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Governing Body

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Programme, Financial and Administrative Section **PFA**

Minutes of the Programme, Financial and Administrative Section

Contents

Programme, Financial and Administrative Segment

1. Proposed 2024–25 budgets for extrabudgetary accounts: Inter-American Centre for Knowledge Development in Vocational Training (CINTERFOR) (GB.349/PFA/1)

1. **The Worker spokesperson**, observing that the proposed work plan for CINTERFOR for the 2024–25 biennium was duly aligned with the ILO strategy on skills and lifelong learning 2030 and the associated plan of action for 2022–25, drew attention to CINTERFOR's important role in implementing the strategy and raising awareness of the Quality Apprenticeships Recommendation, 2023 (No. 208). Her group noted the challenges in the six major areas in which CINTERFOR would seek to generate impact. In particular, training on the development of industrial policies based on the well-being of all people and the planetary boundaries would be crucial. She welcomed CINTERFOR's prioritization of knowledge management and South–South and triangular cooperation, and its maximum use of information and communication technologies in all areas of its work. Her group supported the five proposed result areas and modalities of action.

2. The 46th ILO/CINTERFOR Technical Committee Meeting had demonstrated the importance of strengthening vocational training as a driver of sustainable development. At the meeting, it had been noted that implementation of the proposed work plan should incorporate social dialogue and tripartism as key elements of vocational training, allowing for genuine consultation rather than granting workers a merely symbolic role. Subregional and country offices sometimes struggled to address issues related to vocational training, which were then referred to CINTERFOR. A lack of resources, however, made it difficult to act on requests from offices; greater coordination was therefore required between the ILO's various services and technical offices.

3. Her group wished to reiterate the importance of including Recommendation No. 208, the Human Resources Development Convention, 1975 (No. 142), and the Human Resources Development Recommendation, 2004 (No. 195), in discussions on the application of standards at the national level and ensuring that relevant guidance was communicated to subregional offices. Work should also be done to evaluate the situation in focus countries where workers had ceased to play a prominent role within institutions, and to strengthen the relationship between CINTERFOR and the authorities in other countries in the Americas. Lastly, it was essential to recognize vocational training as a right as part of broader efforts to guarantee the right of workers to improve their skills. That would, in turn, have an impact on global development. The full realization of freedom of association and collective bargaining was key to institutionalizing vocational training and including the social partners in its design. She supported the draft decision.

4. **The Employer spokesperson**, noting that CINTERFOR's recent celebration of its 60th anniversary was testament to the importance of its work, welcomed the Centre's engagement with the Employers' and Workers' groups and facilitation of bipartite dialogue between them. He supported the identification of the areas in which CINTERFOR sought to make an impact, particularly in relation to increasing the productivity and sustainability of enterprises, including micro, small and medium-sized enterprises (MSMEs), which should be taken into account in all result areas. Despite accounting for 99.5 per cent of the region's economy and 60 per cent of formal employment, small and medium-sized enterprises (SMEs) were significantly less productive than large enterprises, and training programmes for them

should be adapted accordingly. When designing strategies and training programmes, technical and vocational training institutions should recognize that training for owners of micro and small enterprises was equally important as training for workers. He agreed with the work plan for the 2024–25 biennium and supported the draft decision.

5. **Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)**, a Government representative of Mexico noted with appreciation that the 2024–25 work plan took into account the current and emerging needs of Member States in Latin America and the Caribbean and aligned with the ILO strategy on skills and lifelong learning 2030. The fact that the budget would allow for the implementation of specialized programmes on digital technology, automation and the green economy was also welcome. She supported the allocation of resources for research and knowledge exchange with the aim of identifying and sharing good practices in technical and vocational training, as well as the consideration given to the strengthening of cooperation with strategic partners. Highlighting the budget's allocation of resources to measures to ensure gender equality in vocational training and promote the inclusion of vulnerable groups, she supported the draft decision.

Decision

6. **The Governing Body approved the income and expenditure estimates of the Inter-American Centre for Knowledge Development in Vocational Training (CINTERFOR) extrabudgetary account for 2024–25, as set out in Appendix I of document GB.349/PFA/1.**

(GB.349/PFA/1, paragraph 37)

2. Programme and Budget for 2022–23: Regular budget and Working Capital Fund (GB.349/PFA/2)

Decision

7. **The Governing Body delegated its authority under article 16 of the Financial Regulations to the Chairperson who may approve any transfers within the 2022–23 expenditure budget that the Director-General may propose, if needed, prior to the closing of the biennial accounts and subject to the endorsement of such approval by the Governing Body at its next session.**

(GB.349/PFA/2, paragraph 11)

8. **The Chairperson** announced that, since 1 October 2023, contributions for 2023 and prior years amounting to some CHF2.25 million had been received from five Member States, details of which had been provided on the Governing Body website (GB.349/PFA/2 Room paper (Rev.)).

3. Other financial matters

(No other financial questions were submitted to the Governing Body at this session.)

