the complaint concerning non-observance by Myanmar of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by a number of Workers' delegates to the 99th Session (2010) of the International Labour Conference under article 26 of the ILO Constitution, the Governing Body decided at its 316th Session (November 2012): (a) to take no further action under article 26; (b) to request the International Labour Office, in light of the guidance given under this agenda item, to continue its close cooperation with the Government to bring about the application of Convention No. 87.<sup>22</sup>

**7. Latest developments in Fiji in light of the resolution of the 15th Asia–Pacific Regional Meeting and follow-up to the resolution on the trade union situation in Fiji, adopted by the Governing Body at its 316th Session in November 2012**

At its 316th Session (November 2012), the Governing Body considered the agenda item on the latest developments in Fiji in light of the resolution of the 15th Asia–Pacific Regional Meeting and adopted a resolution on the trade union situation in Fiji, instructing the Director-General to: (a) work with the Fiji Government to seek its acceptance of the direct contacts mission under the previously agreed terms of reference, which are based on the conclusions and recommendations of the ILO Committee on Freedom of Association on Case No. 2723; (b) urge that the Government, together with the social partners, find appropriate solutions in law and in practice which are in conformity with freedom of association principles; (c) continue to closely monitor the situation in Fiji and work to safeguard the human and labour rights of Fijian workers; and (d) report to the Governing Body at its 317th Session (March 2013) on action taken and developments regarding the trade union situation in Fiji.<sup>23</sup>

At its 317th Session (March 2013), in the absence of any communication from the Government of Fiji in reply to action taken by the Director-General on the above points, the Governing Body: (a) expressed its strong disappointment at the failure of the Government of Fiji to respond to the Director-General's letter of 21 December 2012; (b) urged the Government to be cooperative with the ILO and its procedures in the future, and in particular as regards the Governing Body's previous request that, together with the social partners, it find appropriate solutions to bring the law and practice into conformity with freedom of association principles; (c) urged the Government of Fiji to accept the direct contacts mission as set out in the resolution adopted by the Governing Body in 2012 so that it may take place prior to the June 2013 International Labour Conference; and

<sup>22</sup> GB.316/INS/7, para. 6, as amended.

<sup>23</sup> GB.316/INS/8.

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(d) decided to include this item on the agenda of the 318th Session of the Governing Body in June 2013.<sup>24</sup>

**8. Complaint concerning non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 101st Session (2012) of the International Labour Conference under article 26 of the ILO Constitution**

At the 101st Session (2012) of the Conference, the Director-General received a communication dated 12 June 2012, signed by a number of delegates to the Conference, in which they filed a complaint against the Government of Guatemala relating to the violation of Convention No. 87, under article 26 of the Constitution.

At the 316th Session (November 2012) of the Governing Body, the Officers considered the complaint to be receivable. Without entering into the substance of the complaint, they agreed to refer the matter to the Governing Body and to draw its attention to the tripartite Memorandum of Understanding signed in the country on 10 October 2012. The Officers recommended that the Governing Body: (a) request that the Director-General transmit the complaint to the Government; (b) invite the Office to obtain relevant information from the Government and employers' and workers' organizations of Guatemala, including the Memorandum of Understanding signed on 10 October 2012 and the report of the high-level mission conducted in May 2011, and to report to the Governing Body at its 317th Session (March 2013); and (c) place this issue on the agenda of its 317th Session in order to decide whether further action on the complaint is required in the light of the information provided by the Office in connection with paragraph (b).<sup>25</sup>

In a communication dated 15 February 2013, the Government of Guatemala sent its observations concerning the complaint. The Autonomous Trade Union and People's Movement of Guatemala,<sup>26</sup> the National Federation of Trade Unions of State Employees of Guatemala (FENASTEG), the National Defence Front (FNL),<sup>27</sup> and the Trade Union, Indigenous and Peasant Farmers Movement of Guatemala (MSICG) sent their observations in communications dated 10, 14 and 26 February 2013. The Coordinating Committee of Agricultural, Commercial, Industrial and Financial Associations (CACIF) sent its observations in a communication dated 15 February 2013.

<sup>24</sup> GB.317/INS/7, para. 5.

<sup>25</sup> GB.316/INS/15/2, para. 8.

<sup>26</sup> Made up of the Confederation of Trade Union Unity of Guatemala (CUSG), the General Confederation of Workers of Guatemala (CGTG) and the Trade Union of Workers of Guatemala (UNSITRAGUA), affiliates of the International Trade Union Confederation (ITUC).

<sup>27</sup> Made up of federations in the health and social security sector, the rural workers' federation, the informal labour federation and the municipal workers' federation; FNL members also include other public and private sector trade unions. FNL is part of the Common Trade Union Platform for Central America and an active member of global unions Public Services International (PSI), the International Transport Workers' Federation (ITF) and the Building and Wood Workers' International (BWI).



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The President of the Republic of Guatemala requested that the International Labour Standards Department of the ILO send a mission to his country. This visit took place from 25 February to 1 March 2013. The Government informed the mission that it had received a proposal from the International Trade Union Confederation (ITUC) and that it had given instructions for the proposal to be discussed in the different branches of government and in the Tripartite Commission on International Affairs. The Government informed the Office in a communication dated 8 March 2013 that it had begun dialogue with ITUC concerning its proposal.

