



Report of the Chairperson of the Governing Body to the International Labour Conference for the year 2013–14

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 2013), i.e. the 318th (June 2013), 319th (October 2013) and 320th (March 2014) 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 committees and to the Governing Body itself, please refer to the Governing Body website.¹

I. Institutional Section

1. Agenda of the International Labour Conference

At its 319th Session (October 2013), the Governing Body considered proposals to complete the agenda of the 104th Session (2015) of the Conference as well as proposals for the agenda of the 105th Session (2016) and beyond of the Conference,² in light of the decisions³ taken at the 317th Session (March 2013) of the Governing Body and the discussions and outcomes of the 102nd Session (June 2013) of the Conference. It selected the following items: (a) Small and medium-sized enterprises and decent and productive employment creation with a view to a general discussion for the 104th Session (2015) of the Conference; and (b) Decent work in global supply chains with a view to a general discussion at the 105th Session (2016) of the Conference. It postponed a discussion on any further item for the 105th Session (2016) of the Conference to its 320th Session (March 2014) and requested the Director-General to provide advice to the 320th Session (March 2014) of the Governing Body on preparation for the general discussion items for the 104th and 105th Sessions (2015 and 2016) of the Conference. The Governing Body also

¹ Visit www.ilo.org and follow the link to the Governing Body.

² GB.319/INS/2.

³ GB.317/PV, para. 25.

requested the Director-General to report further at its 322nd Session (November 2014)⁴ on: (a) the removal from its consideration of items not retained for the agenda of either the 104th or the 105th Sessions (2015 and 2016) of the Conference; (b) the follow-up to be undertaken in respect of future sessions of the Conference; and (c) suggestions submitted by member States and social partners for items that could be included in future agendas of the Conference.

In light of the decisions taken at its 319th Session (October 2013), at its 320th Session (March 2014) the Governing Body completed the agenda of the 105th Session (2016) of the Conference. It placed on the agenda of the 105th Session (2016) the item on 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). The Governing Body also decided to provisionally place the topic relating to the approval of the proposed amendments to the Code of the Maritime Labour Convention, 2006 (MLC, 2006), 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 2014.⁵ It provided further guidance on the preparation of the item entitled: Small and medium-sized enterprises and decent and productive employment creation for the 104th Session (2015) and the item entitled: Decent work in global supply chains for the 105th Session of the Conference (2016).⁶

The Governing Body also took up the question of the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization, 2008 (the Social Justice Declaration) at its 320th Session (March 2014).⁷ Part III of the Social Justice Declaration, “Final Provisions”, and its annex, “Follow-up to the Declaration”, foresaw such a review process. The question for the Governing Body was to decide whether the evaluation should take place in 2017, at the 106th Session of the Conference, after the completion of the full, seven-year cycle of recurrent discussions with a discussion on the strategic objective of fundamental principles and rights at work, already scheduled for the 105th Session of the Conference (2016), or whether to defer that recurrent discussion to 2017 and conduct the evaluation at the Conference in 2016. In any event, the Governing Body decided that there was value in conducting the evaluation of the Social Justice Declaration at the 105th Session of the Conference (2016), as this discussion could assist in the Conference’s and the Governing Body’s consideration of the Strategic Policy Framework, to be taken up by the Conference in 2017. Decisions were also taken to place an item on the evaluation of the impact of the Social Justice Declaration by the International Labour Conference (ILC) on the agenda of the 322nd Session of the Governing Body (November 2014), and to defer the recurrent item discussion on fundamental principles and rights at work from the 105th Session (2016) to the 106th Session of the Conference (2017).⁸

⁴ GB.319/PV, para. 35.

⁵ *Provisional Record* No. 2.1, International Labour Conference, 2014.

⁶ GB.320/INS/2, para. 32.

⁷ GB.320/INS/15/2.

⁸ *ibid.*, para. 10, as amended.

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

In March 2014, the Governing Body examined an Office paper⁹ highlighting the manner in which the fundamental principles and rights at work had been promoted and realized in countries which had not yet ratified the relevant Conventions. The speakers noted again with satisfaction the government reporting rate of 100 per cent for the third consecutive year, the significant increase in the participation of employers' and workers' organizations in the reporting process as well as the ten new ratifications of fundamental Conventions in 2013. While mentioning that priority should be given to the Office's response to the overwhelming pending requests for technical assistance by governments and employers' and workers' organizations to ensure progress towards better ratification and implementation, the Governing Body invited the Director-General to: (i) take into account its guidance on key issues and priorities with regard to assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work; and (ii) take account of this goal in the Office's resource mobilization initiatives.

3. The post-2015 sustainable development agenda

In October 2013, the Governing Body discussed a paper¹⁰ on this subject. The discussion reiterated the strong support of the Governing Body related to the efforts to place the Decent Work Agenda at the centre of the post-2015 development framework. The Governing Body requested the Director-General to give effect to a six-point strategy for further work on this framework and requested a review on progress on this matter regularly.¹¹

Further to that discussion, the Office had been active in briefing its tripartite constituents and supporting their participation in the post-2015 consultations at national and global levels. It had made efforts to reach out to influential external partners and international and regional bodies. It had continued to produce policy briefings and technical contributions on employment, decent work and social protection for the United Nations (UN) post-2015 team and the UN General Assembly's Open Working Group on the Sustainable Development Goals. It had established new contacts with members of the diplomatic communities in New York and Geneva who were more closely involved in the negotiation of the new framework. Office research and analysis was focusing on employment, decent work and social protection and how the link to inclusive growth, sustainable development and poverty alleviation, with emphasis on evidence-based solutions. Attention has also been paid to accelerating progress towards achieving the current Millennium Development Goals in the period up to 2015.

⁹ GB.320/INS/4.

¹⁰ GB.319/INS/4.

¹¹ GB.319/PV, para. 106.

4. A strategy for ILO wider engagement with the private sector

At its 320th Session (March 2014), the Governing Body examined an Office paper on a: Strategy for ILO wider engagement with the private sector.¹² The Governing Body broadly endorsed the revised strategy and commented on the methodology of the initiative. The Workers' group noted the importance of building on international labour standards, the Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy and the UN Guiding Principles on Business and Human Rights. It underscored that enterprises that wished to engage with the ILO should also be willing to engage with the respective Global Union federation and emphasized the important role played by the Bureau for Workers' Activities (ACTRAV) and the Bureau for Employers' Activities (ACT/EMP) in facilitating and strengthening ILO engagement with the private sector. While supporting the draft decision, the Workers called for the revised approach to be reviewed and evaluated at regular intervals.

The Employers' group pointed out that there were different ways to establish codes of conduct on corporate responsibility; it did not have to be in the form of a framework agreement signed with a Global Union federation. The relationship manager for enterprises wishing to engage with the ILO should be ACT/EMP, and for workers ACTRAV, while the Enterprises Department should have a technical function. The group did not agree with the methodology outlined in the document, which would add a second layer of bureaucracy.

Governments underscored the importance of the initiative and commented on the management processes as well as on the role of governments in this strategy. The Director-General noted with satisfaction that the Governing Body welcomed the key messages in the document. However, there was disagreement with regard to the methodology and operations of the initiative, particularly from the Employers' group. Despite the efforts by the Office to resolve the issues that had been raised, it had not been possible to find a common understanding. The Office would engage with all parties concerned in order to prepare a draft decision that would meet with the agreement of them all. The Governing Body decided to defer its consideration of the strategy for ILO wider engagement with the private sector until its 321st Session (June 2014).¹³

An analysis of public–private partnerships (PPPs)

The Institutional Section examined the ILO's engagement in public–private partnerships (PPPs) during the past six years and agreed on a number of proposals for a refined PPP strategy. In order to facilitate the discussion, the paper¹⁴ provided information on the geographical and thematic scope of PPPs, the participation of ILO social partners, as well as an analysis of the PPP selection criteria and the lessons learned and results achieved from 2008 to 2013. The Governing Body recognized the value added of PPPs for all parts and their relevance to the ILO's programme priorities. The Governing Body also requested the Office to translate into action the proposals for a refined PPP strategy and to

¹² GB.320/INS/5/1.

¹³ *ibid.*, para. 10, as amended.

¹⁴ GB.320/INS/5/2.

report on progress in relation to such implementation in March 2016.¹⁵ Such proposals include a variety of actions, ranging from making arrangements to have a more focused and proactive approach, to improving the internal review process, to enhancing coordination, knowledge sharing, monitoring and communication.

5. Report on ILO activities in Myanmar

The 102nd Session (2013) of the ILC resolved to lift the suspension of the remaining provisions of its 2000 resolution and invited the Governing Body to review the situation in Myanmar on issues relating to ILO activities, including freedom of association, and the impact of foreign investment on decent working conditions in the country, and in this regard, requested the Director-General to submit a report at March Governing Body sessions until the elimination of forced labour. Consequently, the Governing Body, at its 319th Session (October 2013), received only an information paper¹⁶ reporting on progress in the operation of the forced labour complaints mechanism submitted in compliance with the reporting requirement of the Supplementary Understanding of 2007. At its 320th sitting (March 2014) the Governing Body received a paper¹⁷ on ILO activities in Myanmar in compliance with the aforementioned Conference resolution which was noted with guidance provided thereon to the Office.