Audit and Oversight Segment

4. Annual evaluation report 2022–23 (GB.349/PFA/4)

9. **The Employer spokesperson** said that the report demonstrated the significant progress made by the Office towards achieving the key evaluation milestones identified for 2023. Concerning outcome 1, it was vital to maintain a clear distinction between evaluations and programme

audits so as to avoid any overlap or confusion. The Employers' group welcomed the high-level evaluation topics selected for 2024, particularly the evaluation on the ILO Development Cooperation Strategy 2020–25. It also was in favour of conducting a high-level evaluation of international labour standards in 2025 or 2026. Such an evaluation should focus not only on the ILO standard-setting mechanisms and the application of standards, but also on the capacity of the International Labour Standards Department (NORMES) to provide all its assistance and perform all its functions with regard to the supervisory bodies, and on whether the current efforts to modernize the working methods of the Department were sufficiently supported. His group could also support a high-level evaluation on the topic of the four priority action programmes, which could cover the Global Coalition for Social Justice, with an emphasis on matters such as the procedures of the coordinating group and the alignment of the Coalition with the ILO's programme and budget. To strengthen evaluation culture, it was important to step up internal efforts to ensure that departments and field offices gave greater priority to evaluations and used lessons learned when designing new interventions to support constituents. The role of certified evaluation managers should extend to developing the necessary culture within the Office.

10. Regarding outcome 2, further efforts were required to harness all the possibilities offered by clustered evaluations and to expand their use. On the guidance material to improve evaluation practices, he underscored the importance of improving the quality of evaluations through participatory approaches that involved the policy departments and field offices concerned. With respect to outcome 3, a review of the target audience of the ILO's knowledge products could improve their currently limited use, and the distinction between fact sheets, brochures and think pieces should be clarified. Concerning the evaluation recommendations, the Employers encouraged the Office to ensure that the evaluators selected not only were well informed on the subject, but also had a sound understanding of the ILO and tripartism to ensure the relevance and strategic importance of their recommendations.

11. It was essential for the ILO to build on the positive developments reflected in its overall performance ratings for 2022, particularly the increased participation of constituents in the design and implementation of projects. The Office should examine the correlation between constituent involvement in the design and implementation of projects and the effectiveness, impact and sustainability of those projects. The Office should also improve the areas of constituent support and the validity of design in intervention. To increase the sustainability of strategic results and knowledge capacity, it was important for the Office to integrate processes to build the institutional capacity of the tripartite constituents as from the project design stage.

12. **The Worker spokesperson** acknowledged the continuous efforts to strengthen the evaluative functions of the ILO and to build the internal and external capacity of ILO staff through the Evaluation Manager Certification Programme and the involvement of constituents in evaluation training. The Office and individual departments should further prioritize internal capacity-building to ensure a fully functioning evaluation network of evaluation managers and focal points. The achievement of the milestones on clustered evaluations under indicator 2.1.1 was welcome. She noted that the work on impact evaluation and on the establishment of the ILO Evaluation Trust Fund was on track and that it would allow the Office to conduct more ex-post and impact evaluations to help guide future initiatives. Regarding sub-outcome 2.2 on the responsiveness of evaluation methodologies to the ILO's mandate, the Workers appreciated the development of guidance materials and use of the ex-post quality appraisal of independent evaluations to improve the relevance and quality of the ILO's evaluation function. Her group encouraged the Office to further bolster its efforts to increase the uptake of evaluation results for strategic planning, and to ensure the full involvement of constituents in the follow-up and dissemination of evaluation results.

13. Concerning sub-outcome 2.3, she reiterated that the appropriate implementation of guidelines and recommendations was key to ensuring improvements in the uptake and quality of impact evaluations. The delayed achievement of the milestone under indicator 3.3.2 on the Evaluation Advisory Committee should be addressed in the Evaluation Strategy, given the importance of the Committee's role.

14. Recommendation 1 on the topics for high-level evaluations for 2024 was welcome. She supported the choice of youth employment strategy as a topic for the ensuing years, and expressed a preference for the topic of disability inclusion strategy for 2026. It could be relevant for the Office to provide a more comprehensive evaluation of the strategic direction that it was taking on disability inclusion strategy.

15. The Workers endorsed the steady increase in the overall ratings of development cooperation projects. However, the low efficiency of ILO interventions remained a concern. As human and financial resources were reportedly inadequate, it was questionable whether the ambitions of ILO development cooperation projects could continue to be achieved. The Office must address the poor performance observed regarding intervention responsiveness towards disability inclusion and environmental sustainability and produce a clearer strategy on how the two issues could be better integrated into the ILO's development cooperation work. She supported the draft decision.

16. **Speaking on behalf of the Africa group**, a Government representative of Eswatini noted with appreciation that most of the biennial milestones for 2023 had been achieved or were on track. Recalling that, according to the ILO's Strategic Plan for 2022–25, the evaluation function was considered a valuable driver of performance improvement, he affirmed that the Organization's strategic focus should remain committed to fostering a strong evaluation culture with increased uptake of findings and recommendations. The Office should draw upon the various innovations identified in the report when increasing its efforts to implement the milestones that were delayed or partially achieved. His group welcomed the inclusion in the report of linkages between evaluation projects and policy outcomes, specifically in respect of country programme outcomes.

