



Governing Body

322nd Session, Geneva, 30 October–13 November 2014

GB.322/INS/2

Institutional Section

INS

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SECOND ITEM ON THE AGENDA

Agenda of the International Labour Conference

Purpose of the document

To enable the Governing Body to consider a strategic and coherent approach to the selection of items for the agenda of the 106th Session (2017) of the International Labour Conference and beyond, taking into account the decisions made at its 319th (October 2013) and 320th (March 2014) Sessions (see the draft decision in paragraph 35).

Relevant strategic objective: All four strategic objectives.

Policy implications: Implications for the Conference agenda for 2017 and beyond.

Legal implications: Those arising from the application of the Standing Orders of the Conference and the Standing Orders of the Governing Body.

Financial implications: Those arising from the placing of items on the Conference agenda and from any preparatory meetings proposed.

Follow-up action required: Any implications relating to follow-up will be submitted for consideration by the Governing Body at its 323rd Session (March 2015).

Author units: Departments in the Policy Portfolio and in the Field Operations and Partnerships Portfolio.

Related documents: GB.322/INS/3; GB.322/INS/4/1; GB.322/WP/GBC/1; GB.320/PV (paras 6–42 and 342–351); GB.320/INS/15/2; GB.320/INS/13; GB.320/WP/GBC/1; GB.320/POL/3; GB.319/INS/2; GB.319/PV (paras 5–35); GB.319/WP/GBC/1; GB.319/INS/13(Rev.).

Introduction

Overview of the Conference agenda-setting process

1. The applicable rules concerning the agenda of the International Labour Conference are set out in the ILO Constitution,¹ the Standing Orders of the International Labour Conference² and the Standing Orders of the Governing Body.³ The agenda of the Conference consists of standing and ad hoc items.
2. The following standing items are required to be included by the Governing Body on the Conference agenda each year:
 - reports of the Chairperson of the Governing Body and of the Director-General;
 - financial and budgetary questions; and
 - information and reports on the application of Conventions and Recommendations.
3. It has also become the practice to include on the Conference agenda three additional ad hoc items, with a view either to a general discussion or to standard setting. For standard-setting items, while a double discussion remains the norm, the Governing Body may decide to hold a single discussion. The ad hoc items to be placed on the Conference agenda are considered at two successive sessions of the Governing Body. In accordance with current practice, the Governing Body holds its first discussion of proposed items for future sessions of the Conference at its November session.
4. The Declaration on Social Justice for a Fair Globalization, 2008 (the Social Justice Declaration) and its follow-up introduced a scheme of recurrent discussions by the Conference so as to understand better the diverse realities and needs of its members with respect to each of the ILO's strategic objectives, respond more effectively to them using all the means of action at its disposal, and adjust its priorities and programmes of action accordingly.⁴ Recurrent discussions are intended to play a key role in the setting of the overall Conference agenda. The Governing Body initially decided that these recurrent discussions would follow a seven-year cycle,⁵ with employment, fundamental principles and rights at work, and social protection being discussed twice, and social dialogue being discussed once,⁶ according to the following sequence: employment (first recurrent discussion, 2010); social protection (social security) (first recurrent discussion, 2011); fundamental principles and rights at work (first recurrent discussion, 2012); social dialogue (first recurrent discussion, 2013); employment (second recurrent discussion, 2014); social

¹ Articles 14(1) and 16(3).

² In particular, articles 7, 7bis, 8 and 12.

³ Section 5 and article 6.2.

⁴ Social Justice Declaration, Part II(A)(i), and Annex, Part II(B).

⁵ Under Part II(B) of the Annex to the Declaration, the modalities for the recurrent discussions are agreed by the Governing Body.

⁶ GB.304/PV, para. 183(b).

protection (labour protection) (second recurrent discussion, 2015); and fundamental principles and rights at work (second recurrent discussion, 2016).

5. This sequence was subsequently adjusted following the Governing Body's decision to place the evaluation of the impact of the Social Justice Declaration on the agenda of the 105th Session (2016) of the Conference, and to defer the second recurrent discussion on fundamental principles and rights at work from the 105th Session (2016) to the 106th Session (2017).⁷

Decisions taken by the Governing Body at its 319th (October 2013) and 320th (March 2014) Sessions

6. At its 319th Session (October 2013), the Governing Body selected the items: (a) "Small and medium-sized enterprises and decent and productive employment creation" for a general discussion at the 104th Session (2015) of the Conference; and (b) "Decent work in global supply chains" for a general discussion at the 105th Session (2016) of the Conference. It requested the Director-General to provide advice to the 320th Session (March 2014) of the Governing Body on the preparation of these two general discussion items.
7. The Governing Body also requested the Director-General to report further at its 322nd Session (November 2014) on: (a) the removal from consideration by the Governing Body of proposed items that were not selected for either the 104th (2015) or 105th (2016) Sessions of the Conference; (b) the follow-up to be undertaken in respect of five options for future sessions of the Conference; and (c) the invitation to member States and social partners to submit further suggestions for items that could be included on the agenda of future sessions of the Conference.⁸
8. At its 320th Session (March 2014), the Governing Body completed the agenda of the 105th Session (2016) of the Conference by selecting the item "Decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71)", with a view to standard setting (double discussion).⁹ It provided further guidance on preparations for the two general discussion items for 2015 and 2016. The Governing Body also took note of the information provided by the Office in relation to future sessions of the Conference.¹⁰
9. In this context, the Governing Body would normally initiate discussions at its 322nd Session (November 2014) with a view to completing the agenda of the 106th Session (2017) of the Conference and begin discussions on the agenda of the 107th Session (2018). However, in view of the importance of the 108th Session (2019), which will mark the year of the ILO's centenary, for the Organization as a whole, it may be timely for the

⁷ GB.320/PV, para. 351. See also GB.322/INS/3.

⁸ GB.319/PV, para. 35.

⁹ The Governing Body also decided to place the approval of the proposed amendments to the Code of the Maritime Labour Convention, 2006, provisionally on the agenda of the 103rd Session (June 2014) of the Conference, subject to the submission of any amendments adopted by the Special Tripartite Committee in April 2014. At its 103rd Session (June 2014), the Conference approved the amendments adopted by the Special Tripartite Committee. See also GB.322/LILS/4, presenting to the Governing Body the report of the first meeting of the Special Tripartite Committee.

