



Report of the Chairperson of the Governing Body to the International Labour Conference for the year 2015–16

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 2015), i.e. the 324th (June 2015), 325th (October–November 2015) and 326th (March 2016) 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, I invite you to refer to the Governing Body website.¹

I. Institutional Section

1. Reports of the Committee on Freedom of Association: 375th, 376th, 377th Reports

During the past year, the Committee on Freedom of Association examined 77 cases, and in 36 cases followed up the measures taken by member States to give effect to its recommendations. The Committee continued to observe a large increase in the number of complaints against alleged violations of freedom of association submitted to the special procedure, but also noted with interest significant positive developments in the matters before it, including the release of detained trade union leaders and members, their reinstatement following anti-union dismissals and the registration of trade unions. In June and November 2015, and March 2016, the Governing Body approved the recommendations of the Committee on Freedom of Association set out in its 375th, 376th, 377th Reports² and the reports as a whole.

¹ Visit www.ilo.org/gb.

² GB.324/INS/6, GB.325/INS/12 and GB.326/INS/12.

2. Matters arising out of the work of the 104th Session of the ILC

Follow-up to the resolution concerning small and medium-sized enterprises and decent and productive employment creation

Following adoption of the resolution concerning small and medium-sized enterprises (SMEs) and decent and productive employment creation, with accompanying conclusions³ by the 104th Session of the International Labour Conference (2015), a follow-up action plan was submitted to the Governing Body at its 325th Session (October–November 2015).⁴

This action plan takes a focused approach covering two biennia (2016–19). It gives priority to concrete requests arising from the Conference discussion and outputs that make a direct contribution to the revised priorities of the ILO as defined in the strategic plan for 2016–17. The action plan includes knowledge-generation outputs, as they are of key importance for evidence-based policy-making. Proposed key deliverables are a review of the Enabling Environment for Sustainable Enterprises (ESEE) programme with a view to expanding it, research on good procurement practices of large buyers from SMEs, additional impact assessments of SME policies, and research on the impact of social dialogue and collective bargaining on working conditions in SMEs. Furthermore, the action plan suggests more country-level work in order to satisfy the high demand of member States for advice on SME policies. Proposed key deliverables include the development of an intervention model for the formalization of SMEs, a new programme for growth-oriented SMEs, and scaling up the area of SME productivity and working conditions.

The Governing Body adopted the action plan and requested the Director-General to allocate the required resources, within the limits of the resources available.⁵ Since then the implementation of the action plan has started. Priority has been given to the research on good procurement practices of large buyers from SMEs in order to contribute to this year's Conference discussion on global supply chains. A first progress report on the entire action plan will be provided to the Governing Body at its 328th Session (October–November 2016).

Follow-up to the resolution concerning the first recurrent discussion on social protection (labour protection)

Following the adoption of the resolution concerning the first recurrent discussion on social protection (labour protection) under the 2008 ILO Social Justice Declaration for a Fair Globalization, with accompanying conclusions by the 104th Session of the Conference

³ http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_380779.pdf.

⁴ GB.325/INS/5/2.

⁵ GB.325/PV, para. 86.

(2015),⁶ a follow-up plan was submitted for consideration by the Governing Body at its 325th Session (October–November 2015).⁷

The plan outlines the proposed action by the Office to promote the strategic objective of social protection (labour protection) over the 2015–22 period. It seeks to assist member States in the design and application of laws and policies that ensure adequate labour protection for all workers, with special attention to workers in non-standard forms of employment (NSFE); workers in SMEs; and workers who have traditionally been left out, totally or partly, from the coverage of certain protections. Envisaged action includes the strengthening and extension of existing protections; the development of protections that are responsive to changes in the world of work; and improvement in implementation through better law enforcement and assistance to employers. The plan of action recognizes the complementarity of, and inter-linkages between, key aspects of labour protection, namely wages, working time, occupational safety and health and maternity protection; it acknowledges the relationship between national legislation and collective bargaining and it integrates gender equality and non-discrimination across its activities. The actions encompass assistance to constituents in these policy areas through:

- standards-related actions;
- technical advisory services and cooperation;
- knowledge development and dissemination;
- capacity building; and
- monitoring and impact evaluation.

The plan seeks to facilitate the exchange of good practices among member States and between social partners, and promotes action that can bolster the achievement of the 2030 Agenda for Sustainable Development Goals.

The follow-up plan requires effective intra-Office cooperation and coordination, in particular with respect to the implementation of a comprehensive labour protection policy and policy-oriented research, including research on new emerging issues, led by the Conditions of Work and Equality Department (WORKQUALITY) and in cooperation with all other relevant departments and field offices. The Governing Body adopted the follow-up plan and requested the Director-General to draw on it when preparing future programme and budget proposals, developing resource mobilization initiatives and, to the extent possible, implementing the Programme and Budget for the 2016–17 biennium.⁸

⁶ http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_380781.pdf.

⁷ GB.325/INS/5/1.

⁸ GB.325/PV, para. 77.

3. Report of the 13th African Regional Meeting (Addis Ababa, 30 November–3 December 2015)

The Governing Body reviewed the report of the 13th African Regional Meeting (Addis Ababa, 30 November–3 December),⁹ together with the report of the Meeting’s Credentials Committee and the Addis Ababa Declaration. The Governing Body requested the Director-General to bring the Declaration to the attention of all ILO constituents by making the text available to the governments of all member States, requesting them to communicate the text to national employers’ and workers’ organizations and to the official international organizations and non-governmental international organizations concerned, and to take the Addis Ababa Declaration into consideration when implementing current programmes and in developing future programme and budget proposals.¹⁰

4. Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference and its 102nd Session (2013)

As a follow-up to the resolution concerning the measures on the subject of Myanmar adopted by the Conference (2013), the 326th Session of the Governing Body (March 2016) decided to present a framework for future ILO engagement with Myanmar, including the elimination of forced labour and the promotion of freedom of association, to the 328th Session (October–November 2016) of the Governing Body. It further decided to take the necessary action to ensure the continued operation of the Supplementary Understanding and the Memorandum of Understanding and its associated Action Plan in the interim period.¹¹

5. Agenda of the International Labour Conference

At its 325th Session, the Governing Body took a number of decisions in relation to the agenda of the Conference. First, it completed the agenda of the 106th Session (June 2017) of the Conference with an item on labour migration for general discussion. Second, it placed a standard-setting item on “Violence against women and men in the world of work” on the agenda of the 2018 Conference; and convened a tripartite meeting of experts to provide guidance on which basis the Governing Body would consider, in November 2016, the preparations for the first discussion of possible instruments by the Conference. Further, an item on the approval of proposed amendments to the Code of the Maritime Labour Convention, 2006, and adoption of amendments to the annexes to the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185), was placed on the agenda of the 2016 Conference; and, following the entry into force of the Constitutional amendment, an item on the abrogation of six Conventions was placed on the agenda of the 2017 Conference. Guidance was provided on the implementation of the strategic and coherent approach to the setting of the agenda up until the centenary session of the Conference, including consideration of a possible Centenary Declaration; and also with regard to the item on

⁹ GB.326/INS/4.

¹⁰ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_462687/lang--en/index.htm.

¹¹ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_463473/lang--en/index.htm.

“Effective ILO development cooperation in support of the Sustainable Development Goals” (general discussion).¹²

At its 326th Session, the Governing Body requested the Director-General to report to its 328th Session (October–November 2016) on nine subjects that were under consideration for inclusion in future sessions of the Conference, and on any other new proposals. These nine subjects were: effective ILO development cooperation in support of the SDGs; resolution of labour disputes; transition of the world of work to a low-carbon economy; non-standard forms of employment; long-term unemployment; decent work in the world of sport; inequality and the world of work; independence and protection in public service (fight against corruption); and the relationship between employment and social protection. The Governing Body further provided guidance on the implementation of the strategic and coherent approach to the setting of the Conference agenda for the 2018 and 2019 sessions of the Conference.

6. Preparation for the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization by the 105th Session of the International Labour Conference (2016)

At its 320th Session, the Governing Body decided to place the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization on the agenda of the 105th Session (2016) of the Conference.¹³ It has duly been inserted as item VI on the agenda. At its 325th Session, the Governing Body discussed the arrangements for the Conference discussion and options for the decision on the next cycle of recurrent discussions, and provided guidance on the key elements to be included in the Office report to the Conference on the evaluation of the impact of the Social Justice Declaration. Members of the Governing Body expressed their appreciation for the approach adopted by the Office in its preparatory work and endorsed the key elements of the Office report.¹⁴ The Governing Body recommended that the present session of the International Labour Conference should appoint a Committee of the Whole to deal with item VI on its agenda, and deferred the decision on the cycle of recurrent discussions to its 327th Session (June 2016) or, if that should not prove practical immediately following the 105th Session of the Conference, to its 328th Session (October–November 2016).¹⁵

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

At its 325th Session, the Governing Body took note of the information presented in the review¹⁶ and invited the Director-General to further take into account its guidance on key issues and priorities; reiterated its support for the mobilization of resources with regard to

¹² GB.325/PV, paras 32 to 35.

