



Governing Body

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Policy Development Section

POL

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DRAFT MINUTES

Policy Development Section

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Employment and Social Protection Segment

First item on the agenda

Outcome 2: Ratification and application of international labour standards (GB.331/POL/1)

1. *The Employer spokesperson* said that his group had expected that document GB.331/POL/1 would contain more detailed information on the implementation of outcome 2. Any Office strategy concerning the ratification and implementation of international labour standards should be designed to strengthen tripartite support for the standards supervisory system and ensure up-to-date standards protecting workers and taking into account the needs of sustainable enterprise. An Office strategy on outcome 2 should keep in mind that balanced objective. The activities of the Standards Review Mechanism Tripartite Working Group (SRM TWG), as described in paragraphs 8–10, were of paramount importance to the ILO's work on international labour standards. The results achieved at the Working Group's meetings should be acknowledged and used to improve the Standards Review Mechanism (SRM). The information contained in paragraph 11 on the campaign for the universal ratification of the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), was welcome. However, meaningful tripartite consultation required effective freedom of association and strong, competent and fully independent employers' and workers' organizations. In order to comply with Convention No. 144, the necessary conditions should be created for such organizations to operate. Holistic national action plans on the ratification, application and reporting of international labour standards and their integration into Decent Work Country Programmes (DWCPs) must fully reflect national tripartite constituents' needs and must not be imposed on member States. Additional detailed information on the Office's approach in that regard would be welcome. The Office should systematically involve Bureau for Employers' Activities (ACT/EMP) and Bureau for Workers' Activities (ACTRAV) in devising balanced policies and action plans in the field in question. It would be wise for all ILO constituents to participate in and contribute to the discussion on the implementation of the workplan for strengthening the supervisory system that would be held later during the current session of the Governing Body.
2. The Employers were in favour of building closer synergies between the work of the supervisory bodies and the follow-up assistance provided by the Office. The Office had an important role to play in securing full respect for the tripartite consensus reflected in the conclusions of the Committee on the Application of Standards (CAS). The inclusion in the follow-up of other potentially contentious matters not covered by the conclusions could jeopardize the success of follow-up assistance as a whole. It was vital that ACT/EMP and ACTRAV should be systematically involved in work to support labour legislation reforms at the national level. The Director-General might wish to consider issuing detailed guidelines or instructions on involving ACT/EMP and ACTRAV in all standards-related Office activities under outcome 2. His group wished to learn more about the new outcome coordination teams and global technical teams. It welcomed the information on the impact of development cooperation projects contained in paragraph 20 and requested additional information on their outcomes. The International Training Centre of the ILO should be provided with increased financial and human resources to enable it to carry out capacity-building and awareness-raising activities on standards. ACT/EMP and ACTRAV must be involved in the selection of topics and approaches and the identification of audiences for those activities. Specialists from both of those bureaus should participate in delivering training on the implementation of outcome 2. Target audiences must be made aware that international labour standards had to strike a balance between the protection of workers and

the need for employment creation through sustainable enterprises. Highlighting that outcome 2 should be implemented in a way that reflected the views and requirements of both the employers and the workers, he said that his group supported the draft decision.

3. *The Worker spokesperson* said that greater efforts had to be made to ensure coherence between action taken at the global and national levels to promote a virtuous cycle between the ILO's normative function, DWCPs, technical assistance and development cooperation. More must be done to promote the ratification and implementation not only of fundamental and governance Conventions, but also of up-to-date technical standards, in line with the rationale for the cross-cutting policy driver on international standards. It was expected that such an approach would deliver higher ratification rates.
4. Turning to the different elements of the strategy, he welcomed the development of holistic national tripartite policies on international labour standards, their integration into DWCPs and the continuation of that work in the next biennium in order to guarantee sustainability in the follow-up to the recommendation of the SRM TWG. A better way must be found to use DWCPs to increase international labour standard ratification rates. Member States that had not ratified Convention No. 144 should do so as a matter of priority. It was important that governments complied with the requirements of Article 5(1)(c) of that instrument. The Office should intensify its efforts to ensure that international labour standards were mainstreamed into all development cooperation programmes. That was an issue which must be addressed at the 107th Session (2018) of the International Labour Conference in order to ensure that a rights-based approach to development was enshrined in the 2030 Agenda for Sustainable Development (2030 Agenda). The Office must strengthen the synergies between the recommendations of the ILO supervisory bodies and the technical support provided at country level and continue to work closely with ACTRAV, ACT/EMP and the corresponding Workers' and Employers' secretariats when organizing CAS follow-up missions. Member States, together with their social partners, should continue to seek ILO technical assistance when undertaking labour law reform to ensure compliance with international labour standards. He asked whether the revised guidance on the preparation of DWCPs covered the ratification of international labour standards. The International Training Centre of the ILO should ensure that judges and legal professionals at the provincial and other levels benefited from training which would strengthen their capacities to make use of international labour standards. In fact, all training activities at the Centre and elsewhere, as well as staff training at every level, including that of new recruits, should cover international labour standards. The personnel of United Nations agencies and resident coordinators, as well as the staff of other international and regional institutions should also be trained in the standards. His group appealed to donors to provide enough funding to guarantee that the goals set under outcome 2 would be achieved. He supported the draft decision.
5. *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of Australia said that providing member States with the knowledge and tools to ratify, apply and give effect to international labour standards was crucial, given the challenges facing member States when adopting a rights-based approach to inclusive and sustainable development. Political and financial constraints and a breakdown in social dialogue meant that many people were either only partially or not at all covered by those standards. The ILO was to be commended on its implementation of the objectives of outcome 2. Efforts to increase coherence between the ILO's normative function, DWCPs, technical assistance and development cooperation, including through active engagement with the tripartite constituents, could help shape the strategy for outcome 2 in 2018–19. She welcomed the ongoing work through development cooperation in four Asian countries with the support of the European Commission on addressing the comments of the ILO supervisory body on fundamental Conventions. The expansion of those projects would give more member States access to practical measures to link guidance provided by the supervisory system with country-level support. The Office should continue to prioritize work related to outcome 2 in

light of the recent increase in demand. Her group welcomed the capacity-building work carried out in 2016–17 in collaboration with the International Training Centre of the ILO, on account of its scope and geographical reach, and the focus on facilitating the promotion, ratification and application of international labour standards through training at the regional level. As the strategies implemented under outcome 2 were central to several centenary initiatives, the continued leadership of the ILO in that regard was vital. Her group supported the draft decision.

6. *Speaking on behalf of the Africa group*, a Government representative of Senegal said that the Office should: redouble efforts to develop close cooperation at the global, regional and national levels; increase the ownership and implementation of international labour standards in order to link measures taken at the international and country levels; and take full advantage of the opportunities arising from the implementation of DWCPs and technical assistance and cooperation. The numerous measures taken under the SRM and the follow-up to the recommendations of the SRM TWG were commendable. His group supported Office initiatives designed to strengthen the authority and effectiveness of the ILO supervisory system. To that end, as a part of its technical assistance, the Office should put together specific training programmes for countries which are regularly the subject of observations from the Committee of Experts on the Application of Conventions and Recommendations (CEACR). Such programmes should be targeted towards labour inspectors and judicial officials in particular and should seek to establish a strong link between the observations of the supervisory bodies and assistance provided by the Office. His group supported the draft decision.
7. *Speaking on behalf of the European Union (EU) and its Member States*, a Government representative of Bulgaria said that the following countries aligned themselves with the statement: Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina, Norway and the Republic of Moldova. She agreed with the three priorities for 2016–17 in the ILO's standards-related action. The document should have made references to the conclusions of the International Labour Conference, particularly on fundamental principles and rights at work. It was essential to ensure coherence between actions at the global and the national levels. The failure of many DWCPs to set at least one priority which would directly influence the realization of fundamental principles and rights at work was therefore a missed opportunity to join forces on a core purpose of the ILO. For that reason, she supported the two means of action to support member States and align with the 2030 Agenda. The first outcomes of the SRM TWG were promising with regard to promoting engagement in and ownership of the standards system. Since it was unclear whether Convention No. 144 was the only Convention to be specifically promoted, it would be helpful to have an overview of: the ratification campaigns already undertaken for specific instruments; the promotion of specific instruments included in recent Conference conclusions; and the promotional activities stemming from the outcomes of the SRM. The follow-up to the outcomes of supervisory bodies was welcome, especially the assistance provided at the country level with respect to ratifying fundamental Conventions. The actions taken to enhance constituents' capacity to implement international labour standards were likewise commendable. The role played by the International Training Centre of the ILO in that respect was crucial. Nevertheless, more progress was needed towards integrating labour standards as cross-cutting policy drivers in all the training courses offered by the Centre. She asked whether there were any plans for a course covering all four categories of fundamental principles and rights at work. Lastly, she observed that enforcement aspects were not clearly addressed in the report. She agreed with the draft decision.
8. *A Government representative of Thailand* expressed appreciation for the Office's technical assistance with the ratification and implementation of one fundamental and two technical Conventions, as a result of which his country's legal and regulatory framework had been strengthened. Thailand supported the draft decision.

9. *A Government representative of the Russian Federation* said that her country had ratified over 80 ILO Conventions all of which had been incorporated into Russian law. The Office's activities to promote the ratification and application of international labour standards were greatly appreciated. She supported the draft decision.
10. *A Government representative of India* said that it was important to ensure that the process of rationalizing and updating labour standards through the SRM did not create gaps in protection. Adequate recognition of the national labour legislative framework would not only encourage countries to update and strengthen their own systems, but would also ease the pressure on the supervisory mechanism. DWCPs were a useful channel for implementing the Standards Initiative. India supported the draft decision.
11. *A Government representative of Japan* emphasized the importance of effective implementation by member States of international labour standards. In that respect, the integrated approach between supervisory bodies, development cooperation and training at the International Training Centre of the ILO were remarkable steps to be continued in the next biennium.
12. *A representative of the Director-General* (Deputy Director-General for Policy) said that the Office strategy on outcome 2 rested on the full engagement of Employers and Workers through tripartite consultation and hence there was very close collaboration with ACT/EMP and ACTRAV. Referring to a comment about a lack of detail in the document before the Governing Body, she explained that those details would be provided in the implementation report for the Programme and Budget for 2016–17, hence the focus of the document on the strategy. Responding to questions raised, she confirmed that a training course addressing all four categories of the fundamental principles and rights at work was currently being developed. With respect to data on ratification, results achieved would be aggregated and released at the end of the biennium. The results would be reported as combined results rather than under a specific outcome. She also confirmed that revised guidelines on DWCPs would include standards ratification as part of action plans on international labour standards.
13. *The Worker spokesperson* supported the suggestion to extend the campaign for ratification of Convention No. 144 to include all the governance Conventions, namely the Labour Inspection Convention, 1947 (No. 81), the Employment Policy Convention, 1964 (No. 122), and the Labour Inspection (Agriculture) Convention, 1969 (No. 129).

Decision

14. ***The Governing Body requested the Director-General to take account of its guidance regarding the implementation of the strategy for outcome 2 of the Programme and Budget for 2016–17, in order to inform the implementation of outcome 2 for the next programme and budget.***

(GB.331/POL/1, paragraph 31.)

Second item on the agenda

Outcome 8: Protecting workers from unacceptable forms of work (GB.331/POL/2)

15. *The Worker spokesperson* said that the concept of unacceptable forms of work had been introduced within the context of area of critical importance 8 in the Programme and Budget for 2014–15 and was also included in the Programme and Budget for 2016–17 and 2018–19. His group agreed that work situations that denied fundamental principles and rights at work, or that put at risk the lives, health, freedom, human dignity or security of workers, or subjected their households to conditions of poverty, were unacceptable, and efforts for their eradication should be a priority; that would also greatly contribute to the realization of a number of Sustainable Development Goals (SDGs). As enabling rights, freedom of association and collective bargaining should be given particular attention in the strategy for outcome 8. The focus on domestic workers and migrant workers was welcome; linkages should also be made with other Office work, including the follow-up to the resolution concerning fair and effective labour migration governance, the implementation of the 2016 *General principles and operational guidelines for fair recruitment*, and promotion of the ratification and implementation of ILO Conventions on migration. All countries that had benefited from ILO assistance in paving the ground for the ratification of the Domestic Workers Convention, 2011 (No. 189), and the Indigenous and Tribal Peoples Convention, 1989 (No. 169), should shortly ratify those Conventions and ensure their effective implementation. The approach to organizing workers facing unacceptable forms of work would require innovative strategies and should involve ACTRAV. In the next biennium, the Office should create synergies with outcomes 6 and 3. While welcoming the Office's support to member States in addressing the issues raised by the supervisory bodies, he invited the Office to better use DWCPs to promote the ratification and implementation of relevant Conventions, particularly the universal ratification of core Conventions.
16. The recent publication of estimates on global and regional child and forced labour was welcome; the Office should also publish data on non-discrimination, freedom of association and collective bargaining. The successful intervention models from the country examples given in paragraphs 11–18 of the document should be disseminated and replicated, and the Office should continue to work on collective bargaining and wages in the next biennium. To work in an integrated manner towards breaking the mutually reinforcing link between discrimination, forced labour, lack of representation rights and abusive working conditions, the current IPEC+ flagship programme should better reflect linkages between the elimination of child and forced labour, the promotion of the right to organize and bargain collectively, and non-discrimination. As to supporting mobility by choice among women, the organization of women migrant workers in trade unions in countries of destination would greatly facilitate their access to decent working conditions. It was important for the ILO to bring its added value of tripartism and international labour standards to the partnerships developed with the Equal Pay International Coalition (EPIC) and Alliance 8.7.
17. Work on outcome 8 had shown the merit of working simultaneously on improving both the realization of fundamental principles and rights at work, and the material working conditions of workers facing unacceptable forms of work. As such forms were the result of failures in interrelated policy domains, they must be tackled at different levels. By following a multidisciplinary approach, ILO constituents would maximize the chances of eradicating unacceptable forms of work and of promoting decent work for all and achieving gender equality. The Workers' group supported the Office in continuing its important work under outcome 8 in the next biennium.