At its 317th Session (March 2013), in light of the information provided, the Governing Body, on the recommendation of its Officers, decided to: (a) defer the decision on the appointment of a Commission of Inquiry to its 319th Session (October 2013), taking into account the Agreement between the Government of Guatemala and the Workers' group of the Governing Body; (b) place this item on the agenda of its 319th Session (October 2013); and (c) request the Office to provide to the Officers of the Governing Body, at its 318th Session (June 2013), an update on the status of progress made and to include information provided by the Government and employers' and workers' organizations of Guatemala.<sup>28</sup>

## **9. Report of the 74th Session of the Board of the International Training Centre of the ILO, Turin**

The 74th Session of the Board of the International Training Centre of the ILO was held in Turin from 1 to 2 November 2012. The report of the meeting was submitted to the 316th Session (November 2012) of the Governing Body. The Governing Body took note of the report of the meeting.<sup>29</sup>

## **10. Reports of the Committee on Freedom of Association (364th, 365th, 366th and 367th Reports)**

During the past year, the Committee on Freedom of Association examined 116 cases, and in 64 cases followed up the measures taken by member States to give effect to its recommendations. The Committee continued to observe an important increase in the number of complaints against alleged violations of freedom of association submitted to the special procedure, but also noted with interest significant positive developments in the matters before it, including the release of detained trade union leaders and members. In June and November 2012 and March 2013, the Governing Body approved the recommendations of the Committee on Freedom of Association set out in its 364th,<sup>30</sup> 365th,<sup>31</sup> 366th<sup>32</sup> and 367th<sup>33</sup> Reports and the Reports as a whole.

<sup>28</sup> GB.317/INS/6, para. 7, as amended.

<sup>29</sup> GB.316/INS/10.

<sup>30</sup> GB.315/INS/3.

<sup>31</sup> GB.316/INS/9/1.

<sup>32</sup> GB.316/INS/9/2.

<sup>33</sup> GB.317/INS/8.

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## 11. Working Party on the Functioning of the Governing Body and the International Labour Conference

### *Improving the functioning of the International Labour Conference*

The Working Party on the Functioning of the Governing Body and the International Labour Conference met in November 2012 and in March 2013. Meetings of the Geneva-based tripartite consultative group<sup>34</sup> took place in October 2012 and February 2013 to advance the work undertaken by the Working Party. At its 316th Session, the Governing Body adopted a timetable for the reform of the Conference to be introduced, as proposed by the Working Party. It also requested the Office to submit to its March 2013 session a detailed plan for the implementation at the 102nd Session (2013) of the Conference, on a trial basis, of those options on which a consensus had been reached by the Working Party, together with an assessment of their cost and legal implications, and to prepare a background document on further measures to be submitted to the Working Party in March 2013.<sup>35</sup>

The Working Party, having analysed in March 2013 the information provided by the Office on the cost and legal implications of the reforms proposed, recommended that the Governing Body: propose to the Conference to implement in June 2013, on a trial basis and subject to certain derogations of its standing orders, the changes on which a tripartite consensus had been reached and for which amendments to Standing Orders of the Conference are not needed. It also requested the Office to prepare for its 319th Session (October 2013): (i) a detailed analysis of the trial implementation of those reforms together with new proposals taking into account the lessons learned from this first experience; (ii) a first set of proposed amendments to the Conference Standing Orders on issues identified as reaching tripartite consensus but requiring for their implementation amendments to the Standing Orders at the 103rd Session of the International Labour Conference (2014).<sup>36</sup>

The principal reforms that the Conference will see this year, subject to its acceptance of the proposals, are the holding on Monday, 17 June, of the World of Work Summit; a number of measures to improve the efficiency and time management of the work of the technical committees and plenary; and a deferred translation and publication of the *Provisional Records* of the Conference, it being clear that this concerns only those that cover the general discussion in plenary of the reports of the Chairperson of the Governing Body and of the Director-General. Other *Provisional Records* are to appear as usual and a system is to be introduced to allow delegates to consult a recording of their speeches online during the Conference, pending webposting of the complete version.

As regards the reform of the Governing Body itself, now introduced nearly three years previously, it was generally acknowledged to be successful in enhancing tripartism, governance and debate. The Governing Body noted that the reform would be reviewed, and possibly adjustments made, at an early Governing Body session.

<sup>34</sup> The Geneva-based tripartite consultative group consists of the regional coordinators and the secretaries of the Employers' and Workers' groups.

<sup>35</sup> GB.316/INS/12, para. 23.

<sup>36</sup> GB.317/INS/10, para. 11.

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## 12. Reports of the Director-General

### ***Progress report on the internal reform***

The Director-General reported to both the 316th and 317th Sessions of the Governing Body on progress in the structural reform he had engaged within the Office as one of the pledges of his recent election. All three groups expressed their support of the process.

### ***Measuring decent work***

At its 317th Session (March 2013), the Governing Body: (a) noted the extensive discussion of the issues and various views raised by an Office report; that the current project on Decent Work Country Profiles would conclude at the end of the current biennium; that the report on the pilot project measuring progress towards effect given to the fundamental principles and rights at work had not been taken further since the Governing Body discussion in March 2011; that evaluations of the work would be undertaken; and (b) looked forward to receiving the evaluation reports.<sup>37</sup>

### ***Mid-term stocktaking of implementation of the ILO Action Plan for Gender Equality 2010–15***

At its 317th Session (March 2013), the Governing Body noted the findings of the stocktaking report, which stated that the ILO should maintain its leadership position on gender mainstreaming within the United Nations (UN) system, and requested the Office to continue implementing the Action Plan. The Governing Body approved the point for decision which instructed the Office, when drafting indicators on staffing, structure and substance for the Action Plan's phase III (linked to the Programme and Budget for 2014–15), to align these more closely with the six areas of the UN System-wide Action Plan (SWAP) for Implementation of the UN Chief Executives Board (CEB) Policy on Gender Equality and the Empowerment of Women.<sup>38</sup>

## 13. Reports of the Officers of the Governing Body

### ***Timing of the autumn 2014 session of the Governing Body***

The Governing Body decided that, as from 2013, the autumn sessions of the Governing Body would be scheduled in October, and that the 319th Session of the Governing Body would be held from 17 to 31 October 2013.<sup>39</sup>

<sup>37</sup> GB.317/INS/12/1.

<sup>38</sup> GB.317/INS/12/3, para. 34.

<sup>39</sup> GB.317/INS/13/4.