¹³ GB.320/PV, para. 351.

¹⁴ GB.325/INS/3.

¹⁵ GB.325/PV, para. 56.

¹⁶ GB.325/INS/4.

assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work; requested the Office to prepare and submit for adoption at its 326th Session (March 2016) a questionnaire in relation to the Protocol of 2014 to the Forced Labour Convention, 1930. This questionnaire would be sent to member States in line with their obligations to report under article 19, paragraph 5(e) of the ILO Constitution, with respect to unratified instruments in relation to one of the four categories of fundamental principles and rights at work. The Governing Body postponed the next review until November 2016.¹⁷

8. Working Party on the functioning of the Governing Body and the International Labour Conference

The Working Party on the Functioning of the Governing Body and the International Labour Conference met at the 325th and 326th Sessions. On both occasions I, as Chairperson of the Working Party, provided a brief oral report of its work to the Governing Body plenary.¹⁸ Tripartite consultations on the subject had also been held on 18 September 2015. At the October–November session, the Governing Body reviewed the first experience of the International Labour Conference in a two-week format on the basis of a report submitted to it.¹⁹ It was agreed across the groups that the two-week Conference had gone well, though certain reservations were expressed and these were reflected in my report to the 325th Session and needed to be taken into account. The Governing Body confirmed the two-week duration for the Conference and accordingly asked the Office to prepare, for the March 2016 session, a detailed plan of work for the 105th Session of the Conference. It also requested the Office to comprehensively review the Standing Orders of the Conference so as to be able to submit draft amendments to the Standing Orders at the 328th Session in October–November 2016. It further requested the Office to prepare for the 328th Session an analysis of the 2016 Conference, to allow the Governing Body to draw lessons from the experience and take appropriate decisions.²⁰

At its meeting in March 2016, the Working Party considered the report prepared, as requested, by the Office.²¹ The report contained a certain number of arrangements to improve further the preparatory and in-session processes of the Conference to better accommodate a two-week format. On this occasion, my oral report of the Working Party to the Governing Body also included elements from the informal tripartite consultations on the working methods of the Committee on the Application of Standards. The Governing Body decided to propose to the Conference that it implement the arrangements as set out by the Office and also requested the Office to prepare for the 328th Session a background document on the conduct of Regional Meetings to enable the Working Party to commence its review of their functioning and role, as agreed by the Governing Body in June 2011.²²

¹⁷ GB.325/PV, para. 64.

¹⁸ GB.325/INS/14 and GB.326/INS/13.

¹⁹ GB.325/WP/GBC/1.

²⁰ GB.325/PV, para. 279.

²¹ GB.326/WP/GBC/1(Rev.).

²² http://www.ilo.org/gb/decisions/GB326-decision/WCMS_464695/lang--en/index.htm.

9. Progress report on the implementation of the Enterprises Initiative

At its 321st Session (June 2014), the Governing Body endorsed a strategy for wider ILO engagement with the private sector.²³ The Office provided a paper to the 326th Session (March 2016) taking stock of the implementation of the Enterprises Initiative and more widely of the engagement with the private sector, and making recommendations for improving this engagement.²⁴

Following a rich debate on the basis of this paper, in which the Governing Body provided much guidance to the Office, indicating where improvements were required, in particular suggesting that the Office seek new forms of enterprise engagement underpinned by social dialogue and tripartism, it was decided that the Director-General should implement the recommendations for improvements, taking into account the guidance provided by the Governing Body, and submit a progress report on the implementation of the recommendations at the 329th Session (March 2017).²⁵

10. Complaints made under article 26 of the ILO Constitution

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

At its 325th Session (October–November 2015), the Governing Body, decided to defer again, until its 326th Session (March 2016), the decision on the appointment of a commission of inquiry to examine the complaint. In addition, the Governing Body: (i) urged the Government to take, without delay, all the measures necessary to fully implement the key indicators and the roadmap, including the priority areas that continued to require additional and urgent action; (ii) requested the Office to provide the Officers of the Governing Body, at its March and November 2016 sessions, with updated information on the progress made, including information provided by the Government and the employers' and workers' organizations of Guatemala, in particular on the follow-up given to the key indicators and the points of the roadmap; and (iii) invited the tripartite constituents of Guatemala to agree with the Office by the end of 2015 on the nature of an expanded mandate for the ILO representative in the country and asked the Office to allocate resources in order to extend the duration of its representative's presence, as well as inviting the international community to provide the necessary resources to enable the ILO Office in Guatemala to strengthen its support for the tripartite constituents in the implementation of the Memorandum of Understanding and the roadmap.²⁶

²³ GB.321/PV, para. 75.

²⁴ GB.326/INS/3.

²⁵ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_461048/lang--en/index.htm.

²⁶ GB.325/PV, para. 149.

As required by the Governing Body, the tripartite constituents of Guatemala and the Office agreed upon an expanded mandate for the ILO representative in the country based on the roadmap adopted in October 2013.

At its 326th Session (March 2016), recalling that at its 325th Session, it had requested the Office to provide the Officers of the Governing Body, at its 326th and 328th Sessions, with updated information on the progress made, including information provided by the Government and the employers' and workers' organizations of Guatemala, in particular on the follow-up given to the key indicators and the points of the roadmap, and taking into account the information communicated by the Government and workers' and employers' organizations of Guatemala, the Governing Body decided to: (i) urge the Government to take, without delay, all the measures necessary to fully implement the key indicators and the roadmap, including the priority areas that continued to require additional and urgent action; (ii) defer to its 328th Session (October–November 2016) the decision to consider the appointment of a commission of inquiry; and (iii) invite the international community to facilitate the necessary resources to enable the office of the representative of the Director-General in Guatemala to support the tripartite constituents in implementing the Memorandum of Understanding and the roadmap.²⁷

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 International Labour Conference under article 26 of the ILO Constitution

The Governing Body continued to consider the article 26 complaint 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). In March 2015, the Governing Body had requested the Government and the social partners, in accordance with the Tripartite Agreement recently signed by the Government of Fiji, the Fiji Trades Union Congress (FTUC) and the Fiji Commerce and Employers' Federation (FCEF), to submit a joint implementation report to its 324th Session (June 2015) and deferred until its 325th Session (October–November 2015) the question of establishing a commission of inquiry.²⁸

At its 325th Session (October–November 2015), regretting the continuing failure to submit a joint implementation report, the Governing Body: (a) called on the Government of Fiji to accept a tripartite mission to review the ongoing obstacles to the submission of a joint implementation report and consider all matters pending in the article 26 complaint; and (b) decided that, if the tripartite mission did not take place in time for a report to its 326th Session (March 2016), then the 326th Session should take a decision on the appointment of a commission of inquiry under article 26.²⁹

In March 2016, the Governing Body received the report of the ILO tripartite mission led by Ambassador Eddico of Ghana, Chairperson of the Government group, with Mr Hiroyuki Matsui, senior adviser of Keidanren, and Mr Richard Wagstaff, President of the New Zealand Council of Trade Unions as Employer and Worker members. The mission,

²⁷ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_462702/lang--en/index.htm.

²⁸ GB.323/PV, para. 114.

²⁹ GB.325/PV, para. 164.

undertaken by its members on behalf of the Officers of the Governing Body, took place from 25 to 28 January 2016. The report informed the Governing Body of the submission of a joint implementation report signed by the Government of Fiji, the FTUC and the FCEF on 29 January 2016, and the adoption on 10 February 2016 of the Employment Relations (Amendment) Bill of 2016 introducing the changes agreed to in the joint implementation report, the Governing Body decided: (a) that the complaint presented originally in 2013 would not be referred to a commission of inquiry; and (b) that, as a result of this decision, the procedure filed under article 26 of the ILO Constitution, in June 2013, be closed.³⁰

Complaint concerning non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), made by delegates to the 103rd Session (2014) of the International Labour Conference under article 26 of the ILO Constitution

At its 325th Session (October–November 2015), and in light of the reports submitted by the Government on measures taken to address the issues raised in this complaint, the Governing Body requested the Government of Qatar to: (a) provide an official copy of Law No. 21 of 27 October 2015 in its report on the Forced Labour Convention, 1930 (No. 29), in time for its review by the Committee of Experts on the Application of Conventions and Recommendations at its upcoming session (18 November–5 December 2015); (b) receive a high-level tripartite visit, before the 326th Session (March 2016), to assess all the measures taken to address all issues raised in the complaint, including on measures taken to effectively implement the newly adopted Law relating to the regulation of the entry and exit of expatriates and their residency; (c) to avail itself of ILO technical assistance to support an integrated approach to the annulment of the sponsorship system, the improvement of labour inspection and occupational safety and health systems, and giving a voice to workers; and (d) defer further consideration on setting up a commission of inquiry until its 326th Session (March 2016), in light of the information referred to in paragraphs (a), (b) and (c) above.³¹

An invitation was extended by the Minister of Administrative Development, Labour and Social Affairs on behalf of the Government of Qatar in a communication of 4 February 2016 to the ILO to undertake a high-level tripartite visit to the country. This high-level visit was undertaken by the Chairperson and Vice-Chairpersons of the Governing Body from 1 to 5 March 2016.³²

At its 326th Session (March 2016), recalling its November 2015 decision and taking into account the assessment contained in the report of the high-level tripartite visit, the Governing Body: (a) requested the Government of Qatar to follow up on the Assessment of the High-Level Tripartite Delegation, particularly with respect to the most vulnerable migrant workers; (b) requested the Government of Qatar to report on the follow-up to the Assessment of the High-Level Tripartite Delegation to be discussed at the 328th Session (October–November 2016) and on the implementation of Law No. 21 of 2015 upon its entry into force to the 329th Session (March 2017); and (c) deferred further consideration on the

³⁰ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_463472/lang--en/index.htm.