¹⁰ GB.320/PV, para. 42.

Governing Body to take this unique opportunity to adopt a strategic and coherent approach to completing the agenda of the 106th Session (2017), in relation to the items to be included on the agendas of the 107th (2018) and 108th (2019) Sessions. The objective would be twofold. First, such an approach would ensure that appropriate linkages are made between the agendas of these three sessions in the lead-up to the centenary in 2019. Second, it would enable the Conference to respond to the pressing issues facing the world of work and anticipate future challenges, with a view to guiding both the Organization and its Members.

10. Section A below outlines possible elements that could be considered for such an approach. Section B contains information on follow-up to the decisions taken by the Governing Body at its 319th (October 2013) and 320th (March 2014) Sessions.

A. Consideration of a strategic and coherent approach to the Conference agenda, for the 106th (2017), 107th (2018) and 108th (2019) Sessions of the Conference

A window of opportunity

11. As recalled above, decisions have already been taken by the Governing Body concerning items on the Conference agenda for 2015 and 2016, and one more item could be added to the 2017 agenda. It should be borne in mind that the evaluation of the impact of the Social Justice Declaration at the 105th Session (2016) of the Conference may have implications for the agendas of the 106th (2017) and 107th (2018) Sessions.¹¹ Moreover, 2016–17 is the period covered by the transitional Strategic Policy Framework. Decisions on a new Strategic Policy Framework for the period 2018–21 will be made in 2017. Account may also need to be taken of any decisions adopted during the period 2016–17 on the implementation of the Standards Review Mechanism and any standards-related action that may need to be included on the Conference agenda.¹²
12. Coordinating the agendas of the 2017, 2018 and 2019 sessions to the fullest extent possible, taking all these elements into account, would create momentum to foster a strategic vision as the Organization enters its second centenary. Such an approach would be consistent with the objective of increasing the visibility and authority of the Conference through the discussion of topical issues that are important to the world of work.¹³ It is therefore important to give careful consideration to the ad hoc items to be selected for these sessions. For information purposes, Appendix I presents an overview of the ad hoc items selected for the Conference agenda for sessions since 2010.

Enhancing coherence

13. Joint consideration of the Conference agenda for the sessions in 2017, 2018 and 2019 would offer the opportunity to enhance coordination and coherence between the Conference agenda, the preparation of the Strategic Policy Framework for 2018–21 and the

¹¹ GB.322/INS/3.

¹² GB.322/LILS/2.

¹³ GB.319/WP/GBC/1, para. 14.

follow-up to the evaluation by the Conference in 2016 of the impact of the Social Justice Declaration.¹⁴

14. The follow-up to the centenary initiatives proposed by the Director-General in his Report to the 102nd Session (2013) of the Conference¹⁵ could also offer guidance on the development of a longer term perspective in the context of the approaching ILO centenary. In particular, the effect given to the future of work and the end to poverty initiatives could inform any strategic orientation which the Governing Body may decide upon with regard to the setting of the Conference agenda. For instance, the centenary session of the Conference in 2019 could devote a major part of its agenda to the consideration of the issues arising from the future of work initiative, as further discussed in the report to this Governing Body on follow-up to the centenary initiatives.¹⁶ The end to poverty initiative could also be considered for 2017 and beyond, building on the outcome of the discussions by the United Nations General Assembly of the post-2015 development agenda. Any outcomes of the Standards Review Mechanism process could also be taken into account.
15. Emphasis on a strategic and coherent approach to the setting of the Conference agenda from 2017 to 2019 would also enable the necessary linkages to be made with the ILO's programme of research and statistics. Such linkages would enhance the policy relevance of the Conference agenda, support debate among constituents based on evidence-based evaluations of policies that work in achieving ILO goals, and strengthen the knowledge base required to formulate new policy recommendations.

Building tripartite ownership of the agenda of future sessions of the Conference

16. Full tripartite ownership of such a strategic approach would be essential. In this respect, the following elements arising from constituents' comments would appear to be particularly relevant:¹⁷
 - (a) Greater coherence should be sought between the setting of the Conference agenda and the ILO's broader priorities and programme of work, including research, thus ensuring that the Conference is able to provide sound strategic direction for ILO activities.
 - (b) The transparency and inclusiveness of the Conference agenda-setting process should be improved through prior consultations with the tripartite constituents on the proposals submitted to the Governing Body.
 - (c) The timing of final decisions on Conference agenda items should take into account the need to address topical or emerging issues, and the need for adequate preparation time, particularly for standard-setting items.

¹⁴ See para. 18 below.

¹⁵ ILO: *Towards the ILO centenary: Realities, renewal and tripartite commitment*, Report of the Director-General, Report I(A), International Labour Conference, 102nd Session, Geneva, 2013, para. 155.

¹⁶ See GB.322/13/2.

¹⁷ See GB.319/WP/GBC/1, para. 15 and table 1, refs B.3–B.6.

A possible way forward

17. If the Governing Body decides to move forward with a strategic approach, as proposed, the Office would develop specific proposals on which it would engage in consultations with the tripartite constituents in time for their discussion by the Governing Body at its 323rd Session (March 2015).
18. In this connection, the attention of the Governing Body is drawn to the following considerations. The 2016 evaluation by the Conference of the impact of the Social Justice Declaration may have general implications regarding future ILO action, including the Conference agenda and standard setting, as well as for the manner in which the ILO will carry out its mandate in its second centenary. The evaluation will cover the sequence and frequency of recurrent discussions.¹⁸ It may therefore be advisable to leave an appropriate margin of flexibility for setting the agenda of the 106th (2017) and 107th (2018) Sessions of the Conference to enable the Governing Body to take into account the outcome of the Conference's evaluation. Finally, it would be important for the Governing Body to provide guidance on the appropriate action to be taken in the framework of a coherent and strategic approach concerning existing proposals arising from its previous decisions on the Conference agenda, which are examined in Section B and Appendix II of the present document.
19. In terms of the options to be explored, account should also be taken of ongoing ILO research on emerging trends in the world of work, particularly relating to the diversification of work patterns and forms of employment, and work and income security and inequalities. These two topics on the ILO research agenda could in due course provide the basis for topical agenda items.