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***Complaint concerning 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***

A complaint was presented on 15 June 2011 by a number of Workers' delegates to the 100th Session (2011) of the International Labour Conference pursuant to article 26 of the ILO Constitution, against the Government of Bahrain alleging violations of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). The issue of receivability of the complaint went before the Governing Body at its 312th (November 2011), 313th (March 2012), 316th (November 2012) and 317th (March 2013) Sessions, and has been deferred to its 319th Session (October 2013).

At the 312th Session (November 2011), the Officers of the Governing Body submitted a report to the Governing Body, which took note of the proposal of the Government of Bahrain to establish a tripartite committee which would have access to all relevant documents and meet weekly to address, with the assistance of independent legal advice (ILO) if requested by the Government or the workers' or employers' representatives, the issue of dismissals and reinstatements referred to in the complaint, and would provide progress reports to the Director-General. The Governing Body, on the recommendation of its Officers, invited the Director-General to provide any requested legal guidance or support to the Government of Bahrain or the workers' or employers' representatives in this process, and to report on the situation to the Governing Body at its 313th Session (March 2012).<sup>40</sup> In view of the Governing Body decision, and in response to a request sent by the General Federation of Bahrain Trade Unions (GFBTU) to the ILO Director-General dated 3 February 2012, the Director-General sent a mission to Bahrain from 29 February to 11 March 2012. On 11 March 2012, the tripartite constituents signed a Tripartite Agreement concerning the issues raised in the complaint.

At its 313th Session (March 2012), the Governing Body further suspended consideration of the issue of receivability of the complaint pending completion and submission of further reports from the Government and the Director-General to the Governing Body at its 316th Session (November 2012). The Government was requested to continue to provide reports on the effective implementation of the Tripartite Agreement, and the Director-General was requested to take the necessary measures to provide all the technical assistance required by the tripartite constituents to ensure the effective implementation of the Tripartite Agreement.<sup>41</sup>

At the request of the GFBTU, a further mission of the Office took place from 7 to 10 October 2012. At its 316th Session (November 2012), the Governing Body, on the recommendation of its Officers, requested a further report from the Government and the Office on the progress made in the effective implementation of the Tripartite Agreement.<sup>42</sup>

At its 317th Session (March 2013), the Governing Body, on the recommendation of its Officers, deferred all consideration of the complaint; invited the Office to visit the

<sup>40</sup> GB.312/INS/16/1, para. 2, as amended.

<sup>41</sup> GB.313/INS/13/1, para. 9.

<sup>42</sup> GB.316/INS/15/1(Rev.), para. 17.

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country in order to obtain relevant information and to report to the Governing Body at its 319th Session (October 2013); and placed the item on the agenda of the 319th Session in order to determine whether further action is required on the complaint.<sup>43</sup>

***Meeting of Experts on Forced Labour  
and Trafficking for Labour Exploitation  
(Geneva, 11–15 February 2013)***

At its 316th Session (November 2012), the Governing Body held its first discussion on a proposed forced labour standard-setting item and decided to hold a tripartite Meeting of Experts on Forced Labour and Trafficking for Labour Exploitation from 11–15 February 2013. The meeting was convened as a follow-up to the conclusions adopted by the International Labour Conference in 2012 concerning the recurrent discussion on fundamental principles and rights at work. The Governing Body also approved the meeting's budget,<sup>44</sup> composition formula and agenda, which was to provide to the Governing Body at its 317th Session (March 2013) recommendations regarding possible standards-related action at the 103rd Session of the International Labour Conference in June 2014.<sup>45</sup> The report and conclusions of the Meeting of Experts that were submitted to the Governing Body<sup>46</sup> indicated that there were significant implementation gaps in the effective eradication of forced labour that should be addressed through standard setting to advance prevention, protection and compensation measures. Gaps were also identified in the areas of enforcement, policy coherence and international cooperation. Following a second discussion in March 2013, the Governing Body decided to complete the agenda of the 103rd Session of the Conference by selecting a standard-setting item to supplement the Forced Labour Convention.<sup>47</sup>

## **II. Policy Development Section**

### **14. Employment and Social Protection Segment**

#### ***Labour migration***

At its 316th Session (November 2012), the Governing Body requested the Office to: (a) identify key priorities for follow-up to the 2013 High-level Dialogue on International Migration and Development, and to ensure that effectively operating labour markets offering decent work become a central element in the discussions on migration and development; (b) conduct an in-depth evaluation of the ILO's response to the changing landscape of international labour migration, including progress on the Office's promotion of its Multilateral Framework on Labour Migration, to better offer an informed contribution to the High-level Dialogue on International Migration and Development; (c) organize a tripartite meeting to assess the outcome of the High-level Dialogue on

<sup>43</sup> GB.317/INS/13/1, para. 39, as amended.

<sup>44</sup> GB.316/INS/14/4, para. 6.

<sup>45</sup> GB.316/INS/15/4.

<sup>46</sup> GB.317/INS/INF/3.

<sup>47</sup> GB.317/INS/2(Rev.).

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International Migration and Development to consider possible areas for ILO follow-up; (d) propose modalities for the tripartite meeting on labour migration; and (e) submit an oral report, available in writing, on the outcome of the High-level Dialogue to the 317th Session (March 2013) of the Governing Body.<sup>48</sup>

In March 2013, at its 317th Session, the Governing Body approved the composition formula<sup>49</sup> and the agenda<sup>50</sup> for the tripartite meeting submitted by the Officers of the Governing Body. The meeting will be attended by 12 Government representatives nominated after consultation with the regional coordinators, 12 participants nominated after consultation with the Employers' group and 12 participants nominated after consultation with the Workers' group. Other Government, Employers' and Workers' delegates could also be invited to attend the meeting as observers at their own cost. Consultations to obtain government nominations are under way with regional coordinators. The Governing Body also authorized the Director-General to invite a number of international non-governmental organizations and inter-governmental organizations in addition to the organizations that are automatically invited to the meeting due to standing arrangements.<sup>51</sup> The topics to be covered by the meeting are: (i) labour migration in the context of debates on international migration and development of the post-2015 development framework; (ii) the effective protection of the migrant workers, particularly low-skilled and middle-skilled workers who are most vulnerable; (iii) sound labour market assessment needs, and skills recognition and certification; and (iv) international cooperation and social dialogue for well-governed national and international labour migration and regional mobility. The Office is preparing for, and contributing to, the High-level Dialogue through its participation in related regional and international meetings and forums. The Office will report on the ILO's contribution to, and outcomes of, the High-level Dialogue to the Governing Body at its November session in 2014.