³¹ GB.325/PV, para. 224.

³² The report of the High-Level Tripartite Visit is contained in Appendix II to GB.326/INS/8(Rev.).

appointment of a commission of inquiry until its 329th Session (March 2017), in light of the information referred to in paragraphs (a) and (b) above.³³

Complaint concerning non-observance by the Bolivarian Republic of Venezuela of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), submitted under article 26 of the Constitution by delegates to the 104th Session (2015) of the International Labour Conference

At its 325th Session (October–November 2015), the Governing Body, on the recommendation of its Officers: (i) considered that the complaint was receivable and requested the Director-General to transmit the complaint to the Government of the Bolivarian Republic of Venezuela, inviting it to communicate its observations by 10 January 2016 at the latest; and (ii) placed the item on the agenda of the 326th Session of the Governing Body (March 2016).³⁴

In a communication dated 6 January 2016, the Government transmitted its observations on the complaint, which were supplemented by an additional communication received on 10 March 2016.³⁵

In March 2016, the Governing Body, on the recommendation of its Officers: (a) taking into account the latest examination by the Committee of Experts on the Application of Conventions and Recommendations in relation to many of the issues raised in the article 26 complaint, contained in document GB.326/INS/9(Rev.), requested the Government and the social partners to provide detailed information on all the issues raised in the complaint; (b) deferred to its 328th Session (October–November 2016) the decision to consider the appointment of a commission of inquiry.³⁶

11. Report of the Director-General

Appointment of Regional Directors and Assistant Directors-General

At its 324th Session (June 2015), the Governing Body noted that the Director-General had appointed Mr José Manuel Salazar-Xirinachs as Regional Director of the ILO Regional Office for Latin America and the Caribbean.³⁷ Mr José Manuel Salazar-Xirinachs already held the rank of Assistant Director-General. At the 325th Session, the Governing Body was

³³ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_462686/lang--en/index.htm.

³⁴ GB.325/PV, para. 371.

³⁵ GB.326/INS/9(Rev.) and GB.326/INS/9(Add.).

³⁶ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_462793/lang--en/index.htm.

³⁷ GB.324/PV, para. 79.

informed that the Director-General had promoted the ILO Treasurer and Financial Comptroller, Mr Greg Johnson, to the rank of Assistant Director-General in the same capacity.³⁸ At the same session, the Governing Body noted that the Director-General had appointed Mr Nicolas Niemtchinow as Special Adviser on the Future of Work Initiative at the Assistant Director-General level.³⁹ At its 326th Session, the Governing Body noted that the Director-General had appointed Ms Ruba Jaradat as Director of the Regional Office for the Arab States⁴⁰ and that he had appointed Mr Yanguo Liu as Director of the International Training Centre of the ILO in Turin,⁴¹ both at the Assistant Director-General level. All appointments and the promotion were made following due consultation with the Officers of the Governing Body.

Update on the internal reform

The Director-General reported on progress in implementation of his reform agenda for the Office to the 325th Session of the Governing Body.⁴² All three groups expressed their support for the process.

Follow-up to the centenary initiatives

In November 2015, the Director-General reported on progress regarding implementation of the centenary initiatives as requested at the Governing Body's 319th Session (October 2013).⁴³ The Governing Body provided its guidance with regard to the centenary initiatives, and invited the Director-General to send a circular to all member States inviting their fullest engagement in the Future of Work Centenary Initiative, in particular. This letter was sent out in December 2015. The Governing Body further requested the widest possible engagement in and contributions of the ILO constituents to the reflection on the future of work, and encouraged them to establish their own networks and processes to ensure it was given full effect. The Director-General welcomed the Governing Body's support and comments and provided further information with regard in particular to the Future of Work Initiative. The Governing Body decided to consider the next annual report on progress regarding the centenary initiatives at its 328th Session (October–November 2016).⁴⁴

The ILO's role in the post-Ebola recovery effort

In November 2015, the Director-General presented the report on the ILO's role in the post-Ebola recovery effort, as requested by the Africa group.⁴⁵ The report outlined the

³⁸ GB.325/PV, para. 327.

³⁹ GB.325/PV, para. 328.

⁴⁰ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_459619/lang--en/index.htm.

⁴¹ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_459595/lang--en/index.htm.

⁴² GB.325/INS/15/1.

⁴³ GB.325/INS/15/2.

⁴⁴ GB.325/PV, paras 301 and 302.

⁴⁵ GB.325/INS/15/3.

activities to be undertaken by the Office, over the period 2016–20, to promote the decent work in the post-Ebola recovery process in the three most Ebola-affected countries: Guinea, Liberia and Sierra Leone. Building on the ILO’s areas of competence and taking into account the priorities set out in the National Ebola Recovery Plan of each affected country, it focused mainly on strengthening national institutional capacities in specific areas. The Governing Body supported the ILO’s role in the post-Ebola recovery efforts as set out in the report.⁴⁶

International Decade for People of African Descent

In March 2016, the Governing Body considered a report highlighting the challenges faced by people of African descent in the world of work, and an overview of the Office’s action to assist member States in combating racial discrimination, xenophobia, and related intolerance and to implement the Durban Declaration and Programme of Action.⁴⁷ Recognizing the ILO’s valuable contributions, the Governing Body requested the Office, within its available resources, to implement activities aligned with the steps to be taken by the international community and international and regional organizations to attain the objectives of the Decade throughout this and the forthcoming programme and budget periods.⁴⁸

Developments in relation to the International Organization for Standardization, including in the field of occupational safety and health

At its 325th Session, the Governing Body reviewed an Office report on the pilot implementation of the 2013 Agreement between the ILO and the International Organization for Standardization (ISO) authorized by the Governing Body in March 2013,⁴⁹ and related activities between the two organizations, including the 2005 Memorandum of Understanding between the ILO and the ISO in the field of social responsibility.⁵⁰ The Governing Body noted the progress and remaining challenges in recent collaboration, including in relation to the 2013 Agreement’s commitment to respect and support international labour standards in the drafting of ISO standards, as well as the developments relating to high-level contacts between the two organizations. The Governing Body authorized the Director-General “to continue the pilot implementation of the 2013 Agreement for the ILO’s effective participation in the completion of ISO 45001 on occupational health and safety management systems, including for the circulation of an Office opinion annexed to the ballot materials of ISO 45001”. It also decided that it would decide, “no later than its 328th Session (October–November 2016), on the basis of an analysis conducted by the Office, whether to continue or revise the 2013 Agreement, negotiate a new agreement, or take other necessary action in recognition of the ILO’s mandate”.⁵¹

⁴⁶ GB.325/PV, para. 314.

⁴⁷ GB.326/INS/15/3.

⁴⁸ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_464697/lang--en/index.htm.

⁴⁹ GB.317/INS/13/7, para. 6.

⁵⁰ GB.325/INS/11.

⁵¹ GB.325/PV, para. 246.

12. Reports of the Officers of the Governing Body

Action to be taken regarding the appointment of the Director-General

At its 326th Session, the Governing Body decided to initiate the process for the appointment of the Director-General of the ILO. The current term of office of Mr Ryder comes to a close on 30 September 2017. The rules governing the appointment of the Director-General, amended by the Governing Body at its 312th Session (November 2011)⁵² set out a timetable with a number of intervals that must be respected. The Governing Body adopted a timetable for the process under which I, as Chairperson of the Governing Body, was to launch the call for candidatures by a letter dated 18 April 2016, giving 15 July 2016 as the last date for receipt of candidatures. This letter was duly sent out on 18 April 2016. The Governing Body will conduct hearings of the candidates on 31 October 2016, followed by a ballot for the election of the Director-General held on 7 November 2016.⁵³ Both these dates fall within the period of the 328th Session (October–November 2016) of the Governing Body.