18. *The Employer spokesperson* said that confusion around the term “unacceptable” work persisted, and that not all the Office’s work on outcome 8 could be considered to be protecting workers from unacceptable forms of work. The terminology had first been used in the Programme and Budget for 2014–15, and was defined as conditions that: (1) deny fundamental principles and rights at work; (2) put at risk the lives, health, freedom, human dignity and security of workers; or (3) keep households in conditions of extreme poverty. The first of those was clearly an element of unacceptable work; the references to it in the strategy for outcome 8 and the critical need to protect workers in vulnerable situations were welcome, as were the country-level interventions targeting child labour in cotton production and in countries hosting large numbers of refugees, described in paragraphs 17 and 18. The ILO should direct its resources to undertaking the work defined by the conclusions concerning the second recurrent discussion on fundamental principles and rights at work. It was important, however, that categories of workers or social groups who were more susceptible to discrimination, such as domestic workers, women and indigenous peoples, should not be inadvertently equated with persons in unacceptable forms of work.
19. As to the second element, it was universally agreed that working conditions that put at risk the lives, health, freedom, human dignity and security of workers were unacceptable. The country-level interventions designed to overcome those problems in various sectors, as described in paragraphs 12 and 13, were welcome. The Office should place greater focus on eliminating problems relating to occupational safety and health (OSH) when addressing unacceptable forms of work. Any definition extending beyond the two elements mentioned above was of concern. “Unacceptable” was a strong term that referred to conditions of work so egregious that they must be eliminated, not to conditions that were less than ideal.
20. The focus on organizing workers as a key element of the ILO strategy to eliminate unacceptable forms of work would be of limited effectiveness, as the nature of such forms of work made it difficult for most workers to organize, as recognized by the Office’s document in paragraph 25. While a lack of representation might be considered problematic, it could hardly be considered as the cause of decent work deficits, if national legislation, practices and institutions were not enhanced. The Employers sought clarification and concrete examples of what was meant by “innovative organization strategies”. Implementing and monitoring compliance with labour laws, particularly through labour inspection, should be a key part of the strategy. The Office must also build the capacity of constituents at the national level to eliminate and prevent unacceptable forms of work, particularly to improve the design and implementation of national legislation.
21. The Employers’ group was concerned about ILO country-level interventions in the areas of combating discrimination against women through organization and representation; bargaining collectively for better working conditions and fairer salaries in education; and the establishment of EPIC to address equal pay for work of equal value. In relation to collective bargaining in the education sector, the mention of minimum wages was of particular concern. Minimum wages varied widely by country and sector. They had never been discussed in the Governing Body in the context of outcome 8, and clarifying their relationship to the concept of “unacceptability” was of fundamental importance.
22. In its future strategies, the ILO should more systematically study and take into account the practices of countries that had been successful in reducing unacceptable forms of work. The promotion of an enabling environment for sustainable enterprises, enterprise creation and vocational education and training should also be included.
23. To sum up, the Employers recognized the value of work under outcome 8. However, it would be beneficial for constituents to agree on a clear definition of what constituted “unacceptable” work. In the Employers’ view, the term should cover only two elements: the violation of fundamental principles and rights at work; and work that put at risk the lives,

health, freedom, human dignity and security of workers. It appeared that the Office document went further than that agreed definition by including wages and focusing on organizing workers. With those concerns taken into account by the Office, the Employers' group supported the draft decision.

24. *Speaking on behalf of the Africa group*, a Government representative of Senegal said that he welcomed the Office's strategy, including efforts to organize workers facing unacceptable forms of work. The Office should concentrate more on building the capacity of local populations to become self-employed, in particular in farming on their own land; special attention should be paid to facilitating women's access to land, which would grant them autonomy and help combat discrimination. Harassment in the world of work was of particular concern, especially in export processing zones and special economic zones; agreements to prevent all forms of harassment in those zones should be concluded as a matter of priority. Office interventions should seek to prevent the spiral of discrimination and forced labour; the situation of African girls employed in domestic work was especially concerning. He encouraged the Office to support governments in Africa in the implementation of the 2016 *General principles and operational guidelines for fair recruitment* and to raise awareness among the authorities in countries of destination regarding respect for the fundamental principles and rights at work of domestic workers. Joint initiatives with other UN agencies on gender equality, women's empowerment and equal remuneration were welcome, and the ILO should accelerate work on a framework of action for South-South and triangular cooperation to share good practices, with due regard to the gender dimension. He urged the Office to provide enhanced support to labour administrations to contribute to combating unacceptable forms of work. In that regard, programmes to prevent occupational diseases and injuries at work in the mining and agriculture sectors should be prioritized. The Africa group supported the draft decision.
25. *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said that the following countries aligned themselves with the statement: Turkey, Montenegro, Serbia, Albania, Bosnia and Herzegovina, the Republic of Moldova and Georgia. She said that the ILO and its constituents as well as multilateral organizations must continue actions to ensure freedom of association and the right to collective bargaining, the elimination of child and forced labour, and the promotion of equality and non-discrimination, while aiming to improve OSH and access to living wages. The ILO's approach corresponded to the EU Strategic Framework and Action Plan on Human Rights and Democracy, which promoted universal ratification and implementation of the fundamental Conventions. The increased inclusion of labour provisions in the association, trade and development agreements concluded by the EU with partner countries, reflected the need to ensure the promotion of decent work. An integrated approach was required, taking into account the findings of the ILO supervisory bodies. The focus on the most vulnerable groups, such as migrants and indigenous peoples, and high-risk sectors was welcome, as was the approach to breaking the link to the root causes of unacceptable forms of work, as described in paragraphs 6 and 11. Future policies should also be informed by a more in-depth analysis of possible obstacles to the exercise of freedom of association. Reinforcing the capacities of labour inspectorates was also of utmost importance. The gender-based focus of the strategy, in particular regarding equal pay for work of equal value, was appreciated, as was the strategy's link with the forthcoming ILO instrument or instruments on violence and harassment against women and men in the world of work. She fully subscribed to the Office pledge to create a virtuous cycle between the supervisory bodies' concerns, the ILO's technical assistance and national follow-up. She supported the draft decision.
26. *Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)*, a Government representative of Paraguay said that the 2030 Agenda, particularly SDG 8, promoted a holistic approach to combating unacceptable forms of work, which generally resulted from systemic poverty and other factors. She welcomed the Office's strategic

approach to preventing and eliminating unacceptable forms of work, particularly in high-risk sectors, and its cooperation with other UN agencies in the framework of EPIC and Alliance 8.7. The majority of countries in the Latin America and Caribbean region had ratified Conventions on forced labour, child labour and equality and non-discrimination, including in respect of remuneration. A normative framework guaranteeing labour rights was essential, but at the same time workers should be empowered to avoid unacceptable forms of work and to exercise their right to organize. Women were subject to greater discrimination. Thus, equality in recruitment and remuneration and the elimination of violence and harassment at work were crucial. Attention should also be paid to the situations of migrant workers and indigenous peoples, as they were more vulnerable to labour rights' violations. Efforts to combat unacceptable forms of work should involve all stakeholders, as collaboration with enterprises, trade unions, civil society and governments would lead to innovative solutions to persistent problems. The ILO should continue its current strategy prioritizing the practical impact of international labour standards, which would produce outcomes to meet current needs. GRULAC supported the draft decision.

27. *A Government representative of Thailand* said that, in addition to the initiatives mentioned in paragraphs 6 and 11 of the document, Thailand's Ministry of Labour had developed a policy for 2018, called Vision Ends, with action plans and follow-up mechanisms aimed at ending inequality, inefficiency and unacceptable forms of work.
28. *A Government representative of Argentina* said that the implementation of labour standards must always go hand in hand with the active participation of the social partners in pursuing economic growth and social welfare. Sufficient resources should be provided so that the ILO could support the efforts of member States, particularly those most at risk. Argentina was committed to eliminating unacceptable forms of work, and would soon host the IV Global Conference on the Sustained Eradication of Child Labour.
29. *A Government representative of the Russian Federation* said that his country had legislation in place to protect young, migrant and women workers, and was taking measures to ensure their rights were respected. Action was also being taken to combat informal employment. Online resources were being provided to inform workers of their rights and to better monitor respect of the rights of migrant workers. He supported the draft decision.
30. *A Government representative of Indonesia* said that his Government had improved policies and legislation to prevent and eliminate unacceptable forms of work in high-risk sectors. Indonesia had made significant progress in eliminating child labour through its work with the ILO, and hoped that the cooperation could be strengthened in the future. Effective implementation of the fundamental principles and rights at work depended on partnership between the ILO country offices and national constituents. The Office should strengthen the capacity of state institutions and social partners, and help governments in addressing the comments of supervisory bodies. Capacity building and technical assistance were crucial to tackling unacceptable forms of work. He supported the draft decision.
31. *A Government representative of Nepal* said that workers in high-risk sectors, in the informal economy, women workers and migrant workers in low-skilled jobs were in particular need of protection. Accurate information on the risks in some occupations could help workers decide whether to accept employment that exposed them to higher risks. The ILO should continue to provide countries with support and technical assistance in combating exploitation in the workplace and in drafting policies and regulations to protect workers from unacceptable forms of work. He supported the draft decision.
32. *A Government representative of India* said that his country had legislation in place to protect the rights of domestic workers, migrant workers and unorganized workers, and to regulate child labour. It had recently ratified the Minimum Age Convention, 1973 (No. 138), and the

Worst Forms of Child Labour Convention, 1999 (No. 182); launched an anti-child labour online platform; and increased funding for the Rehabilitation of Bonded Labourers Scheme, which also covered organized begging rings, forced prostitution and child labour. The ILO should continue to provide technical assistance to member States in order to facilitate social dialogue as the key to combating unacceptable forms of labour.

33. *A Government representative of the United Kingdom* said that her Government had launched a Call to Action to end forced labour, modern slavery and human trafficking, which had been endorsed by 37 countries and entailed a commitment to implement the Protocol of 2014 to the Forced Labour Convention, 1930. International cooperation mechanisms and strong UN leadership were vital in translating such commitments into concrete action on the ground and the ILO had a crucial role to play. She supported the Office's efforts to promote ratification and implementation of the 2014 Protocol. Combating unacceptable forms of work required action on many levels, and should be an international priority. She welcomed the Office's work on outcome 8, and looked forward to further discussions on global supply chains. She supported the draft decision.
34. *A Government representative of China* said that the ILO should strengthen international cooperation through Alliance 8.7. His Government had essentially eliminated unacceptable forms of work by promoting workers' rights, intensifying the enforcement of labour law and strengthening its labour inspectorate. It planned to send a high-level delegation to the IV Global Conference on the Sustained Eradication of Child Labour. He supported the draft decision.
35. *A representative of the Director-General* (Deputy Director-General for Policy) said that the Office had taken careful note of the Governing Body's comments and would attempt to strengthen the areas it had mentioned in future work under outcome 8. The definition of "unacceptable forms of work" had been first discussed and adopted by the Governing Body in 2013 and included in the programme and budget – first as area of critical importance 8 and later as outcome 8. The definition had always acknowledged the role of poverty in unacceptable forms of work. The Governing Body had agreed in 2015 that recognition of the fundamental principles and rights at work was key to tackling unacceptable forms of work; that dangerous and unhealthy working environments, lack of education, non-payment of wages or very low and unstable earnings, combined with lack of social protection, generated, and kept people in, such forms of work; and that an integrated policy framework was needed. In its discussion of the Programme and Budget proposals for 2018–19, the Governing Body had endorsed outcome 8 on the basis of that shared understanding of unacceptable forms of work and the means of addressing them.
36. Poverty was both a cause and a consequence of unacceptable forms of work. It was not possible to address unacceptable forms of work, and thus make progress in realizing decent work for all under in the 2030 Agenda, without dealing with the conditions that caused people to remain in poverty.
37. Domestic work was indeed not synonymous with unacceptable forms of work, but the conditions under which it was performed were often unacceptable: it was the sector with the highest incidence of forced labour. In addition to domestic work, outcome 8 paid attention to many other high-risk sectors, such as construction, agriculture and fishing. Nor were women and vulnerable populations synonymous with unacceptable forms of work. However, the evidence had shown that they were far more susceptible. The Office would bear in mind the request that it pay closer attention to serious OSH deficits in high-risk sectors in preparing the workplan for the coming biennium.
38. In response to the Employers' comment that outcome 8 paid too much attention to organization of workers engaged in unacceptable forms of work and its request for examples

of what the Office meant by “innovative approaches” to organization strategies, she said that freedom of association was an enabling right and one of the fundamental principles and rights at work, which were at the heart of the strategy for outcome 8. The Office was helping to develop new ways of organizing workers who were difficult to reach. In the Plurinational State of Bolivia, the Cámara Boliviana de la Construcción had collaborated with the women construction workers’ association to set up a job-matching web portal, which enhanced their economic opportunities. In Bangladesh, the Office had helped to develop an informal network of indigenous and tribal workers in urban areas and was working on formalizing workers and affiliating the network with the trade union movement. In Guatemala, the trade union movement had reached out to grass-roots associations of domestic workers, which had led to the establishment of alliances and new unions.