6. Report and Declaration of the Ninth European Regional Meeting (Oslo, 8–11 April 2013)

The Governing Body received the report and Declaration¹⁸ (the “Oslo Declaration”) of the Ninth European Regional Meeting at its 319th Session (October 2013). The Office provided the Governing Body with an update on efforts that had been made since the Meeting had closed. The Governing Body welcomed the report and suggested that the Meeting could be taken as a model for future regional meetings. It also commended the concision of the Oslo Declaration and requested the Director-General to take it as a benchmark for future conclusions of regional and other ILO meetings; to implement the concrete proposals for action in the Oslo Declaration and to report annually on implementation activities, within existing budgetary resources; and to take the Oslo Declaration into account when drafting the new ILO Strategic Policy Framework.¹⁹

¹⁵ GB.320/INS/5/2, para. 26.

¹⁶ GB.319/INS/INF/2.

¹⁷ GB.320/INS/6(Rev.).

¹⁸ GB.319/INS/6.

¹⁹ GB.319/PV, para. 147.

7. Matters arising out of the work of the 102nd Session of the ILC

Follow-up to the discussion of the Report of the Director-General

In October 2013, the Governing Body welcomed the opportunity to follow up on the Report submitted by the Director-General to the 102nd Session of the Conference, entitled: “Towards the ILO centenary: Realities, renewal and tripartite commitment”.²⁰ The Report contained seven centenary initiatives, and the Governing Body wished to proceed with all of them, while asking the Director-General to take account of the need for complementarity with other programming instruments. The Governing Body provided guidance to the Director-General as to how to pursue the initiatives, and asked the Office to supply progress reports at the October–November sessions, and additionally as circumstances required.²¹

Follow-up to the resolution concerning employment and social protection in the new demographic context

Subsequent to the resolution concerning employment and social protection in the new demographic context with accompanying conclusions²² adopted at the 102nd Session of the ILC (2013), a follow-up strategy was submitted for consideration by the Governing Body at its 319th Session (October 2013).²³

The follow-up strategy provided guidance to the ILO over the next few years. A more detailed workplan for the next three biennia (2014–19) would be prepared by the Office following the Governing Body’s guidance. The actions identified for the Office with regard to the development of a comprehensive policy mix to tackle the challenges rising from the new demographic context were grouped under three areas: (i) technical cooperation, including capacity building; (ii) knowledge development, dissemination and follow-up; and (iii) partnership and advocacy. The work was led by the Employment Policy Department and the Social Protection Department in cooperation with all other relevant departments.

The follow-up strategy was adopted and the Director-General was requested to take into account the strategy in preparing future programme and budget proposals and in developing resource mobilization initiatives, and to give them effect, to the extent possible, when implementing the programme and budget for the 2014–15 biennium.²⁴

²⁰ ILC.102/DG/I(A).

²¹ GB.319/INS/3/1, para. 38.

²² ILC.102/PR/13.

²³ GB.319/INS/3/3.

²⁴ GB.319/PV, para. 72.

Follow-up to the resolution concerning the recurrent discussion on fundamental principles and rights at work: Implementation of the plan of action

The Governing Body commended the Office for its efforts in the follow-up to the plan of action²⁵ and expressed appreciation for the progress made in the areas of research, statistics, the knowledge agenda, advocacy and capacity building of constituents. There was a renewed appeal for universal ratification of the fundamental Conventions and for the Office to prioritize the required technical assistance, not only in this regard but also with respect to implementation. The Office was encouraged to continue engaging member States in good practices and to increasing the proportion of technical cooperation projects relating to fundamental principles and rights at work. There was concern expressed about the plan of action's dependence on extra-budgetary resources and the Office was reminded that resources should be systematically allocated to follow up on all recurrent item discussions.

Follow-up to the resolution concerning sustainable development, decent work and green jobs

At its 319th Session (October 2013), the Governing Body invited the Office to present, before the 322nd Session (November 2014) an expanded version of the paper considered at its 319th Session,²⁶ containing evidence-based analysis, in order for the Governing Body to consider the convening of a tripartite meeting of experts on sustainable development, decent work and green jobs, as suggested in paragraph 24 of the Conference conclusions adopted in June 2013.²⁷

At its 320th Session (March 2014), the Governing Body was provided with the information requested on the rationale for, and overall purpose of, such a possible tripartite meeting.²⁸ In the light of this information, it recommended the organization of a tripartite meeting of experts to review, amend and adopt draft policy guidelines along the lines set out in the report, subject to the availability of financial resources, and invited the Office to submit a proposal for the arrangements of such a meeting, including its intended outcome, composition, place and date, duration, costs and financing, to the 321st Session (June 2014) of the Governing Body.²⁹

**8. Reports of the Committee on Freedom of Association
(368th, 369th, 370th and 371st Reports)**

During the past year, the Committee on Freedom of Association examined 100 cases, and in 76 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

²⁵ GB.320/INS/3/1.

²⁶ GB.319/INS/3/2.

²⁷ ILC.102/PR/12.

²⁸ GB.320/INS/3/2.

²⁹ GB.320/INS/PV/Draft, para. 69.

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 October 2013, and March 2014, the Governing Body approved the recommendations of the Committee on Freedom of Association set out in its 368th,³⁰ 369th,³¹ 370th³² and 371st³³ Reports and the reports as a whole.

9. Belarus: Follow-up given to the recommendations of the 2004 Commission of Inquiry

At its 320th Session (March 2014), the Governing Body had before it a report of the direct contacts mission which visited the country in January 2014,³⁴ pursuant to the request made by the Committee on the Application of Standards of the ILC in June 2013 (102nd Session), with a view to obtaining a full picture of the trade union rights situation in Belarus and assisting the Government in the rapid and effective implementation of all outstanding recommendations of the 2004 Commission of Inquiry.³⁵ The Governing Body took note of the information provided in the report and requested the Office to take into account the observations and guidance provided during the discussion.

10. Report of the high-level tripartite mission to the Bolivarian Republic of Venezuela (Caracas, 27–31 January 2014)

In June 2004, various Employers' delegates to the ILC filed a complaint under article 26 of the ILO Constitution alleging non-observance by the Bolivarian Republic of Venezuela of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).³⁶ At its 310th Session (March 2011), the Governing Body decided: (a) that the complaint presented originally in 2004 would not be referred to a Commission of Inquiry; (b) to request the Director-General to send a high-level tripartite mission to the Bolivarian Republic of Venezuela to address all the issues before the Governing Body related to Case No. 2254 before the Committee on Freedom of

³⁰ GB.318/INS/5/1.

³¹ GB.318/INS/5/2.

³² GB.319/INS/10.

³³ GB.320/INS/12.

³⁴ GB.320/INS/7, Appendix II.

³⁵ *ibid.*, Appendix I.

³⁶ GB.291/17.

Association³⁷ as well as technical cooperation matters, and to provide a full report to the Governing Body at its 312th Session (November 2011); and (c) that, as a result of that decision, the procedure filed under article 26 of the ILO Constitution in June 2004 was closed.³⁸ Since then, the mission had to be postponed for various reasons. Finally, on the basis of a proposal made by the Government in June 2013, an agreement was reached in November of that same year to carry out the high-level tripartite mission from 27 to 31 January 2014.

Recalling, in keeping with the views expressed by the Committee on Freedom of Association, the need for, and the importance of, establishing structured bodies for tripartite social dialogue in the country and noting that no tangible progress had been made in that regard, the mission considered it was necessary for the Government to devise a plan of action providing for: (i) the establishment of a round table between the Government and the Venezuelan Federation of Chambers of Commerce and Manufacturers' Associations (FEDECAMARAS), with the presence of the ILO, to deal with all pending matters relating to the recovery of estates and the expropriation of enterprises and other related problems arising or that may arise in the future; (ii) the establishment of a tripartite dialogue round table, with the participation of the ILO, presided over by an independent chairperson who has the trust of all the sectors, that duly respects the representativeness of employers' and workers' organizations in its composition, that meets periodically to deal with all matters relating to industrial relations decided upon by the parties, including the holding of consultations on new legislation to be adopted concerning labour, social or economic matters. Regarding the criteria and procedures to be used to determine the representativeness of workers' and employers' organizations, the mission believed that it was important for the Government to be able to avail itself of the technical assistance of the ILO; (iii) the discussion of laws, bills, other regulations and socio-economic policy at the tripartite dialogue round table, with a view to bringing domestic legislation into conformity with the Conventions concerning freedom of association and collective bargaining ratified by the Bolivarian Republic of Venezuela; and (iv) the identification of the causes of the problems related to administrative and judicial proceedings that affect workers' and employers' organizations and their representatives, with a view to finding solutions that will settle all matters pending in Case No. 2254.³⁹

At its 320th Session (March 2014) the Governing Body: (a) took note of the information contained in the report of the high-level tripartite mission to the Bolivarian Republic of Venezuela (27–31 January 2014) and thanked the mission for its work; (b) urged the Government of the Bolivarian Republic of Venezuela to develop and implement the plan of action as recommended by the high-level tripartite mission, in consultation with national social partners; and requested the Director-General to provide the required assistance to that end; and (c) submitted the report of the high-level tripartite

³⁷ Case No. 2254 before the Committee on Freedom of Association (a case based on a complaint submitted in March 2003 by the International Organisation of Employers (IOE) and the Federation of Chambers of Commerce and Manufacturers' Associations (FEDECAMARAS)) refers to a number of issues raised by the complaint presented under article 26 of the Constitution (legislation violating Conventions Nos 87 and 98, lack of social dialogue and acts detrimental to employers and their officials, including acts of violence and intimidation against employer officials, and the authorities' promotion of parallel employers' organizations).