17. Regarding the proposed high-level evaluation topics for 2026, he expressed preference for that of skills and lifelong learning. The topic on the ILO's disability inclusion strategy could be deferred to 2027.

18. With respect to the online training programme on monitoring the results of Decent Work Country Programmes (DWCPs) to be delivered in November–December 2023, it should be noted that only five English-speaking African countries with active DWCPs and steering and/or technical committees had been chosen to participate. He underscored the importance of such training programmes and of making arrangements to enable the steering and/or technical committees driving the implementation of DWCPs to hold in-person sessions. With respect to the independent review on the effectiveness of the Regular Budget Supplementary Account fund in delivering decent work results, strong capacity-building support should be provided at the beginning of a project, with clear deliverables for measuring successful outcomes, and consultants should be thoroughly vetted, in order to bridge the barriers to achieving desired results. He endorsed the draft decision.

19. **Speaking on behalf of the group of industrialized market economy countries (IMEC)**, a Government representative of the United States of America said that IMEC had long been a proponent of a strong evaluation function in the ILO, to ensure accountability and learning while also generating evidence for decision-makers and practitioners. With regard to the potential benefits of flexible and pooled funding mechanisms for the Criteria-based Integrated Evaluation Planning System, more information would be appreciated about the constraints of the existing mechanisms and how the proposed mechanisms would work, as well as how the Office planned to address challenges in implementing them.

20. She welcomed the work that had been done to conduct high-level evaluations, noting the findings of the high-level evaluation on fundamental principles and rights at work, in particular the concerning conclusion that although the ILO had tackled challenges effectively through impactful programming, it had neglected to adequately prioritize freedom of association and collective bargaining as a critical enabling right.

21. IMEC supported the proposed evaluation topics for 2024, as well as noting those suggested for 2026. An independent high-level evaluation cutting across the four action programmes could indeed be a useful review modality. However, if such an evaluation was conducted in 2026, its findings would be released too late to inform the discussions of the programme and budget for the next biennium. Further information on the timing of the proposed evaluation would therefore be appreciated. With regard to the two proposed options for 2026 outlined in table 1, both topics were critically important, although the lack of progress regarding disability inclusion in the ILO's overall 2022 performance ratings perhaps suggested that the ILO's disability inclusion strategy should take priority in 2026. Nonetheless, IMEC remained flexible on the matter and looked forward to hearing the views of others.

22. IMEC had previously noted its concern about the low prevalence of projects including gender sensitivity, so appreciated the analysis of the integration of a gender dimension into evaluations, and the slight progress made towards meeting the United Nations System-Wide Action Plan on Gender Equality and the Empowerment of Women (UN-SWAP) requirements. It was also encouraging to see that gender equality was the most cited topic in Governing Body reports.

23. Noting that the Evaluation Office was piloting a new approach to the annual assessment of performance effectiveness that was more in line with the ILO's strategic priorities, IMEC supported efforts to further increase internal coherence and better meet the needs of stakeholders. With regard to overall efficiency, the report noted that less than 50 per cent of ILO interventions had performed at an average or above-average level, which was concerning. It was important to focus on improving the effectiveness, sustainability and impact of interventions, including with regard to goal orientation. The group also welcomed the focus on learning throughout the Evaluation Strategy, but would like to see further efforts to strengthen the communication and timely use of evidence-based findings. IMEC supported the draft decision.

24. **A Government representative of the Republic of Korea** welcomed the expansion of the use of participatory methods in the new Evaluation Strategy, to engage the social partners, governments and beneficiaries. He agreed that it would be imperative to emphasize a focus on learning and ensure that evaluations were conducted for the right purposes and at the appropriate time. With regard to development cooperation programmes, it was concerning that fewer than half had received above-average scores in the evaluation, which indicated room for improvement. The Office had the responsibility to effectively coordinate donor requests with on-the-ground situations, so it should focus on planning and monitoring programmes that satisfied both donors and beneficiaries by fostering transparent and clear communication, as well as realistic goal setting. Going forward, the Office should further expand the involvement of the tripartite constituents in the programme evaluation process. He supported the draft decision.

25. **A representative of the Director-General** (Director, Evaluation Office) welcomed the recognition that good progress had been made on the 21 milestones, including the five enabling outcomes. Although it was a new evaluation strategy, and the first annual report, efforts had been made to adjust approaches to it so that the Evaluation Office could deliver on the goals. That was not to say that there were no problems. The evaluation architecture was indeed precarious, as it relied on a small professional team complemented by a large voluntary workforce of certified evaluation managers. However, leveraging existing Office resources came at a cost of a heavy workload and the use of volunteers that did not always receive full credit for their additional work. The work on clustering, to reduce evaluation fatigue, had helped, but had not really lessened the workload. There had been 70 independent evaluations in 2022, and there was due to be the same number in 2023. That workload was simply too heavy, which was perhaps part of the reason for some of the issues that had been observed.

26. He welcomed the support expressed for the innovations that had been introduced to address some of those issues. The Criteria-based Integrated Evaluation Planning System would help ensure that evaluations were not simply carried out for their own sake, but were demand-driven, on the basis of evidence gaps or knowledge needs. The ILO Evaluation Trust Fund, although it did not yet have any funding, would allow for greater flexibility and easier clustering of evaluations. It would also enable the Office to respond to such requests as more ex-post evaluations, tracer studies and impact evaluations, which was not otherwise possible without additional funds not linked to the projects themselves.