B. Follow-up to the decisions made by the Governing Body at its 319th (October 2013) and 320th (March 2014) Sessions

20. As mentioned above, at its 319th Session (October 2013), the Governing Body requested the Director-General to report further on three matters: the question of the removal of proposed items from consideration by the Governing Body; the follow-up undertaken in respect of five options for future sessions of the Conference; and suggestions made by constituents.

Removal from consideration by the Governing Body of proposed items not selected for the agenda of the 2015 or 2016 sessions of the Conference

21. Based on decisions taken at its 319th (October 2013) and 320th (March 2014) Sessions, the following proposals remain pending before the Governing Body, as they have not been selected for either the 104th (2015) or the 105th (2016) Sessions of the Conference:
 - Effective ILO technical cooperation in a changing global context (general discussion).
 - Violence against women and men in the world of work (standard setting, double discussion).

¹⁸ GB.322/INS/3.

- Building a diverse and inclusive world of work (general discussion).
 - Public sector: Workforce development, career progression and employment conditions in the public sector (general discussion).
22. Members of the Governing Body have expressed divergent views concerning these proposals.¹⁹ Some have supported the removal from consideration of all the proposals not selected for the 2015 or 2016 sessions of the Conference, while others have indicated that these proposals should be kept for future consideration.²⁰
23. Based on the views expressed, the following two proposals could be retained for further consideration, as they have received support from a number of governments²¹ and from either the Employers' or the Workers' groups:
- Effective ILO technical cooperation in a changing global context (general discussion) (see Appendix II, Part 1).
 - Violence against women and men in the world of work (standard setting, double discussion) (see Appendix II, Part 2).

These two proposals have been revised to take into account the comments made at the 319th (October 2013) and 320th (March 2014) Sessions of the Governing Body.²²

24. It is proposed that the following two proposals be withdrawn from consideration by the Governing Body:
- Building a diverse and inclusive world of work (general discussion). This proposal has been pending for the last two years and has not garnered broad support in the Governing Body.²³

¹⁹ GB.319/PV, paras 5–34, GB.320/PV, paras 6–41.

²⁰ GB.319/PV, para. 8 (Africa group), para. 10 (group of Latin American and Caribbean countries (GRULAC)), para. 13 (Cuba), para. 17 (Hungary) and para. 20 (Japan); GB.320/PV, para. 8 (Africa group) and para. 17 (Cuba).

²¹ GB.320/PV, para. 28 (group of industrialized market economy countries (IMEC)), para. 29 (United States), para. 30 (Denmark, Finland, Iceland, Netherlands, Norway and Sweden), para. 32 (India).

²² This includes comments made in the framework of the reform of the functioning of the Conference, GB.319/WP/GBC/1, para. 15 and table 1, ref. B.6.

²³ The views expressed at the 320th Session (March 2014) may be summarized as follows: the proposal was third choice for the Employers' group, provided that it was revised and third choice for 2016 for the Africa group; Denmark, Finland, Iceland, Norway, Sweden and Switzerland saw merit in the discussion; and it was selected for 2016 by Australia (second choice), Cuba (if not retained it should not be discarded), Hungary and Italy (fourth choice). The views expressed at previous sessions may be summarized as follows: 319th Session (October 2013): FOR: Africa group (first choice for 2016) and Cuba (third choice for 2015); AGAINST: Workers' group; OTHER: the Nordic countries, as well as the Netherlands and Switzerland (saw some merit in holding a discussion on the item in 2016); 317th Session (March 2013): FOR: Africa group (for future sessions), Brazil (for future sessions), Canada, China; OTHER: the Employers' group referenced the proposal for future work; 316th Session (November 2012): FOR: Africa group (for future sessions), Canada; OTHER: the Employers' group referenced the proposal for future work.

- Public sector: Workforce development, career progression and employment conditions in the public sector (general discussion). This proposal has been pending before the Governing Body for the last two years without garnering strong support from constituents.²⁴ In the document prepared on the issue for the 320th Session (March 2014) of the Governing Body, the Office indicated that the proposal would be resubmitted, taking into account the outcome of the Global Dialogue Forum on Challenges to Collective Bargaining in the Public Service, held in April 2014.²⁵ As the outcome of that Forum did not include a recommendation to address the subject as a Conference agenda item, it is suggested that this proposal be removed from consideration. However, should the Governing Body wish to retain the proposal, further consultations could be held to assist the Office in preparing a new draft that could be presented to its 323rd Session (March 2015).

Follow-up to five possible subjects

25. At its 319th Session (October 2013), the Governing Body invited the Office to report on the follow-up undertaken with respect to five options for future sessions of the Conference:

- resolution of labour disputes;
- transition of the world of work to a low carbon economy;
- non-standard forms of employment;
- long-term unemployment; and
- labour migration.²⁶

These five options were identified based on discussions at the 316th (November 2012) and 317th (March 2013) Sessions of the Governing Body, as well as the conclusions on achieving decent work, green jobs and sustainable development adopted at the 102nd Session (2013) of the Conference.

26. With respect to the subject of labour migration, at its 320th Session (March 2014), the Governing Body took note of the final report of the Tripartite Technical Meeting on Labour Migration. It also requested the Office to submit to its 322nd Session (November 2014) a proposal concerning the possibility of selecting an item relating to labour migration with a view to a general discussion at a future session of the Conference (see Appendix II, Part 3).²⁷

²⁴ The views expressed at the 319th Session (October 2013) may be summarized as follows: FOR: Cuba (second choice for 2015); AGAINST: Workers' group; OTHER: the Nordic countries, Netherlands and Switzerland (elements set out in the proposal to be included in the standard-setting item on the informal economy). At the 316th Session (November 2012), the Employers' group supported the inclusion of the proposal on the Conference agenda.

²⁵ GB.320/INS/2.

²⁶ GB.319/PV, para. 35.