³⁸ GB.310/PV, para. 87, and proposal made by the Officers.

³⁹ GB.320/INS/8.

mission to the Committee on Freedom of Association for its consideration in the framework of the next examination of Case No. 2254 at its meeting in May–June 2014.⁴⁰

11. Representations submitted under article 24 of the Constitution of the ILO

Report of the Committee set up to examine the representation alleging non-observance by the Dominican Republic of the Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19), submitted under article 24 of the ILO Constitution by the National Confederation of Dominican Workers (CNTD)

At its 319th Session (October 2013), the Governing Body approved the report of the tripartite committee set up to examine a representation alleging non-observance by the Dominican Republic of the Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19), made under article 24 of the ILO Constitution by the National Confederation of Dominican Workers (CNTD).⁴¹ The CNTD alleged that, as a consequence of the 2001 reform of the Dominican Republic's social security legislation, occupational risks insurance was provided only for Dominican nationals and foreigners considered to be residents of the country. In this respect, according to the CNTD, national legislation did not comply with Article 1(2) of ILO Convention No. 19, which guaranteed, with regard to occupational accidents, equality of treatment to foreign workers without any condition as to residence. The Governing Body invited the Government to provide, in a report to be submitted for examination by the Committee of Experts on the Application of Conventions and Recommendations, detailed information on the measures adopted to give effect to the recommendations contained in the report of the tripartite committee, so that the Committee of Experts could proceed with its examination of the issues raised in connection with the application of the Convention.

Report of the Committee set up to examine the representation alleging non-observance by Portugal of the Occupational Safety and Health Convention, 1981 (No. 155), made under article 24 of the ILO Constitution by the Occupational Association of Professional Police Officers (ASPP/PSP)

At its 319th Session (October 2013), the Governing Body approved the report of the tripartite committee set up to examine the representation alleging non-observance by Portugal of the Occupational Safety and Health Convention, 1981 (No. 155), made under article 24 of the ILO Constitution by the Occupational Association of Professional Police Officers (ASPP/PSP).⁴² Based on this report, the Governing Body invited the Government to take such measures, in consultation with the social partners, as may be necessary to ensure the effective application of Convention No. 155 with regard to the ASPP/PSP, in

⁴⁰ GB.320/INS/8.

⁴¹ GB.319/INS/14/5.

⁴² GB.319/INS/14/8.

law and in practice. This should include measures to ensure the review of the situation regarding the occupational safety and health and the working environment of the ASPP/PSP, taking into account their specificities, in accordance with Article 7 of Convention No. 155, with a view to identifying major problems, evolving effective methods for dealing with them and evaluating results. It also entrusted the Committee of Experts on the Application of Conventions and Recommendations with following up on effect given to the conclusions of this report with respect to the application of Convention No. 155. The Governing Body made the report publicly available and closed the procedure.⁴³

Report of the committee set up to examine the representation alleging non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), made under article 24 of the ILO Constitution by the International Trade Union Confederation (ITUC) and the Building and Wood Workers' International (BWI)

At its 320th Session (March 2014), the Governing Body approved the report of the tripartite committee set up to examine a representation alleging non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), made under article 24 of the ILO Constitution by the International Trade Union Confederation (ITUC) and the Building and Wood Workers' International (BWI).⁴⁴ The Governing Body requested the Government, in light of the conditions of work that certain migrant workers might face, to review without delay the functioning of the sponsorship system so that the system did not place migrant workers in a situation of increased vulnerability to the imposition of exploitative work from which they could not leave. The Government was requested to ensure, without delay, access to justice for migrant workers, so that they could effectively assert their rights, including by strengthening the complaints mechanism and the labour inspection system, as well as through the empowerment of migrant workers. It was also requested to ensure that adequate penalties were applied for violations relating to forced labour contained in the Penal Code, the Labour Law and Law No. 15 of 2011 on combating trafficking in persons.⁴⁵

12. Complaints submitted under article 26 of the Constitution of the ILO

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 ILC under article 26 of the ILO Constitution

It is recalled that at its 317th Session (March 2013), the Governing Body had decided to defer, until its 319th Session (October 2013), the decision on the appointment of a Commission of Inquiry to examine the complaint made by delegates to the 101st Session

⁴³ GB.319/PV, para. 291.

⁴⁴ GB.320/INS/14/8.

⁴⁵ *ibid.*, para. 65.

(June 2012) of the ILC under article 26 of the ILO Constitution concerning non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).⁴⁶ The decision of the Governing Body was based on the Memorandum of Understanding concluded on 26 March 2013 between the Chairperson of the Workers' group of the Governing Body of the ILO and the Government of Guatemala.

At its 319th Session (October 2013), the Governing Body decided to defer once again, until its 320th Session (March 2014), the decision on the appointment of a Commission of Inquiry. The decision of the Governing Body was based on the conclusions of the high-level mission which visited Guatemala from 23 to 27 September 2013 and also on the roadmap adopted by the Government of Guatemala in consultation with the social partners of the country with a view to expediting the application of the abovementioned Memorandum of Understanding. In addition, the Governing Body requested the Office to provide the Officers of the Governing Body, at its 320th Session (March 2014), with an update on the progress made in the light of paragraphs 6 and 8 of document GB.319/INS/7, and to include the information provided by the Government and the employers' and workers' organizations of Guatemala.⁴⁷

In a communication dated 26 February 2014, the Government of Guatemala sent its observations concerning the implementation of the roadmap. The Autonomous Popular Trade Union Movement of Guatemala and the Coordinating Committee of the Global Unions in Guatemala sent their observations in a communication dated 22 February 2014. The Indigenous and Rural Workers' Trade Union Movement of Guatemala sent its observations in a communication dated 9 March 2014. The Coordinating Committee of Agricultural, Commercial, Industrial and Financial Associations (CACIF) sent its observations in a communication dated 27 February 2014.

In light of the information contained in document GB.320/INS/9 and its appendix, the Governing Body decided to defer the decision on the appointment of a Commission of Inquiry to its 322nd Session (November 2014) and to place this item on the agenda of its 322nd Session (November 2014).⁴⁸

Complaint concerning non-observance by Fiji of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 102nd Session (2013) of the ILC under article 26 of the ILO Constitution

In a letter dated 20 June 2013, addressed to the Director-General of the International Labour Office, a number of Workers' delegates at the 102nd Session (2013) of the ILC presented a complaint under article 26 of the ILO Constitution against the Government of Fiji for persistent and grave violations of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).

⁴⁶ GB.317/PV, para. 107.

⁴⁷ GB.319/PV, para. 155.

⁴⁸ GB.320/INS/9, para. 8.

At its 318th Session (June 2013), the Governing Body considered the agenda item on the follow-up to the resolution on the trade union situation in Fiji,⁴⁹ adopted by the Governing Body at its 316th Session in November 2012,⁵⁰ and decided, in the light of the discussions held in the ILC Committee on the Application of Standards concerning Convention No. 87, to: (a) urge the Government of Fiji to accept the return of the direct contacts mission before its 319th Session (October 2013), to assist the Government and the social partners in finding solutions to the outstanding matters in relation to freedom of association; and (b) place this item on the agenda of its 319th Session (October 2013).⁵¹

At the 319th Session (October 2013) of the Governing Body, the Officers considered the complaint to be receivable in accordance with article 26 of the ILO Constitution, and, without entering into the substance of the complaint, agreed to refer the matter to the Governing Body. The Governing Body, on the recommendation of its Officers: (a) requested the Director-General to transmit the complaint to the Government and invite it to provide its observations on the complaint by 20 January 2014; and (b) deferred the decision to establish a Commission of Inquiry to its 320th Session (March 2014).⁵² Furthermore, in light of the proposal of the Officers of the Governing Body concerning the receivability of the article 26 complaint, and taking into account the communication from the Prime Minister of Fiji, dated 15 October 2013, asking that the direct contacts mission visit the country after the elections due for 30 September 2014, the Governing Body: (a) urged the Government again to accept the return of the direct contacts mission before its 320th Session (March 2014) to assist the Government and the social partners in finding solutions to the outstanding matters in relation to freedom of association; and (b) placed this item on the agenda of its 320th Session (March 2014).⁵³ In a communication dated 24 January 2014, the Prime Minister of Fiji replied to the Director-General's letter and formulated his Government's response to the article 26 complaint.