27. An evaluation culture was indeed essential and progress had been made in that regard. Evaluation needed to be linked to effective knowledge management, as it was just one of the elements that could inform decision-making. Although there was a difference between audit and evaluation, there was also an overlap. The more the two could share insights, the more efficient and effective they would be.

28. He also welcomed the support expressed for participatory evaluation methods. As a tripartite Organization, the more the ILO could involve the Workers, Employers, Governments and beneficiaries in the process, the better. That could be done through thematic or regional reference groups, if necessary, which would improve the ownership of evaluations and uptake. More emphasis could indeed be put on impact evaluation, but with the acknowledgement that it was expensive and time-consuming, requiring long time horizons for projects. Donors needed to understand that it would come at a cost, both financial and in terms of capacity.

29. With regard to the external quality reviews of evaluations in general and how they addressed gender in particular, that was being taken very seriously. An external company was assessing all the independent ILO evaluations to ensure quality and also to assess whether gender issues were captured. With regard to the comments about consultants, he noted that a very competitive process was used, including a roster to rate and keep track of consultants based on performance. The Evaluation Office was one of the few ILO departments to do that.

30. He was pleased to see general consensus on many of the topics in the rolling work plan for high-level evaluations, but more work would need to be done to reconcile the different perspectives expressed by constituents on priorities beyond 2024.

31. Turning to the performance assessments covered in Part II of the report, he welcomed the support expressed for the methodological changes that had been introduced. It was important to bear in mind that the figures included in the report related only to evaluations of projects in

2022, so were in a sense a look back at the past. They also only related to projects, rather than the overall support provided by the ILO. The approach therefore had its limitations, but remained a useful method of identifying systemic performance issues. Although there had been some negative findings, improvements had already been noted in several areas, which was positive news. There were improvements in the promotion of ILO cross-cutting policy areas, namely pro-poor focus, gender responsiveness and the promotion and use of standards and normative work in development cooperation. With regard to the issues raised about ongoing weaknesses relating to environmental sustainability and disability, he said that it was important to note that data on those had only been collected since 2020. Overall, the issue of disability inclusion did not receive targeted attention, even when there were opportunities in that regard. Environmental sustainability was also not a key area of focus or concern of the majority of ILO project interventions, as reflected in the poor performance ratings. More efforts were therefore needed at the project level; however, that would neither cover nor assess the institutional efforts or overall performance of the Office on environment and disability.

Decision

32. **The Governing Body endorsed the recommendations of the annual evaluation report 2022–23 (paragraphs 17 and 90) for implementation by the ILO.**

(GB.349/PFA/4, paragraph 91)

5. High-level evaluations of strategies and Decent Work Country Programmes (GB.349/PFA/5)

33. **The Worker spokesperson** noted with regret that none of the evaluations had resulted in a “satisfactory” rating, demonstrating an urgent need for the ILO to strengthen its internal coherence.

34. With regard to Part I of the report, on the independent high-level evaluation of the ILO’s strategies and actions to promote fundamental principles and rights at work, 2018–23, she noted with disappointment that, as highlighted by key finding 2, freedom of association and collective bargaining continued to be systematically marginalized and neglected. The ILO should prioritize its work and increase resources and staff capacity, both at headquarters and in the field, on those critical enabling rights, which should be at the centre of any effective strategy to promote the fundamental principles and rights at work.

35. The fact that the Fundamental Principles and Rights at Work Branch (FUNDAMENTALS) remained focused mainly on child labour and forced labour raised questions as to whether grouping all the fundamental principles and rights at work in one branch, largely dependent on donor funding, was still appropriate. It was unclear how the Office, with the set-up described in paragraph 24 and with its current track record, would ever be able to deliver the required change. The Inclusive Labour Markets, Labour Relations and Working Conditions Branch (INWORK) and the International Labour Standards Department (NORMES) should be involved in shaping the priorities of FUNDAMENTALS in respect of development cooperation and support to constituents. In that regard, the Office should implement as a matter of urgency the “One ILO” framework for action to strengthen the strategy and actions on freedom of association and collective bargaining. The proposed ILO integrated strategy for the promotion and implementation of the right to collective bargaining was timely and should form part of the new framework. At the recurrent discussion on the fundamental principles and rights at work to be held by the International Labour Conference at its 112th Session

(2024), the Office should put forward a strategy to promote freedom of association and collective bargaining as enabling rights and as an entry point for delivering progress on other fundamental labour rights. The Office should follow up on all the recommendations in the evaluation as a matter of urgency.