Arrangements for the 16th Asia and the Pacific Regional Meeting

Having approved the holding of the 16th Asia and the Pacific Regional Meeting in Indonesia during the last quarter of 2016 at its June 2015 session,⁵⁴ at its 325th Session the Governing Body approved⁵⁵ the dates for the Meeting – 6 to 9 December 2016, its venue and other related arrangements, as set out in the Officers' report on the subject.⁵⁶

Arrangements for the Tenth European Regional Meeting

At the 325th Session, the Governing Body approved the holding of the Tenth European Regional Meeting from 2 to 5 October 2017 in Istanbul, Turkey.⁵⁷ At its 326th Session, the Governing Body approved a number of arrangements for the holding of the Meeting, including in respect of the Meeting's official languages, its agenda and the report which the Director-General will be submitting to it as a basis for the discussions.⁵⁸

⁵² GB.312/PV, para. 251.

⁵³ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_464700/lang--en/index.htm.

⁵⁴ GB.324/INF/1.

⁵⁵ GB.325/PV, para. 374.

⁵⁶ GB.325/INS/16/2.

⁵⁷ GB.325/INF/1.

⁵⁸ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_465056/lang--en/index.htm.

13. Results of the independent evaluation of the ILO Action Plan for Gender Equality 2010–15, and outline of the Action Plan 2016–17

In March 2016, the Governing Body discussed the results of an independent evaluation of the ILO Action Plan for Gender Equality spanning the period of the Strategic Policy Framework, 2010–15.⁵⁹ The Governing Body also provided guidance with respect to the next Action Plan. The evaluation was described as a catalyst for improvement, particularly as the ILO works towards the Women at Work Centenary Initiative and the implementation of the 2030 Sustainable Development Agenda. It was noted that greater efforts were needed to close the gender gaps in the Organization. The Governing Body supported the full alignment of the new Action Plan with the UN System-wide Action Plan on Gender Equality and the Empowerment of Women (UN-SWAP), complemented by ILO-specific indicators.

The importance of the ILO's leadership, and the need to maintain this role, in areas such as maternity protection, equal pay and women in business and management, was highlighted by the constituents. The ILO therefore had to ensure its own internal processes supported this leadership role. The need for the new Action Plan to have a communications strategy, to ensure increased visibility was also stressed. A number of constituents highlighted the role of senior management in ensuring that the targets of the new Action Plan were met, and the need for those with responsibilities under the Plan to be held accountable. In this context, the issue of a senior level mechanism to ensure the accountability and demonstrated leadership of senior management was raised. The Director-General stressed that accountability ultimately rested with him and he would ensure that there would be better results under the next Action Plan, acknowledging that otherwise the ILO's leadership in policy areas could be compromised.

The Governing Body requested the Director-General to finalize and implement the ILO Action Plan for Gender Equality 2016–17, taking into account its guidance and the independent evaluation, and decided to examine the results of the next Action Plan at a future session of the Governing Body. It further requested the Director-General to take into consideration its guidance in pursuing the ILO's mandate to promote gender equality in the implementation of the present programme and budget, in the preparation of the next strategic policy framework and future programme and budget proposals, and in facilitating extra-budgetary resources.⁶⁰

14. The 2030 Agenda for Sustainable Development

In November 2015, the Governing Body welcomed the adoption of the 2030 Agenda,⁶¹ with its 17 Sustainable Development Goals (SDGs). The goals include many references to the Decent Work Agenda and SDG 8, “to promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all”, was considered of particular importance to the ILO. The Governing Body recognized the important contribution of constituents and the Office to this achievement, which places the ILO, its values and objectives, at the heart of this transformational global agenda.

At the same time, it was made clear that the adoption of the 2030 Agenda represented the beginning of a long and demanding process of implementation. The Governing Body

⁵⁹ GB.326/INS/11.

⁶⁰ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_463159/lang--en/index.htm.

⁶¹ GB.325/INS/6.

thus requested the Director-General to develop enhanced capacity-building programmes for ILO constituents to engage in national follow-up, and to continue to follow closely the evolution of the UN system's response to the 2030 Agenda, with a view to ensuring that the ILO's policy role on decent work was well integrated into global, regional and national-level follow-up action.

The Governing Body further requested the Director-General to build multi-stakeholder partnerships to implement the SDGs, to offer the ILO's technical and normative leadership on SDG 8 and all targets related to decent work, as well as to build on the core role of tripartism; to prepare proposals on the possible role of the Governing Body in examining progress on decent work for sustainable development as part of the UN system's examination of thematic reviews of progress, and to ensure alignment of the Office's workplans regarding the policy and enabling outcomes in the Programme and Budget for 2016–17 with priorities targeted in the 2030 Agenda, and to develop proposals for the Strategic Plan 2018–21 to strengthen further the role of the ILO in the implementation of the 2030 Agenda.⁶²

In a further discussion in March 2016,⁶³ the Governing Body reiterated its strong support to an ambitious role for the ILO in the implementation of the 2030 Agenda. It welcomed the Director-General's decision to focus his Report to the 105th Session of the International Labour Conference in 2016 on the end to poverty, a subject which would enable him to present the ILO's vision for implementation of the 2030 Agenda. The Governing Body further requested the Director-General to prepare a plan for the ILO's role in assisting member States, where needed, to develop data production, collection and methodologies for the sustainable development indicators connected to the ILO's mandate.

Finally, the Governing Body requested the Director-General to report to the Governing Body at its 328th Session (October–November 2016), on the roll-out of the Office's 2030 Agenda Implementation Plan, including the further elaboration of the ILO's Development Cooperation Strategy.⁶⁴

II. Policy Development Section

15. Employment and Social Protection Segment

Formalization of the informal economy: Follow-up to the resolution concerning efforts to facilitate the transition from the informal to the formal economy

Last year, the International Labour Conference adopted the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204),⁶⁵ following a two-year process of consultation. The Conference also adopted the resolution concerning efforts to

⁶² GB.325/PV, para. 121.

⁶³ GB.326/INS/5, Decent Work and inclusive sustainable growth: Challenges for global policy.

⁶⁴ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_461049/lang--en/index.htm.

⁶⁵ ILO, *Provisional Record* No. 16, International Labour Conference, 104th Session, Geneva, 2015, p. 14.

facilitate the transition from the informal to the formal economy⁶⁶ that invites governments, employers and workers jointly to give full effect to Recommendation No. 204.

At its October–November 2015 session, the Governing Body adopted the strategy for Office follow-up to Recommendation No. 204.⁶⁷ The strategy set out in the report⁶⁸ aims, first and foremost, to support constituents’ action in the development and implementation of integrated and coherent national strategies, according to national circumstances and priorities, in facilitating the transition to the formal economy. It is articulated around four interrelated components, namely: (i) a promotional awareness-raising and advocacy campaign; (ii) capacity building of tripartite constituents; (iii) knowledge development and dissemination; and (iv) international cooperation and partnerships. The Plan of Action for the implementation of Recommendation No. 204 will be supported, in particular, by outcome 6 on “Formalization of the informal economy” and the resources allocated to it in the Programme and Budget 2016–17; but it will also include country activities under outcomes 1, 3, 4, 5 and 7.

The newly adopted SDGs, and especially SDG 8.3 “Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity, innovation, and encourage the formalization and growth of micro-, small- and medium-sized enterprises”, will also provide a supportive policy framework for the implementation of Recommendation No. 204, as the share of informal employment in non-agriculture employment, by sex, will be one of the indicators of the monitoring system for the SDGs.

A large effort of awareness raising and capacity building in respect of Recommendation No. 204 policy guidelines and integrated strategy was initiated by the Office soon after the adoption of the Recommendation and its resolution, with a series of knowledge-sharing forums which took place at regional and global level between August and November 2015, organized by the regions in partnership with ITC–ILO and the Employment Policy Department. Many country-level activities linked to outcome 6 (in particular, indicators 6.1 and 6.2) will be dedicated to building the capacity of governments and employers’ and workers’ organizations to formulate a diagnostic through national dialogue processes to enable them to design, implement and evaluate national policies and programmes to facilitate the transition to the formal economy.

Outcome 1 – More and better jobs for inclusive growth and improved youth employment prospects

In March 2016 the Governing Body reviewed the strategy and priorities for the implementation of outcome 1, “More and better jobs for inclusive growth and improved youth employment prospects” in the 2016–17 biennium, on the basis of an Office report.⁶⁹ This initiated the process whereby each session of the Governing Body would review two outcomes of the 2016–17 Programme and Budget, thus enhancing its governance role.

⁶⁶ ILO: Resolution concerning efforts to facilitate the transition from the informal to the formal economy, adopted on 12 June 2015, 104th Session, International Labour Conference.

⁶⁷ GB.325/PV, para. 456.

⁶⁸ GB.325/POL/1/2.

⁶⁹ GB.326/POL/1.