At its 320th Session (March 2014), in the light of the continuing concerns regarding the trade union situation in Fiji, the Governing Body: (a) called once again on the Government of Fiji to accept the ILO direct contacts mission under the previously agreed terms of reference, which were based on the conclusions and recommendations of the ILO Committee on Freedom of Association on Case No. 2723; and (b) decided that, if the direct contacts mission did not take place in time for a report to the 322nd Session of the Governing Body (November 2014), then the 322nd Session should appoint a Commission of Inquiry under Article 26.⁵⁴

⁴⁹ GB.318/INS/4.

⁵⁰ GB.316/INS/8.

⁵¹ GB.318/PV, para. 39.

⁵² GB.319/PV, para. 293.

⁵³ *ibid.*, para. 178.

⁵⁴ GB.320/INS/11, para. 12, as amended.

13. Reports of the Director-General

Update on the internal reform

In October 2013 and March 2014, the Director-General reported on progress in implementation of his reform agenda for the Office.⁵⁵ All three groups expressed their support of the process.

Follow-up to the discussion on the dissolution of the International Institute for Labour Studies (IILS) and the establishment of the central Research Department

At its 320th Session (March 2014), the Governing Body agreed to the establishment of a new Research Fund, as set out in the draft decision of GB.320/PFA/6, to support the activities of the new Research Department. It also noted the arrangements concerning the organizational structure, reporting lines and governance of the Research Department.⁵⁶ The initiative to establish an independent Research Review Group that would be composed of internationally renowned experts with diverse backgrounds, both academically and geographically, was welcomed. The importance of rigorous, impartial research of policy-relevant issues was also underlined. The Director-General gave his assurances that he would exert strategic leadership on the research agenda, with advice from the Director of the Research Department, and that the high-quality services provided by the International Institute for Labour Studies (IILS) would continue to be provided by the Research Department.

Report of the Tripartite Meeting of Experts on Facilitating Transitions from the Informal Economy to the Formal Economy (Geneva, 16–20 September 2013)

At its 317th Session (March 2013), the Governing Body decided to place a standard-setting item on the agenda of the 103rd Session (June 2014) of the ILC on facilitating transitions from the informal to the formal economy (standard-setting, double discussion) with a view to the elaboration of a Recommendation.⁵⁷ The Office prepared a preliminary report setting out the law and practice in the different countries, together with a questionnaire which was transmitted to member States in August 2013 with a deadline for responses of 31 December 2013 after consultation with the most representative organizations of employers and workers. The Governing Body also decided to convene a Tripartite Meeting of Experts on Facilitating Transitions from the Informal Economy to the Formal Economy from 16 to 20 September 2013 in Geneva, with the objective to provide guidance on the nature and content of the proposed instrument and prepare constituents for responding to the questionnaire.⁵⁸

⁵⁵ GB.319/INS/14/1 and GB.320/INS/14/1.

⁵⁶ GB.320/INS/14/2.

⁵⁷ GB.317/PV, para. 25.

⁵⁸ *ibid.*, paras 283–284.

The report of this Tripartite Meeting of Experts on Facilitating Transitions from the Informal Economy to the Formal Economy, including the Chairperson's summary, was submitted to the 319th Session of the Governing Body (October 2013), as a Supplementary Report of the Director-General.⁵⁹ The Governing Body requested the Director-General to draw the attention of ILO constituents to the report of the Tripartite Meeting of Experts on Facilitating Transitions from the Informal Economy to the Formal Economy, by transmitting it: (a) to the governments of all member States and, through them, to national employers' and workers' organizations; and (b) to the international organizations concerned, including international non-governmental organizations with consultative status.⁶⁰

Situation of trade union rights in Bangladesh

Following the discussion in June 2013 in the Conference Committee on the Application of Standards concerning the application in Bangladesh of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the ILC adopted the Committee's report inviting the Director-General in its conclusions to submit to the Governing Body in 2014 a detailed report on the situation regarding respect for freedom of association in the country. At its 320th Session (March 2014), the Governing Body considered a Report of the Director-General on the situation of trade union rights in Bangladesh, containing, in particular, relevant statistical information and outlining measures taken in the country aimed at promoting freedom of association.⁶¹ The Governing Body provided guidance in relation to the situation reported in the document and the action undertaken by the ILO with respect to freedom of association in Bangladesh.⁶²

Developments in relation to the agreement between the ILO and the International Organization for Standardization (ISO) including in the field of occupational safety and health

At its 320th Session, the Governing Body received an update⁶³ on the pilot implementation of the agreement between the ILO and the International Organization for Standardization (ISO), authorized by the Governing Body in March 2013⁶⁴ and signed on 6 August 2013. The Governing Body stressed once more that the ILO must maintain its position of authority when collaborating with other international organizations to ensure consistency with its work on labour-related issues. It decided to extend for one year the pilot implementation of the ILO–ISO agreement, noting in particular that collaboration on occupational safety and health management systems (OSH–MS) was still under development; the implementation would be further reviewed at its 323rd Session (March 2015). It also provided guidance on priorities and challenges to be taken into account in

⁵⁹ GB.319/INS/14/6.

⁶⁰ GB.319/PV, para. 289.

⁶¹ GB.320/INS/14/3.

⁶² *ibid.*, para. 12.

⁶³ GB.320/INS/14/4.

⁶⁴ GB.317/PV, para. 292.

continued piloting of the ILO–ISO agreement, and on particular elements for assessing its effectiveness.⁶⁵

Appointment of an Assistant Director-General

At its 320th Session, the Governing Body noted the appointment by the Director-General, after having duly consulted the Officers of the Governing Body, of Mr Aneas Chapinga Chuma as Regional Director of the ILO Regional Office for Africa, in Addis Ababa, at the Assistant Director-General level, with effect from 1 March 2014. Mr Chuma made and signed the prescribed declaration of loyalty as provided under article 1.4(b) of the ILO Staff Regulations.⁶⁶

14. Reports of the Officers of the Governing Body

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 ILC 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 ILC 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),⁶⁷ 313th (March 2012),⁶⁸ 316th (November 2012),⁶⁹ 317th (March 2013),⁷⁰ 319th (October 2013)⁷¹ Sessions, until its 320th Session (March 2014).⁷²

In November 2011, the Governing Body decided to defer all consideration of the complaint until its following session, following the proposal from the Government of Bahrain to establish a tripartite committee at national level that would address the issue of dismissals and reinstatements referred to in the complaint, and to submit a progress report to the Director-General.⁷³ Three ILO missions visited the country. The first mission took place from 29 February to 11 March 2012, in response to a request sent by the General

⁶⁵ GB.320/INS/14/4, para. 13.

⁶⁶ GB.320/INS/14/7.

⁶⁷ GB.312/INS/16/1.

⁶⁸ GB.313/INS/13/1.

⁶⁹ GB.316/INS/15/1(Rev.).

⁷⁰ GB.317/INS/13/1.

⁷¹ GB.319/INS/9.

⁷² GB.320/INS/15/1.

⁷³ GB.312/PV, para. 235.

Federation of Bahrain Trade Unions (GFBTU) to the Director-General of the ILO. In the course of this mission, on 11 March 2012, the tripartite constituents signed a Tripartite Agreement concerning the issues raised in the complaint.⁷⁴ At the request of the GFBTU, a further mission of the Office took place from 7 to 10 October 2012. While some progress was made, it was not possible to reach agreement in the course of the mission.⁷⁵ Following an invitation of the Governing Body in March 2013 to gather all relevant information concerning the implementation of the Tripartite Agreement of 2012⁷⁶ a further mission took place on 7–8 October 2013.⁷⁷

On 10 March 2014, the Office received the “Tripartite Agreement on the Final Settlement of the Cases concerning the Dismissed Workers” signed by the Government, the GFBTU and the Bahrain Chamber of Commerce and Industry (BCCI). The Office also received a letter signed by the abovementioned signatories to the Supplementary Tripartite Agreement of 2014, requesting the Governing Body to consider that the complaint called for no further action on its part. At its 320th Session, the Governing Body welcomed the Supplementary Tripartite Agreement of 2014 reached by the Government, the GFBTU and the BCCI which, together with the Tripartite Agreement of 2012, addressed all the issues contained in the complaint and provided for measures to settle all the remaining matters; invited the Committee of Experts on the Application of Conventions and Recommendations, in its examination of the application by the Government of Bahrain of Convention No. 111, to follow up on the implementation of the Tripartite Agreement of 2012, as well as the Supplementary Tripartite Agreement of 2014; and invited the Office to provide technical assistance, if so required by the Government of Bahrain, the GFBTU and the BCCI for the full and effective implementation of the agreements referred to above. The Governing Body also decided that the complaint called for no further action on its part and declared closed the procedure under article 26 of the ILO Constitution concerning the abovementioned complaint.⁷⁸

II. Policy Development Section

15. Employment and Social Protection Segment

Follow-up to the resolution concerning efforts to make decent work a reality for domestic workers worldwide

As a follow-up to the resolution concerning efforts to make decent work a reality for domestic workers, which was adopted by the ILC at its 100th Session (2011) in connection with the Domestic Workers Convention, 2011 (No. 189), and the Domestic Workers Recommendation, 2011 (No. 201), the 312th Session (November 2011) of the Governing

⁷⁴ GB.313/INS/13/1, paras 8–9 and Appendix I.