36. Part II of the report, on the independent high-level evaluation of the ILO's strategies and actions to promote decent work in the rural economy (with a focus on rural employment), 2016–23, revealed poor results in terms of strategy, process and implementation across four biennia. The Sectoral Policies Department (SECTOR) should ensure that the social partners were closely involved in programme design and implementation. Furthermore, it should be given an explicit mandate and the means to promote decent work in the rural economy. She stressed the importance of the findings and recommendation on the promotion of international labour standards and social protection in the rural economy, recalling in that regard the role of rural employment strategies, as outlined in the conclusions on promoting rural employment for poverty reduction adopted by the Conference at its 97th Session (2008). The Office should promote the fundamental principles and rights at work in rural economies and the related technical Conventions, and provide technical support to help governments understand and effectively implement those standards in rural areas. It should include a focus on rural economies in its work on gender-based violence and sexual harassment. Furthermore, an updated ILO strategy on decent work in the rural economy should be linked to the follow-up to the conclusions concerning a just transition towards environmentally sustainable economies and societies for all that had been adopted by the Conference at its 111th Session (2023). The Office should implement the recommendations in the evaluation as a matter of urgency.

37. Part III of the report, on the independent high-level evaluation of the ILO's post-conflict and recovery work in the Arab States region, with emphasis on Iraq and Yemen, 2019–23, showed that, despite its clear mandate and added value, the ILO was still considered an outsider by other peacebuilding actors. However, its normative mandate and tripartite constituents could offer valuable entry points for peacebuilding in challenging political contexts. The recommendations offered valuable guidance, especially in the light of the recent escalation of the conflict in the Middle East. The ILO must position itself better as a key agency that could foster peace and resilience through decent work, focusing less on immediate humanitarian needs and more on long-term solutions.

38. **The Employer spokesperson**, referring to Part I, recalled that, for the past three biennia, the programme and budget had included a commitment to implement the integrated strategy on fundamental principles and rights at work. Regrettably, as highlighted by key finding 7, the Office had failed in that regard. He noted with concern the finding that, despite high volumes of activity, the Office had missed many of its programme and budget targets relating to the fundamental principles and rights at work in the biennium 2020–21 (key finding 12). The Office should explain why those targets had been missed despite significant donor funding.

39. The Office needed concrete recommendations and follow-up action with regard to implementing the integrated strategy, addressing the structural issues within FUNDAMENTALS and establishing joint work plans between all departments and programmes working on the fundamental principles and rights at work. His group did not agree with recommendation 2, which called on the ILO to clarify the role of FUNDAMENTALS as a "centre of excellence" with a coordination and oversight role, as that could weaken the ILO's technical expertise and further dilute its work. Rather, FUNDAMENTALS should be a core implementing actor. With regard to recommendation 3, the Office should assist Member States not only in ratifying core standards, but also in overcoming challenges related to the implementation and full realization of the fundamental principles and rights at work.

40. He clarified that the purpose of the Global Business Network on Forced Labour was to promote collaborative and collective action on forced labour for the private sector and employer and business membership organizations, rather than to build capacity on the fundamental principles and rights at work "in the context of compliance", as stated in the document.

41. Turning to Part II, he said that the scope of the evaluation was somewhat limited, as in many countries the rural economy was characterized by informality, low productivity, low skills, outdated technologies and limited opportunities for growth and innovation. It would have been useful to assess the ILO's action and programmes in the rural economy to support formalization, skills training, improved access to finance, rural entrepreneurship, and occupational safety and health, which were priorities for employers. Referring to recommendation 1, he said that the Governing Body would need to review and endorse any new strategy document.

42. The evaluation presented in Part III found that the ILO's operations in the Arab States region were not fit for purpose, due to bureaucracy and resource constraints. It also underscored the relevance of the ILO's work in the context of transition, especially its employment-driven response. Many of the challenges identified could be traced back to the ILO operating in a humanitarian context. The ILO must remain true to its mandate and avoid involvement in areas where other agencies had more experience, competency and operational agility. Its approach should be based on building institutions and creating systems to promote social justice and decent work as an infrastructure for recovery and resilience. Its role was to work in difficult contexts to rebuild trust among the tripartite constituents. The ILO programmes in the region were resource-driven and did not prioritize the delivery of the DWCPs. The Organization should avoid a multiplicity of development cooperation projects, especially smaller ones, which were often a challenge to manage. As many of the recommendations were conditional on whether the ILO wanted to engage effectively and efficiently in post-conflict settings, and given the increasing volume of work relating to refugees, internally displaced persons and the humanitarian-development-peace nexus, the Employers' group proposed that a dedicated discussion be held on the ILO's role and value in post-conflict settings and humanitarian contexts.

43. **Speaking on behalf of the Africa group**, a Government representative of Gabon said, with regard to Part I, that particular attention should be paid to the implementation of recommendation 4, as occupational safety and health had recently been recognized as one of the fundamental principles and rights at work and was an area in which Africa faced many challenges. The Office should step up its efforts to promote the ratification of and strengthen the monitoring mechanisms under the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). The enforcement of legislation concerning occupational safety and health required an adequate and appropriate system of inspection, and the enforcement system should provide for adequate penalties for violations of that legislation. Enhancing support from the Office would help Member States develop monitoring mechanisms that functioned smoothly. She noted that international labour standards had not been evaluated recently and that there was a need to look at whether ILO's work was in line with constituents' needs.