The conclusions concerning the second recurrent discussion on employment, adopted at the 103rd Session (2014) of the International Labour Conference ⁷⁰ called for “proactive, employment-centred, inclusive growth strategies and balanced, coherent policy frameworks, well-articulated, both at the global and national level”. The strategy for outcome 1 in the 2016–17 biennium is grounded in these conclusions, in their follow-up strategy for 2014–18, endorsed by the Governing Body in November 2014, ⁷¹ in the 2012 International Labour Conference call for action concerning the youth employment crisis and in the employment-related international labour standards, especially Convention No. 122 on Employment Policy.

The strategy includes five thematic areas or indicators: (i) support to the development and implementation of Comprehensive employment frameworks ; (ii) the development and implementation of multi-pronged policies and programmes to promote Decent jobs and skills for youth based on the 2012 Conference call for action; (iii) work on Employment-friendly macroeconomic frameworks for promoting more and better jobs and for tackling inequalities; (iv) support to industrial, sectoral, trade, skills, infrastructure, investment or environmental policies for promoting more productive and better quality jobs; and (v) support to labour market institutions and policies.

Under each of the above thematic areas, a broad range of activities and services proposed by the Office was considered, including: (i) policy-oriented research and evidence-based analysis of effective approaches to quality job creation; analysis of global trends; and new research on structural changes that affect the labour markets; (ii) the development of policy tools and advisory services to constituents; (iii) capacity building of tripartite constituents; and (iv) advocacy and partnerships were widely discussed. A significant dimension of the strategy consists of expanded collaboration within the multilateral system including the United Nations system, the financial institutions and support to G20, BRICS, and international and regional organizations partnering for more and better job opportunities and a focus on youth employment.

The importance of the work of the Office under outcome 1 to tackle the global challenges and priorities on decent job creation and in particular for promoting youth employment in all regions and in countries at different levels of development was underscored by the tripartite members of the Governing Body. The proposed strategy was much welcomed by the Governing Body which requested the Director-General to take account of its guidance in further implementing the strategy for outcome 1.

Outcome 9 – Promoting fair and effective labour migration policies

At its 326th Session (March 2016), the Governing Body examined an Office paper on “Outcome 9: Promoting fair and effective labour migration policies”. ⁷² The paper provided an overview of the main elements of the outcome 9 strategy, its priority areas of intervention, the suggested implementation modalities and proposed external partnerships. It invited the Governing Body to provide guidance to the Office, in order to inform the implementation of

⁷⁰ ILO: Resolution and conclusions concerning the second recurrent discussion on employment, *Provisional Record* No. 12(Rev.), International Labour Conference, 103rd Session, Geneva, 2014.

⁷¹ GB.322/PV, para. 36.

⁷² GB.326/POL/2.

outcome 9 of the Programme and Budget for 2016–17 and to agree to hold in September 2016 a tripartite meeting of experts to develop guidance on fair recruitment.

The discussions demonstrated support and commitment across the Government group for the strategic approach, priority areas and preliminary workplan put forward in the paper. Governments underlined the importance of coherence between employment and labour migration responses, and mainstreaming migration in employment, education, training and development policies.

The Employers' group supported the strategic approach and areas of intervention despite pointing out that an overemphasis on migrant workers' rights should be avoided and a balanced approach sought. Advancing coherence between employment and labour migration policies, skills recognition and accreditation and labour market integration were highlighted as important areas of work for the ILO.

The Workers' group welcomed the approach and the focus on the four selected areas of work and stressed particular items they would like to see prioritized, such as the protection of migrant workers' rights, the development of tripartite guidelines on fair recruitment, the protection of vulnerable migrants, the establishment of social dialogue mechanisms for migration policy development and increased coherence between employment and migration policies, with a focus on social dialogue.

The Governing Body requested the Director-General to take account of its guidance in implementing the outcome 9 strategy on promoting fair and effective labour migration policies and agreed to holding, in September 2016, a three-day tripartite meeting of experts to develop guidance on fair recruitment, which would report its conclusions to the Governing Body at its 328th Session (October–November 2016).⁷³

Indigenous peoples' rights for inclusive and sustainable development

Taking into account experience since the adoption of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), and recent developments such as the 2014 World Conference on Indigenous Peoples and the adoption of the 2030 Sustainable Development Agenda, in November 2015, the Governing Body discussed and endorsed a strategy for ILO action concerning indigenous and tribal people.⁷⁴ The strategy identifies several areas for action: (i) promoting Convention No. 169; (ii) strengthening dialogue, consultation and participation; (iii) improving livelihoods and working conditions; (iv) extending social protection; (v) indigenous and tribal women; (vi) closing the knowledge gap; and (vii) partnerships and engagement with UN agencies and bodies. The Governing Body requested the Director-General to take the strategy and the guidance given in the discussion into consideration in the implementation of the Programme and Budget for 2016–17, in preparing the next strategic framework and future programme and budget proposals, and in facilitating extra-budgetary resources.⁷⁵

⁷³ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_462335/lang--en/index.htm.

⁷⁴ GB.325/POL/2.

⁷⁵ GB.325/PV, para. 471.

Outcome of the Tripartite Meeting of Experts on Sustainable Development, Decent Work and Green Jobs (Geneva, 5–9 October 2015)

In October–November 2015 the Governing Body reviewed the guidelines for a just transition towards environmentally sustainable economies and societies for all, adopted by the Tripartite Meeting of Experts, held from 5 to 9 October 2015 in Geneva.⁷⁶ The guidelines lay out practical measures in nine policy areas for the country-level application of the conclusions on achieving sustainable development, decent work and green jobs as agreed by governments, workers and employers’ organizations of the ILO’s 186 member States⁷⁷ at the 102nd International Labour Conference.⁷⁸ The Guidelines aim at helping ensure that a just transition to a sustainable future takes place which properly addresses the imperatives of decent work. The Governing Body recommended using the Guidelines as a basis for activities and outreach and to include the recommended follow-up action in the implementation of the Programme and Budget for 2016–17; in the development and implementation of the Green Initiative; in the development of the strategic plan for 2018–21; and in the resource mobilization strategy of the Office.⁷⁹

16. Social Dialogue Segment

Area of critical importance: Strengthening workplace compliance through labour inspection⁸⁰

“Strengthening workplace compliance through labour inspection” was identified as an area of critical importance in the ILO Programme and Budget for 2014–15. Its aim is to develop the capacity of constituents to improve compliance in workplaces with national labour laws and regulations, ratified international labour Conventions and applicable collective agreements. The Governing Body provided its views on the strategy developed by the Office, on its implementation and the way forward. The strategy incorporated building up knowledge and the institutional capacity of the governments, as well as of the workers’ and employers’ organizations, a practical focus on SMEs and the informal economy and the enhancement of social dialogue for workplace compliance.

The value added by activities in this area of critical importance lay not only in better allocation of resources but also in the approach adopted. This approach brought together Office knowledge and constituent practice in the design of strategies capable of producing multiple, innovative and complementary interventions to achieve compliance in all workplaces.

It was underlined that a strong partnership among national institutions is key to enhancing workplace compliance. The impact of the labour inspectorate is greater when it works through strategic collaborations with other government entities, the social partners, businesses and the wider public. Particularly, a systemic approach to workplace compliance

⁷⁶ GB.325/POL/3.

⁷⁷ The Kingdom of Tonga has since become the ILO’s 187th member State.

⁷⁸ ILC.102/PR/12.

⁷⁹ GB.325/PV, para. 494.

⁸⁰ GB.325/POL/4.

should involve trade unions and employers' organizations as they represent and defend their members' interests and are familiar with workplace realities.

The most evident challenge was the need for efficiency of labour inspectorates in the use of their limited financial and human resources, while the most challenging area continued to be the informal economy. Looking ahead, ILO work in the area of workplace compliance will need to benefit from greater clarity on the essential roles of different actors, prioritization of political will and action at country levels, and increased use of new technology and communications tools such as smartphone applications.

The Governing Body requested the Director-General to take account of its guidance in the implementation of outcome 7 of the Programme and Budget for 2016–17 on “Promoting workplace compliance through labour inspection”.⁸¹

Sectoral and technical meetings 2015–16 and Sectoral Activities Programme for 2016–17

The Governing Body, under a number of different agenda items, discussed and took decisions regarding the follow-up and preparations of sectoral meetings, including the 12th session of the Joint ILO/UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART)⁸² and a related interim report.⁸³

Having endorsed a programme of sectoral and technical meetings for 2016–17⁸⁴ at its 323rd Session, the Governing Body discussed and determined, at its 325th and 326th Sessions, the composition, duration and dates of tripartite sectoral meetings to be held up until the second half of 2017.⁸⁵

In addition to approving the publication of *Guidelines on flag State inspection of working and living conditions on board fishing vessels*, the Governing Body also examined, at its 325th and 326th Sessions, the other outputs of all sectoral meetings held in 2015. These included conclusions and resolutions adopted by the Tripartite Sectoral Meeting on Safety and Health in the Road Transport Sector, as well as points of consensus on: the impact on decent work and competitiveness of employment relationships in retail commerce; employment relationships in telecommunications services and in the call centre industry; and good practices and challenges in promoting decent work in construction and infrastructure projects.