⁷⁵ GB.316/INS/15/1(Rev.), paras 9 and 17.

⁷⁶ GB.317/PV, para. 272.

⁷⁷ GB.319/INS/9.

⁷⁸ GB.320/INS/15/1, para. 20, as amended.

Body discussed and provided guidance about the ILO's strategy, for the period 2011–15, on decent work for domestic workers.⁷⁹

At its 319th Session (October 2013), the Governing Body reviewed the implementation of this ILO strategy.⁸⁰ It proved to be coherent and well-coordinated, and provided a unified framework for ILO support to national constituents, while considering regional diversity through region-specific strategies. Its implementation, which involved direct technical support to more than 35 countries, was considered successful. Support was extended to countries that wished to ratify the Convention, as well as to those not ready to do so in the short term. Combining country-level support and the development of a knowledge base, including through knowledge sharing among constituents, was of great importance to member States. The Governing Body adopted two decision points for the Office's attention: (i) to pursue the strategy on domestic work, based on guidance it has given, and integrate it into the areas of critical importance (ACIs) within the 2014–15 programme and budget; and (ii) to organize a high-level global conference on decent work for domestic workers before the end of the 2014–15 biennium – subject to the availability of resources – to enhance effective action on domestic work issues by enabling countries to share the most effective practices, to maintain the ILO's lead of this subject, and to continue raising awareness on domestic work.⁸¹

Oral report on the outcome of the UN General Assembly High-level Dialogue (HLD) on International Migration and Development (October 2013)

At its 316th Session (November 2012), the Governing Body requested the Office to submit an oral report on the ILO's contribution to, and outcome of, the High-level Dialogue (HLD) on International Migration and Development.⁸² This report was discussed during the Governing Body's 319th Session (October 2013), shortly after the HLD took place.⁸³ Members welcomed the participation of both the ILO and the Director-General in the HLD, which had increased the visibility of the ILO and its approach to labour migration. The ILO had provided expertise on international labour standards and good practices, and helped to ensure that HLD outcomes included the promotion of decent work for all. The Governing Body also urged the Office to provide follow-up to the HLD Declaration and the Secretary-General's eight-point agenda for action,⁸⁴ which includes a number of areas of particular relevance to the ILO's work. Furthermore, it requested the Director-General to bring the information reported concerning the outcome of the HLD, its relevance for the ILO and its constituency, and possible follow-up by the Office, to the attention of the ILO's Tripartite Technical Meeting on Labour Migration (held in November 2013).⁸⁵ One section of the conclusions adopted by that meeting

⁷⁹ GB.312/INS/3.

⁸⁰ GB.319/POL/1.

⁸¹ GB.319/PV, para. 340.

⁸² GB.316/PV(&Corr.), para. 352.

⁸³ GB.319/POL/2.

⁸⁴ Resolutions A/RES/68/4 and A/68/190, respectively.

⁸⁵ GB.319/PV, para. 352.

focused on labour migration and development in the context of follow-up to the HLD and the post-2015 development debates.⁸⁶

Area of critical importance on jobs and skills for youth

At its 320th Session (March 2014), the Governing Body examined an Office paper on “Area of critical importance on jobs and skills for youth”.⁸⁷ It noted with satisfaction the progress made under this ACI and the ACIs in general. The Governing Body also noted that the vision for the ACI was embedded in the 2012 Conference resolution: The youth employment crisis: A call for action, consistent with the seven-year follow-up plan adopted by the Governing Body in November 2012.⁸⁸

The strategic focus of this ACI was to build knowledge and capacity of “what worked” for youth employment in different contexts. The strategy and workplan reflect a balanced approach to demand- and supply-side policies, interaction between protection and activation, the quality and quantity of employment, and the issues of rights. A community of practice involving field and headquarters staff would monitor implementation of activities and ensure broad dissemination of findings and application of lessons learned. A key point of the strategy revolved around the importance of multifaceted partnerships for disseminating broadly the results and lessons learned on “what worked”.

The Governing Body requested the Director-General to take account of its guidance in implementing the strategy for the ACI on “Jobs and skills for youth”.⁸⁹

Area of critical importance on productivity and working conditions in small and medium-sized enterprises (SMEs)

At its 320th Session (March 2014), the Governing Body examined an Office paper on “Area of critical importance on productivity and working conditions in small and medium-sized enterprises”.⁹⁰

The Employers’ group welcomed this discussion and indicated that the subject was relevant and timely. However they had the perception that the document did not reflect properly the conclusions concerning the promotion of sustainable enterprises which were adopted by the ILC in 2007, and more had to be done to incorporate issues related to enterprise growth and the enabling environment. The Workers’ group expressed support for the initiative and underscored the importance of the issue but questioned the underlying rationale of the proposal that assumed that higher productivity led to better working conditions. Furthermore, they said that it was important to work on rights and labour market institutions. In their view, this ACI had to be guided by the 2007 ILC conclusions.

⁸⁶ TTMLM/2013/14, para. 3.

⁸⁷ GB.320/POL/1.

⁸⁸ GB.316/PV(&Corr.), para. 81.

⁸⁹ GB.320/POL/1, para. 29.

⁹⁰ GB.320/POL/2.

Governments expressed support for the Office proposal and the point for decision. They supported the ACI focus and provided further guidance on specific issues. The need to reflect the Conference's 2007 conclusions was also mentioned.

The Governing Body requested the Director-General to take account of its guidance in implementing the strategy for the ACI on "Productivity and working conditions in small and medium-sized enterprises (SMEs)".⁹¹

Report for the recurrent discussion on social protection (labour protection) at the 104th Session (2015) of the ILC

A paper⁹² on issues relevant to the preparation of the Office's report for the recurrent discussion on the strategic objective of social protection (labour protection), during the 104th Session (2015) of the Conference, was submitted at the 320th Session (March 2014) of the Governing Body. During discussions, members of the Governing Body pointed to a number of policy areas and issues that they would like covered by the report, and invited the Director-General to take note of the views expressed during the discussions on this topic.⁹³

16. Social Dialogue Segment

Follow-up to the discussion on social dialogue at the 102nd Session of the ILC (2013) – Plan of action

At its 319th Session, the Governing Body discussed a plan of action on social dialogue⁹⁴ to implement the conclusions adopted by the Conference, as a follow-up to the recurrent discussion on social dialogue at the 102nd Session of the ILC in 2013.⁹⁵ The plan of action proposed by the Office aimed at strengthening evidence-based technical advice and capacity-building services to help constituents to address challenges associated with social dialogue at all levels as a means of achieving social and economic progress in ILO member States. It also included an activity matrix with a detailed list of activities and a timetable that would guide the implementation of the Programme and Budget for 2014–15 and the planning and implementation of activities in 2016–17.

The plan of action was well received by the Governing Body, which requested the Director-General to adapt the plan of action and the activity matrix for the implementation of the Conference conclusions in the light of the guidance provided in the discussion, and

⁹¹ GB.320/POL/2, para. 37.

⁹² GB.320/POL/4.

⁹³ *ibid.*, para. 20.

⁹⁴ GB.319/POL/3.

⁹⁵ ILC.102/PR/11.

asked for a progress report to be presented to the 325th Session (November 2015) of the Governing Body.⁹⁶

Update on the Better Work programme

At its 320th Session, the Governing Body discussed the progress made and challenges facing the Better Work programme since its launch in 2009. In addition to outlining the aspects of the programme as well as its achievements and challenges, the paper prepared by the Office⁹⁷ provided elements for a future strategy for the programme.

The Governing Body examined and commented on the report and requested the Office to take into account these comments in its joint management of the Better Work programme with the International Finance Corporation of the World Bank Group.⁹⁸

Sectoral Activities Programme 2012–13 and 2014–15

Having adopted a programme of sectoral work for 2014–15 at its 317th Session,⁹⁹ the Governing Body discussed and determined, at its 319th and 320th Sessions, implementation modalities of that programme (such as the composition, duration and dates of tripartite sectoral meetings to be held up until August 2015).¹⁰⁰ It also adopted, at its 320th Session, a revised proposal for a meeting for the oil and gas sector operating in polar and subarctic climate zones of the northern hemisphere to be included in the 2014–15 programme.¹⁰¹

At the 319th and 320th Sessions, the Governing Body also: took note of the outcomes of sectoral and technical meetings held in 2013; requested the Office to follow up on their recommendations; and approved the publication of their outputs, including: the *Guidelines on the Training of Ships' Cooks*, and *Policy Guidelines on the Promotion of Decent Work for Early Childhood Education Personnel*; and reports, as well as points of consensus of the *Global Dialogue Forum on the Effects of the Global Economic Crisis on the Civil Aviation Industry*, and of the *Global Dialogue Forum for the Promotion of the Work in Fishing Convention, 2007 (No. 188)*.¹⁰²

⁹⁶ GB.319/PV, para. 394.