39. The principle of minimum wages was enshrined in the ILO Constitution, and was one of a range of tools for reducing poverty. The concept of equal pay for work of equal value was also a principle established in the Constitution, as well as in the Equal Remuneration Convention, 1951 (No. 100), one of the widely-ratified fundamental standards. Furthermore, it was an issue on which the Office was receiving increasing numbers of requests for technical assistance. The fact that a woman with equal qualifications was paid less than a man for work of equal value was both unacceptable from a normative perspective and economically inefficient. There was agreement at the launch of EPIC that collective bargaining and minimum wages were among the policy devices that could help combat discrimination in remuneration.
40. In response to the requests for the Office to document successful cases of combating unacceptable forms of work at the country level and identify the success factors and enabling conditions, she said that that was indeed part of the workplan for the coming biennium.
41. *The Worker spokesperson* said that the many requests for assistance received by the Office in that area reflected the need of member States to take action, suited to their realities, to effectively address unacceptable forms of work in specific sectors or groups of workers, regardless of the distinction between “acceptable” and “unacceptable” forms of work. He agreed that a link should be established between tackling unacceptable forms of work and the upcoming standard-setting discussion on violence and harassment against women and men in the world of work. It was indeed impossible to address unacceptable forms of work without tackling poverty, and minimum wages played an important role.
42. *The Employer spokesperson* thanked the Office for taking into account her group’s request to enhance law compliance as part of the strategy for outcome 8. She also said that, during the Governing Body’s discussions in 2015, the Employers had reiterated that they did not agree to the inclusion of work that kept households in conditions of poverty in the definition of “unacceptable forms of work”. Rather, that term referred strictly to work that denied fundamental principles and rights at work, and put at risk the lives, health, freedom, human dignity and security of workers.

Decision

43. ***The Governing Body requested the Director-General to take account of its guidance in implementing the strategy for outcome 8 of the Programme and Budget for the biennium 2018–19 on protecting workers from unacceptable forms of work.***

(GB.331/POL/2, paragraph 27.)

Social Dialogue Segment

Third item on the agenda

Sectoral meetings held in 2017 and proposals for 2018 ([GB.331/POL/3](#))

44. *The Employer spokesperson* supported the draft decision, except for paragraph 21(f). He noted that there had been considerable discussion on the issue in formal as well as informal settings, but requested time for further discussions the following morning in his group.
45. *The Worker spokesperson* said that the Meeting of Experts to adopt Guidelines on Decent Work and Socially Responsible Tourism and the Tripartite Meeting on Improving Employment and Working Conditions in Health Services had been crucial to workers in both sectors. The recommendations and conclusions of those meetings should be carefully implemented and monitored. The Office should allocate sufficient resources to actively promote and disseminate the tourism guidelines and the conclusions of the health services meeting, and for joint work with the World Health Organization (WHO) and the Organisation for Economic Co-operation and Development (OECD). It should also consider organizing Regional Meetings to follow-up on the conclusions of the health services meeting.
46. As a follow-up to the Meeting of Experts to adopt Policy Guidelines for the Promotion of Sustainable Rural Livelihoods Targeting the Agro-food Sectors, a meeting of experts to adopt policy guidelines for the promotion of decent work on plantations should be organized as proposed. Applying the fundamental principles and rights at work to all workers without exception was central to the work of the ILO. That was particularly relevant to the agricultural sector, which had a high concentration of vulnerable, often female, workers. The session of the Commission on the Status of Women to be held in New York in March 2018 would have gender equality and the empowerment of rural women and girls as its priority theme. The Workers' group supported the draft decision in its entirety.
47. *Speaking on behalf of the Government group*, a Government representative of the Republic of Korea said that, while supporting the holding of meetings of experts, the Government group deemed it important for all parties to agree on the list of topics to be dealt with in the framework of such meetings. Unfortunately, the 2016 Meeting of Experts on the agro-food sectors had failed to reach a conclusion. To avoid a repeat of that unfortunate situation, the second meeting should be convened only if the tripartite groups deemed it feasible to finalize the guidelines. Accordingly, the Director-General should arrange additional tripartite consultations on the possibilities and conditions of holding a meeting of experts for the sectors.
48. *Speaking on behalf of the Africa group*, a Government representative of Uganda said that he supported paragraphs (a), (b), (c), (d), (e) and (g) of the draft decision. A very large percentage of the population in Africa depended on rural livelihoods in the agro-food sectors, and the sectors contributed significantly to the economies of member States in the region. Consequently, there was a crucial need for policy guidelines. The Africa group would willingly engage in constructive discussions with the other constituencies to achieve tangible outcomes on paragraph (f) of the draft decision. However, a second meeting should be convened only if the tripartite constituents deemed it feasible for that meeting to successfully conclude its work. As the paper had not included background on the shift of focus to "decent work on plantations", he asked the Office for further information.

49. *Speaking on behalf of GRULAC*, a Government representative of Paraguay said that his group strongly supported publication of the *ILO guidelines on decent work and socially responsible tourism*. It also welcomed the wide dissemination of the conclusions of the tripartite meeting on health services. A meeting of experts to adopt policy guidelines for the promotion of sustainable rural livelihoods was appropriate, and GRULAC supported the adoption of updated guidelines for all agro-food sectors. It also supported paragraphs (a), (b), (c), (d), (e) and (g) of the draft decision. On paragraph (f), his group agreed with the social partners that consultations should be held to reach consensus on the holding of a meeting that would contribute to the promotion of decent work in the rural economy.
50. *Speaking on behalf of the Nordic countries*, a Government representative of Finland said that the tripartite meeting on health services had been appropriate, in view of the projected global shortfall of 18 million health workers by 2030 and the prospects of creating 40 million new jobs in the health and social sectors. In that regard, the excellent cooperation between the ILO, WHO and OECD was the type of international partnership needed in the SDG era and had been lauded as a role model within the UN system at the High-Level Political Forum held in New York in July 2017.
51. *A Government representative of Mexico*, referring to the Meeting of Experts on socially responsible tourism, which his Government had been honoured to chair, emphasized the importance of tourism to his country as a source of foreign currency and employment, especially among women and the young. The adopted guidelines would greatly assist in providing decent, productive and socially responsible employment for many Mexicans and in furthering sustainable development and a favourable business environment. While regretting the lack of consensus at the Meeting of Experts on the agro-food sectors, he was convinced that positive results could be achieved through tripartite dialogue, building on the experience of the first meeting, and that the obstacles and challenges ahead could be successfully identified and overcome. Mexico appreciated the Employers' statement in that regard and remained flexible about the date of a future meeting. In conclusion, he supported the draft decision, with the exception of paragraph (f).
52. *A representative of the Director-General* (Deputy Director-General for Policy) said that she was encouraged by the support expressed by Members and had taken careful note of their comments on employment in the health sector.
53. *A representative of the Director-General* (Director, Sectoral Policies Department) said that the Office had held informal tripartite consultations to identify the conditions for a meeting of experts in the 2018–19 biennium to adopt policy guidelines for promoting sustainable rural livelihoods. It had been suggested that the next meeting of experts should consider only matters that the first meeting in 2016 had not covered, namely the chapter on plantations. No consensus had been reached, however, and it had been decided to refer the decision to the Governing Body.
54. *The Worker spokesperson* said that the ILO should work more effectively in the rural economy and agro-food sectors, in line with the Director-General's opening remarks at the current session of the Governing Body that the ILO should have an impact on working reality. In that context, the Workers' group wondered whether the ILO's activities in the rural economy and agro-food sectors were not doomed to be ineffective, such were the problems in reaching agreement on a programme for improving the lot of hundreds of millions of workers, some of whom were confronted with the worst conditions of work. The fundamental Conventions were still far from widely upheld in the rural economy and agro-food sectors. The ILO should make that a main priority. Only by adopting a constructive attitude could the urgency of the situation in the rural economy be adequately addressed.

55. *The Employer spokesperson* expressed concern that the positions of the social partners were still too far apart to expect a positive outcome from the discussions. Noting that a proposal had been made during informal discussions for the matter to be the subject of regional or subregional meetings, instead of a meeting of experts, he said that while appreciating the continuing efforts to find a way forward, the Employers would not support that proposal. There should be no doubt about the Employers' commitment to social dialogue, but it was important to recognize that the Governing Body sometimes dealt with controversial and difficult issues and that there would be matters that were not amenable to dialogue at times.
56. *The Worker spokesperson* expressed disappointment that the Employers could not support paragraph 21(f) of the draft decision, even though the Office's proposal in that paragraph was less ambitious than the work initially agreed upon. Faced with obstacles, the focus had been shifted to the area of plantations, so as to ensure at least partial progress in a sector of concern. However, efforts had stalled because of the position taken by the Employers. The aim of the Workers' comments had been to remind Members of the facts and reality on the ground and to stress the need for significant efforts in the rural sector, with the commitment of all parties, to give effect to international labour standards. A situation whereby the ILO appeared to be ineffective in a sector that should be a priority area was unacceptable. Thus, in the interest of moving forward, the Workers could agree not to endorse the proposal in paragraph 21(f) of the draft decision, on the understanding that informal discussions would be held, which should involve all parties, including the social partners, and the Office.
57. *Speaking on behalf of the Government group*, a Government representative of the Republic of Korea recalled that the Government group had requested the Director-General to arrange an additional tripartite consultation on the possibility of holding a meeting of experts and on the terms and conditions of such a meeting. His group would welcome further discussion during the Governing Body, if the tripartite groups agreed.
58. *The Employer spokesperson* suggested that, given the differences of opinion, the Governing Body should adopt the draft decision without paragraph 21(f). As the Employers were always open to further discussions on the matter, he proposed that those based in Geneva should continue the dialogue informally with a view to finding a way forward and then to bring the matter back for consideration during the upcoming biennium.
59. *The Worker spokesperson* said that the discussion of paragraph 21(f) had not led to consensus and agreed that it should thus not be adopted. Meetings of experts could succeed only with full tripartite participation. However, all was not lost with regard to plantations since, after the 2008 International Labour Conference, the Office and the Director-General had been tasked with implementing a number of activities, which meant that there should be no slackening of efforts to give effect to the conclusions of that Conference. The proposed meeting of experts might have speeded up progress towards attaining the objectives, but broader informal consultations after the current Governing Body session might lead to recognition of the urgency of the situation and an attempt to agree on the areas for joint action.

Decision

60. *The Governing Body:*

- (a) *took note of the reports of the meetings referred to in section I of document GB.331/POL/3;*
- (b) *authorized the Director-General to publish the Guidelines on decent work and socially responsible tourism;*

- (c) *authorized the Director-General to communicate the final report of the Tripartite Meeting on Improving Employment and Working Conditions in Health Services to governments, requesting them to communicate the report to the employers' and workers' organizations concerned, and to the international employers' and workers' organizations and other international organizations concerned;*
- (d) *requested the Director-General to bear in mind, when drawing up proposals for future work, the recommendations for future action by the ILO made by the meetings referred to in section I of document GB.331/POL/3;*
- (e) *requested the Director-General to work with the WHO and the OECD on the implementation of the recommendations of the High-Level Commission on Health Employment and Economic Growth and to take into account its guidance in the implementation of the Five-Year Action Plan for Health Employment and Economic Growth;*
- (f) *endorsed the proposals contained in the table appended to document GB.331/POL/3 relating to the dates, duration, official title, purpose and composition of the meetings listed therein.*

(GB.331/POL/3, paragraph 21, as amended.)