Following the Governing Body's decision in November 2012,<sup>52</sup> an independent evaluation of the Office's response to the changing landscape of international labour migration has been initiated; the final evaluation report is due by June 2013.

### ***Disability inclusion***

At its 316th Session (November 2012), the Governing Body: (a) welcomed the Office's initiative to develop a strategy statement and implementation plan on disability that will include broadening the Disability Inclusion Initiative and reflect the guidance provided, and requested the Director-General to report back as deemed appropriate by the tripartite screening group; and (b) supported the continuing work of the Office with other UN agencies, regional and inter-governmental bodies and multinational companies, as well as with governments and employers' and workers' organizations, in order to promote decent work for persons with disabilities.<sup>53</sup> A report on progress was provided to the Governing Body in March 2013 and an information document is to be submitted to the

<sup>48</sup> GB.316/POL/1, para. 20, as amended.

<sup>49</sup> GB.317/INS/13/2, para. 5.

<sup>50</sup> GB.317/INS/13/2, para. 7.

<sup>51</sup> GB.317/INS/13/2, para. 10.

<sup>52</sup> GB.316/POL/1, para. 20, as amended.

<sup>53</sup> GB.316/POL/2, para. 35, as amended.

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October 2013 session of the Governing Body. Further work on the disability strategy statement and implementation plan will be resumed following structural reform to the Office.

A key element to effective implementation will be policy endorsement of this strategy statement, at the highest possible level. Collaboration with other UN agencies on disability rights continues, as does work with employers' organizations through the ILO Global Business and Disability Network.

### ***Recurrent discussion report on employment (2014)***

Regarding the recurrent discussion report on employment (2014), the Governing Body provided guidance on the issues presented by the Office to inform the preparation of the Office report for the recurrent discussion on the strategic objective of employment to be held during the 103rd Session (2014) of the Conference.<sup>54</sup>

The Governing Body broadly endorsed the proposed three-part structure of the report, namely: (i) better understanding the employment challenge; (ii) action to promote employment including follow-up to the 2010 International Labour Conference conclusions concerning the recurrent discussion on employment; and (iii) setting priorities for work on the strategic objective of employment in the next phase.

The Employers' group underscored the importance of promoting an enabling environment for sustainable enterprises. The Workers' group asked the Office to address the continuing employment crisis in terms of both the quality and quantity of employment. Governments expressed support for the structure of and themes covered in the Office report and highlighted the importance of addressing youth employment and linking the discussion to the areas of critical importance identified in the programme and budget for the next biennium. The need for a short and focused report that would facilitate an efficient discussion was also underscored.

The Office welcomed the guidance and was committed to taking into account the views expressed during the discussion in the preparation of the Office report for the recurrent discussion on employment (2014).<sup>55</sup>

### ***Trade and employment***

In the discussion on trade and employment, the Office presented findings from two high-profile volumes edited and published by the ILO in 2011.<sup>56</sup> The report described how evidence from these publications had been channelled into the policy debate at international and national levels. The Governing Body reviewed the findings of the publications and commended the Office for the high-quality work that had been conducted.

The Employers' group considered the paper and its underlying studies as useful and important, and said they were a good example of policy coherence. The Workers' group also welcomed the discussion and underscored the need of an in-depth discussion on the subject in order to consider a wider range of policy responses beyond social protection and

<sup>54</sup> GB.317/POL/1.

<sup>55</sup> GB.317/POL/1, para. 31.

<sup>56</sup> GB.317/POL/2.

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skills development. The Governments noted that international trade required coherent and coordinated action by different stakeholders.

The Office welcomed the feedback on the work reviewed and on its usefulness to constituents. The views and feedback that had been received would aid future work on trade and employment conducted by the Office.

### ***Prevention of occupational diseases***

In March 2013, the Governing Body examined an Office paper on the prevention of occupational diseases.<sup>57</sup> It confirmed that the prevention of occupational diseases is a central element of the Decent Work Agenda, supported the strategy and actions described in the paper, and requested the Director-General to intensify the Office's work reflected in these actions, placing special emphasis on knowledge of these diseases in developing countries, and to take the Governing Body's suggestions into account.<sup>58</sup> The strategy and actions on the prevention of occupational diseases calls for actions at international and national levels to raise awareness on occupational diseases, to correct the decent work deficits which are the root cause of these diseases, to improve the national occupational safety and health (OSH) systems, particularly the legal framework and capacity for recognition and prevention of occupational diseases, and to strengthen the government inspection and compensation systems.

### ***Discussion about the effect given to the decision adopted in November 2011 on the item entitled Green jobs, decent work and sustainable development, with a focus on the implication for the ILO's programme of work of the outcome of the UNCSD 2012 (Rio +20)***

In November 2012, the Governing Body discussed a possible follow-up by the Office to the outcome of the United Nations Conference on Sustainable Development (UNCSD 2012, or Rio +20), held in June 2012. The key messages and inputs that the Governing Body had endorsed at its 313th Session in March 2012 were well reflected in the agreed outcome document "The future we want". The numerous references to the core issues of the ILO's mandate were a clear indication of the strong global recognition of the social dimension of sustainable development.

The priorities for a substantive follow-up by the Office were: (i) capacity building for social dialogue, including through strengthening training and outreach programmes to establish national frameworks and agree on measures that ensure a transition aiming at greater social inclusion and the creation of quality employment opportunities at sectoral and national levels; (ii) expanding ongoing technical assistance for the analysis of the employment impacts and implications for skills development of greening economies and enterprises at national and sectoral level; (iii) identifying and promoting positive linkages between national social protection floors, economic development, poverty reduction and environmental protection; and (iv) providing constituents with knowledge and information, tested tools and practical approaches on decent work creation in the transition to a green economy. The key contribution of the Office across these priorities would focus on

<sup>57</sup> GB.317/POL/3.