⁹⁷ GB.320/POL/6.

⁹⁸ *ibid.*, para. 28.

⁹⁹ GB.317/PV, para. 399.

¹⁰⁰ GB.319/POL/4 and GB.320/POL/5.

¹⁰¹ GB.320/POL/5, para. 26.

¹⁰² GB.319/PV, para. 429 and GB.320/POL/5, para. 26.

17. Technical Cooperation Segment

Regional perspectives on technical cooperation – Latin America and the Caribbean

In October 2013, the Governing Body discussed the third paper on regional perspectives on technical cooperation, focusing this time on Latin America and the Caribbean,¹⁰³ following the reviews on Africa (March 2012)¹⁰⁴ and on Asia and the Pacific (March 2013).¹⁰⁵ The Governing Body examined regional characteristics, trends in technical cooperation from 2002 to 2012, as well as results. It provided guidance on technical cooperation priorities, and on the suggested ways for resource mobilization and development cooperation in the region, including: local mobilization of regional government resources; South–South and triangular cooperation; and the development of inter-agency projects, as well as the promotion of PPPs. The Governing Body requested the Office to develop a strategy for mobilizing resources for the region, to be discussed in the context of the general review of the ILO’s technical cooperation strategy during its 322nd Session (November 2014).¹⁰⁶

Enhanced programme of technical cooperation for the occupied Arab territories

The Governing Body was informed¹⁰⁷ that the ILO and its constituents launched activities under the first Palestinian Decent Work Programme 2013–16 with three key priorities promoting labour rights and improved labour market governance; enhancing employment and livelihood opportunities for Palestinian women and men; and supporting the development of a comprehensive social security system, and an overall budget of US\$1.4 million. Over the last year, significant progress had been made in all three areas with a particularly notable ILO contribution towards the establishment of a comprehensive social security system in the Occupied Palestinian Territory for private sector workers and their family members. The ILO also continued to explore partnerships and pursue resource mobilization efforts in order to further expand its portfolio in the Occupied Palestinian Territory and meet all the objectives of its Decent Work Programme. These efforts have so far resulted in an additional contribution by the Government of Kuwait to support the Decent Work Programme, in addition to a joint initiative with several other UN agencies that is funded by a UN Trust Fund supporting the rights of people with disabilities. Further partnerships within the UN system and with Arab and international donors were being sought, particularly in the areas of combating child labour, promoting youth employment, and supporting livelihoods in the fisheries sector in Gaza.

¹⁰³ GB.319/POL/5.

¹⁰⁴ GB.313/POL/8.

¹⁰⁵ GB.317/POL/7.

¹⁰⁶ GB.319/PV, para. 497.

¹⁰⁷ GB.319/POL/6.

ILO's technical cooperation programme – Trends and perspectives since 2000

The Governing Body discussed a paper on trends in ILO's technical cooperation programme since 2000 and perspectives for the post-2015 period.¹⁰⁸ Four contextual changes and their impact on ILO's technical cooperation programme from 2000 to 2013 were highlighted: (a) a greater recognition of the Decent Work Agenda in international development; (b) the outcome and impact of the global development effectiveness debate; (c) the reform of the UN development system and approach; and (d) the emergence of new development actors and modalities. These, as well as the findings of the ongoing field operations and technical cooperation review, were to be reflected in the revised ILO technical cooperation strategy of 2006 to be discussed by the Governing Body in November 2014. The Governing Body requested the Office to enhance the participation of the constituents in the design and implementation of Decent Work Country Programmes (DWCPs) and technical cooperation programmes, and to ensure active ILO involvement, including from constituents, in the area of effective development cooperation.¹⁰⁹

Regional perspectives on technical cooperation – Europe and Central Asia

In March 2014, the Governing Body discussed for the fourth time a review on technical cooperation in the regions, this time on Europe and Central Asia,¹¹⁰ following the reviews on Africa (March 2012),¹¹¹ Asia and the Pacific (March 2013)¹¹² and on Latin America and the Caribbean (October 2013).¹¹³ The Governing Body examined the trends in technical cooperation in the region over the period 2003–13, as well as results achieved. Two challenges were identified: (1) mobilizing resources in a region that was seen as largely consisting of donors; and (2) responding to the constituents' needs through a balanced programme reflecting all the dimensions of the Decent Work Agenda. The Governing Body highlighted the need for demand-led and needs-based technical cooperation in the region, so as to anchor decent work firmly as a national goal throughout the region. The Office was also requested to develop a strategy to mobilize resources for the region for its review of the ILO's technical cooperation strategy that would be discussed at its 322nd Session in November 2014.¹¹⁴

¹⁰⁸ GB.319/POL/7.

¹⁰⁹ GB.319/PV, para. 477.

¹¹⁰ GB.320/POL/7.

¹¹¹ GB.313/POL/8.

¹¹² GB.317/POL/7.

¹¹³ GB.319/POL/5.

¹¹⁴ GB.320/POL/7, para. 37, as amended.

Follow-up to the Brasilia Declaration on Child Labour

The Governing Body discussed, in March 2014, a paper on the follow-up to the Brasilia Declaration on Child Labour,¹¹⁵ that is, the outcome document of the III Global Conference on Child Labour (Brasilia, 8–10 October 2013). Members endorsed the Declaration and agreed to its integration into the ILO Global Action Plan on Child Labour and in the work of the International Programme on the Elimination of Child Labour. The Governing Body expressed its strong support for the Organization's continued commitment to the elimination of child labour as one of its highest priorities.¹¹⁶

ILO's technical cooperation in fragile States

The Governing Body examined past and current ILO action in fragile States, attesting to the critical role of decent work in situations of fragility. The paper on ILO technical cooperation in fragile States¹¹⁷ introduced the notion of State fragility, highlighted the rationale for ILO's work in fragile States, pointing to the Organization's long-standing expertise, including as a member of the UN system. An analysis of the ILO technical cooperation portfolio in fragile States from 2004 to 2013 was provided and illustrated with country results and lessons learned. The discussion clarified that it was the Organization's intention to keep to its area of competence in its emergency responses. The Governing Body requested the Office to take action on the suggested way forward, which should be reflected in the revised ILO technical cooperation strategy to be submitted to the Governing Body in November 2014.¹¹⁸

18. Multinational Enterprises Segment

Implementation strategy for the follow-up mechanism of, and promotional activities on, the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration)

In March 2014, the Governing Body discussed an implementation strategy for the promotion and follow-up mechanism of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration).¹¹⁹ The Employers and Workers reiterated their strong support for the MNE Declaration and the need to better promote the instrument. The Governing Body welcomed the integrated approach between the promotional activities and the new information-gathering system, which includes a combination of data already available and direct inputs from the tripartite constituents through a short questionnaire administered on a rotating basis across regions in advance of a discussion in each ILO regional meeting.

¹¹⁵ GB.320/POL/8.

¹¹⁶ *ibid.*, para. 21.

¹¹⁷ GB.320/POL/9.

¹¹⁸ *ibid.*, para. 30, as amended.

¹¹⁹ GB.320/POL/10.

The Governing Body approved the new implementation strategy, comprising promotion and information gathering, as outlined in document GB.320/POL/10 and discussed in its March 2012 and March 2014 sessions, thereby superseding its decisions taken at its 209th (March 1979) and 258th (November 1993) Sessions regarding the MNE Declaration follow-up mechanism. It also instructed the Office to commence the approved implementation strategy in 2014; the newly adopted MNE Declaration follow-up mechanism will be reviewed in 2018, after four ILO regional meetings.¹²⁰

III. Legal issues and International Labour Standards Section

19. Legal Issues Segment

Standing Orders of the ILC – Proposed amendments arising from the Conference reform proposals of the Governing Body

At its 319th and 320th Sessions, the Governing Body discussed possible amendments to the Standing Orders of the ILC.¹²¹ These amendments pertained to issues on which tripartite consensus had been reached in the Working Party on the Functioning of the Governing Body and the ILC, including a new procedure for discussing draft resolutions not related to items on the agenda of the Conference, as well as other amendments to modernize and simplify a number of provisions of the Standing Orders dealing with different questions. The proposals were submitted for debate and guidance so as to allow the Office to advance work on possible amendments in parallel with the discussions on the reform of the Conference. The Governing Body requested the Office to take into account the views expressed during the debates with a view to preparing a consolidated set of proposed amendments to be submitted to the Governing Body following agreement on the Conference reform.¹²²

Question of privileges and immunities in relation to officials of the secretariats of the Employers' and Workers' groups of the Governing Body

In response to a Governing Body request,¹²³ the Office presented, at the 319th Session, an analysis of the legal protection available to members of the secretariats of the Employers' and Workers' groups while on an official ILO mission.¹²⁴ The Governing Body took note that under the 1947 Convention on the Privileges and Immunities of the Specialized Agencies and its Annex I relating to the ILO, officials of the International Organisation of Employers (IOE) and ITUC, when acting as members of the

¹²⁰ GB.320/POL/10, para. 27.