Fourth item on the agenda

Outcome 7: Promoting workplace compliance through labour inspection (GB.331/POL/4)

61. *The Worker spokesperson* said that in 2016 the number of deaths worldwide from occupational accidents and diseases had exceeded those caused by wars and armed conflicts, while half of all workers had no contract. Those sober facts confronted all those who sought to fulfil the aims of Convention No. 81, and ensure that labour inspections were conducted independently of pressure from employers or State, protected workers from risks and punished enterprises that exposed them to risk. Labour inspectorates had to be equipped with the resources and trained personnel to be able to resist pressure from enterprises, and inspectors had to be able to intervene across whole value chains. As set out in Article 4 of Convention No. 81, "labour inspection shall be placed under the supervision and control of a central authority". Too many governments were conducting reforms that contradicted those objectives and depleted their labour inspectorates.
62. All of that meant that outcome 7 constituted a highly important part of the ILO's mandate, as acknowledged by the Workers' group in 2015, when it had also emphasized that, in order to best promote workplace compliance, labour inspectorates must be public bodies. Labour inspection concerned the protection of all workers' rights, not merely OSH matters, although the latter claimed more attention from the international community. While the ILO's technical assistance and policy advice on reforming labour law in such areas as safety and health at work, labour inspection and dispute settlement were highly important, certain governments had ignored the recommendations made and had imposed reforms that weakened labour laws and inspections. An effective follow-up mechanism was therefore needed.

63. The group welcomed the development of tools for evaluating labour inspection and administration. Electronic inspection was useful, provided the human element was retained and a large number of countries had the technology. That was, sadly, still far from the case, despite the ILO's efforts. He welcomed the practical tools being piloted in a number of countries and trusted that they would be developed on a tripartite basis. The employers' responsibilities to identify risks and eliminate accidents should not be neglected. The group supported the research methodology developed to identify OSH vulnerabilities and the drivers and constraints for OSH improvements in global supply chains, and encouraged its integration into the planning of all ILO projects related to workplace compliance. Concerning Better Work and the Transparency Portal, the group wished to see the ILO go beyond the provision of guidance on OSH data and information. The group looked forward to productive results from the various tripartite commissions set up in Azerbaijan, Benin, Burkina Faso and Tunisia. The revised outcome 7 in the Programme and Budget for 2018–19 must ensure continuity in the ILO's actions and emphasize the importance of sound public labour inspection. Noting the developments in flagship programmes, partnership building and the contribution to the SDGs, he expressed full support for the idea of a global coalition on safety and health at work. It was time for safety and health at work and labour inspection to receive greater attention. At the 106th Session of the International Labour Conference, the Workers' group had proposed that the right to safety and health at work should be included among the basic human rights. For workers worldwide, the matter was becoming more and more urgent.
64. *The Employer spokesperson* said that robust social dialogue and industrial relations between employers' and workers' organizations were key to ensuring workplace compliance. Achievement of outcome 7 should be based on strengthening the enforcement and preventive functions of labour inspection and labour administration, and on enhancing employer and worker collaboration by providing technical assistance to social partners.
65. There should not only be a focus on global supply chains. The main challenge for the ILO was to focus on the efficient use of resources as well as on prevention, through the provision of guidance and the sharing of knowledge and good practices. The establishment of a culture of compliance should include a code of ethics for labour inspectors, and inspections should not replace other functions, such as conciliation.
66. Strategic collaboration and social dialogue would enhance labour inspection, workplace compliance and working conditions. The involvement of social partners could be strengthened through the promotion of labour inspection advisory bodies, consisting of worker and employer representatives, to facilitate the implementation of the compliance policy. The social partners should also participate in the regulation and monitoring of compliance initiatives. He underlined the role of ACTRAV and ACT/EMP in the Office activities on workplace compliance and the role of the International Training Centre of the ILO in capacity-building activities.
67. Labour inspection also benefited employers, who could draw on information and training to improve working conditions in their enterprises. In that regard, the Office should consider the role of private compliance initiatives developed in coordination with governments and social partners. Labour administrations could adopt modern approaches, such as technological solutions and strategic planning. Labour inspectorates should remain connected to labour market trends and adjust programmes in line with changes in the world of work.
68. The importance of a differentiated and pragmatic approach to the achievement of outcome 7 should be emphasized; the lessons learned and challenges faced should be the basis for such pragmatism. A general strategy should accommodate the specific circumstances of each country, and ILO projects should be tailored to country conditions. Assistance on workplace

compliance still needed to be well integrated into DWCPs. His group supported the need for continued cooperation among the ILO's technical units.

69. Considerable benefit could be expected from labour inspection in the informal economy. While acknowledging the importance of OSH, the Office should focus on essential occupational and health issues. The ILO must prioritize workplace compliance in targeted countries. Workers in global supply chains had the same rights to decent working conditions as those in the domestic economy, and the Organization should therefore aim to improve conditions for all workers everywhere. His group had cautioned about the specific mention of global supply chains in the revised wording of outcome 7. It was crucial to ensure accountability regarding the revised indicators and targets for the next biennium, in order to avoid working towards targets where labour inspectorates were not strengthened or where there were no demonstrated improvements in compliance. The Employers' group supported the draft decision.
70. *Speaking on behalf of GRULAC*, a Government representative of Paraguay said that governments in the region had made significant efforts to improve workplace compliance and reduce labour disputes and job insecurity. The support and technical assistance provided by the ILO were essential for developing appropriate legal and policy frameworks in respect of labour administration. Apart from having a robust normative system, training for labour inspectors and social partners was also needed.
71. The inspection function should be further strengthened as part of a comprehensive public labour policy, and inspection coverage should be extended to isolated and vulnerable regions, especially in respect of labour relations. The scope of administrative enforcement and preventive functions should also be extended, including through the use of mobile inspections and the establishment of dialogue, mediation and conciliation mechanisms. In that respect, central and regional administrative processes and actions should be aligned to ensure that all workers' needs were met, taking into account the type of activity, region, and worker's status. In terms of prevention, the labour inspection system should ensure full compliance with all standards, guaranteeing labour rights and avoiding potential disputes between employers and workers. Inspection systems should be professional and incorporate both prevention and sanctions, to ensure conditions of decent work and a safe working environment. As safe and healthy working conditions were a shared responsibility, collaboration between all stakeholders should be further developed. The evaluation of labour inspections should remain a priority.
72. She underlined the linkages between labour inspection activities and the achievement of SDG 16 on promoting peaceful and inclusive societies for sustainable development. The ILO should continue to develop initiatives and provide technical assistance in that regard. GRULAC supported the draft decision.
73. *Speaking on behalf of the Africa group*, a Government representative of Uganda acknowledged the importance of labour inspections in ensuring compliance with international labour standards at the workplace and promoting decent work and noted the Office's efforts to promote workplace compliance by strengthening labour inspection functions in the countries mentioned in the document. The Office should expand its activities to other countries and draw on lessons learned when designing and implementing DWCPs. It should also adopt practical measures to ensure the implementation of the policy tools that had been developed to improve labour inspections and monitor child labour. He supported the draft decision.
74. *Speaking on behalf of ASPAG*, a Government representative of Bangladesh said that the ILO's capacity-building and legal and policy reform activities contributed to improving workplace compliance and to promoting the ratification of instruments and delivery of

labour inspection services in many countries, and she noted the Office's approach to overcoming the challenges listed in the document. The development of knowledge kits was crucial in disseminating good workplace compliance practices, in particular with regard to labour inspections in countries with a large informal sector. The International Training Centre of the ILO should intensify its training programmes on workplace safety based on good labour inspection practices and flagship programmes. The Office should improve the collection, analysis and dissemination of data and information, particularly concerning global supply chains. Moreover, it should develop a region-specific approach to developing and implementing flagship programmes, taking into account levels of industrial development, labour administration and socio-economic conditions. Labour inspection contributed to ensuring decent work for all, in line with the 2030 Agenda. In addition, the Office's comprehensive and long-term labour inspection activities would help to promote social dialogue in countries with limited administrative capacity. The outcome of the Governing Body's discussions should be fully incorporated into the Office's future work to achieve outcome 7. ASPAG supported the draft decision.

75. *A Government representative of Argentina*, noting that States were responsible for ensuring workplace compliance with labour legislation and international labour standards, said that non-compliance and lack of monitoring generated poor working conditions, which had an impact on economic development and the distribution of income and undermined compliant businesses. Legal and policy frameworks should be updated to take into account current economic contexts and growth strategies, while ensuring that labour inspections had sufficient capacity. In addition, workplace compliance would improve as a result of strengthened social dialogue and labour relations. She outlined national efforts to strengthen labour inspections through training, the better use of information and communication technologies and enhanced institutional capacity, particularly in hard to reach areas, in line with ILO standards. Additional efforts to strengthen cross-border collaboration and develop labour registration programmes were also under way. She supported the draft decision.
76. *Speaking on behalf of the EU and its Member States*, a Government representative of Bulgaria said that the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina, Norway, the Republic of Moldova and Georgia aligned themselves with her statement. She welcomed the strategy for outcome 7 and the three key expected changes that it intended to achieve. Labour inspections should be strong and effective, and an exclusively public function, but there was a need for cooperation across the wider labour administration system. Noting that the ILO's focus on compliance echoed current EU policies, she drew attention to the contribution of the EU and its Member States to several ILO interventions. She welcomed the development of the ILO Occupational Safety and Health Global Action for Prevention – and its focus on vulnerable workers and high-risk sectors – and the Better Work flagship programmes and encouraged stakeholders to participate in similar initiatives. An overview of the results of the actions mentioned in the section of labour law reform and policy development was welcomed. She welcomed the development of tools to develop knowledge for, inter alia, labour inspections relating to the informal economy and the construction sector. Partnerships enhanced knowledge and strengthened cooperation, and as such she supported the proposed global coalition on safety and health at work. Workplace compliance could only be addressed through comprehensive approaches, which required sufficient resources and coordination. Investment was also required to build institutional capacity and ensure the exchange of good practices. She recognized the challenges to workplace compliance, namely the informal economy, undeclared work, lack of prevention relating to OSH, child and forced labour, non-standard forms of employment and outsourcing of work. Linkages with other ILO programme and budget outcomes were needed to ensure better integrated policy approaches. DWCPs may also need to be reviewed to incorporate compliance-related interventions. While she welcomed the explanation of the contribution of outcome 7 to achieving the SDGs, she also referred to the contribution of that outcome to implementing the conclusions of the 2015 and

2017 recurrent discussions on labour protection and the fundamental principles and rights at work. She supported the draft decision.

77. *A Government representative of the Russian Federation* said that efforts had been made to strengthen the labour inspection function in his country in line with ILO standards. The labour inspection function must remain the responsibility of the State. The use of information and communication technologies, including the development of online systems, had increased the effectiveness of inspections. He expressed concern regarding violations of OSH, labour relations and labour rights, with particular regard to workers in the informal sector. Regional alliances enabled sharing of good labour inspection practices and made inspections more effective. He thanked the ILO for its support in translating training modules for inspectors into Russian, and for the attendance of ILO experts at a national training forum. His Government would continue to collaborate with the ILO to improve the effectiveness of state and federal labour inspections. He supported the draft decision.
78. *A Government representative of Indonesia* said that labour inspection was essential to the attainment of decent work. His Government had used a wide variety of measures to strengthen the effectiveness of labour inspection, including labour standards training for employer representatives and an online reporting system. Furthermore, Indonesia had started to implement a new strategy whereby local governments conducted their own labour inspections. He agreed on the importance of knowledge and information sharing to promote workplace compliance through labour inspection. In that context, the International Training Centre of the ILO should continue to hold its labour inspection capacity-building programmes which were tailored to the specific needs of countries and constituents. He expressed appreciation for the ILO's new practical tools to strengthen the capacity of labour inspectorates and looked forward to the report on the *safeyouth@work* project. The ILO should continue to follow its comprehensive, pragmatic and systematic approach to promoting workplace compliance according to the needs and circumstances of the country concerned, and adopt the same approach in the DWCPs. He supported the draft decision.
79. *A Government representative of China* said that he welcomed the substantial technical assistance provided by the ILO to member States over the previous two years in respect of labour inspection. Referring to the Office's strategy for outcome 7, he suggested that member States' positive experiences and best practices in promoting compliance with labour laws through labour inspection should be analysed and shared. Support to member States on labour inspection capacity building should be strengthened and the International Training Centre of the ILO should assist member States in developing inspection training courses and in enhancing online training. Partnerships should be strengthened. Social security agencies should incentivize enterprises to prevent occupational diseases and accidents and train staff on OSH. Social security organizations should be encouraged to put more resources into work injury. According to that global perspective, it was necessary to accelerate research and secure technical assistance and guidance.
80. *A Government representative of Bangladesh* said that effective, transparent and credible inspection was essential to guarantee the protection of labour rights, workplace safety and labour welfare, and that the effectiveness of labour administration and inspection depended on countries' economic and industrial development. Since 2013, visible and remarkable changes had taken place in Bangladesh's labour inspection system, in law and in practice. He thanked the Office and development partners for their support, which had greatly facilitated national efforts to toughen penalties, increase the number of inspection officials and resources for inspection, streamline reporting procedures, enhance the safety of buildings used as ready-made garments factories and create safety and health bodies. A culture of compliance should be created by improving labour inspection across all regions, countries and economies. Employers and workers should receive training, something in which the International Training Centre of the ILO could play a vital role. It was also

important to further strengthen the capacity of the Office to exchange good practices and disseminate information. Finally, the Office should provide long-term and continued support to countries with limited resources through a broader partnership, particularly in respect of achieving the relevant SDGs. He supported the draft decision.