<sup>58</sup> GB.317/POL/3, para. 42, as amended.



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supporting economic and labour market restructuring in response to resource scarcity, to the adverse impacts of climate change and to environmental and climate policies.

The Governing Body further requested that these priorities should be reflected in the scheduled general discussion on sustainable development, decent work and green jobs at the 102nd Session of the International Labour Conference (June 2013) and that the financial implications should be taken into account in the Programme and Budget for 2014–15.<sup>59</sup>

## 15. Social Dialogue Segment

### **Sectoral activities programme 2012–13 and proposals for 2014–15**

The Governing Body discussed and determined implementation modalities of the programme of sectoral work for 2012–13 (such as the composition, duration and dates of tripartite sectoral meetings). At its 317th Session (March 2013), it also adopted a programme for sectoral work for 2014–15. This programme of work, which will be further refined at the 319th Session (October 2013), was based on Office proposals which had been developed through a participative consultative process with tripartite constituents and other ILO units, which took into account the main findings of the independent evaluation of the ILO's strategy for sector-specific decent work that had been presented to the Governing Body during its November 2012 session.

Furthermore, the Governing Body took note of the outcomes of sectoral and technical meetings held, requested the Office to follow up on their recommendations, and approved the publication of their outputs, including: the *Guidelines to assist competent authorities in the implementation of Part B of the Code of Safety for Fishermen and Fishing Vessels*, the *FAO–ILO–IMO voluntary guidelines for the design, construction and equipment of small fishing vessels*, and the *Safety recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels*; the conclusions of the *Global Dialogue Forum on Conditions of Personnel in Early Childhood Education* (February 2012) and the *Global Dialogue Forum on Future Needs for Skills and Training in the Oil and Gas Industry* (December 2012); and the report of the *11th Session of the Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART)*.<sup>60</sup> In order to inform the Governing Body on the implementation of sectoral work in 2012–13 in a more timely way, it was also presented with two information papers outlining highlights of the programme's ongoing implementation.

<sup>59</sup> GB.316/POL/3, para. 20, as amended.

<sup>60</sup> GB.317/POL/4, para. 10.

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## 16. Technical Cooperation Segment

### ***South–South and triangular cooperation: The way forward – Revised indicators for the strategy adopted in March 2012***

In November 2012, a paper<sup>61</sup> was discussed that followed up on the discussion held in March 2012 during which the Governing Body endorsed the ILO Strategy on South–South and Triangular Cooperation (SSTC), while requesting a more results-based formulation of the indicators for the two outcomes of the Strategy. The paper proposed new and revised indicators. The members of the Governing Body expressed their continued support to SSTC and appreciated the efforts of making the Strategy more results-based. The Governing Body agreed on including the four pillars of the Decent Work Agenda in one indicator and on referring to partnerships in more general terms in another indicator.

### ***Implementation of the Tripartite Agreement on Freedom of Association and Democracy in Colombia***

The Governing Body was informed on progress in the implementation of the 2006 Tripartite Agreement on Freedom of Association and Democracy in Colombia over the period from October 2011 to August 2012.<sup>62</sup> The Governing Body noted the update on the ILO's technical cooperation programme in response to the Tripartite Agreement. In their statements, spokespersons urged for continued ILO support to Colombia's process of peace and development.

### ***Technical cooperation approaches and capacity development of constituents***

In March 2013, the Segment examined a paper<sup>63</sup> that, following the request of the Governing Body in November 2011, reported on the results of the mapping of technical cooperation approaches, including capacity development of constituents. The paper also made proposals on how the current technical cooperation strategy could be geared towards a more programmatic approach to capacity development through technical cooperation. The Members stressed the need for demand-driven capacity development efforts that were owned by constituents. They also highlighted the relevance of SSTC in capacity development as well as the important role of the International Training Centre of the ILO. The Governing Body requested the Office to submit a document containing a revised technical cooperation strategy with capacity development as one focus area at its 322nd Session (November 2014).<sup>64</sup>

<sup>61</sup> GB.316/POL/5.

<sup>62</sup> GB.316/POL/8.

<sup>63</sup> GB.317/POL/6.

<sup>64</sup> GB.317/POL/6, para. 17.

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## ***Regional perspectives on technical cooperation: Asia and the Pacific***

For the second time, the Segment discussed a review on technical cooperation in the regions, this time on Asia and the Pacific,<sup>65</sup> following the review on Africa that took place in March 2012. The Governing Body examined the trends in technical cooperation during the last ten years in Asia and the Pacific, results achieved in the priorities agreed on for the Asia–Pacific Decent Work Decade, expenditure rates, key donors for the region and an outlook for resource mobilization through new modalities, including SSTC. Members expressed their concerns on the allocation of resources to constituents given the sustained economic growth in the region, and the subsequent loss of eligibility status, to donor funding for some countries. The Governing Body discussed the imbalance in the technical cooperation portfolio in Asia and the Pacific, with relatively little resources allocated to standards. The Governing Body requested the Office to submit, at its 320th Session (March 2014), a regional resource mobilization strategy and action plan for Asia and the Pacific, seeking an improved balance between the four strategic objectives and responding to decent work needs in the region.<sup>66</sup>

## ***Enhanced programme of technical cooperation for the occupied Arab territories***

The Governing Body was informed that the ILO continues to promote the Decent Work Agenda in the occupied Arab territories through its technical cooperation programme with an overall portfolio of around US\$2.5 million. Its work will continue to focus on strengthening labour market governance through labour law reform and social dialogue; facilitating the development of an integrated social security system and the extension of social protection; addressing worst forms of child labour; promoting OSH; promoting the full participation of women and their economic empowerment; and encouraging youth employment and self-employment through skills and entrepreneurship development. Moreover, a project will soon be launched to support local economic recovery in Gaza with a focus on the fishery sector. Based on a series of consultations with the tripartite constituents since mid-2012, the ILO is currently in the final stages of developing a Decent Work programme that will bring all these initiatives together under one framework with a clear set of inter-linked outcomes and outputs.