Finally, in March 2016, having reviewed the existing rules and practices related to the conduct of technical and sectoral meetings as well as meetings of experts,⁸⁶ the Governing Body requested the Office to devise standing orders that would cover technical and sectoral

⁸¹ GB.325/PV, para. 512.

⁸² GB.325/POL/5.

⁸³ GB.326/POL/6.

⁸⁴ GB.323/POL/4.

⁸⁵ GB.325/POL/5; GB.326/POL/6.

⁸⁶ GB.326/POL/5.

meetings, as well as meetings of experts in order to harmonize and update the existing standing orders for meetings and related practice.⁸⁷

17. Development Cooperation Segment

Enhanced programme of technical cooperation for the occupied Arab territories

The Governing Body was informed in November 2015 on progress made and planned ILO interventions within the context of the technical cooperation programme in the occupied Arab territories.⁸⁸ The Office reported progress in areas such as: the promotion of labour rights and improved labour market governance; the development of a comprehensive social security system; and enhancing employment and livelihood opportunities for (young) Palestinian women and men. The slow pace of reconstruction in Gaza had affected the situation of workers and ILO activities. The Governing Body members took note and commended the ILO for its efforts to implement recovery interventions in Gaza with limited core funding through engagement with constituents and other partners in seeking longer term solutions. They called upon the donor countries to further support the implementation of the technical cooperation programme in the occupied Arab territories. The Office would undertake an internal review of the Decent Work Programme in early 2016 to guide ILO interventions in the coming period. In response to statements of Governing Body members, the Office committed to intensify the implementation of activities despite a challenging funding context, and to continue to advocate for the principles of social justice, decent work and tripartism in the institution-building process. The Governing Body expressed support for the proposed programme elements.

ILO Development Cooperation Strategy 2015–17

At its 325th Session, the Governing Body discussed the updated Development Cooperation Strategy for 2015–17⁸⁹ in light of the Third International Conference on Financing for Development (Addis Ababa, July 2015) and the 2030 Agenda for Sustainable Development, and internal matters such as the Programme and Budget for 2016–17, the ongoing reform and the evaluation of the technical cooperation strategy 2010–15. The Governing Body: (a) adopted the revised Development Cooperation Strategy 2015–17 and requested the Office to report on its implementation at its 329th Session (March 2017); and (b) requested the Office to take into account the guidance provided by the Governing Body on recent external and internal developments and their implications for the ILO Development Cooperation Programme in its continued implementation of the Development Cooperation Strategy 2015–17.⁹⁰

⁸⁷ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_460478/lang--en/index.htm.

⁸⁸ GB.325/POL/8.

⁸⁹ GB.325/POL/6.

⁹⁰ GB.325/PV, para. 539.

The ILO's global flagship programmes

At its 325th Session, the Governing Body discussed the ILO's global flagship programmes,⁹¹ designated by the Director-General in the context of the Office's field structure and development cooperation reform. The Governing Body took note of the objectives and characteristics of the five flagship programmes and requested the Office to report on their implementation through the programme implementation report. The Governing Body further requested the Office to take into consideration the guidelines provided by the Governing Body and to establish a tripartite advisory committee for each flagship programme at both the global and national levels.⁹²

Public-private partnerships (PPPs): Report on progress

At its 326th Session, the Governing Body discussed trends in PPPs, as well as progress in the implementation of the refined PPP strategy.⁹³ The guiding principles for PPPs and the proposals that were discussed at its 320th Session⁹⁴ laid the basis for this discussion. The report showed an increase in the numbers of PPPs and that PPPs were the fifth largest contributor to the extra-budgetary resources received by the ILO during 2014–15. The majority of PPPs were with companies, particularly in the areas of standards and social dialogue and offered opportunities for capacity building of constituents. The Governing Body provided feedback on the progress and opportunities in implementing the PPP strategy and requested the Office to: (a) continue the implementation of the refined PPP strategy, taking into account the guidance provided by the Governing Body on the proposals for improvement; and (b) conduct an independent evaluation of PPPs, their value added and the intervention models used, in line with the workplan set for ILO evaluations.⁹⁵

18. Multinational Enterprises Segment

Proposed modalities to review the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy

In November 2015 the Governing Body discussed the implementation of the promotional framework and follow-up mechanism to the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration).⁹⁶ In view of the increased relevance of the MNE Declaration in the context of the 2030 Agenda for Sustainable Development and other global developments, as well as its upcoming 40th

⁹¹ GB.325/POL/7.

⁹² GB.325/PV, para. 555.

⁹³ GB.326/POL/7.

⁹⁴ GB.320/INS/5/2.

⁹⁵ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_460501/lang--en/index.htm.

⁹⁶ GB.325/POL/9.

anniversary, the Governing Body requested the Office to “propose modalities to review the MNE Declaration for decision by the 326th Session of the Governing Body”.⁹⁷

The Office prepared a paper for March 2016⁹⁸ identifying the possible aims of the update and setting out options for: (i) the scope of the review; (ii) the procedure, including budget implications of the options proposed; and (iii) the timeline. The Governing Body decided to establish a tripartite ad hoc working group of eight members representing Governments, four members representing Workers and four members representing Employers that will meet twice before March 2017 to review the text of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, including its annex and addenda as well as the interpretation procedure. It further decided that the recommendations of the working group, arrived at through consensus, will be presented for possible adoption at the 329th Session (March 2017) of the Governing Body; to request the Director-General to ensure that the Office provides all necessary support to the constituents; and to approve the funding of the tripartite ad hoc working group’s meetings as set out in paragraph 17 having due regard to the possibilities of reducing the costs through careful planning and that the costs be financed in the first instance from savings in Part I of the budget or, failing that, through Part II, on the understanding that, should this subsequently prove impossible, the Director-General would propose alternative methods of financing at a later stage in the 2016–17 biennium.⁹⁹

III. Legal Issues and International Labour Standards Section

19. Legal Issues Segment

Protection of Employers’ and Workers’ delegates to the International Labour Conference and members of the Governing Body in relation to the authorities of a State of which they are a national or a representative

Following a request made by the Workers’ group at the 319th Session (October 2013),¹⁰⁰ at its 325th Session the Governing Body examined a document containing a detailed analysis of the question concerning the protection of Employers’ and Workers’ delegates to the International Labour Conference and members of the Governing Body in relation to the authorities of a State of which they were a national or a representative.¹⁰¹ The document identified two possible courses of action to address the underlying issue: the amendment of Annex I to the 1947 Convention on the Privileges and Immunities of the Specialized Agencies and the adoption of a new resolution by the International Labour Conference building upon the resolution concerning freedom of speech of non-governmental delegates to ILO meetings, adopted in 1970. Following its discussion of the document, the

⁹⁷ GB.325/PV, para. 586.

⁹⁸ GB.326/POL/8.

⁹⁹ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_463215/lang--en/index.htm.

¹⁰⁰ GB.319/PV, para. 534.

¹⁰¹ GB.325/LILS/1.

Governing Body requested the Office to prepare for its consideration concrete proposals for measures aimed at enhancing the situation, taking into account the views expressed by its members.¹⁰²

The Governing Body discussion at its March 2016 session was on the basis of a document that proposed a draft Conference resolution revising Annex I to the Convention on the Privileges and Immunities of the Specialized Agencies by inserting a new paragraph granting certain privileges and immunities to Employers' and Workers' delegates and advisers to the International Labour Conference and Employer and Worker members of the Governing Body in relation to the authorities of a State of which they are nationals or of which they are or have been representatives.¹⁰³ The Governing Body took note of the proposals and decided to postpone the decision on this item until its 328th Session (October–November 2016) to allow time for tripartite consultations, including at the national level.¹⁰⁴

Amendments to the Compendium of rules applicable to the Governing Body of the International Labour Office

At its 323rd Session (March 2015), the Governing Body requested the Office to review the text of its Standing Orders, including the Introductory note, and to propose amendments as a follow-up to the review of the implementation of the Governing Body reform, including changes on the deferral of agenda items, the replacement of the words “technical cooperation” by “development cooperation” where appropriate, and the adjustment of the composition and timing of the tripartite screening group with respect to the setting of the Governing Body’s agenda.¹⁰⁵ In addition, the Office document proposed some draft amendments to clarify a number of provisions relating to different subjects.¹⁰⁶ Following the discussion, the Governing Body adopted the amendments to its Standing Orders and to the Introductory note to the Compendium proposed in the appendix to the Office document, as well as those agreed during the discussion.¹⁰⁷

20. International Labour Standards and Human Rights Segment

The Standards Initiative

At its 325th Session (October–November 2015), the Governing Body approved terms of reference of the SRM Tripartite Working Group (SRM TWG), as developed during tripartite consultations that had taken place in October 2015. It further decided to appoint Mr Jan Farzan (Germany) as Chairperson of the SRM TWG; to convene two meetings of the SRM TWG in 2016, one prior to its 326th Session and the other prior to its 328th Session;

¹⁰² GB.325/PV, para. 596.