81. *A Government representative of Greece*, noting that labour inspection was central to the strategy, agreed that a comprehensive and systematic approach required collaboration within the broader system of labour administration, and that consultations and collaboration with the social partners in the design, implementation and monitoring of compliance initiatives was crucial. She provided an overview of the work done by Greece to tackle informality and improve workplace compliance, which had led to the endorsement of a three-year roadmap for tackling undeclared work, including preparations for the ratification of the Labour Inspection (Agriculture) Convention, 1969 (No. 129). With regard to the strategy, she agreed that results could be achieved only by adopting a pragmatic approach in response to the actual needs and circumstances of countries. She encouraged the ILO to retain the major elements of the 2016–17 strategy in its strategy for outcome 7 for the Programme and Budget for 2018–19, and supported the draft decision.
82. *A Government representative of India* said that sound labour enforcement machinery was part of a viable labour administration system and a necessary prerequisite to promoting the Decent Work Agenda. Workplace compliance was essential to ensuring the efficiency and transparency of the governance system. It should be in line with the national context and labour standards. Private compliance initiatives could be adopted to the extent that they helped in developing a cohesive approach to compliance among stakeholders and contributed to fulfilling legal requirements, but they should not be a substitute for labour inspectors. They should bring synergies to the goals and objectives of labour inspection by public authorities rather than create a parallel standard in inspection services. India had leveraged technology in the area of labour inspection with positive results. Although the aim of the strategy continued to be the promotion of workplace compliance through social dialogue, appropriate legal and policy frameworks and public institutions with sufficient capacity to perform their roles and functions, workplace compliance mechanisms should not become so rigid as to jeopardize growth, which was essential in order to generate employment. The ILO should continue to support its constituents in capacity building. She supported the draft decision.
83. *A Government representative of Nepal* said that workplace compliance could be achieved through a joint effort on the part of all stakeholders to develop and implement a set of plans and priority actions, and in that regard he welcomed the activities performed by the ILO, as outlined in the document. In order to achieve the desired objectives, there needed to be conformity in the implementation of the various legal frameworks that had been developed to improve working conditions and ensure workplace safety. A labour inspection system was essential in order to promote and enforce existing laws and regulations in the workplace, ensure workplace safety and promote and strengthen labour law compliance. The national entities responsible for monitoring the enforcement of labour laws and for promoting compliance should be given the authority and resources needed to perform their duties, including sufficient human resources and skilled and well-trained labour inspectors. In Nepal, the Department of Labour and its subordinate offices carried out labour inspections in enterprises and were authorized to take action against any entity for non-compliance, and the Government had recently introduced new legislation containing OSH provisions. He asked the ILO to continue to facilitate social dialogue and provide institutional and technical support through country-specific programmes, including in the area of capacity building and policy implementation. He supported the draft decision.
84. *A representative of the Director-General* (Deputy Director-General for Policy) said that the strategy was built on securing the engagement of all stakeholders who could play a role in

achieving workplace compliance with the full range of labour standards. That included employers and workers in the move towards better compliance across the labour spectrum. She noted the comments about the need to have country- and region-specific strategies and interventions in moving forward to provide action-oriented assistance when Members requested it, particularly with respect to high-risk workplaces and informal and undeclared work.

85. There were many areas of convergence in the strategy with the priorities expressed by Members, including those expressed by the Employers. One of those – strengthening the enforcement and preventive functions of labour inspectorates – was included in the first and second prongs of the ILO strategy. Another – the need to enhance employer–worker collaboration to achieve compliance – was the third prong of the ILO strategy. The need for such collaboration was also reflected in training initiatives, mentioned throughout the document, and in the emphasis on social dialogue. Furthermore, there was a robust curriculum at the ILO training academy on social dialogue and industrial relations, held at the International Training Centre of the ILO, which played a crucial role in the strategy.
86. The Office agreed that labour inspection needed to be seen in the broader context of labour administration, which was why paragraph 7, for example, stated that a comprehensive approach required collaboration of labour inspectorates within the broader system of labour administration. The Office focused on as many workplaces and sectors as possible. During the current biennium, the focus was on the informal economy, agriculture and the construction industry, and she noted that Members’ comments had reinforced the appropriateness of those choices. The Office would ensure that continued attention was paid to the range of methods available for dispute resolution, including mediation. ACT/EMP and ACTRAV were part of all programme and budget outcome teams, meaning that the Workers and the Employers had a seat at the table as the ILO developed its strategies.
87. Referring to two points made by the Workers, she said that the safeyouth@work programme was not one in which the ILO shifted responsibilities among workers, employers and the State. It was an initiative designed to move towards a culture of compliance by bringing young workers at the beginning of their career into the safety and health dialogue, which the ILO considered to be important. Second, when talking about labour inspectorates, although there was a focus on OSH, many labour inspectorates dealt with a range of compliance issues. She pointed out that the ILO’s work with labour inspectorates was part of its broader work with labour administrations.

Outcome

88. *The Governing Body requested the Director-General to take account of its guidance in developing and implementing the strategy for outcome 7 of the Programme and Budget for 2018–19 on “Promoting safe work and workplace compliance including in global supply chains”.*

(GB.331/POL/4, paragraph 53.)

Development Cooperation Segment

Fifth item on the agenda

ILO cooperation with the tobacco industry in the pursuit of the Organization's social mandate (GB.331/POL/5)

89. *The Worker spokesperson* said that the main consideration for her group was whether the ILO should accept money from tobacco companies to fund its work in the tobacco sector to support decent working conditions and eliminate child labour. The group agreed that the industry suffered from serious and persistent decent work deficits. It was also characterized by widespread child labour, and in many countries tobacco workers earned low or poverty wages and were prevented from organizing and bargaining collectively. The labour movement had been consistently concerned at the unwillingness of tobacco companies to engage on decent work challenges other than child labour, such as freedom of association and collective bargaining. The ILO's public-private partnerships (PPPs) with the Eliminating Child Labour in Tobacco Growing Foundation (ECLT) and Japan Tobacco International (JTI) clearly failed to address the root cause of child labour in the industry, namely endemic poverty among tobacco farmers. The recent discussions in the Governing Body on decent work in plantations had clearly shown that the Employers' group lacked understanding and commitment when it came to addressing severe decent work deficits in agriculture; likewise, it was difficult to trust tobacco employers, many of whom wished to keep the PPPs in place at all cost.
90. Concerning the ILO's cooperation with the United Nations Interagency Task Force on the Prevention and Control of Non-communicable Diseases (UNIATF), she emphasized that tobacco workers were entitled to participate in all initiatives to provide them with decent work, and she thus rejected the notion that the UNIATF model policy for UN agencies on preventing tobacco industry interference could be used to deny them their rights. The model policy stated that UN entities should separate their activities from those of the tobacco industry and recommended that UN agencies should reject partnerships and voluntary arrangements with it. Those concerns had been echoed by the United Nations Economic and Social Council (ECOSOC) in its resolution E/RES/2017/8 of 7 June 2017 and by the recent decision by the UN Global Compact to remove tobacco companies from its membership. Her group was also concerned that the ECLT and JTI could present the current PPPs and their engagement with the Organization as socially responsible activities, in defiance of the model policy. The latter, while not binding on the ILO, had been drafted in line with the objectives of the WHO Framework Convention on Tobacco Control (FCTC), namely to protect public health policies from the commercial or other vested interests of the tobacco industry. Only 13 of the ILO's member States were not bound by the FCTC. Further, as a member of the UNIATF, the ILO was called to facilitate implementation of the FCTC, while the FCTC secretariat was called on to collaborate with the ILO in providing support for economically viable alternative activities. The current PPPs were in conflict with several elements of the model policy and the FCTC, and the moral weight of the former could not be ignored. The group considered that the PPPs should be discontinued on their expiry in 2018, as tobacco companies could use them to promote their products.
91. In the meantime, the Office should develop a clear plan to eliminate child labour in the sector, as part of a more wide-ranging programme providing for decent work for all its workers. It should also seek to mobilize alternative public funding to protect the interests of

families, prioritize the strengthening of freedom of association and collective bargaining and decent wages for adults, and institute a cross-departmental strategy to assist countries in reviewing their national employment policies and diversifying production. The Workers' group agreed on strengthening safeguards against industry interference pending the expiry of the PPPs and on the need to develop viable alternatives outside the tobacco sector, as envisaged by the FCTC.

92. The group also agreed with the proposals to secure public funding and explore funding from the Regular Budget Supplementary Account (RBSA). Increasing the supply of public funding to the ILO to address decent work deficits and design strategies for viable alternatives outside the sector was fully in line with the obligations that ILO member States undertook when ratifying the FCTC. The group was concerned at the suggestion that the Organization might consider extending the PPPs for a limited period, subject to strict safeguards, if alternative funding was not secured; that should be the subject of a Governing Body decision. The current debate was not simply about programme funding. It was important to know how the industry planned to stop using suppliers that relied on child labour or acted inadequately against it. Governments, not only those of tobacco-growing countries, must engage more actively in finding alternative employment and in raising consumer awareness. Lastly, the group wished to see the issue discussed by the Governing Body at its March 2018 session, following a progress report by the Office on securing alternative funding and obtaining more accurate statistics on children at risk, alternative crop feasibility and eliminating child labour in the context of a broader plan to promote a just transition.
93. *The Employer spokesperson* said that the Office could not design discriminatory policies applicable to the tobacco industry, which was a legal business sector. If the ILO ended cooperation with the tobacco industry, it would set a precedent for ending cooperation with any legal sector with social and environmental risks. While her group supported the role of national public health authorities and the WHO in promoting policies on tobacco control, the ILO's mandate to promote fundamental principles and rights at work, including through cooperation with the tobacco industry, was equally important. In the Employers' view, those two objectives were consistent with and mutually supportive of each other.
94. The Employers' position was based on five key points. First, the tobacco sector fell squarely within the ILO's mandate. Tobacco growing safeguarded livelihoods for millions of people who, for the most part, belonged to vulnerable social groups. Funding from the tobacco industry had been instrumental in reducing child labour and forced labour in various countries.
95. Second, ILO cooperation with the tobacco industry had significantly contributed to achieving decent work outcomes. Such cooperation extended beyond funding to strengthening engagement with tobacco-growing communities, community development programmes and awareness-raising initiatives. It was inconsistent to object to being financed by the tobacco industry while receiving funds from national treasuries which themselves received funds from that same industry.
96. Third, the 2030 Agenda called for inclusiveness, shared responsibility and ambitious partnerships, including with the private sector. The 2030 Agenda set out the need for global partnerships with the participation of all countries, all stakeholders and all people. SDG target 8.7 called for immediate and effective measures to eliminate forced labour and secure the prohibition and elimination of the worst forms of child labour by 2025.
97. Fourth, the ILO did not work on public health policies related to tobacco, and its cooperation with the tobacco industry was consistent with efforts by public health authorities and the WHO to promote public health policies with respect to tobacco control. Its work in the

tobacco sector therefore fell entirely outside the scope of the FCTC, the Guidelines for implementation of Article 5.3 of the FCTC, and the model policy. As none of the ILO PPPs with the tobacco industry had ever sought to address or have any impact on public health policies with respect to tobacco control, ILO cooperation with the industry did not create any legal issues for the Parties to the FCTC and should therefore be maintained.

98. Fifth and lastly, the ILO was free to determine its own approach on the matter. In its resolution E/RES/2017/8, ECOSOC did not “endorse” the model policy but merely “recalled” it. Moreover, paragraph 10 of that resolution made it clear that it was not binding on the ILO. In that light, the ILO should consider a third policy option, namely to develop an approach that was in line with its mandate, as called for in the resolution, but one that was not based entirely on the model policy and which continued cooperation with the tobacco sector.
99. Her group supported the first element of the strategy set out in the Office document, to strengthen safeguards to prevent the risk of tobacco industry influence. The purpose of safeguards was to ensure that any funding from the sector did not lead to interference. However, there should be no additional or arbitrary restrictions on cooperation with the tobacco industry. She also agreed with the second part of the strategy, to increase cooperation with the UNIATF in order to eliminate child labour in tobacco-growing communities, in line with the ILO’s mandate. However, with the exception of the proposal to mobilize additional funds from other sources, her group did not agree with the third part of the strategy, which conflicted with the first element, as it sought to impose limits on ILO cooperation with the tobacco industry that went beyond the additional safeguards. If safeguards were established and PPPs complied with them, there would be no need to grant the Director-General discretion to consider the possibility of extending the PPPs for a limited period. Granting that discretion would mean that, if alternative funding was secured, PPPs with the tobacco industry could be restricted or even ended. A perfectly legitimate sector should not be subject to arbitrary or discriminatory procedures in the ILO. All partnerships, including those related to the tobacco sector, that complied with the safeguards should be permitted or even extended.
100. Summing up, she wished to reiterate that the tobacco sector was a legal and regulated business activity that fell squarely within the ILO’s mandate. It was unacceptable for the ILO to renounce that mandate. Even if alternative funding was found, it would not replace the funds generated by the tobacco sector. The credibility of the Organization was at stake. In that light, she proposed amendments to the draft decision to reflect the fact that the ECOSOC resolution referred to, but did not endorse, the model policy and to make reference to the ILO’s continued engagement with the tobacco sector, with the safeguards outlined in paragraph 37 of the document.
101. *Speaking on behalf of the Africa group*, a Government representative of Côte d’Ivoire said that the tobacco sector was a legal industry and PPPs were a basis for inclusive growth as they generated income, which helped to improve livelihoods throughout the value chain. Some ILO programmes to eliminate child labour that were financially supported by foundations funded by tobacco companies had produced excellent results. It was essential that the ILO should maintain its independence. His group supported the proposal to establish a strategy for engagement with the tobacco industry with a view to promoting decent work. While the model policy was not legally binding, the ILO, as a member of the UNIATF, could not disregard it. However, as a tripartite structure, the Organization was bound to cooperate with all employers and to prioritize social dialogue related to labour standards, job creation and social policy. If alternative funding could not be identified and if ending PPPs would put the safety and health of children in tobacco-growing communities at risk, the Office should commit to such partnerships and to receiving funding from the tobacco industry until an alternative funding mechanism was secured. His group supported the draft decision.