²⁷ GB.320/PV, para. 426. It will also be recalled that the Director-General's Report to the 103rd Session (June 2014) of the Conference covered this subject. At its 321st Session (June 2014), the Governing Body selected the instruments relating to labour migration as the subject for the

27. With regard to the other four subjects, a number of follow-up actions are being pursued:

- *Resolution of labour disputes.* Research is being undertaken during the current biennium (2014–15) on the performance of labour dispute prevention and resolution mechanisms and processes. This research is being carried out in the framework of the plan of action adopted by the Governing Body to implement the conclusions concerning the recurrent discussion on social dialogue adopted at the 102nd Session (2013) of the Conference.²⁸ The progress made so far includes the development of a research proposal and a method for the collection of national data and information to analyse the performance of various dispute prevention and resolution mechanisms and processes.
- *Transition of the world of work to a low-carbon economy.* At its 321st Session (June 2014), the Governing Body endorsed the composition and agenda of the Meeting of Experts on Sustainable Development, Decent Work and Green Jobs, to be held from 5 to 9 October 2015. The Meeting of Experts is expected to examine and adopt draft guidelines based on a compilation and review of experience of country policies and sectoral strategies for environmental sustainability, the greening of enterprises, social inclusion and the promotion of green jobs. The Meeting is also expected to recommend ways of giving practical effect to the guidelines through their dissemination and application at the country level by constituents, and to adopt policy guidelines on a just transition towards environmentally sustainable economies and societies for all.²⁹
- *Non-standard forms of employment.* Following the decision at the 321st Session (June 2014) of the Governing Body, a Meeting of Experts on Non-standard Forms of Employment will be held in Geneva from 16 to 19 February 2015, in accordance with the conclusions concerning the recurrent discussion on fundamental principles and rights at work, adopted at the 101st Session (2012) of the Conference. It is expected that the meeting will contribute to the preparations for the recurrent discussion on the strategic objective on social protection (labour protection) at the 104th Session (2015) of the Conference.³⁰
- *Long-term unemployment.* At the 103rd Session (June 2014) of the Conference, the second recurrent discussion on employment emphasized the need for a better understanding of long-term unemployment to prevent it from becoming structural. The conclusions of the discussion highlighted the topic as a priority for action-oriented research and policy guidance by the Office.³¹ The findings of the research and the policy options could be discussed at a session of the Governing Body in 2016, or be considered for a general discussion by the Conference, or both. If the topic is considered for a general discussion by the Conference, the Office suggests that the discussion might be broadened to encompass structural underemployment, which is a significant priority for developing countries.

General Survey under article 19 of the Constitution to be prepared by the Committee of Experts in 2015, for discussion by the Conference Committee on the Application of Standards at the 105th Session (2016) of the Conference.

²⁸ GB.319/PV, para 394, and GB.319/POL/3.

²⁹ GB.321/INS/PV/Draft, para. 93 .

³⁰ GB.321/INS/PV/Draft, para. 107.

³¹ Conclusions concerning the second recurrent discussion on employment, para. 14, I(a). See also GB.322/INS/4/1.

As further work is required to develop these four subjects, which will be undertaken during the present biennium, the Office suggests that the subjects could be temporarily removed from consideration until they are deemed ready for further discussion by the Governing Body.

Suggestions made by constituents under article 14, paragraph 1, of the Constitution

28. The paragraphs below provide information on the suggestions for the Conference agenda received from ILO tripartite constituents in accordance with article 14, paragraph 1, of the Constitution, following an invitation sent out by the Office with a view to enhancing the transparency and inclusiveness of the Conference agenda-setting process.³²
29. Six governments submitted suggestions in response to this invitation: Algeria, Argentina, Cameroon, Norway, Oman and Turkey. No indications were given as to whether the suggestions were made with a view to standard setting or a general discussion. The suggestions mainly relate to the strategic objectives of employment and social protection. Two proposals were also submitted by workers' organizations. It should also be added that the Employers' group has referred to the need for a Conference discussion on industrial action.
30. The majority of the suggestions made concern subjects that are being or have been addressed in other contexts, including the recurrent discussions under the Social Justice Declaration. For example, one group of suggestions relates to employment promotion (women and youth employment), human resources development and employability, vocational guidance and training and apprenticeship, skills development, education and training systems and employment. These topics have been addressed in the framework of the second recurrent discussion on employment and the related conclusions adopted by the Conference at its 103rd Session (2014).³³ A suggestion was made concerning small and medium-sized enterprises, which is a subject that will be addressed in the general discussion by the Conference in 2015 on small and medium-sized enterprises and decent and productive employment creation.
31. Other suggestions concern the strategic objective of social protection, including: teleworking, maternity protection and the protection of workers with family responsibilities, working-time arrangements and occupational safety and health, including prevention and newly emerging risks. These issues are expected to be included in the report prepared for the recurrent discussion to be held in 2015 on social protection (labour protection). Suggestions relating to social security concern subjects that were addressed by the 2011 recurrent discussion on social protection (social security) or the 2013 general discussion on employment and social protection in the new demographic context. One suggestion made, concerning support to countries in the field of labour statistics, is expected to be addressed in the action undertaken by the Office as a follow-up to the 19th International Conference of Labour Statisticians (2013).

³² GB.319/INS/2, para. 4 and GB.320/INS/2, paras 29 and 30. Article 14, paragraph 1, of the Constitution provides as follows: "The agenda for all meetings of the Conference will be settled by the Governing Body, which shall consider any suggestion as to the agenda that may be made by the government of any of the Members or by any representative organisation recognised for the purpose of article 3, or by any public international organisation."

³³ Resolution and conclusions concerning the second recurrent discussion on employment.