## **17. Multinational Enterprises Segment**

### ***Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration): Operational plan for promotional activities and proposal for the new survey***

After a brief discussion, the Governing Body decided to further postpone, until its 320th Session (March 2014), the review of the proposed operational plan for putting in place the MNE Declaration follow-up mechanism and the specified promotional activities on the basis of the recommendations submitted by the Ad Hoc Working Group at its 313th Session. This decision was taken in order to obtain clarification of the various

<sup>65</sup> GB.317/POL/7.

<sup>66</sup> GB.317/POL/7, para. 39, as amended.

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options for the organization, method and costs of putting into operation the follow-up and to allow for due consideration of how this work will be integrated into the reformed office structure, including the knowledge management strategy. It further suspended, until its 320th Session, the decision taken at its 258th Session (November 1993) to conduct surveys of the MNE Declaration every four years.<sup>67</sup>

### **III. Legal Issues and International Labour Standards Section**

#### **18. Legal Issues Segment**

##### ***Composition of the International Labour Conference: Proportion of women and men on delegations***

At its 316th Session (November 2012), the Governing Body took up a request made by the Credentials Committee of the 101st Session (2012) of the International Labour Conference to consider concrete measures to increase the proportion of women among delegates and advisers at the Conference.<sup>68</sup> The Governing Body invited the Credentials Committee of the Conference to consider more detailed reporting on the proportion of women and men accredited in the delegations and to consider contacts with delegations with consistently low female participation in order to obtain information about the reasons and include the results in its report. The Governing Body also requested the Director-General to send letters after every Conference to members States that had not reached a 30 per cent level of participation of women in their delegations, and to report periodically to the Governing Body on any obstacles encountered, as well as any measures taken to achieve gender parity. The Office was further invited to continue to collect relevant information and encourage and give assistance to concrete measures taken by governments and employers' and workers' organizations with a view to achieving gender parity in delegations to ILO meetings.<sup>69</sup>

##### ***Promotion of the ratification of the Instrument of Amendment of the Constitution of the International Labour Organisation, 1986***

During its 317th Session (March 2013), the Governing Body took note of updated information on the campaign to promote the ratification of the 1986 Instrument of Amendment of the Constitution of the International Labour Organisation,<sup>70</sup> and while welcoming the new ratifications by Singapore, Eritrea, Mauritania, Morocco, South Sudan and Myanmar, invited again the remaining Members, and in particular the eight remaining Members of chief industrial importance and the other 13 Members represented on the Governing Body through their governments, to ratify the amendment. It also encouraged ILO constituents to intensify efforts at the national and regional levels to promote the

<sup>67</sup> GB.317/POL/8, new text adopted.

<sup>68</sup> GB.316/LILS/1.

<sup>69</sup> GB.316/LILS/1, para. 13, as amended.

<sup>70</sup> GB.317/LILS/2.

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ratification. The Director-General was requested to continue efforts to promote the ratification of this amendment, and to report periodically to the Governing Body on new activities and ratifications.<sup>71</sup>

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

The Governing Body reviewed the status of the ILO's legal protection in member States, including its privileges and immunities.<sup>72</sup> It took note of recent developments, in particular five accessions to the 1947 Convention on the Privileges and Immunities of the Specialized Agencies and its Annex I relating to the ILO (1947 Convention), as well as of remaining challenges and obstacles to the full recognition of the ILO's legal protection. The Governing Body reaffirmed the importance of legal protection in the ILO's relations with member States and urged ILO Members which have not yet acceded to this Convention to do so, and in particular those represented on the Governing Body. It requested the Director-General to continue efforts to promote the legal protection of the ILO and to report periodically on the legal situation of the ILO in its member States, with a view to taking further measures as necessary, and affirmed the necessity of ensuring for the ILO the basic legal protection essential for the fulfilment of its purposes in the context of in-country activities with the member States concerned. The Governing Body further requested the Director-General to prepare proposals for strategies on how to respond to infringements of the ILO's immunities or privileges by a member State, and requested the Office to prepare a detailed proposal relating to a possible identification document for Worker and Employer members of the Governing Body to facilitate the recognition of their privileges and immunities under the 1947 Convention.<sup>73</sup>

**19. International Labour Standards and Human Rights Segment**

***Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART): Report on allegations submitted by teachers' organizations***

At its 316th Session (November 2012), the Governing Body discussed a document containing an extract of the findings and recommendations on allegations examined by the joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART), which held its 11th Session in Geneva from 8 to 12 October 2012. The allegations concerned the application of the Recommendations in Denmark, Japan and Portugal. The CEART also closed two previously considered cases concerning Australia and Ethiopia. The Governing Body decided to authorize the Director-General to communicate the report, along with the record of the discussions held on the report, to the governments and teachers' organizations

<sup>71</sup> GB.317/LILS/2, para. 7.

<sup>72</sup> GB.317/LILS/1(Rev.).

<sup>73</sup> GB.317/LILS/1(Rev.), para. 16, as amended.

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concerned, and to invite them to take any necessary follow-up action as recommended in the report.<sup>74</sup>

### ***Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2014***

At its 317th Session (March 2013), the Governing Body decided to request governments to submit reports for 2014, under article 19 of the Constitution, on the Right of Association (Agriculture) Convention, 1921 (No. 11), the Rural Workers' Organisations Convention, 1975 (No. 141), and the Rural Workers' Organisations Recommendation, 1975 (No. 149).<sup>75</sup> These reports were requested for the purpose of the General Survey to be prepared by the Committee of Experts on the Application of Conventions and Recommendations at its November–December 2014 session, and to be discussed by the Conference Committee on the Application of Standards at the 104th Session (2015) of the Conference. It should be noted that, under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization, the theme of this General Survey is to be aligned with the theme of the recurrent discussion to be held by the Conference at its 105th Session (2016), namely fundamental principles and rights at work (second recurrent discussion on this strategic objective and last recurrent discussion under the seven-year cycle in force).