¹²¹ GB.319/LILS/1(Rev.1) and GB.320/LILS/1.

¹²² GB.320/LILS/1, as amended.

¹²³ GB.313/PV, para. 451.

¹²⁴ GB.319/LILS/2/1.

secretariats of the Employers' and Workers' groups enjoyed certain privileges and immunities in the context of an official ILO mission as "experts on mission". The Governing Body requested the Director-General to take the necessary measures to facilitate implementation of this legal protection in relation to official missions of the ILO defined in a tripartite manner and, in order to ensure the effective recognition of such legal protection, again urged ILO Members that have not yet done so to accede to the 1947 Convention and apply its Annex I or otherwise provide the same level of legal protection.¹²⁵

Identification document for Employer and Worker members of the Governing Body

At its 319th Session, the Governing Body discussed the possibility of issuing an identification document for Employer and Worker members of the Governing Body.¹²⁶ While it was supported by Employer and Worker members, a large number of Government representatives raised questions and concerns and requested more time to study the matter. The Office provided additional clarifications at the 320th Session of the Governing Body.¹²⁷ The proposed identification document would not be a travel or identity document, nor would it affect the privileges and immunities of Governing Body members. It would simply attest the holder's status as an elected member of the Governing Body for a three-year term. The Governing Body requested a new detailed proposal for the issuance of such identification document, taking into account its discussions in October 2013 and March 2014.

20. International Labour Standards and Human Rights Segment

The standards initiative: Follow-up to the 2012 ILC Committee on the Application of Standards

At its 101st Session (June 2012), the Conference referred certain matters arising from the report of the Committee on the Application of Standards to the Governing Body, inviting it to take appropriate follow-up action as a matter of urgency. At its 319th Session (October 2013), the Governing Body instructed the Director-General to undertake, as a matter of priority, consultations with all three groups of the Governing Body with a view to the submission to it, at its 320th Session (March 2014), of concrete proposals that addressed the main issues which were outstanding in relation to the supervisory system. In so doing, the Governing Body underlined the importance of full tripartite participation in the process as key to the building of tripartite consensus and to maintaining the strength and authority of the system.¹²⁸

At its 320th Session (March 2014), the Governing Body discussed a document prepared by the Director-General on the basis of consultations carried out from November

¹²⁵ GB.319/PV, para. 532.

¹²⁶ GB.319/LILS/2/2.

¹²⁷ GB.320/LILS/2.

¹²⁸ GB.319/PV, para. 567.

2013 to early March 2014.¹²⁹ Following a rich discussion, the Governing Body: (a) reaffirmed that in order to exercise fully its constitutional responsibilities, it was essential for the ILO to have an effective, efficient and authoritative standards supervisory system commanding the support of all constituents; (b) welcomed the clear statement by the Committee of Experts of its mandate as expressed in the Committee's 2014 report; (c) deemed it necessary to give further consideration to options to address a dispute or question that may arise with respect to the interpretation of a Convention; (d) underscored the critical importance of the effective functioning of the Committee on the Application of Standards in conformity with its mandate at the 103rd Session of the ILC; and (e) recognized that a number of steps could be examined with a view to improving the working methods of the standards supervisory system.

The Governing Body requested the Director-General to: (a) prepare a document for its 322nd Session (November 2014) setting out the possible modalities, scope and costs of action under article 37(1) and (2) of the ILO Constitution to address a dispute or question that may arise in relation to the interpretation of an ILO Convention; (b) present to the 322nd Session of the Governing Body, a time frame for the consideration of remaining outstanding issues in respect of the supervisory system and for launching the standards review mechanism; (c) continue to enhance the effectiveness of the support provided by the Office to the Committee of Experts in the discharge of its mandate; (d) take all necessary action to expedite the filling of vacancies on the Committee of Experts and to propose any adjustments to the relevant procedures to facilitate this objective; and (e) continue informal consultations with all groups of the Governing Body in respect of all matters referred to in this decision.

The Governing Body also: (a) encouraged the continuation of informal dialogue between the Committee of Experts and the Conference Committee on the Application of Standards; and (b) invited the Committee of Experts to continue to examine its methods of work with a view to further enhancing its effectiveness and efficiency. The Governing Body further: (a) recommended to the Conference Committee on the Application of Standards that it consider convening its Working Party on Working Methods to take stock of current arrangements and develop further recommendations on the Committee's working methods; and (b) called on all parties concerned to contribute to the successful conclusion of the work of the Conference Committee on the Application of Standards at the 103rd Session of the ILC.¹³⁰

Entry into force of the Maritime Labour Convention, 2006 (MLC, 2006)

At its 318th Session (June 2013), the Governing Body decided to establish the Special Tripartite Committee, to give effect to Article XIII of the MLC, 2006 and appointed the Shipowner and Seafarer representatives on the Committee.¹³¹ At its 319th Session (October 2013), the Governing Body decided to convene the first meeting of the Special Tripartite Committee in Geneva from 7 to 11 April 2014. It also adopted the agenda of the first meeting of the Special Tripartite Committee and requested the Director-General to

¹²⁹ GB.320/LILS/4.

¹³⁰ *ibid.*, paras 40–43.

¹³¹ GB.318/PV, para. 84.

address an invitation to all ratifying Members and Shipowner and Seafarer members appointed to the Committee.¹³²

International cooperation relating to the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185)

The Governing Body, at its 320th Session (March 2014), based on discussions relating to action to be taken to address certain matters concerning the implementation of Convention No. 185, decided to hold a meeting involving both maritime and visa experts, within existing resources, to examine the feasibility and to carry out a cost-benefit analysis of the various options, including those set out in a document submitted by the Office to the Governing Body on the topic,¹³³ to address the issues involved in the implementation of Convention No. 185, for ratifying and non-ratifying flag States, port States and seafarer-supplying States, as well as for shipowners and seafarers. The Governing Body also approved the meeting's budget and composition formula and decided that it would consider the outcome of the meeting at a future session.¹³⁴

Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2015

At its 320th Session (March 2014), the Governing Body decided to defer further consideration of the Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2015 until its 321st Session (June 2014).¹³⁵

IV. Programme, Financial and Administrative Section

21. Programme, Financial and Administrative Segment

Steps towards a new Strategic Policy Framework

At both its 319th (October 2013) and 320th (March 2014) Sessions, the Governing Body considered the options for the next Strategic Policy Framework. In March 2014 the Governing Body requested the Office to submit a draft transitional strategic plan for the period 2016–17 for consideration at its 322nd Session (November 2014) and to include it in the Director-General's Programme and Budget proposals for 2016–17.¹³⁶ Three main

¹³² GB.319/PV, para. 584.

¹³³ GB.320/LILS/5.

¹³⁴ *ibid.*, para. 22, as amended.

¹³⁵ GB.320/LILS/6.

¹³⁶ GB.320/PFA/3, para. 19.

observations emerged from the extensive debate that led to this decision. First, the Governing Body expressed its clear preference for the alignment of any future Strategic Policy Framework with the common UN cycle as of 2018. Second, the Office's proposal to focus the next strategic framework on an amended list of the ACIs identified for 2014–15 was favourably commented on by many governments. Finally, all groups welcomed the opportunity for consultations on the side of the ILC in June 2014.

Building questions: Headquarters building renovation project

In October 2013 and March 2014 the Governing Body reviewed and discussed reports on the progress of the headquarters building renovation project.¹³⁷ The Governing Body was given revised estimates for the cost of the renovation including the costs associated with current safety and environmental standards which needed to be met. The Governing Body supported the Director-General's proposal to limit the initial scope of the project in order to remain within the financial envelope approved in November 2010 of some 205 million Swiss francs.

Information and communications technology questions

In October 2013, the Governing Body received reports on the progress of implementation of information technology infrastructure projects previously approved by the Governing Body¹³⁸ and on the field roll-out of IRIS.¹³⁹

UN system coordination: Financial implications for the ILO

At its March 2014 session, the Governing Body considered a document on the financial implications for the ILO of the UN Resident coordinator system.¹⁴⁰ The Governing Body approved the proposed financial arrangements to cover the ILO's share (\$3.8 million) of the 2014–15 costs and requested the Director-General to include provisions for the ongoing costs in future programmes and budgets.¹⁴¹

ILO programme implementation 2012–13

In March 2014, the Governing Body examined the biennial report on the implementation of the ILO programme concerning the period 2012–13, which mobilized some \$1.1 billion and 2,800 ILO staff to achieve over 800 reportable results.¹⁴² The Governing Body expressed strong support for the new and more analytical format of the report. It commended the four broad overarching lessons identified in the report, in

¹³⁷ GB.319/PFA/4 and GB.320/PFA/5(Rev.).

¹³⁸ GB.319/PFA/5/1.

¹³⁹ GB.319/PFA/5/2.