- 32.** Two additional suggestions would require further research and consultations prior to their consideration by the Governing Body. The first relates to the organization of international solidarity for the development of national social protection floors in countries with very low incomes, which has been discussed by the Governing Body in the past.³⁴ The second concerns the conditions of work of athletes and coaches, which the ILO has not yet addressed from a sectoral perspective.³⁵ There may be a need for ILO action to examine working conditions in sports with a view to improving conditions, fostering collective bargaining at all levels and creating a path for insertion into other professions once the professional years of sporting activity are over. Working athletes constitute a workforce that is largely young and potentially vulnerable, and the vast majority of them are not among the few who are highly successful and universally known. Concerns have been raised that sports workplaces have high rates of occupational accidents and illnesses, discrimination, violence, long working hours, lack of access to education and retraining, and contracts that are typically time-limited or linked to success in competitions. An international minimum standard to address these sector-specific issues might be appropriate, as many athletes work internationally and for contractors governed by different and sometimes conflicting national legislation, thereby creating uncertainty as to their rights and causing gaps in coverage. Further work by the ILO is necessary to improve working conditions in the sector, which may include standard setting.
- 33.** Taking into account the above elements, it may be concluded that many of the subjects proposed touch upon matters that are already included in current Office priorities and programmes, or have been addressed in recent Conference discussions. In view of the importance of recurrent discussions in identifying topics for future Conference agenda items, it is important to recall that proposed items should:
- be of potential interest for governments, employers and workers;
 - lead to a Conference discussion that would add value;
 - address gaps in protection;
 - address emerging trends of relevance to the world of work;
 - provide guidance and direction for the future strategic orientation of the Organization relating to key priorities.
- 34.** In the light of the foregoing, and taking into account the nature of the proposals currently before the Governing Body, consideration of a coherent and strategic approach to setting the Conference agenda would be timely, for the sessions from 2017 to 2019.

³⁴ The discussions, notably in 2002–03 and 2008, concerned the feasibility of a Global Social Trust, including the development of a Global Social Trust pilot project; see GB.301/ESP/3.

³⁵ At the 320th Session (March 2014) of the Governing Body, the Employers' group indicated that it did not wish the suggestion relating to athletes and coaches to be retained for subsequent work in relation to the Conference agenda. However, the Workers' group invited the Office to take it up in the framework of the 322nd Session (November 2014) of the Governing Body. See GB.320/PV, paras 6 and 7. Governments did not express any views.

Draft decision**35. The Governing Body is invited to:****(1) provide guidance with respect to:**

- (a) the adoption of a strategic and coherent approach to setting the Conference agenda for the 106th (2017), 107th (2018), and 108th (2019) Sessions of the Conference;**
 - (b) the elements to be taken into consideration in this respect for the period from 2017 to 2019, including the need to retain the necessary flexibility to take into account the outcome of the evaluation by the 105th Session (2016) of the Conference of the impact of the Social Justice Declaration;**
 - (c) the postponement to its 323rd Session (March 2015) of consideration of the following three proposed items:**
 - effective ILO development cooperation in a changing global context (general discussion);**
 - violence against women and men in the world of work (standard setting, double discussion);**
 - labour migration (general discussion);**
 - (d) the removal from consideration of the proposal concerning building a diverse and inclusive world of work;**
 - (e) the action to be taken regarding the proposal concerning the public sector; and**
 - (f) the arrangements to be made to enable constituents to submit further suggestions for the Conference agenda;**
- (2) request the Director-General to report further on the issue to its 323rd Session (March 2015), including by developing specific proposals for the agenda of future sessions of the Conference.**

Appendix I

Overview of the ad hoc items selected for the Conference agenda (2010–19)

Session	Ad hoc items			
99th (2010)	Decent work for domestic workers – standard setting, double discussion (first discussion).	Elaboration of an autonomous Recommendation on HIV/AIDS in the world of work – standard setting, double discussion (second discussion).	A recurrent discussion on the strategic objective of employment, under the follow-up to the Social Justice Declaration.	Review of the follow-up to the 1998 Declaration on Fundamental Principles and Rights at Work.
100th (2011)	Decent work for domestic workers – standard setting, double discussion (second discussion).	Labour administration and labour inspection – general discussion.	A recurrent discussion on the strategic objective of social protection (social security), under the follow-up to the Social Justice Declaration.	
101st (2012)	Elaboration of an autonomous Recommendation on the Social Protection Floor – standard setting, single discussion.	Youth employment crisis – general discussion.	A recurrent discussion on the strategic objective of fundamental principles and rights at work, under the follow-up to the Social Justice Declaration and the follow-up (revised, June 2010) to the 1998 Declaration.	
102nd (2013)	Employment and social protection in the new demographic context – general discussion.	Sustainable development, decent work and green jobs – general discussion.	A recurrent discussion on the strategic objective of social dialogue, under the follow-up to the Social Justice Declaration.	Further review of remaining measures previously adopted by the Conference under article 33 of the ILO Constitution to secure compliance by Myanmar with recommendations of the Commission of Inquiry on forced labour.
103rd (2014)	Supplementing Convention 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.	Facilitating transitions from the informal to the formal economy – standard setting, double discussion (first discussion).	Second recurrent discussion on the strategic objective of employment, under the follow-up to the Social Justice Declaration.	Approval of amendments to the Code of the Maritime Labour Convention, 2006, as adopted by the Special Tripartite Committee established under Article XIII of the Convention.
104th (2015)	The transition from the informal to the formal economy – standard setting, double discussion (second discussion).	Small and medium-sized enterprises and decent and productive employment creation – general discussion.	A recurrent discussion on the strategic objective of social protection (labour protection), under the follow-up to the Social Justice Declaration.	
105th (2016)	Decent work for peace, security and disaster resilience: Revision of Recommendation No. 71– standard setting, double discussion (first discussion).	Decent work in global supply chains – general discussion.	Evaluation of the impact of the Social Justice Declaration.	

Session	Ad hoc items	
106th (2017) (To be completed)	Decent work for peace, security and disaster resilience: Revision of Recommendation No. 71 – standard setting, double discussion (second discussion).	A recurrent discussion on the strategic objective of fundamental principles and rights at work, under the follow-up to the Social Justice Declaration.
↓		
107th (2018) (To be completed)		
↓		
108th (2019) (To be completed)		
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Appendix II

Three proposed items for the agenda of future sessions of the Conference

1. *Effective ILO development cooperation in a changing global context (general discussion)*