- 102.** *Speaking on behalf of ASPAG*, a Government representative of Australia said that while the ILO should continue its work to eliminate child labour in the tobacco industry, it was also critical that the Organization should implement the decisions taken to disassociate UN agencies from engagement with the tobacco industry. ASPAG governments that had ratified the FCTC considered that cooperation with the tobacco industry contravened their obligations set out therein. While that Convention was not binding on the ILO, the ECOSOC resolution of 7 June 2017 encouraged members to prevent tobacco industry interference. It was important that a clear end date for the ILO's cooperation with the tobacco industry be set. The Organization must step up its efforts to secure alternative funds for programmes to eliminate child labour in tobacco-growing communities, but it should continue to engage with the sector to ensure that workers had access to decent work and to foster social dialogue on the transition to alternative livelihoods. Her group did not accept the draft decision, which should be amended to the effect that funding from the industry should not be extended beyond the end date of current agreements; that the Office should increase efforts to identify alternative funding and present an update at the March 2018 session of the Governing Body, including a detailed plan for permanently ending cooperation with the tobacco industry and continuing child labour elimination programmes with alternative funding; and that the Organization should develop a strategy on its non-financial cooperation with the tobacco industry, including safeguards to prevent interference and strengthened engagement with the UNIATF in that regard.
- 103.** *Speaking on behalf of the EU and its Member States*, a Government representative of Ireland said that Montenegro and Bosnia and Herzegovina aligned themselves with the statement. The additional measures proposed in the document being discussed were not sufficient, and PPPs with the tobacco industry, in so far as they related to funding, should not be renewed after they expired at the end of 2018. The document did not adequately address how the ILO's cooperation with the tobacco industry contributed to the achievement of SDG target 8.7. The targets under SDG 3 called on countries to strengthen the implementation of the FCTC, to which the EU was bound. The ILO was the only UN organization that maintained a financial partnership with the tobacco industry, thereby deviating from the model policy and creating an unnecessary dichotomy between protecting public health and eliminating child labour. Supporting decent work and eliminating child and forced labour in the tobacco industry were critical, but the document indicated that few people benefited from the ILO's collaboration with the industry and that the partnerships were limited in scope. More should be done to ensure decent wages, assist in the transition to alternative livelihoods, and adopt health and safety measures for those in tobacco-growing communities. His group disagreed that ending tobacco industry financing would jeopardize children's rights, and called on the Office to accelerate its search for alternative funds, which would free the Office to design more comprehensive projects.
- 104.** The Office should commit to developing a strategy, by 2018, for an alternative funding model while continuing programmes to eliminate child labour and should report back on alternative funding options to the Governing Body in March 2018. He proposed an amendment to the draft decision to that end.
- 105.** *A Government representative of Uruguay* said that it was a matter of concern that the ILO received funds from the tobacco industry and was involved with so-called socially responsible business practices of the industry. ECOSOC had urged members of the UNIATF to take account of the model policy when developing their own policies on preventing tobacco industry interference. It was unacceptable to assert that relations with the tobacco industry were necessary to protect the best interests of the child, under the United Nations Convention on the Rights of the Child; on the contrary, avoiding engagement with the tobacco industry would reinforce compliance with that Convention. The Office and constituents should identify ways to fulfil the ILO's mandate that excluded any involvement of the tobacco industry, and alternative funding should be secured.

106. *A Government representative of Indonesia* said that the ECOSOC resolution called on all UN agencies to work together to ensure separation of their activities from the tobacco industry. The ILO should cooperate with ECOSOC to prevent and control non-communicable diseases. It was important to ensure, however, that implementation of the model policy did not compromise the Office's efforts to promote decent work in tobacco-growing communities. He supported the strategy set out in the document, particularly the adoption of additional safeguards, the enhancement of social dialogue, and efforts to mobilize alternative resources, and he encouraged the Office to continue that work.
107. *Also speaking on behalf of the Africa group*, a Government representative of Swaziland said that the current discussion would set a precedent for similar legislative activities. The Office had made progress in combating child labour through its PPPs, many of which were due to end in 2018. Those partnerships should continue to contribute to eliminating child labour and promoting decent work. The tobacco industry provided a livelihood for millions of people, most of whom were in vulnerable social groups, and often could not be substituted for another activity. As a result of PPPs, more than 6,000 children had been removed from child labour and awareness of child labour had increased in many communities. A multi-stakeholder approach, which included representatives from the tobacco industry, was crucial. PPPs should be extended beyond 2018.
108. *A Government representative of Lesotho* said that tripartism was fundamental to the work of the ILO, and the tobacco industry could not be excluded from dialogue, as it was a legal economic activity and made a significant contribution to national economies, especially in Africa. Furthermore, revenue from that industry was used towards membership of the ILO and other UN agencies. The withdrawal of financial support from PPPs would lead to the reoccurrence of child labour in tobacco-growing communities, and she accordingly urged the Office to continue such partnerships. She supported the amendments proposed by the Employers.
109. *A Government representative of Brazil* said that the ILO's activities should be in line with the model policy. However, ILO projects funded from PPPs were viewed positively by tripartite constituents in his country, and the tobacco industry made a significant contribution to employment and the economy in Brazil. Existing PPPs should be subject to robust safeguards. Moreover, the Office should actively seek funding from other sources, and he commended the strategy contained in the document, culminating in a report to the Governing Body in 2019. The Governing Body should take into account the consequences for beneficiaries of any abrupt withdrawal of funding resulting from the termination of PPPs.
110. *Also speaking on behalf of the Africa group*, a Government representative of Ethiopia expressed support for the amendment proposed by the Employers.
111. *A Government representative of Uganda* said that the ILO's engagement with the tobacco industry had produced positive outcomes in terms of combating child labour. Pursuant to the UN Convention on the Rights of the Child, the best interests of the child should be the primary consideration. He asked whether the Office had undertaken an evaluation of the impact on children of severing ties with the tobacco industry. The Occupational Safety and Health Convention, 1981 (No. 155), provided for guidance to be given to employers, which included those in the tobacco industry, so as to promote safe working conditions. The principle of respecting commitments to UN policies and international instruments also encompassed ILO Conventions. Furthermore, most if not all member States collected taxes from the tobacco industry. He asked why it should be acceptable for the ILO to receive contributions from governments in part funded by those taxes, yet not acceptable for the ILO to cooperate with the tobacco industry in the fight against child labour. The ILO should not discontinue its cooperation with the tobacco industry in the absence of sustainable alternative sources of funding for programmes to combat child labour.

112. *A Government representative of Canada* said that Canada was committed not only to furthering the principles and objectives of the FCTC but also to the mandate of the ILO and to fundamental principles and rights at work, including the effective abolition of child labour. Funding arrangements with tobacco companies and tobacco-related institutions were inconsistent with a number of key objectives of the FCTC. Canada supported the ILO's technical assistance to eliminate child labour in tobacco-growing communities and children's engagement in hazardous work. However, the document lacked information on the effectiveness and sustainability of the current projects, and stronger safeguards needed to be provided. The expiry of existing agreements in 2018 was a prime opportunity to move forward and seek alternative sources of funding. She supported the revised draft decision, as put forward by the Government representative of Ireland on behalf of the EU and its Member States.
113. *A Government representative of Cameroon* said that his country supported the ILO's engagement with the tobacco industry so long as tobacco remained a legal crop.
114. *Also speaking on behalf of the Africa group*, a Government representative of Namibia noted the failure to raise additional public funds for the elimination of child labour in tobacco-growing areas, although child labour was still prevalent in many countries in sub-Saharan Africa. PPPs had so far proved successful in combating child labour and promoting access to education and training. Taking into account the principles of the model policy and acknowledging that the existing safeguards needed to be updated, the Africa group was nevertheless of the opinion that the current PPPs with the tobacco industry should be continued.
115. *A Government representative of Ecuador* said that, in light of the sensitivities involved, a clear position on future action was needed. The Organization should harmonize its activities with the ECOSOC resolution and the model policy; there was no reason to deviate from the system-wide approach to the issue, particularly as the UN Global Compact had excluded tobacco companies from its membership. The industry's legality and importance to national economies and the ILO's efforts to ensure decent work in the sector were irrelevant to the question of whether the Organization should accept funding for specific projects. States parties to the FCTC were obliged to oppose ILO financial cooperation with the industry. The ILO should increase its efforts to eliminate child labour in tobacco growing and seek alternative funding for the relevant programmes.
116. *A Government representative of the United States* said that, while she acknowledged the health concerns related to tobacco and the tension between the ILO's partnerships with the tobacco industry and its role within the UN system, tobacco was a legal product. The ECOSOC resolution merely encouraged UNIATF members to develop and implement their own policies on preventing tobacco industry interference and recalled, but did not endorse, the model policy. Moreover, those instruments were non-binding and, while UN agencies should work together in pursuit of common goals, each agency should focus on its core mission and competencies. The ILO's ability to pursue a core component of its mission – the elimination of child labour – was paramount.
117. She supported the first two elements of the proposed strategy (strengthened safeguards against tobacco industry influence, and efforts to strengthen social dialogue and engagement with the UNIATF), as well as efforts to mobilize resources. However, in view of the role of employers and workers in the uniquely tripartite Organization and the importance of transparency in PPPs, there was no need to reject funding from a legal industry that was willing and able to provide support on an important issue. Rejecting funding from one of the tripartite partners would not necessarily advance efforts to prevent the spread of non-communicable diseases and, in fact, would leave child tobacco workers exposed to health hazards.

118. *A Government representative of Argentina* said that he endorsed the three-pronged approach set out in paragraphs 37–39 of the document with a view to eliminating child and forced labour and identifying alternative sources of funding.
119. *A Government representative of Mexico* said that his Government was working to implement the FCTC and considered that new sources of funding for ILO efforts to eliminate child labour should be sought. He therefore supported the draft decision in its original wording.
120. *A Government representative of Peru* said that his country was bound by its international obligations under the FCTC. Moreover, it was important to ensure consistency across the UN system; the ILO should implement the guidelines and policies set out in the ECOSOC resolution. However, in order to ensure continuity of funding for the elimination of child labour, a limited extension of the PPPs with the tobacco industry, ending no later than 31 December 2019, would be needed. Meanwhile, the Office should seek alternative sources of funding and submit an interim report to the Governing Body at its session in March 2018.
121. *A representative of the WHO* said that a study carried out in 2011 pointed to a figure of around 1.3 million children being exploited through tobacco-farming activities in the 12 major tobacco-growing countries. The WHO cared deeply about the health hazards linked to those activities, but child labour should be addressed in ways that did not involve partnership with the tobacco industry. Tobacco use and exposure to tobacco smoke claimed over 7 million lives per year across the world and consumption of the product contributed to poverty, environmental degradation and significant economic losses for governments. There was a long history of tobacco industry interference in policy-making, and tobacco companies used partnerships to avoid regulation and legitimize their activities. Based on guidance provided by the FCTC secretariat, the UNIATF, of which the ILO was a member, had developed a model policy for UN agencies on preventing tobacco industry interference. In resolution E/RES/2017/8, ECOSOC encouraged Task Force members to develop and implement their own policies on preventing tobacco industry interference, in order to ensure a consistent and effective separation between the activities of the UN system and those of the tobacco industry.
122. *A representative of the Director-General (Legal Adviser)* said that the statement in the draft decision that the model policy was “endorsed” by the ECOSOC resolution reflected what was, in the Office’s view, the spirit and content of the resolution which, apart from recalling the model policy, “encouraged” UN agencies to develop their own policies on preventing tobacco industry interference, bearing in mind the model policy, in order to ensure an effective separation between their activities and those of the tobacco industry, thus recommending the same means of action with the same finality as the model policy. The goal of the recommendations contained in the model policy was encouraged – and hence implicitly endorsed – in the resolution, although the specific term did not appear in the resolution, as the Employer spokesperson and the Government representative of the United States had rightly pointed out.
123. In response to the observation of the Employer spokesperson that the ILO’s interaction with the tobacco industry bore no relationship with public health policies, which were the focus of the FCTC, and therefore the debate on the model policy was of little relevance to the work of the Organization in the tobacco sector, the Legal Adviser explained that, while it was true that article 5.3 of the FCTC and the implementation guidelines on that article referred to action to protect public health policies from the commercial and the vested interests of the tobacco industry, it should be borne in mind that the model policy and the ECOSOC resolution called for action well beyond the setting and implementation of public health policies. In its section on guiding principles, the model policy stated that “the UN system must work as one, ensuring a consistent and effective separation between its activities and those of the tobacco industry, to preserve its integrity and reputation and in promoting

development”, and “shall establish measures to limit interactions with that industry, and where interactions still occur, the recommendations of the guidelines for implementation of Article 5.3 of the Convention shall apply”.