¹⁴⁰ GB.320/PFA/4.

¹⁴¹ *ibid.*, para. 22.

¹⁴² GB.320/PFA/1.

particular as regards the benefits of larger and more integrated programmes, strengthened partnerships and greater synergy and coherence among research, core tools and capacity-building initiatives. The significance of these lessons for the development and management of existing and future programmes was underscored by many governments.

Research Fund

Following its decision to dissolve the IILS,¹⁴³ the Governing Body considered the steps necessary to direct the use of its funds and assets and decide on their disposition.¹⁴⁴ The Governing Body decided, inter alia, to establish a Research Fund in order to consolidate the various resources previously under the administrative responsibility of the IILS and authorized the Director-General to use these resources to support the research strategy and activities of the Organization.

22. Audit and Oversight Segment

Audit and oversight

In March 2014, the Governing Body received and considered the sixth annual report of the Independent Oversight Advisory Committee (IOAC).¹⁴⁵ The Governing Body also considered the report of the Chief Internal Auditor for 2013¹⁴⁶ and the report of follow-up action taken by the Office on the report of the Chief Internal Auditor for 2012.¹⁴⁷

In October 2013, the Governing Body appointed Ms Eileen Fusco (United States) as a member of the IOAC to replace Mr Denys Chamay (Switzerland) who had passed away.

In March 2014, the Governing Body adopted arrangements for the appointment of the External Auditor of the Organization for the period 2016–19.¹⁴⁸

Annual evaluation report 2012–13

In October 2013, the Governing Body considered a report on the ILO's evaluation activities during 2012–13 and on its effectiveness in achieving short- and medium-term objectives.¹⁴⁹ The Governing Body endorsed the rolling plan for the implementation of recommendations and confirmed the evaluation priorities for 2015–16.¹⁵⁰

¹⁴³ GB.319/PV, para. 281.

¹⁴⁴ GB.320/PFA/6.

¹⁴⁵ GB.320/PFA/11.

¹⁴⁶ GB.320/PFA/10(Rev.).

¹⁴⁷ GB.320/PFA/9.

¹⁴⁸ GB.320/PFA/8, para. 6.

¹⁴⁹ GB.319/PFA/7.

¹⁵⁰ *ibid.*, para. 61.

In October 2013, the Governing Body considered a report on high-level evaluations of strategies and DWCPs.¹⁵¹ The Governing Body requested the Director-General to take into consideration the findings, recommendations and lessons learned from the independent evaluations.¹⁵²

23. Personnel Segment

Amendments to the Staff Regulations

In October 2013, the Governing Body approved an increase in the age of retirement for staff appointed after 31 December 2013.¹⁵³ In March 2014, it further decided on amendments relating to recruitment and selection procedures.¹⁵⁴

V. High-Level Section

24. Strategic Policy Segment

The global economic and employment situation and policy options

At the 319th Session of the Governing Body (October 2013), the Director-General introduced a paper¹⁵⁵ examining global growth prospects and the challenges facing the major components of the global economy. He stressed the downward revisions in global projections, which were being driven by weakening domestic demand in some countries and intensified global financial turmoil. Based on estimates by the ILO, this slower growth would lead to nearly 1 million more unemployed in 2014. There were, however, some positive developments in emerging and developing countries owing to careful macroeconomic management, extension of social security protection floors and dynamic business environments. More importantly, there was a growing awareness, including by the G20 communiqués under the Russian Presidency, of the essential nature of employment-centred strategies and policy coherence to sustainable global growth and better jobs. The Director-General provided an overview of the Office's activities related to challenges stemming from the crisis and to support the post-2015 development agenda. Evidence-based analysis of policy packages and labour market policies would be boosted thanks to the creation of the Research Department. In particular, there was widespread support for the Office's plan to intensify evidenced-based research on policies that were most effective in tackling employment and social challenges.

¹⁵¹ GB.319/PFA/8.

¹⁵² GB.319/PV, para. 691.

¹⁵³ GB.319/PFA/11.

¹⁵⁴ GB.320/PFA/PV/Draft, para. 133, and GB.320/PFA/13.

¹⁵⁵ GB.319/HL/1.

VI. Working Party on the Functioning of the Governing Body and the ILC

25. Improving the functioning of the International Labour Conference and the Regional Meetings

The Working Party on the functioning of the Governing Body and the ILC met at both the 319th and 320th Sessions of the Governing Body to discuss ways in which the Conference might be made more dynamic and efficient. The Working Party, which I chaired, was assisted in its work by in-between session meetings of the Geneva-based consultative group.¹⁵⁶ At its meeting in October 2013, the Working Party requested the Office to prepare for the following session a detailed proposal for a two-week Conference, taking account of the concerns and requirements expressed and elaborating on the areas of consensus reached; a detailed plan of work for the 103rd Session of the Conference, taking account of the reforms trialled at the 102nd Session (2013), which could be further improved and/or trialled at the 103rd Session of the Conference; and to provide additional information on pending issues requiring further consultations and discussion.¹⁵⁷

At its meeting at the 320th Session of the Governing Body, the Working Party examined the report prepared by the Office¹⁵⁸ in response to the request from the previous session. There was overall support for the document across the three groups, and in consequence, the Governing Body recommended that the Conference should implement, on a trial basis, the proposed arrangements for the 103rd Session of the Conference as presented in the report. The Governing Body also requested the Office to prepare for its 322nd Session (November 2014) an analysis of the arrangements trialled at the 103rd Session of the Conference; a detailed programme and tentative plan of work for the two-week session of the Conference to be trialled in 2015; and a consolidated summary of all proposals on which a tripartite agreement had been reached and of issues that required further consultations and discussion.¹⁵⁹

26. Review of the implementation of the Governing Body reform

At the 320th Session of the Governing Body, the Working Party turned its attention to another task: a review of the implementation of the Governing Body reform package introduced in November 2011. The Office had prepared a document for the Working Party to this end,¹⁶⁰ which was well received by members. As Chairperson, I noted the strong support of all three groups for the reform, which the Working Party stressed had strengthened tripartite participation and enhanced the governance function of the Governing Body. The Governing Body made a number of detailed recommendations

¹⁵⁶ This group consists of the Regional Coordinators and the secretaries of the Employers' and Workers' groups.

¹⁵⁷ GB.319/PV, para. 248.

¹⁵⁸ GB.320/WP/GBC/1.

¹⁵⁹ GB.320/INS/13, para. 12.

¹⁶⁰ GB.320/WP/GBC/2.

requesting action to be undertaken by the Officers, by the tripartite Screening Group and by the Office, and these are set out in the minutes of the Institutional Section of the Governing Body.¹⁶¹ The next meeting of the Working Party will therefore take place in November this year.

VII. Conclusion

The above text represents a succinct account of the actions taken by the Governing Body of the ILO under my tenure as its Chairperson for the period June 2013–June 2014, which I submit to the 103rd Session of the ILC for its information.

(Signed) V.M. Velásquez de Avilés
Chairperson

¹⁶¹ GB.320/INS/PV/Draft, para. 255.

CONTENTS

Page

*Report of the Chairperson of the Governing Body to the
International Labour Conference for the year 2013–14*

I.	Institutional Section	1
1.	Agenda of the International Labour Conference	1
2.	Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work	3
3.	The post-2015 sustainable development agenda	3
4.	A strategy for ILO wider engagement with the private sector	4
5.	Report on ILO activities in Myanmar.....	5
6.	Report and Declaration of the Ninth European Regional Meeting (Oslo, 8–11 April 2013)	5
7.	Matters arising out of the work of the 102nd Session of the ILC.....	6
8.	Reports of the Committee on Freedom of Association (368th, 369th, 370th and 371st Reports).....	7
9.	Belarus: Follow-up given to the recommendations of the 2004 Commission of Inquiry	8
10.	Report of the high-level tripartite mission to the Bolivarian Republic of Venezuela (Caracas, 27–31 January 2014).....	8
11.	Representations submitted under article 24 of the Constitution of the ILO	10
12.	Complaints submitted under article 26 of the Constitution of the ILO	11
13.	Reports of the Director-General	14
14.	Reports of the Officers of the Governing Body.....	16
II.	Policy Development Section.....	17
15.	Employment and Social Protection Segment	17
16.	Social Dialogue Segment	20
17.	Technical Cooperation Segment.....	22
18.	Multinational Enterprises Segment	24
III.	Legal issues and International Labour Standards Section	25
19.	Legal Issues Segment	25
20.	International Labour Standards and Human Rights Segment.....	26
IV.	Programme, Financial and Administrative Section	28
21.	Programme, Financial and Administrative Segment.....	28
22.	Audit and Oversight Segment.....	30
23.	Personnel Segment	31

V.	High-Level Section	31
24.	Strategic Policy Segment.....	31
VI.	Working Party on the Functioning of the Governing Body and the ILC.....	32
25.	Improving the functioning of the International Labour Conference and the Regional Meetings	32
26.	Review of the implementation of the Governing Body reform.....	32
VII.	Conclusion	33

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