Nature and context of the proposed item

1. With the shaping of the post-2015 sustainable development agenda, new approaches and trends in the area of development cooperation are at the heart of discussions in international forums, involving a range of development actors from the public and private sectors and civil society. In line with the global development debate within the United Nations and beyond, the Office now refers to “development cooperation”, a term that reflects new ways of building partnerships that go beyond the provision of technical expertise and knowledge by “developed” to “developing” countries. It also includes South–South cooperation.
2. It is important for the ILO and its constituents to foster an ILO-specific approach to development cooperation to reinforce the Organization’s strategic position in the international development arena. This approach should take into account new global aspects, such as the sustainable development goals, development cooperation trends and partnership modalities, within the setting of the ILO’s new Strategic Policy Framework and Office reforms.
3. This proposal was considered by the Governing Body at its 317th, 319th and 320th Sessions.¹ At the 320th Session (March 2014),² the Employers’ group and the Africa group supported the item as their first choice for 2016, while the following Governments also supported it for 2016: Australia (second choice), Canada, China, France, Germany (second choice), Italy (second choice), Japan, Republic of Korea, Mexico, Russian Federation and United States. In addition, Denmark, Finland, Iceland, Norway, Sweden and Switzerland saw merit in the proposal. The Workers’ group reiterated that it was not in favour of a Conference discussion of this topic, which it considered should be discussed in the Governing Body.
4. In November 2014, the Governing Body will discuss the ILO’s technical cooperation strategy, with a focus on 2015–17, which could prepare the ground for a possible general discussion by the Conference in 2017.
5. Technical cooperation is an important means of action for the ILO. Voluntary funding accounts for over 40 per cent of the total resources available to the ILO and enables the Office to enhance the capacity of constituents, support the achievement of the ILO’s strategic objectives, including operational outcomes and areas of critical importance, and implement Decent Work Country Programmes. Guidance from the Conference is therefore warranted on this topic, in the same way as for the use made of assessed contributions. Technical cooperation is central to the programme of action of most United Nations organizations, and the *raison d’être* of many of them.

¹ See GB.317/INS/2(Rev.), Appendix I, paras 41–46; GB.319/INS/2, Appendix III; GB.320/INS/2, Appendix II.

² GB.320/PV, paras 6–42.

6. The proposed general discussion is also linked to the item on the Conference agenda in 2016 and 2017 concerning the revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), particularly in the light of the increased attention given by the ILO to fragile States. Moreover, it could build on the outcomes of the general discussion on decent work in global supply chains and the evaluation of the Social Justice Declaration, which are both on the Conference agenda for 2016.

Constituents' needs and realities in light of the ILO strategic objectives

7. Constituents have frequently stressed the importance of technical cooperation for capacity development and the achievement of the Organization's objectives. The proposed general discussion would enable the Office to align its current and future development cooperation programme more closely with the requirements and realities of tripartite constituents, and with the renewed focus on development effectiveness, as emphasized by developing countries and development partners alike.

Added value of a Conference discussion

8. The last general discussion on the role of the ILO in technical cooperation took place at the 95th Session (2006) of the Conference, when a resolution was adopted calling for a review of the subject five years later. That review has still not yet taken place, and is now long overdue.
9. The proposed general discussion would situate the ILO's development cooperation programme within a changing internal and external context, and provide guidance with regard to its scope, size and effectiveness and its alignment with the new Strategic Policy Framework (2018–21).
10. During 2013, in the context of the Director-General's reform agenda, the Office undertook internal reviews of field operations and technical cooperation which have a direct bearing on the proposed general discussion. Decisions resulting from the reviews relate, among other matters, to improving the effectiveness of development cooperation through ILO presence and partnerships, the importance of quality service delivery, and the need for strategic management and programming, including of voluntary funding. In addition, in 2016 and 2017, the Governing Body will discuss the ILO's new Strategic Policy Framework (2018–21), which will define the high-level priorities for the ILO's development cooperation programme and strategy.
11. Four principal external factors underline the importance and timeliness of the proposed general discussion:
 - (1) The sustainable development goals, which are expected to be adopted by the United Nations General Assembly in September 2015, will provide the framework for the ILO's development cooperation programme in the years to come. A general discussion on technical cooperation in 2017 would therefore be very timely.
 - (2) The Global Partnership for Effective Development Co-operation, launched in Busan, Republic of Korea, in December 2011, sets the parameters for a more transparent, accountable, visible, results-based and effective development partnership. The ILO is a member of the partnership through its participation in the United Nations Development Group.
 - (3) The principle of United Nations system-wide coherence and its application in a growing number of "Delivering as One" countries is having a considerable impact on the ILO's operational activities in the field.
 - (4) The rapidly evolving development environment is characterized by greater complexity and heterogeneity. Former recipient countries have become donors; the

private sector, including foundations, is playing an increasingly important role in development cooperation; and civil society and local authorities have become active players in this field. This trend is reflected in the report of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda, which calls for a new global partnership involving these players and emphasizes the need to transform economies through jobs and inclusive growth.³

Expected outcome

12. The proposed general discussion would review the ILO's technical cooperation strategy, adopted by the Governing Body in November 2009, in light of the internal and external developments outlined above, and building on the Governing Body discussion in November 2014, which will focus on the period 2015–17. It could provide guidance beyond 2017 and longer term direction and support for the ILO development cooperation strategy. It would take into account new elements, such as the sustainable development goals and Office objectives for resource mobilization, substantive and financial delivery, development partnership diversification, alignment with the priorities set by constituents in the strategic policy framework, the programme and budget and Decent Work Country Programmes, reporting and visibility, and development effectiveness. The strategy would be complemented by a plan of action aimed at enhancing the scope, size and effectiveness of the ILO's development cooperation programme.

Preparation of the Conference discussion

13. The report to be submitted to the Conference should be based on the reviews carried out in the context of the reform, as well as on analyses of existing evaluations, and include a survey which would enable beneficiaries, constituents, donors, partners and implementing ILO units and offices to express their views on the relevance and effectiveness of the ILO's technical cooperation programme. It will draw on the outcomes of a series of Governing Body discussions, including those on regional technical cooperation perspectives.⁴ The report will be prepared by regular ILO staff and will not require additional resources.

2. *Violence against women and men in the world of work (standard setting, double discussion)*

Nature and context of the proposed item

14. This proposal was originally made as follow-up to the resolution concerning gender equality at the heart of decent work, adopted by the Conference at its 98th Session (2009), which recognizes that “[s]exual harassment and other forms of harassment are serious forms of discrimination across the world that undermine the dignity of women and men, negate gender equality and can have significant implications”. The resolution calls for the prohibition of gender-based violence in the workplace and for policies, programmes, legislation and other measures to be implemented to prevent it. It acknowledges the

³ United Nations: *A new global partnership: Eradicate poverty and transform economies through sustainable development*, Report of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda, May 2013.