## **IV. Programme, Financial and Administrative Section**

### **20. Programme, Financial and Administrative Segment**

#### ***Programme and Budget for 2014–15***

Further to the consideration in November 2012 and March 2013 of the Director-General's proposals, the Governing Body recommended to the International Labour Conference, subject to the positions taken during the course of the discussion, the adoption of a Programme and Budget for 2014–15.<sup>76</sup> Three observations can be derived from the wide-ranging debate that led to this decision. The Governing Body expressed strong support for the focus of the programme and budget on a limited number of areas of critical importance in relation to employment, social protection, and compliance with fundamental principles and rights at work. Then, all groups conveyed their strong support of the reforms introduced and planned by the Director-General and urged their rapid implementation. In particular, the Governing Body strongly concurred with the plan to redeploy resources in order to strengthen the technical capacity of the Organization in the regions and at headquarters. Finally, the relatively modest cost increase included in the proposals, coupled with the changes to be introduced in the scale of assessment reflecting new economic realities, was favourably commented on by many governments.

<sup>74</sup> GB.316/LILS/3, para. 5, as amended.

<sup>75</sup> GB.317/LILS/3, para. 13.

<sup>76</sup> GB.317/PFA/1/1, para. 9, as amended.

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## ***UN system coordination and common services: Financial implications for the ILO***

In March 2013, the Governing Body took note of the growing cooperation between the ILO and the UN in operational activities for development.<sup>77</sup> The Governing Body highlighted the significance of these developments for ILO and UN programme implementation, noting the benefits in leveraging the ILO policy agenda and accessing development finance, but also the costs entailed by coordination overheads. The Governing Body requested the Office to refer to it any proposed future arrangements with financial implications for the ILO regarding the joint financing of the Resident Coordinator system and UN country teams in the wake of the decisions of the UN General Assembly of December 2012 on the Quadrennial Comprehensive Policy Review.<sup>78</sup>

## ***Matters relating to the Joint Inspection Unit (JIU): Reports of the JIU***

In November 2012, the Governing Body reviewed a summary of eight relevant JIU reports and related recommendations, along with the comments of the UN system CEB and of the Office.<sup>79</sup> It was also informed of measures taken by the Office to enhance collaboration with the JIU which were welcomed. The Governing Body provided guidance to follow up on specific recommendations made by the JIU.

## ***Building questions: Update on the headquarters renovation project***

In November 2012 and March 2013, the Governing Body reviewed and discussed reports on the progress of the headquarters building renovation project.<sup>80</sup> The Office advised that more information on the budget breakdown and the schedule of works would be provided once the detailed design had been completed, in time for the October 2013 Governing Body session. The Governing Body was also informed that the current elevator and kitchen works were proceeding within schedule.

## ***Information and communications technology questions: Progress on IT strategy***

In November 2012, the Governing Body received a report on progress made on the IT Strategy 2010–15.<sup>81</sup> The report included updates on IT infrastructure transformation, IRIS roll-out to the field, implementation of technologies supporting collaboration and knowledge-sharing, IT governance and ILO participation in joint UN IT initiatives.

<sup>77</sup> GB.317/PFA/4.

<sup>78</sup> GB.317/PFA/4, para. 25.

<sup>79</sup> GB.316/PFA/2.

<sup>80</sup> GB.316/PFA/3 and GB.317/PFA/2.

<sup>81</sup> GB.316/PFA/4.

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## ***Other financial questions: Progress report on expenditure review***

In November 2012, the Governing Body received a report on the progress of the work of the Expenditure Review Committee (ERC).<sup>82</sup> This report included information on the concrete measures that had been implemented and savings to date from those measures.

## **21. Audit and Oversight Segment**

### ***Annual evaluation report 2011–12***

In November 2012, the Governing Body endorsed the recommendations to be included in the rolling plan of action for the implementation of recommendations and suggestions to be reported on in the annual evaluation report of 2012–13, and confirmed the priorities identified in the report on the work programme for 2012–13.<sup>83</sup>

In November 2012, the Governing Body requested the Director-General to take into consideration the findings, recommendations and lessons learned from the three independent evaluations presented in the summary contained in the document<sup>84</sup> and to ensure their implementation.<sup>85</sup>

### ***Follow-up to the report of the Chief Internal Auditor for the year ended 31 December 2011***

In March 2013, the Governing Body considered the report of the follow-up action taken by the Office on the report of the Chief Internal Auditor for 2011.<sup>86</sup>

### ***Report of the Chief Internal Auditor for the year ended 31 December 2012***

In March 2013, the Governing Body considered the report of the Chief Internal Auditor for 2012.<sup>87</sup>

### ***Report of the Independent Oversight Advisory Committee (IOAC)***

In November 2012, the Governing Body approved the revised terms of reference of the Internal Oversight Advisory Committee (IOAC).<sup>88</sup> It also appointed Mr Denys

<sup>82</sup> GB.316/PFA/5.

<sup>83</sup> GB.316/PFA/7/1, para. 96.

<sup>84</sup> GB.316/PFA/7/2.

<sup>85</sup> GB.316/PFA/7/2, para. 165.

<sup>86</sup> GB.317/PFA/6.

<sup>87</sup> GB.317/PFA/7.