44. Regarding Part II, she agreed that the 2011 ILO strategy on decent work in the rural economy should be updated to take account of the actual needs of the tripartite constituents and countries' priorities. The Office should step up its activities related to the promotion of the relevant international labour standards, social protection, just transition and disability when planning and implementing its programmes in that context. Turning to Part III, she encouraged the Office to expand its efforts to build the capacity of the tripartite constituents and increase their involvement in post-conflict and recovery work on the ground. Her group supported the draft decision.

45. **Speaking on behalf of the Asia and the Pacific group (ASPAG)**, a Government representative of the Islamic Republic of Iran said that the recommendations in Part I rightly emphasized the need for an approach that took both the constituents' priorities and the ILO's fundamental principles into account. In respect of recommendation 2, he called for a more systematic use of ILO capacities in the development of development cooperation activities. Referring to Part II, he said that a tripartite mechanism should be established to update the 2011 ILO strategy on decent work in the rural economy, in order to strengthen coordination, ensure sustainability, support the implementation of policies and foster partnerships.

46. Turning to Part III, he expressed deep concern for the situation of workers affected by conflict in the Arab States region and strongly urged the Office to redouble its efforts to improve the conditions of those workers, provide them with support and facilitate their reintegration into the labour market. It was imperative for the Office to strengthen engagement with the relevant stakeholders to address the challenges faced by such workers and ensure respect for their rights. Special attention should be paid to eliminating operational inefficiencies and overcoming resource limitations in the ILO's post-conflict and recovery work. The necessary procedural reforms should be undertaken and skilled staff used in that regard.

47. Evaluation criteria and indicators to assess progress in the implementation of the recommendations should be established by a decision-making body responsible for following up on the evaluation recommendations; the role and responsibilities of the Director-General in monitoring the implementation of the recommendations should be clearly defined; methods of reporting to the Governing Body on periodic progress and monitoring and evaluation processes should be explained; and greater emphasis should be placed on creating conditions for sustainable and inclusive economic growth, shared prosperity and decent work for all, taking into account different levels of national development and capacities. His group supported the draft decision.

48. **A Government representative of Bangladesh** expressed concern that the donor-oriented approach of the DWCPs hampered the achievement of their objectives. To ensure decent work in the rural economy, priority should be given to job creation in non-agricultural sectors and to the promotion of small and medium-sized enterprises. Furthermore, in that context, the Office should: allocate more staff to the country offices to better implement its programmes; consider allocating more funds from the Regular Budget Supplementary Account; design a decent work programme for the non-discriminatory treatment of migrant workers in destination countries; and devise strategies to ensure that multinational enterprises played their part in promoting decent work in supply chains. His Government supported the draft decision.

49. **A Government representative of the United States** noted the positive developments towards the elimination of child and forced labour but expressed concern about the findings that the Office had neglected to prioritize the enabling rights of freedom of association and collective bargaining and that normative supervision was seldom the main driver of long-term and comprehensive development cooperation activities. As part of the Office's efforts to strengthen its strategy and actions in that regard, the staff, resources and time devoted to freedom of association and collective bargaining should be increased, and a more integrated approach to addressing the fundamental principles and rights at work should be taken. Her Government supported the draft decision.

50. **A representative of the Director-General** (Assistant Director-General, Governance, Rights and Dialogue Cluster), responding to comments made in respect of Part I, said that strengthening synergies between freedom of association and the effective recognition of the right to collective bargaining with the other categories of the fundamental principles and rights at work was a key part of the ILO integrated strategy for the promotion and implementation of the right to collective bargaining and the Global Strategy on Occupational Safety and Health 2024–30, which were both before the Governing Body at that session. The recurrent discussion on the fundamental principles and rights at work to be held by the Conference in 2024 and its follow-up would allow for the development of a consolidated road map to ensure the full and adequate promotion of all those principles and rights.

51. At the beginning of 2023, an internal process had been initiated to address the current dispersion and fragmented approach within the Office to freedom of association and collective bargaining, culminating in the preliminary adoption of a framework for action on that subject and on other aspects of social dialogue, aimed at enhancing synergies and coordination across the Office to also realize economies of scale and achieve greater efficiency. An example of one of the measures taken as a result was the provision of more systematic induction training to ensure a shared understanding among staff of the value and relevance of freedom of association and collective bargaining as enabling rights and for development purposes.

52. Although a theory of change process had been carried out by the Office to develop an integrated approach to the fundamental principles and rights at work, progress in translating the theory into practice on the ground had been limited. To remedy that, the Office would draw on lessons learned from country-level interventions and consider how those approaches could be scaled up. While FUNDAMENTALS had an important role to play, other teams also had to play a part. Accordingly, a multidisciplinary task force comprising representatives of different parts of the Office, both at headquarters and in the field, would be established to promote an integrated “One ILO” approach to the promotion of fundamental principles and rights at work. The Office was trying to establish greater synergies between the work of the ILO’s supervisory machinery and its development cooperation activities; for example, in respect of child labour and forced labour, a matrix had been developed that took into account not only the relative prevalence of such labour but also the observations by the Committee of Experts on the Application of Conventions and Recommendations on that subject, to identify countries in which the Office should prioritize action in that regard. Provision had been made in the Programme and Budget for 2024–25 to promote ratification of the fundamental Conventions, with special emphasis on those that had been ratified by the fewest Member States.