⁴ These include discussions concerning Africa (315th Session of the Governing Body), Asia (318th Session), the Americas (319th Session) and Europe (320th Session), South–South and triangular cooperation (315th and 316th Sessions), public–private partnerships (316th and 320th Sessions), ILO technical cooperation in fragile States (320th Session) and the ILO's future technical cooperation strategy (322nd Session).

workplace as a privileged entry point for prevention and highlights the importance of addressing such violence “through social dialogue, including collective bargaining where applicable at the enterprise, sectoral or national level”.⁵

15. The proposal was considered at the 316th, 317th, 319th and 320th Sessions of the Governing Body.⁶ At the 320th Session (March 2014),⁷ the proposal was supported by the Workers’ group, the Africa group and the Governments of Australia, Canada, Cuba, Germany, India, Italy, Netherlands, Sri Lanka, United States and Uruguay. The Governments of Denmark, Finland, Iceland, Norway, Sweden and Switzerland considered that the ILO already has a mandate to propose a strategy to eliminate violence in the world of work, and indicated that the item could be part of the 2015 recurrent discussion on labour protection or the subject of a general discussion. The Employers’ group was not in favour of an item on violence in the workplace.
16. Violence in the world of work comes in many forms, including harassment, bullying and mobbing, human trafficking and forced prostitution, and assault. The ILO is regularly requested to provide advice and assistance on this issue, in particular concerning sexual and other forms of harassment. While some harassment may fall within the realm of criminal law, it generally focuses on sexual assault and not the full range of behaviour that constitutes harassment in employment and occupation.⁸ Promoting laws and policies to prevent and protect against harassment and other forms of violence in the world of work, as well as establishing complaints and monitoring mechanisms to protect workers against them, are an integral part of the ILO’s mandate. Under the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), sexual harassment is addressed as a serious manifestation of sex discrimination;⁹ the HIV and AIDS Recommendation, 2010 (No. 200), calls for action to prevent and prohibit violence and harassment in the workplace;¹⁰ the Indigenous and Tribal Peoples Convention, 1989 (No. 169), calls for protection against sexual harassment;¹¹ and the Domestic Workers Convention, 2011 (No. 189), requires effective protection against all forms of abuse, harassment and violence,¹² and its accompanying Recommendation stresses the importance of mechanisms to protect domestic workers in this regard.¹³ Most recently, the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203), calls for effective protective measures, including special rehabilitative measures for victims of forced or compulsory labour, including those who have also been subjected to sexual violence.¹⁴

⁵ Para. 5. See also para. 54 of the resolution.

⁶ See GB.316/INS/4, paras 67–76; GB.317/INS/2(Rev.), Appendix I, paras 20–29; GB.319/INS/2, Appendix IV.

⁷ GB.320/PV, paras 6–42.

⁸ See ILO: *Giving globalization a human face*, Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part 1B), International Labour Conference, 101st Session, Geneva, 2012, para. 792.

⁹ *ibid.*, para. 789.

¹⁰ Para. 14(c).

¹¹ Article 20(3)(d).

¹² Article 5.

¹³ Para. 7.

¹⁴ Para. 9(c).

The Office has also developed and disseminated sectoral tools on workplace violence, such as: the code of practice on workplace violence in services sectors and measures to combat this phenomenon; the Framework guidelines for addressing workplace violence in the health sector;¹⁵ a paper on violence and insecurity in education workplaces;¹⁶ and a working paper on violence at work in hotels, catering and tourism.¹⁷ These reflect the need of constituents for guidance and could inform a standard-setting discussion.

17. There is also increased focus in the international arena on violence and the world of work. During its 26th Session (2014), the United Nations Human Rights Council considered a report of the Working Group on the issue of discrimination against women in law and in practice and a report of the Special Rapporteur on violence against women, its causes and consequences.¹⁸ It was the priority theme for the 57th Session of the Commission on the Status of Women and has also been a focus of the post-2015 development agenda discussions.

Constituents' needs and realities in light of the ILO's strategic objectives

18. Violence has a high cost for workers, employers and society in general. It is a violation of human rights, affects the dignity of workers and can lead to significant stress, loss of motivation and heightened vulnerability to HIV infection, accidents, disability and even death. It disproportionately affects women and severely undermines their economic empowerment. For enterprises, violence leads to lower productivity, increased absenteeism, higher turnover and reputational risks. The impact of domestic violence on workers and workplaces is a recent and expanding area of research, which points to staggering costs for employers.¹⁹ Social dialogue, including collective bargaining, is increasingly being recognized as a means of addressing these issues.

Added value of standard setting with reference to the existing body of standards

19. Although it is gaining increasing prominence, there is not yet clear and authoritative guidance on how to delineate and address the issue of violence in the world of work. While a range of ILO standards address certain aspects of violence at work, including with respect to discrimination, forced labour, child labour, freedom of association, labour inspection, indigenous and tribal peoples, migrant workers and domestic workers, and the ILO is playing an active role in the development of tools and the provision of advisory services, ILO constituents could benefit from clearer and more integrated guidance under a

¹⁵ Prepared jointly in 2002 by the ILO, the International Council of Nurses, the World Health Organization and Public Services International.

¹⁶ A. Hilsdon and S. Randell: *Violence and insecurity in schools for teaching personnel: Impact on educational access*, Background paper for discussion at the 11th Session of the Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel, Geneva, 8–12 Oct. 2012, CEART/11/2012/WGVIS.

¹⁷ H. Hoel and S. Einarsen: *Violence at work in hotels, catering and tourism*, ILO Sectoral Activities Programme (Geneva, Oct. 2003).

¹⁸ See also: United Nations: *Agreed conclusions on the elimination and prevention of all forms of violence against women and girls*, United Nations Commission on the Status of Women, 57th Session, 2013.