124. With regard to the question asked by the Government representative of Uganda as to whether the Office had undertaken an evaluation of the impact on children of severing ties with the tobacco industry in the light of article 3 of the UN Convention on the Rights of the Child which recognized the “best interests of the child” as primary consideration, the Legal Adviser noted that those provisions were addressed to States parties to that Convention and the same was true of the provisions of the relevant ILO Conventions. In any event, the debate was not about the ILO disengaging from the tobacco sector altogether and thus putting an end to current activities for the elimination of child labour in the tobacco sector, but only – if the Office were so instructed – discontinuing existing PPPs with tobacco companies. The Office had requested the Governing Body to provide guidance as to whether the ILO should adopt its own policy on cooperation with the tobacco industry and, if so, to what extent that policy should be based on the model policy.

125. *The Employer spokesperson* thanked the Legal Adviser for his explanation that what the Governing Body was discussing lay outside public health policies with regard to tobacco control. He had confirmed that the FCTC and the model policy were not binding. The ILO’s social mandate extended beyond the scope of the FCTC. The consequences of any abrupt withdrawal of funding from vulnerable children and families had been clearly noted, as had the contribution of income from the tobacco industry to national economies. The Employers were of the opinion that the tobacco industry was a legal one and should be accorded the same treatment as any other legal industry.

126. *The Worker spokesperson* wanted to differentiate between the obligations of member States to the ILO, on the one hand, and to those from other UN commitments, on the other. The ILO needed to continue to engage and even increase engagement with the tobacco sector and other sectors to promote decent work and eliminate child labour. However, the contribution of significant funds (around US\$15 million) by the industry to support programmes on the elimination of child labour was another matter. There was no doubt that those programmes had some benefits, but they did not focus on decent work in the tobacco sector in general. It was certainly an issue that there was no clear commitment to the future funding of the programmes, but the question under consideration was whether to continue the specific financial contribution of the tobacco industry to programmes on the elimination of child labour. Taking into account the commitment of the ILO and its member States to the FCTC and its related policies and measures, she was of the view that the ILO would have to consider discontinuing its partnerships with the tobacco industry as soon as possible, while at the same time remaining engaged with the sector in order to promote decent work and promote the elimination of child labour. She hoped that all those who had spoken in favour of ending the partnerships would show commitment to the alternative funding plan that the Office had been invited to explore.

127. *The Director-General* presented a revised draft decision which had been prepared on the basis of the views expressed during the debate. There had been unanimous agreement on the ILO’s responsibilities in respect of the tobacco sector, but opinion had been divided on whether the model policy for agencies of the United Nations system on preventing tobacco industry interference had any bearing on or was relevant to ILO activities in the tobacco sector. More particularly, the disagreement had centred on ILO acceptance of funding from the tobacco industry. There had been a majority in the Governing Body in favour of discontinuing acceptance of funding from the industry, although a number of participants had expressed concerns about the need for alternative arrangements to be put in place to ensure the continuation of ILO activities in the event that the Governing Body decided no longer to accept funding from the tobacco industry.

128. *The Worker spokesperson* said that she was pleased that the revised draft decision recognized that considerable decent work deficits existed in the sector and that the ILO must continue to address those matters through an integrated strategy. Child labour was certainly a challenge, but not the only one. Having carefully examined the model policy, the Workers agreed that no new funding should be accepted by the ILO from the tobacco industry, but on the clear understanding that the ILO and all its constituents must take responsibility for the next steps. Difficulties in the past showed that developing an integrated strategy and mobilizing funding might prove a challenge. A progress report must therefore be submitted to the Governing Body in March 2018, to ensure that the requisite action was discussed before the first PPP expired in June 2018. The Workers supported the revised draft decision.
129. *The Employer spokesperson* said that adoption of the revised draft decision presented by the Office would have a serious impact on and would discriminate against the tobacco sector. The Employers were extremely disappointed that the revised draft decision failed to reflect the breadth of the issues covered in the document or the full scope of the discussions that had taken place. It raised serious governance issues because, rather than reflecting those discussions, it appeared to be advocating one particular outcome. That was especially disappointing, since informal efforts to find a possible way forward had been gaining support among the constituents, and those efforts had been cut short prematurely.
130. The idea of a multi-donor trust fund with tripartite governance might gain the backing of the majority of Governing Body members, since it would serve as exactly the type of safeguard called for in the Office document and would address the interests and objectives of all parties while continuing to uphold the principle of tripartism on which the ILO was founded. The Employers did not support the revised draft decision presented by the Office, and put forward an alternative, which read:
- The Governing Body:
1. recognizes that major employment and decent work challenges exist in the tobacco sector, including in respect of child labour, which need to be addressed by the ILO in an integrated strategy;
 2. recalls the ECOSOC resolution of June 2017 relating to the model policy for agencies of the United Nations system on preventing tobacco industry interference;
 3. calls upon the Director-General to develop an integrated strategy for the tobacco sector, to mobilize funding through a multi-donor tripartite-governed trust fund with the safeguards outlined in paragraph 37, and to report on progress in this regard to the 334th Session of the Governing Body in October 2018.
131. *Speaking on behalf of ASPAG*, a Government representative of Australia said that he was pleased that the revised draft decision had incorporated his group's suggestions. The integrated strategy must ensure the ongoing delivery of existing programmes to combat child labour on tobacco farms and, when seeking to mobilize alternative funding for those programmes, the Office should engage with governments, the private sector and non-governmental organizations. Consideration should also be given to using the ILO's own resources to fund the programmes if alternative external funding could not be secured. The integrated strategy should also include the safeguards outlined in paragraph 37 of the document. ASPAG supported the revised draft decision proposed by the Office, but not the alternative proposed by the Employers.
132. *Speaking on behalf of the EU and its Member States*, a Government representative of Ireland supported the revised draft decision proposed by the Office in its entirety. His group was greatly in favour of developing an integrated strategy, which would contribute meaningfully to the elimination of child labour and promote alternative and sustainable livelihoods. It was vital to find an alternative, acceptable and sustainable model to finance action to promote decent work in the tobacco sector.

133. *Speaking on behalf of the Africa group*, a Government representative of Côte d'Ivoire underlined the wrongful nature of tobacco production and the non-binding nature of the model policy, and taking into account the need for continued efforts to combat child labour, his group asked for more time and requested a suspension of the session.
134. *A Government representative of the United States* expressed disappointment at the introduction of the revised draft decision. There was no conflict between the ILO pursuing its mandate and accepting money from a legal industry that produced a legal product and was part of one of the Organization's social partners. Neither did it conflict fundamentally with the ILO's role in the UN system. Hampering the funding of ILO efforts to combat child labour in the tobacco industry would not advance efforts to prevent the spread of non-communicable diseases, but rather might achieve precisely the opposite if children remained exposed to the hazards of work in tobacco production. Refusing contributions from the industry would diminish the ILO's ability to achieve its core mission of eliminating child labour. His Government supported the Employers' proposal but not the revised draft decision presented by the Office.
135. *A Government representative of Canada* said that the revised draft decision responded to the concerns outlined by her Government in the earlier discussions. She welcomed the commitment to continue work on the tobacco sector, including on child labour, the policy coherence with the ECOSOC model policy and the commitment that no new funding would be accepted by the ILO from the tobacco industry beyond the expiry date of current projects. Her Government looked forward to hearing about efforts to mobilize alternative sources of funding, including from the private sector and non-governmental organizations, at the 332nd Session of the Governing Body in March 2018. It supported the revised draft decision.
136. *A Government representative of Mexico* said that his Government was aware of the need to take an objective approach to the issue and to ensure that any decisions adopted were faithful to the objectives and principles of the ILO, while enabling the Organization and governments to fulfil their obligations. In that regard, it had taken note of the legal arguments which had been presented and which were an essential part of the process of forming an objective, fair and balanced position. In managing resources from the tobacco industry, the ILO should ensure that any action was in line with the WHO FCTC and did not hinder government efforts towards tobacco control and promoting alternative employment options for workers and the transition to alternative crops. In that regard, the safeguards outlined in paragraph 37 of the document were fundamental. His Government supported the amendments proposed to the draft decision by the Employers.
137. *A Government representative of Italy* supported the EU's position and said that his Government highly valued the spirit of consensus in all multilateral forums and, in particular, the tripartite consensus within the ILO, it would prefer a solution based on a broad consensus and it called for flexibility to be shown by all parties in order to reach a solution that was acceptable to all.
138. *A Government representative of Uruguay* supported the revised draft decision presented by the Office, which reflected the earlier discussions and the position of the majority and took into consideration the different interests concerned. Her Government endorsed the statements made by ASPAG and the EU and its Member States. It did not support the amendments proposed by the Employers.
139. *A Government representative of Ecuador* welcomed the revised draft decision presented by the Office, which reflected the need for the ILO to redefine its relationship with the tobacco industry. It was a prudent, well-balanced text that provided a sufficient time frame in which to make the necessary changes in mobilizing new funding options. His Government therefore supported the revised draft decision.

140. *A Government representative of Argentina* said that his Government favoured a gradual approach to the replacement of tobacco industry funding, which should be discussed further within the broader framework of ILO cooperation with the private sector and non-State actors. He endorsed the text proposed by the Employers.
141. *Speaking on behalf of the Africa group*, a Government representative of Côte d'Ivoire said that his group remained in favour of continued ILO cooperation with the tobacco industry, in line with the Organization's mandate. For that reason, the Africa group backed the draft decision proposed by the Employers.
142. *The Worker spokesperson*, referring to the Employers' proposal, said that, for her, employment should connote decent work and should not be treated as a separate issue. However, research showed that decent work deficits were widespread; consequently the first paragraph of the draft decision should refer to "decent work deficits and challenges". There was no question of deleting the third paragraph of the Office's draft decision. Since the ILO and a number of its member States were party to the WHO FCTC, it would be hard to advocate continuing a relationship with the tobacco industry that violated a number of obligations under that Convention. The proposed multi-donor tripartite-governed trust fund left the door open for continued funding from the tobacco industry. When preparing for the March 2018 session of the Governing Body, the Director-General should therefore look carefully at suggestions regarding alternative funding from a wide variety of sources and then submit a proposal that would both satisfy needs and meet all the concerns which had been voiced, especially by Government representatives from Africa and Latin America who had called for continued ILO commitment to promoting decent work in the tobacco sector. The Office proposal was in line with the Organization's commitment to work with all legitimate and legal economic sectors and to address decent work deficits for the sake of the 60 million workers employed in the tobacco industry.
143. *The Employer spokesperson* said that there was clearly significant backing for continued ILO cooperation with a legal industry that was recognized by many of the member States. Since many other business sectors also posed social and environmental risks and challenges, it would be discriminatory to end collaboration with or funding from the tobacco industry. Given that much of the ILO's work concerned social rights, it was surprising that some people wished to remove the reference to employment from a draft decision concerning cooperation with a sector that had created 60 million jobs. The concepts of employment and decent work deficits and challenges could all be accommodated in the draft decision. While her group favoured a consensus decision, paragraph three constituted a red line that could not be crossed. ECOSOC Resolution 2017/8 relating to the model policy for agencies of the United Nations system on preventing tobacco industry interference and the guidelines for implementing the WHO FCTC were non-binding instruments. Further work was therefore required on the issue to take account of the concerns of her group.
144. *A Government representative of Brazil* noted that since there had been no opposition to the basic idea contained in the first paragraphs of the two proposals, it might be possible to find a compromise solution. With respect to paragraph 1, his Government preferred the language suggested by the Director-General. Paragraph 2 had not given rise to any objections. Apparently some delegations were in favour of, or could live with, paragraph 3 of the Director-General's draft. The process of setting up an innovative funding mechanism and developing an integrated strategy might indeed offer an opportunity to reconcile all the viewpoints expressed during the debate, without prejudice to a collective position on paragraph 3.
145. *A Government representative of Uganda*, drawing attention to the principle embodied in Article 3(1) of the Convention on the Rights of the Child that the best interests of the child were of primary importance, asked the Office to provide an evaluation of the impact of the

decision which was about to be adopted. His Government welcomed the Employers' call for an integrated strategy for the tobacco sector and the mobilization of funding through a multi-donor tripartite-governed fund. The WHO should focus on tobacco-related health problems. The ILO's task was to deal with social issues and, in order to do that, it must have the freedom to work with all employers, whether they complied with international labour standards or not. His Government backed the amended version of the draft decision proposed by the Employers' group.