¹⁰³ GB.326/LILS/1.

¹⁰⁴ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_461989/lang--en/index.htm.

¹⁰⁵ GB.323/WP/GBC/2; GB.323/INS/10.

¹⁰⁶ GB.326/LILS/2.

¹⁰⁷ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_462794/lang--en/index.htm.

and to undertake an initial evaluation of the functioning of the SRM TWG no later than March 2017.¹⁰⁸

At its 326th Session (March 2016), the Governing Body considered two items under the Standards Initiative. First, the Governing Body received the joint report¹⁰⁹ of the Chairperson of the Committee of Experts on the Application of Conventions and Recommendations, Judge Abdul Koroma (Sierra Leone), and the Chairperson of the Committee on Freedom of Association, Professor Paul van der Heijden (Netherlands) on the interrelationship, functioning and possible improvement of the various supervisory procedures related to articles 22, 23, 24 and 26 of the ILO Constitution and the complaints mechanism on freedom of association, that had been requested by the Governing Body in March 2015. The Governing Body further requested the Director-General to undertake further consultations on issues related to the joint report with a view to formulating recommendations for consideration by the Governing Body.¹¹⁰

Second, the Governing Body noted the report¹¹¹ of the Officers concerning the first meeting of the SRM TWG that had taken place from 22 to 25 February 2016 at ILO headquarters in Geneva. In relation to the outcomes of that meeting, the Governing Body approved an initial programme of work for the SRM TWG that reviews a total of 231 international labour standards organized into 20 thematic sets of instruments grouped by strategic objective; and decided that, at its second meeting, which it decided would be convened from 10 to 14 October 2016, the SRM TWG will examine sets of instruments 4, 11, 13, 16 and 19 concerning all the unfinished follow-up to the instruments identified as outdated by the Cartier Working Party. Further, the Governing Body referred the maritime instruments (sets of instruments 18 and 20), to the Special Tripartite Committee established under Article XIII of the Maritime Labour Convention, 2006 (MLC, 2006) for its expert review and report to the Governing Body.¹¹²

Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2017 and 2018

At its 325th Session (October–November 2015), the Governing Body decided that governments should be requested to submit reports under article 19 of the Constitution on the instruments on working time in 2017, and on the Social Protection Floors Recommendation, 2012 (No. 202) in 2018. The Governing Body requested the Office to prepare the report form concerning the instruments on working time for consideration at its 326th Session (March 2016); and the report form concerning the Social Protection Floors Recommendation, 2012 (No. 202), for consideration at its 328th Session (October–November 2016).¹¹³

¹⁰⁸ GB.325/PV, para. 612.

¹⁰⁹ GB.326/LILS/3/1.

¹¹⁰ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_461377/lang--en/index.htm.

¹¹¹ GB.326/LILS/3/2.

¹¹² http://www.ilo.org/gb/decisions/GB326-decision/WCMS_461376/lang--en/index.htm.

¹¹³ GB.325/PV, paras 636 and 637.

Proposed form for reports to be requested under article 19 of the Constitution in 2017 on the instruments on working time

In March 2016 the Governing Body requested governments to submit reports for 2017, under article 19 of the Constitution, on the working time instruments and approved the report form concerning these instruments. ¹¹⁴

Proposed forms for reports to be requested under articles 19(5)(e) and 22 of the Constitution in relation to the Protocol of 2014 to the Forced Labour Convention, 1930

At its 326th Session, the Governing Body requested the Office to ensure that the issues raised during its discussion were adequately reflected in the report forms for the Protocol of 2014 to the Forced Labour Convention, 1930, which would be used as the basis for the preparation of reports due under articles 19(5)(e) and 22 of the ILO Constitution; and, on that basis, approved the report forms. ¹¹⁵

Report of the second meeting of the Special Tripartite Committee established under the Maritime Labour Convention, 2006 (Geneva, 8–10 February 2016)

At its 326th Session, the Governing Body noted the information provided in the report of the Chair of the Special Tripartite Committee and decided to transmit to the 105th Session of the International Labour Conference (June 2016) for approval the amendments to the Code of the Maritime Labour Convention, 2006, adopted by the Special Tripartite Committee. The Governing Body further appointed Ms Julie Carlton (United Kingdom) as the Chairperson of the Special Tripartite Committee for a three-year term (2016–19); endorsed the establishment of the working group of the Special Tripartite Committee; and decided to convene the third meeting of the Special Tripartite Committee in 2018. ¹¹⁶

Report of the meeting of the Ad Hoc Tripartite Maritime Committee for the amendment of the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) (Geneva, 10–12 February 2016)

At its June 2015 session, noting the positive conclusions of the independent evaluation report submitted by the Russian Federation in accordance with Article 5, paragraph 4, of Convention No. 185, of the ILO technical expert's assessment and of the report of the Review Group established under arrangements adopted in accordance with Article 5, paragraph 6, of the Convention, the Governing Body approved the inclusion of the Russian Federation as the first ratifying Member to be listed as fully meeting the minimum

¹¹⁴ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_461990/lang--en/index.htm.

¹¹⁵ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_461991/lang--en/index.htm.

¹¹⁶ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_462339/lang--en/index.htm.

requirements referred to in Article 5, paragraph 1, of the Convention.¹¹⁷ The Governing Body further approved financial arrangements for the Ad Hoc Tripartite Maritime Committee.¹¹⁸

At its 326th Session (March 2016), the Governing Body requested the Director-General to remain seized of the issue of the facilitation of access to shore leave and transit of seafarers; and decided to transmit for adoption the proposed amendments and the resolutions adopted by the Ad Hoc Tripartite Maritime Committee to the International Labour Conference at its 105th Session (June 2016).¹¹⁹

IV. Programme, Financial and Administrative Section

21. Programme, Financial and Administrative Segment ILO programme implementation 2014–15

In March 2016, the Governing Body examined the biennial report on the implementation of the ILO programme concerning the period 2014–15,¹²⁰ which was also the final performance report of the Office under the Strategic Policy Framework 2010–15. During the biennium, the ILO achieved 774 country outcome results through the mobilization of nearly US\$1.1 billion total resources and almost 2,900 staff. The Governing Body commended the Office for the efforts made on fewer and better integrated interventions with particular emphasis on the eight ACIs, the steps taken on further consolidation of the reform programme for enhanced organizational effectiveness, the progress made on enhancing policy coherence and convergence at all levels marked by the ILO's strong contribution to the adoption of the 2030 Agenda for Sustainable Development, and the strengthening of ILO knowledge base and analytical capacity. The Governing Body also took note of the key lessons learned in 2014–15 and suggested further improvements to the content and format of the implementation report. The comments and guidance provided during the discussions will allow the Office to improve its performance in implementing the ILO programme for 2016–17 and the quality of future programme implementation reports.

Building questions: Headquarters building renovation project

In October–November 2015 and March 2016, the Governing Body reviewed and discussed reports on the progress of the headquarters building renovation project.¹²¹ The Governing Body was informed of the appointment of a management contractor, Steiner SA, and took note of the revised project budget reflecting the fixed pricing contract but remaining within the approved budget ceiling. The Governing Body was advised of the disposition of the two non-strategic plots of land, which generated a total income of 54 million Swiss

¹¹⁷ GB.324/PV, para. 82.

¹¹⁸ GB.324/PV, para. 83.

¹¹⁹ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_461992/lang--en/index.htm.

¹²⁰ GB.326/PFA/1.

¹²¹ GB.325/PFA/1 and GB.326/PFA/3.

francs (CHF). The Governing Body authorized the Office to cover the unanticipated shortfall in sales proceeds of CHF2.4 million through the use of the provision for long-term financing reserve for the headquarters building.¹²² The Governing Body also reviewed options proposed by the Office for the financing of the remaining renovation work outside the current scope and requested that priorities be set for these items. The Governing Body was reluctant to support advancing on any option that entailed an assessment on member States and encouraged the Office to continue seeking voluntary contributions or other innovative financing sources.