53. **Another representative of the Director-General** (Assistant Director-General and Regional Director for the Arab States), responding to the comments made in respect of Part III, said that none of the programmes in the Arab States that had been evaluated were under the responsibility of a country office and that a lack of adequate financial and human resources hindered their efficiency. Representatives of the United Nations, other partners and the authorities in Yemen had recently emphasized the ILO’s important role in the humanitarian-development-peace nexus and in the shift from relief to development efforts. She recalled that the ILO was a development, rather than a humanitarian, agency. Nevertheless, it had proved to be a valuable actor in early recovery efforts, as exemplified by its successful work following the 2023 earthquake in the Syrian Arab Republic, when it had implemented employment-intensive infrastructure projects to rehabilitate schools and infrastructure and had coordinated the livelihood recovery assessment with the United Nations Development Programme. The

Office was currently working with UN partners in the region to see how emergency assistance could be delivered in the Occupied Palestinian Territory in such a way that would allow a transition into longer-term more sustainable mechanisms, and had prepared a three-phase response programme focusing on long-term recovery. Furthermore, the ILO was playing a key role in Iraq, co-chairing four main working groups under the UN Sustainable Development Cooperation Framework.

54. To enhance effectiveness in fragile contexts, the Office had taken a number of steps, despite the difficulties faced and the absence of country offices. In the current biennium, for example, steps had been taken to strengthen the human resources management capacity in the region and to create the position of regional security officer. In 2024, the Regional Office for the Arab States would try to secure funds to create a senior position in Yemen to better place the ILO in the humanitarian-development-peace nexus. The outposting of decent work specialists was also an option to be explored. In order to build the capacity of constituents and reduce fragmentation, the Office sought to ensure that stakeholders were involved in discussions on emergency response, employment and job creation in the region and that the social partners were able to contribute to crisis recovery as implementing partners or by engaging in outreach efforts.

55. **Another representative of the Director-General** (Director, Evaluation Office) responding to methodology-related questions only, said that the evaluation of the ILO's strategies and actions to promote fundamental principles and rights at work had been timed so that the results could feed into the recurrent discussion by the Conference and into the strategies on collective bargaining and on occupational safety and health. As there had been no Office response to the questions concerning the scope of the evaluation on the rural economy, he explained that the scope had been established based on the 2011 ILO strategy and the indicators established in the relevant programmes and budgets. Regarding the question on systematic follow-up to high-level evaluations, he explained the Evaluation Advisory Committee was the responsible body and that, after a period of inactivity during the recent transition period, its meetings would resume in late 2023 or early 2024, chaired by the newly appointed Deputy Director-General.

Decision

56. **The Governing Body requested the Director-General to take into consideration the recommendations of the three independent high-level evaluations presented in document GB.349/PFA/5 (paragraphs 17–21, 49–54 and 74–80), and to ensure their appropriate implementation.**

(GB.349/PFA/5, paragraph 88)

6. Matters relating to the Joint Inspection Unit (GB.349/PFA/6)

57. **The Employer spokesperson** encouraged the Office to play an active role in the reviews to be conducted by the Joint Inspection Unit (JIU) on the eight issues concerning the ILO, with a special focus on accountability frameworks and mental health and well-being policies and practices. He took note of the 15 changes made since the Office had last updated the Governing Body on its follow-up to the JIU's recommendations, welcoming in particular its efforts to develop standard operating procedures for investigations and complaints.

58. Social partners were sometimes considered implementing partners, and the nature of the tripartite constituents and the ILO's mandate to strengthen their institutional capacities must therefore be taken into account in the development of a common system-wide definition and a set of agreed guiding principles and standards for implementing partners. He expressed strong support for the recommendation to hold periodic mandatory refresher courses in ethics for all staff and non-staff. His group would be interested in learning of the Office's response to the comments made by the United Nations (UN) System Chief Executives Board for Coordination (CEB) in relation to business continuity management, and he stressed the need for a results-based assessment of approaches to business continuity policies in mitigating the effects of disruptive incidents. He supported the draft decision.

59. **The Worker spokesperson** recognized that the ILO could not always apply the JIU's recommendations in the same manner as other UN bodies because most of its implementing partners were constituent organizations. She therefore agreed that the Office should bear in mind the ILO's institutional tripartite structure and specific need to engage with social partners when contributing to inter-agency mechanisms on implementing partners. Further details would be welcome on the implementation of thematic awareness-raising campaigns relating to ethics. While the independent high-level evaluation of the ILO's COVID-19 response 2020–22 had commended the Office's institutional adjustments during the COVID-19 pandemic, the topic of health and safety had received less attention. With that in mind, it would be useful to know the extent to which the drastic increase in mental health issues among ILO staff was affecting business continuity. She supported the draft decision.