¹⁹ A 2014 study from New Zealand, for example, estimates that domestic violence costs employers 368 million New Zealand dollars (NZD) a year, with a projected cost of NZD3.7 billion over the next ten years. Similar studies have been undertaken in Australia and the United Kingdom.

new instrument or instruments. The proposed instrument(s) would also reinforce the existing framework of international human rights standards on violence against women by addressing work-related contexts and relations. These contexts comprise not just traditional workplaces, but other locations where economic activity takes place, as well as areas that are critical for workers, such as safe public transport and vocational training facilities.

Expected outcome

20. A new instrument or instruments would contain clear definitions and guidance on roles and responsibilities, prevention and support measures, dispute resolution processes, the role of social dialogue, including collective bargaining, and the importance of collecting and analysing reliable data. It or they would also provide elements for national policies on violence and the world of work, and lay a solid foundation for policy development and action by governments, employers and workers and their organizations.

Preparation of the Conference discussion

21. The preparations would be undertaken in coordination with work to address gender equality and non-discrimination in the areas of critical importance and the outcome areas that are being developed for the 2016–17 biennium, including the protection of workers against unacceptable forms of work, and in the context of the Director-General's centenary initiative on women at work. The preparatory work would be informed by research, studies of good practices and data collection. Tripartite preparatory meetings could inform the scope and content of the future instruments, provide inputs from tripartite constituents and promote ownership of the outcome. Regional workshops and consultations within the United Nations system and with other international organizations would also be important components of the preparatory process.

3. *Labour migration (general discussion)*

Nature and context of the proposed item

22. At its 320th Session (March 2014), the Governing Body requested the Office to submit to the 322nd Session (November 2014) of the Governing Body a proposal concerning the possibility of selecting an item relating to labour migration with a view to a general discussion at a future session of the Conference.²⁰ The Director-General's Report to the 103rd Session (2014) of the Conference, on setting an ILO agenda for fair migration, was well received.²¹
23. The proposal builds on the comments made on the Director-General's Report, the conclusions of the Tripartite Technical Meeting on Labour Migration (November 2013) and recent Governing Body discussions and decisions.²² It also builds on the discussion at the 92nd Session (2004) of the Conference²³ and the subsequent tripartite meeting of experts, which adopted the ILO Multilateral Framework on Labour Migration. Furthermore, promoting fair and effective labour migration policies has been identified as

²⁰ GB.320/PV, para. 426.

²¹ ILO: *Fair migration: Setting an ILO agenda*, Report of the Director-General, Report 1(B), International Labour Conference, 103rd Session, Geneva, 2014.

²² TTMLM/2013/14; GB.316/PV, paras 328–352; GB.317/PV, paras 273–279; GB.319/PV, paras 341–352.

²³ Conclusions on a fair deal for migrant workers in a global economy, which include an ILO plan of action for migrant workers.

an outcome area in the preparation of the programme and budget proposals and the transitional strategic plan for 2016–17.

24. A general discussion could be considered for 2018 focusing on two elements of the ILO agenda for fair migration that are inter-related and that constituents have identified as priority areas for action, namely:
 - (1) instituting fair recruitment processes; and
 - (2) supporting fair and effective governance of labour migration and mobility at the bilateral and regional levels.
25. The Office is already undertaking work in these areas. However, there is still a need for more concerted action and further guidance from constituents.
26. The proposed general discussion would build on the ILO's work as Chair of the Global Migration Group in 2014, in particular the ILO's Fair Recruitment Initiative under the group's Taskforce on Migration and Decent Work, and its collaboration with the World Bank's Global Knowledge Partnership on Migration and Development. That partnership involves workers' and employers' organizations and is engaged in developing and testing good practice in pilot countries in order to improve the implementation of international labour standards in the recruitment of migrant workers. It seeks to measure and reduce the cost of labour migration for migrant workers through the development of practical guidance on how to improve their protection through bilateral labour migration agreements. The ILO is also supporting tripartite processes on labour mobility in regional economic integration frameworks, including in the context of the Ouagadougou+10 Extraordinary Summit on Employment and Poverty Alleviation in Africa, the Southern African Development Community, the Labour Forum of the Association of Southeast Asian Nations and the Economic Community of West African States. These efforts address key priorities identified by the ILO Tripartite Technical Meeting on Labour Migration (2013), the Declaration of the High-level Dialogue on International Migration and Development held in October 2013, adopted by the United Nations General Assembly, and the United Nations Secretary-General's eight-point agenda for action. The general discussion would benefit from the results of work initiated by the Office to build the capacity of the social partners to engage in labour migration policies at the regional level, including in the framework of a number of areas of critical importance.

Constituents' needs and realities in light of the ILO strategic objectives

27. At the 103rd Session (2014) of the Conference, many governments and employers' and workers' organizations emphasized the importance of regulating recruitment and placement services to prevent malpractices and serious abuses of migrant workers' rights, and of ensuring a greater role for the social partners in migration-related policy decisions. Bilateral agreements and memoranda of understanding have been adopted by a large number of countries in important migration corridors, while labour mobility is a growing feature and governance challenge for most regional integration processes, especially in certain countries that were formerly countries of origin and are now also countries of destination, for example in the global South, where cross-border labour flows have intensified over the past decade.

Added value of a Conference discussion

28. A Conference discussion would provide an opportunity to exchange information on good practices across regions, assess the relevance and effectiveness of the ILO's work and propose additional tools and guidance to enable the ILO agenda for fair migration to become a reality. The discussion would also draw on the outcome of the General Survey on the labour migration instruments to be prepared by the ILO Committee of Experts on

the Application of Conventions and Recommendations and discussed by the Conference in 2016.²⁴

Expected outcome

29. The proposed general discussion would provide guidance to strengthen the ILO's work and its impact in the field of labour mobility and the recruitment of migrant workers, and to enhance the capacity of labour ministries and workers' and employers' organizations to influence policy discussions and engage in the promotion of fair migration. Possible follow-up action by the Conference and the Governing Body could include the development of guidance or an action plan on fair recruitment and on bilateral and regional cooperation on labour migration and mobility.

Preparation of the Conference discussion

30. A report would be prepared by the Office, drawing on the results of the ILO work and research that is now under way on fair recruitment and bilateral agreements. The costs for the Office would be those associated with the preparation of Conference discussions.

²⁴ GB.321/INS/PV/Draft, para. 78.