Update concerning after-service health insurance

The Office provided an update¹²³ in March 2016 on the outcomes of consideration by the United Nations system Working Group on after-service health insurance (ASHI) and its associated liability, together with proposed measures to contribute to a reduction in the liability over the medium- to long-term, including a payroll charge to fund growth in the liability. The Governing Body took note of the report and requested the Director-General to ensure the ILO's continued participation in the UN ASHI Working Group as it studied further options to increase efficiency and contain costs, including the practicability and effects of introducing a requirement for former officials and their dependants to be covered under certain national health insurance schemes. However, given that the payroll charge would have an impact on regular budget and member States' contributions, it did not endorse the partial funding proposal. It requested the Office to present to its 329th Session (March 2017) possible options for the establishment of an ASHI reserve, including specific measures for increasing efficiency and containing costs while examining the positive impact of such measures in reducing ASHI liabilities for the ILO.¹²⁴

Information and communications technology questions: Final report on the ILO Information Technology Strategy 2010–15 and proposed transitional strategy 2016–17

In March 2016, the Governing Body received a final report on the implementation of the ILO Information Technology Strategy 2010–15 and the proposed transitional strategy for 2016–17.¹²⁵ The Governing Body commended the ILO's holistic approach towards modernization and standardization of IT and the cost-saving measures taken to leverage limited resources, as well as the crucial role of the Information Technology Governance Committee (ITGC) in the strategic prioritization of IT services and solutions. It endorsed the proposed transitional IT strategy for 2016–17.¹²⁶

¹²² http://www.ilo.org/gb/decisions/GB326-decision/WCMS_459969/lang--en/index.htm.

¹²³ GB.326/PFA/4.

¹²⁴ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_459970/lang--en/index.htm.

¹²⁵ GB.326/PFA/5.

¹²⁶ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_459899/lang--en/index.htm.

Knowledge Strategy 2010–15: Achievements, lessons learned and the way forward

In March 2016, the Governing Body considered a report on the implementation of the ILO Knowledge Strategy 2010–15.¹²⁷ It took due note of the achievements and lessons learned during this period and commended the Office for the strengthened capacity to deliver sound, evidence-based research and analysis. On the way forward, it requested the Office to take into account the challenges and opportunities and set its priority for a well-developed and well-implemented knowledge strategy for 2018–21.¹²⁸

22. Audit and Oversight Segment

Audit and oversight

In October–November 2015, the Governing Body appointed three new members to the Independent Oversight Advisory Committee (IOAC).¹²⁹ The new members, Ms Carine Doganis, Mr N.R. Rayalu and Mr Frank Harnischfeger, were appointed for a term of three years commencing on 1 January 2016. Mr Mukesh Arya was retained on a reserve list for the same period.

In March 2016, the Governing Body received and considered the eighth annual report of the IOAC¹³⁰ and the report of the Chief Internal Auditor for 2015.¹³¹

Evaluations

In October–November 2015, the Governing Body considered a report on the ILO's evaluation activities during 2014–15.¹³² The Governing Body endorsed the rolling plan for the implementation of recommendations and confirmed the evaluation priorities for 2016–17.¹³³

At the same session, the Governing Body considered a report on high-level evaluations of strategies and decent work programmes.¹³⁴ The Governing Body requested the Director-General to take into consideration the findings, recommendations and lessons learned from the independent evaluations and to ensure their appropriate implementation.¹³⁵

¹²⁷ GB.326/PFA/6.

¹²⁸ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_459990/lang--en/index.htm.

¹²⁹ GB.325/PFA/4 and GB.325/PFA/4(Add.).

¹³⁰ GB.326/PFA/8.

¹³¹ GB.326/PFA/9(Rev.).

¹³² GB.325/PFA/5(Rev.).

¹³³ GB.325/PV, para. 678.

¹³⁴ GB.325/PFA/9/2.

¹³⁵ GB.325/PV, para. 688.

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

In October–November 2015, the Governing Body reviewed a summary¹³⁶ of the JIU’s annual report for 2014, its programme of work for 2015 and the four JIU reports and related recommendations that were directly relevant to the ILO. The Governing Body took note of the report and invited the Office to take into consideration the views expressed during its discussion.

23. Personnel Segment**Update concerning the Human
Resources Strategy and reform**

In March 2016, the Governing Body received a report¹³⁷ on progress made in implementing the Human Resources Strategy for 2010–15 and the Director-General’s human resources reform, together with an outline of human resources priorities for the 2016–17 biennium. The Governing Body welcomed the achievements in the areas of recruitment and selection, mobility, maternity protection, anti-harassment and encouraged the Office to continue its work on other reform initiatives in 2016–17. The Governing Body requested the Director-General to present for its consideration in 2017 the new Human Resources Strategy for 2018–21. In addition, it noted the Office’s intention to implement the UN General Assembly decisions relating to the compensation package of the United Nations Common System as from 1 January 2017.¹³⁸

**Matters relating to the Administrative
Tribunal of the ILO**

In November 2015, the Governing Body approved the recognition of the Tribunal’s jurisdiction by two international organizations.¹³⁹ It also considered a paper on the caseload and effectiveness of the Tribunal,¹⁴⁰ noting in particular the difficulties caused by the number of complaints generated within the European Patent Organisation (EPO). It requested the Director-General to initiate discussions with the EPO on ways to reduce the volume of complaints filed by its officials. In March 2016, the Office provided a report¹⁴¹ on the progress of discussions with the EPO to date. The Governing Body took note of the information and requested the Director-General to actively pursue the discussions and to present a further report to its 329th Session (March 2017) at the latest.

¹³⁶ GB.325/PFA/7.

¹³⁷ GB.326/PFA/11.

¹³⁸ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_459992/lang--en/index.htm.

¹³⁹ GB.326/PFA/9/2.

¹⁴⁰ GB.325/PFA/9/1(Rev.).

¹⁴¹ GB.326/PFA/12/2.

In March 2016, the Governing Body endorsed proposed amendments to the Tribunal's Statute and its Annex ¹⁴² and submitted them for adoption by the International Labour Conference at its 105th Session (June 2016). ¹⁴³

In March 2016, the Governing Body decided to recommend to the 105th Session of the Conference the renewal of the terms of office of Mr Frydman (France) and Mr Rouiller (Switzerland), for three years each. ¹⁴⁴

V. High-Level Section

24. Working Party on the Social Dimension of Globalization

The Working Party on the Social Dimension of Globalization met at the 326th Session (March 2016) to discuss “addressing the labour market impacts of refugees and other forcibly displaced people”. ¹⁴⁵ As Chairperson of the Working Party, I provided a brief oral report to the Governing Body plenary of the discussions in the Working Party. ¹⁴⁶ Special guests Mr Peter Sutherland, Special Representative of the UN Secretary-General on International Migration and Development, Ambassador William Lacy Swing, Director-General of the International Organization for Migration (IOM), and Ms Carol Batchelor, Director of the Division of International Protection at the Office of the United Nations High Commissioner for Refugees (UNHCR) were invited to inform discussions on ways in which the ILO should use its mandate and expertise to address the issue, and how its contribution to effective responses for refugees and host communities related to the broader action of the multilateral system.

The Director-General recalled the global nature of the refugee crisis and welcomed closer collaboration with member States and other agencies on issues relating to the access of decent work for refugees and all workers, as work lay at the intersection between the humanitarian and developmental aspects of the problem. Presentations by the invited guests highlighted the importance of ensuring a broader and more equitable sharing of responsibilities for the global refugee and migrant situation, particularly in light of the unprecedented levels of human mobility. Refugees and other forcibly displaced people had the same capacities and needs as others, as well as the same rights and responsibilities.

Members of the Governing Body underlined the importance of avoiding confusion between refugees and migrants while seeking ways to ensure their access to decent work, underpinned by the establishment and application of the right to work and social dialogue. Many stressed very strongly that tripartite participation was essential in the design of responses that could help both refugees and national workers. It could utilize its expertise to provide guidance in all relevant fields of its expertise and to build resilient labour markets based on the principle of equal treatment. Significant emphasis on respect for the fundamental principles and rights at work to prevent refugees from resorting to informal

¹⁴² GB.326/PFA/12/1.

¹⁴³ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_460438/lang--en/index.htm.

¹⁴⁴ GB.326/PFA/12/3.

¹⁴⁵ GB.326/WP/SDG/1.

¹⁴⁶ GB.326/INS/14(Rev.).

sector work, or suffering abuse through trafficking and child labour. Some members of the Governing Body pointed to the need to deal with problems at their source and the ILO's Flagship Programme on Jobs for Peace and Resilience was key to this approach. Member States should avail themselves of the opportunities to discuss the issue of refugees and migrants under the initiative of the United Nations Secretary-General on 19 September at the UN General Assembly High-level Meeting in New York, and under that of United States President Obama, who would be hosting a related summit on 20 September 2016, and the ILO should play its role in the multilateral system by contributing to the discussions on, and the design of, the desired deliverables. The Governing Body agreed to convene a tripartite meeting on the access of refugees and other forcibly displaced persons to the labour market in Geneva from 5 to 7 July 2016.¹⁴⁷

VI. 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 2015–June 2016, which I submit to the 105th Session of the International Labour Conference (2016) for its information.

(Signed) Misako Kaji
Chairperson

¹⁴⁷ http://www.ilo.org/gb/decisions/GB326-decision/WCMS_468092/lang--en/index.htm.

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