146. *A Government representative of Lesotho* said that, although it was a part of the United Nations system, the ILO must cleave to its mandate and tripartism. The economic significance of the tobacco industry to Africa and some other regions should not be underestimated. PPPs had provided essential funding for Office efforts to eliminate child labour in the tobacco industry. Given that it was uncertain whether alternative funding could be mobilized for the ILO's work in that sector, it was unthinkable to abandon those partnerships. For that reason, her Government supported the amendments put forward by the Employers' group.
147. *A Government representative of Ethiopia* said that the plight of destitute child labourers without access to education was central to the issue of ILO cooperation with tobacco companies. It would not be sensible to pull out of PPPs before alternative solutions had been found. Consequently, Ethiopia backed the amendments proposed by the Employers' group.
148. *A Government representative of Namibia* said that the integrated strategy referred to in the draft decision would assist the tobacco industry in tackling the issue of child labour. His Government backed the Employers' amended draft decision.
149. *A Government representative of Swaziland* said that her Government was in favour of an integrated approach. While children working for tobacco companies, which were legitimate business concerns, were beseeching the ILO to assist the countries concerned to eliminate child labour, their socio-economic situation would become worse if PPPs and funding from the tobacco industry were terminated. Consequently, Swaziland endorsed the Employers' amended text.
150. *The Director-General* drew the Governing Body's attention to a revised draft decision. While there had been no clear majority opinion on the crucial issue of whether the ILO should accept funding from the tobacco industry, some very strong points of convergence had emerged from the discussions. There was a feeling that the ILO had clear responsibilities towards the tobacco sector, which had to be carried forward. The revised draft decision, which used previously agreed wording, therefore called on the Director-General to present an integrated strategy to address decent work deficits in the tobacco sector to the 332nd Session of the Governing Body. That would allow the Office more time to resolve the outstanding issues.
151. *The Worker spokesperson* said that she thought that an agreement had been reached on the previous version of the draft decision, in which the Director-General would have first been requested to develop an integrated strategy and then, when that strategy had been debated, the Governing Body would be asked to take a decision about funding from the tobacco sector. However, the revised draft decision did not contain many of the elements from the Office's original proposal. She asked why the draft decision did not recall the ECOSOC Resolution of June 2017 relating to the model policy for agencies of the United Nations system on preventing tobacco industry interference. Since no one denied that the model policy constituted a challenge for the ILO, she wondered why any reference to it had been omitted. Her group welcomed the consensus that the problems extended beyond child labour and included the need to address decent work deficits. Nevertheless, she asked the

Director-General to confirm that the revised draft decision implied consideration of the model policy and its impact on the work of the ILO and its constituents.

152. *The Employer spokesperson* said that the revised draft decision offered a way forward without touching on any of the points which had triggered disagreement. It would give the Office more time to prepare a more robust and comprehensive integrated strategy. It would be unwise to reopen the substantive discussion. However the Employers were concerned about the lack of any reference to employment challenges or of recognition that decent work deficits were not a problem throughout the tobacco sector. If those concerns were taken into account, she would be able to support the draft decision.

153. *A Government representative of Switzerland* emphasized the high quality of the cooperation projects in question, which were led in a professional manner by ILO collaborators. The impact of those projects on work in the tobacco sector was undeniable. His Government was in favour of a pragmatic solution that would not put an end to projects which had proved their worth and which satisfied the beneficiaries. However, sustainable alternative sources of funding should be identified. He therefore supported the draft decision.

154. *A Government representative of Canada* said that the revised draft decision was disappointing because many of the elements from the previous version of the draft decision had been stripped away, despite previous agreement. Her government fully supported the ILO's action in the tobacco sector, which was a legal industry, where the ILO had a role to play in promoting and realizing fundamental principles and rights at work, with particular regard to child labour. However, the source of funding had to change owing to the unique circumstances that applied to the tobacco industry, namely the existence of the FCTC and experience with actors in the sector in the past. While the membership and mandate of the ILO were different to those of other UN agencies, the responsibilities of signatories to the abovementioned Convention did not stop at the Office's door. Her Government had supported the previous draft decision, but could not support the revised draft decision as it was insufficient. When the Governing Body resumed its discussion of the issue in March 2018, she expected to see a commitment from the Office to end the current financial arrangements with the tobacco industry and its associations, and evidence that it had actively sought alternative sources of funding, including from the private sector and non-governmental organizations.

155. *Speaking on behalf of the Africa group*, a Government representative of Côte d'Ivoire said that the central issue, to ensure funding for activities to combat child labour in the tobacco sector, must be clearly taken into account in the proposed integrated strategy. He supported the revised draft decision.

156. *Speaking on behalf of the EU and its Member States*, a Government representative of Ireland reiterated that that funding from the tobacco industry should cease when the current PPPs expired and that the ILO should adhere to the norms established for international organizations' interaction with the tobacco industry. However, workers in the tobacco sector should not be disadvantaged. Hence the Office should ensure that the proposed integrated strategy encompassed a long-term funding model for the programmes which would be affected. The revised draft decision was also disappointing because it failed to provide for a consultative process in developing that integrated strategy.

157. *The Chairperson* reiterated the commitment by the Office to undertake further consultations to develop the integrated strategy.

Decision

- 158. *The Governing Body called on the Director-General, taking into account all views expressed in the current session, to present to the 332nd Session of the Governing Body in March 2018 an integrated ILO strategy to address decent work deficits in the tobacco sector.***

(GB.331/POL/5, paragraph 41, as redrafted in light of the Governing Body discussion.)

Sixth item on the agenda

Enhanced programme of development cooperation for the occupied Arab territories (GB.331/POL/6)

- 159.** *A representative of the Director-General* (Regional Director for the Arab States) said that, since the publication of the Office document, the ILO had approved approximately US\$1 million from the RBSA to support the establishment of the Palestinian social security corporation, and the Office had gratefully received a financial contribution of US\$1 million from the Government of Qatar to support that project and thanked the Government of Kuwait for its annual contribution. Furthermore, a reconciliation agreement had been signed between Fatah and Hamas on 12 October 2017. That breakthrough achievement would have a positive impact in expanding the ILO Decent Work Programme (DWP) for 2018–22 and on resource mobilization to increase humanitarian and development assistance to the Occupied Palestinian Territory.
- 160.** *The Employer spokesperson* said that the situation remained concerning. The rebuilding of Gaza was proceeding slowly and with limited international support. Palestinian economic growth had been sluggish, and unemployment and poverty were pervasive. Two-thirds of Palestinians required humanitarian assistance. ILO interventions must focus on building the capacity of tripartite constituents to ensure a well-functioning labour market. Accordingly, the Employers welcomed the various work promotion studies, programmes and strategies initiated by the ILO, especially its support to the development and implementation of a social security system. They also welcomed the fact that the new DWP would be finalized in consultation with tripartite constituents. It was hoped that the challenges in social dialogue would soon be overcome. To help improve labour market mobility, more cooperation was needed between the Government of Israel and the Palestinian Authority. The ILO could and should provide large-scale assistance within the framework of the new flagship programme on Jobs for Peace and Resilience.
- 161.** *Speaking on behalf of the Arab Employers' group*, an Employer member from the United Arab Emirates said that his group was concerned about the ongoing deterioration of the situation in the occupied Arab territories. The Governing Body should address the situation objectively and as a matter of urgency. The enhanced programme of development cooperation had not been implemented due to lack of funding, therefore funds should be sought from the regular budget of the ILO and from other sources. The ILO should focus on the situation of Palestinians working in the Israeli settlements. He requested the Office to take account of the Employers' present and past requests. It should also take account of the conclusions of the 44th Arab Labour Conference, which called on the ILO to send a fact-finding mission to examine the situation on the ground and ensure implementation of the ILO Declaration on Fundamental Principles and Rights at Work, to establish a standing committee that would report to the International Labour Conference on the situation of workers in the occupied Arab territories, and to hold a donor conference to secure sources

of funding to support Palestinian workers. There was a need to provide decent work opportunities to all people living in the Occupied Palestinian Territory and to support the development of a comprehensive social security system that involved both the public and private sectors. A roadmap tailored to local realities was needed, and an action plan implemented through cooperation among all stakeholders and funded by donors. It was hoped that the reconciliation agreement would lay the basis for lasting peace.

162. *The Worker spokesperson* welcomed the three priority areas in the DWP, which were employment, labour market governance and international labour standards, and social security and social protection. His group supported ongoing efforts to foster social cohesion, justice and equality. He welcomed the employment diagnostics study, which provided an inventory and preliminary analysis of available programmes and employment-related initiatives in the occupied Arab territories. He noted that an ILO study on the future of work had revealed that the public sector had reached its absorption limit and the private sector was too weak to stimulate employment. It was crucial to raise resources to support the new DWP, including the operationalization of the new social security system. The Workers urged the Office to incorporate into its document on enhanced development cooperation the report submitted to the 2017 session of the International Labour Conference, which described the enormous challenges in the occupied Arab territories. Further, ILO development cooperation should focus on measures to provide social protection to Palestinians working in Israel and find a fair mechanism through which contributions paid by those workers would be transferred to the Palestinian social security fund. The Workers fully supported the promotion of the Decent Work Agenda and social justice for Palestinians.

163. *Speaking on behalf of the Africa group*, a Government representative of Côte d'Ivoire said that the ILO's first DWP in the occupied Arab territories, over the comparatively short period of 2013–17, had made considerable progress. However, problems persisted in terms of funding and the full incorporation of the ILO's strategic objectives. For the 2018–22 programme, the group would like to see the Organization mobilize additional funding from partnerships and reallocate resources to fund the promotion of social dialogue and tripartism in the occupied Arab territories. He encouraged member States to follow the cooperation model of Algeria, which had offered Palestinian professionals training on social security. The Africa group fully supported the enhanced programme of development cooperation and the establishment of the Palestinian social security institution.

164. *Speaking on behalf of the Arab group*, a Government representative of Iraq said that the ILO's work to support reform in the occupied Arab territories, particularly of labour legislation, would help greatly to create decent work opportunities and tackle the worsening unemployment. He welcomed the proposals to promote tripartite dialogue, establish trade unions and provide women with greater access to the labour market. Statistics from early 2016 showed that women's employment had decreased sharply, so that now the majority were unemployed, whereas 65 per cent of men were in work. A further, particularly important, step forward was the adoption of legislation establishing a social security system, which would enable the mobilization of resources to overcome difficulties faced by Palestinian workers and safeguard their rights in line with the 1995 Paris Protocol. The group called on the ILO to continue its highly valued work in the occupied Arab territories, in particular its technical and financial support to develop a social security system, and on member States to fully support the DWP for 2018–22.

165. *The representative of the Director-General* (Regional Director for the Arab States) said that the Office was focusing its resource mobilization efforts on support for the social security system and the various activities in the DWP. As to resource mobilization, the Office was to submit a proposal to the EU soon. Furthermore, a recent meeting on the ILO social protection floors flagship programme had provided an opportunity to explore potential partnerships, as the Occupied Palestinian Territory had been presented as a success story. The Office had

also partnered with UN Women to promote Palestinian women's access to economic opportunities and decent work, and had received an initial contribution from the Government of Italy for that purpose. The Office was discussing a possible partnership with the Bank of Palestine to support decent work, particularly in SMEs, cooperative development and women's empowerment. It was also cooperating with the UN, and under the recently signed UN Development Assistance Framework for the territories, US\$10 million would be mobilized over a five-year period, of which two-thirds was available and the remaining third would be mobilized over the next five years.

- 166.** The second DWP was currently in the final stages of approval. The three priority areas of the first programme had been retained, and, in response to Members' requests, there would be greater emphasis on strengthening social dialogue and freedom of association. She expressed the hope that the recent reconciliation agreement, the return of the Gaza crossing to the control of the Palestinian Authority and the possibility of Egypt opening the Rafa crossing would stimulate economic activity and create more interest among potential donors. The Office was aware of the need to increase its support to Gaza, and planned to conduct a needs assessment with the tripartite constituents and promote further transfer of knowledge, as well as social dialogue, in addition to the work it was doing in the areas of OSH, entrepreneurship and skills development. The Office would also be able to draw on its considerable experience of job creation and infrastructure development elsewhere to identify potential interventions in Gaza.
- 167.** *The Chairperson* confirmed that the Governing Body had taken full note of the progress made and had recognized the challenges faced in implementing the current DWP as well as the need for resource mobilization to support the full implementation of the programme. It had provided clear guidance to the Office.

Outcome

- 168.** *The Governing Body took note of the report contained in document GB.331/POL/6 and provided guidance to the Office.*
(GB.331/POL/6.)