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Chamay, Mr Luis Guillermo Chinchilla, Ms Bushra Naz Malik, Ms Hilary Wild and Ms Jeya Wilson to the IOAC for a term of three years commencing 1 January 2013.<sup>89</sup> In March 2013, the Governing Body received and considered the fifth report of the Committee.<sup>90</sup>

## **22. Personnel Segment**

### ***Amendments to the Staff Regulations: Review of recruitment and selection procedures***

The interim adjustments to recruitment and selection procedures agreed in the context of the mediation process initiated in 2011 between the administration and the Staff Union, reported in March 2012, were again considered by the Governing Body in November 2012<sup>91</sup> and March 2013.<sup>92</sup> The Governing Body requested the Director-General to present proposals to reform recruitment and selection procedures, as well as a complete proposal regarding policies and practices in all areas of the human resources reform to its 320th Session (March 2014), taking into account in particular the need to ensure an equitable geographical balance among the staff of the Office.<sup>93</sup>

### ***Matters relating to the Administrative Tribunal of the ILO: Composition of the Administrative Tribunal***

In March 2013, the Governing Body recommended that the 102nd Session of the International Labour Conference renew the terms of office of Mr Rouiller (Switzerland) and Mr Frydman (France) for three years each. It also delegated to its Officers, on a one-time basis, the authority to propose directly to the 2013 Conference the appointment of a seventh judge following consultation with the Director-General before June 2013.<sup>94</sup>

### ***Pension questions: Report of the Board of the Special Payments Fund***

In March 2013, the Governing Body appointed Ms Margaret Kearns to replace Ms Gabrielle Stoikov as a member of the Board of Trustees of the Special Payments Fund, established by the Governing Body in 1959 to provide financial assistance to former ILO officials in hardship situations.<sup>95</sup>

<sup>88</sup> GB.316/PFA/6/1, para. 8.

<sup>89</sup> GB.316/PFA/6/2, para. 5.

<sup>90</sup> GB.317/PFA/8.

<sup>91</sup> GB.316/PFA/9.

<sup>92</sup> GB.317/PFA/10.

<sup>93</sup> GB.317/PFA/10, para. 7, as amended.

<sup>94</sup> GB.317/PFA/12, para. 5.

<sup>95</sup> GB.317/PFA/11, para. 6.

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## V. High-Level Section

### 23. Working Party on the Social Dimension of Globalization

#### ***Global economic prospects and the Decent Work Agenda***

At the November 2012 session of the Working Party, the Director-General introduced a paper examining the deteriorating prospects for the global economy and the promotion of the Decent Work Agenda.<sup>96</sup> He stressed that, while global in reach, the crisis was affecting countries and regions differently. This led to differences in terms of the sense of urgency of acting and to perceptions regarding the responsibility for the crisis. Interdependence called for calibrated responses internationally. Currently, the focus of concern was on the European Union and the United States but major underlying transformational change in the emerging and developing world was equally important. The issues were complex but the essence of the ILO's vocation was to ensure that economic and social progress go hand in hand, particularly in times of crisis. The Director-General expressed particular concern that Europe had lost the balance between social and economic goals. The ILO could retrieve its role in preserving that balance.

In the ensuing wide-ranging discussion, concern was expressed by a number of delegates about the damage caused to economies and social cohesion by the high levels of youth unemployment. Rising income inequality and falling wage shares were identified by some as the underlying cause of the crisis. Several speakers stressed the importance of investment and private sector confidence for growth and job creation as well as training and education within policy responses. The need to extend social protection systems using the ILO's new Social Protection Floors Recommendation, 2012 (No. 202), as a guideline was also highlighted.

In his concluding remarks, the Director-General recalled that there was no contradiction between the promotion of sustainable enterprises on the one hand and of the quality of work on the other, and social dialogue was the way to find a route forward. The Office would step up its evidence-based analysis and become more specific in its policy advice, including at national level, while continuing its active engagement at the multilateral level. The Working Party, too, needed to become more specific, analytical, concrete and action-oriented.

#### ***The post-2015 sustainable development agenda***

At the 317th Session of the Governing Body (March 2013), the Working Party on the Social Dimension of Globalization discussion on the post-2015 sustainable development agenda was honoured with interventions by three eminent guest speakers: Mr Martin Schulz, President of the European Parliament; Professor Deepak Nayyar; and Ms Tereza Campello, Minister of Social Development and Hunger Alleviation of Brazil. The scale of the global jobs challenge that the world would face in the period up to 2030, combined with climate change and social crises weighed heavily in the presentations and debate on how the Office should move forward in its contribution to development of the post-2015 agenda and goals.

<sup>96</sup> GB.316/WP/SDG/1.

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Key among the issues raised in the discussion was strong support for the adoption of full and productive employment and decent work as an explicit goal of the global development agenda beyond 2015, including a reference to the need for social protection floors. The importance of a limited number of goals, indicators and targets was reiterated, as was a need for nationally specific targets. It was noted that poverty reduction should be a priority in both developing and developed countries and a genuinely global agenda should be sought. The Office was encouraged to continue to work closely with UN partners on a well-integrated post-2015 agenda framework and provide further concept notes and information on the development of discussions. The importance of the ILO's contribution to accelerating progress towards achievement of the current MDGs by 2015 was also stressed.

### ***Tackling the global economic and employment crisis***

In March 2013, a further discussion paper on tackling the global economic and employment crisis was reviewed by the Working Party, evoking a range of comments.<sup>97</sup> For some, the tone of the report was overly pessimistic as the resilience of emerging countries in particular showed that the global economy had the capacity to absorb major shocks. Investment, especially by the private sector, was the key to recovery. Others argued that current policies in a number of advanced countries were exacerbating unemployment. Weak wage developments had aggravated deficient demand, although it was encouraging that a number of emerging countries were reversing these trends by extending social protection and minimum wage systems.

The Office's work in regard to strengthened international coordination of recovery efforts was welcomed, with several speakers calling for it to be further reinforced. The key importance of social dialogue, underpinned by respect for rights, was stressed by many speakers. The need for greater policy coherence was emphasized, including between finance and labour ministries nationally, and between the ILO and the IMF and other international financial institutions. The intention of the Russian Presidency of the G20 to hold a joint meeting of finance and employment and labour ministers in July 2013 was much appreciated. Deeper ILO research and analysis in order to ground relevant and high-quality policy advice to countries was needed and the plans of the Office in that regard were welcomed.

<sup>97</sup> GB.317/WP/SDG/2.



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