60. **Speaking on behalf of GRULAC,** a Government representative of Mexico requested information on the current process in respect of the investigation-related activities in the Office, in the light of the JIU's recommendations to consolidate those activities in the Office of Internal Audit and Oversight (IAO) and to improve its functioning. She wished to know why the JIU's recommendations in that regard had not been accepted and what steps were required to secure their acceptance. Although the recommendation concerning the review of the UN System-Wide Action Plan on Gender Equality and the Empowerment of Women (UN-SWAP) was directed at the CEB, it would be useful for the Office to conduct a similar internal review using the results of the Action Plan's implementation within the ILO. She emphasized the importance of using the ClearCheck screening database to identify individuals who had committed offences, especially sexual abuse, while working at other organizations in the UN system and asked whether the Office used that tool during recruitment processes.

61. **Speaking on behalf of IMEC,** a Government representative of Japan appreciated the Office's consideration of the group's statement made at the 346th Session in 2022, and commended the presentation of a transparent approach to policy adjustments and new proposals in response to relevant JIU recommendations in the Governing Body document. He asked for clarification as to whether mandatory ethics training was in place, as well as information on alternative training in that area. He encouraged the Office to work with other UN organizations on ethics training and the broader ethics function and to regularly report to the Governing Body on the Ethics Officer's activities. The JIU had recommended that newly appointed heads of ethics offices should be given fixed-term contracts, rather than extended indefinite contracts, and in that connection he wished to know why the Office had not adopted such term limits. He requested the Office to share any insights and best practices in terms of business continuity during the COVID-19 pandemic and to provide information on the training planned for regional and country offices in the wake of the pandemic.

62. He noted with concern the Office's failure to implement recommendations aimed at enhancing transparency and accountability in investigations. While his group understood the rationale for dividing investigations between the IAO and the Human Resources Development Department, the failure to consolidate that function in the IAO was inconsistent with guidance on best practices in the UN system. The Office should therefore consider revising the relevant policies and regulations with a view to ensuring that all complaints of misconduct were received and assessed by the IAO. Additionally, his group wished to hear about the progress made in the past year in developing and adopting formal procedures for the investigation of complaints of misconduct by executive heads and adopting appropriate policies.

63. **A Government representative of the Russian Federation** urged the Office to implement the JIU's recommendations in a full and timely manner. The JIU should also continue to undertake regular consultations with independent advisory oversight committees from across the UN common system, including the ILO. He called on the Office to ensure that the work of the JIU was fully funded.

64. **A representative of the Joint Inspection Unit** said that the ILO had accepted 69 per cent of the recommendations made by the JIU during the 2014–21 period, which was slightly below the average among the JIU participating agencies. It had implemented 84 per cent of the accepted recommendations, which was in turn slightly above the average. The Office's explanations of why some recommendations had not been accepted were welcome, and she encouraged further exploration of the four recommendations that remained under consideration. The business continuity review had led to a review of mental health and well-being, the results of which had recently been released.

65. **A representative of the Director-General** (Director, Strategic Programming and Management Department) said that mandatory online ethics training was under development, pending a review of International Civil Service Commission (ICSC) standards. In the meantime, training on ethics was available through a mandatory e-learning course on internal governance, and the Office had proposed developing a short refresher training course. Core positions such as the Chief Internal Auditor were subject to the ILO Staff Regulations, which did not provide for term limits; such limits might discourage qualified candidates from applying for the role. Sufficient safeguards existed, however, to ensure the Auditor's independence. Similarly, the term of office of the ILO's Ethics Officer was not limited. In that regard, the ILO had exercised the flexibility deemed appropriate by the CEB members.

66. The recommendation concerning the consolidation of investigation activities had not been accepted because allegations of harassment, unlike those of other misconduct, were subject to the collective agreement signed with the ILO Staff Union; accepting the recommendation would require discontinuation or renegotiation of that agreement. The ILO participated in the ClearCheck initiative and fed the relevant cases into the database. Progress had been made in establishing formal procedures for the investigation of complaints of misconduct by executive heads, such as the adoption of internal governance provisions that ensured that any such allegations were reported to the Chairperson of the Governing Body. Lastly, the Office was implementing the eight recommendations made following the business continuity review, and some relevant actions had been incorporated into the Programme and Budget for 2024–25.

67. **A representative of the Director-General** (Treasurer and Financial Comptroller) said that the non-acceptance of some of the JIU's recommendations on implementing partners owed in part to the ILO's tripartite structure and the need for capacity-building with constituent entities. The Office had collated feedback on business continuity planning during the COVID-19 pandemic and was consequently updating the business continuity plans of every country office and project. That exercise had revealed the importance of determining responsibility, maintaining clear communication at all levels, ensuring that plans were concise and allowing for flexibility to enable them to be adapted to local needs. Each office had printed copies of the paperwork required to function should computer access be impossible, and essential systems were tested

to ensure their functionality for staff members working remotely. All business continuity plans would be tested routinely from 2024.

Decision

68. **The Governing Body took note of the information contained in documents GB.349/PFA/6, GB.349/PFA/6/REF/1 and GB.349/PFA/6/REF/2 and provided guidance to the Office.**

(GB.349/PFA/6, paragraph 22)

Personnel Segment

7. Statement by the Chairperson of the Staff Union Committee

(The statement by the staff representative is reproduced in Appendix II.)

8. Amendments to the Staff Regulations (GB.349/PFA/8)

69. **The Worker spokesperson** commended the Office for its follow-up of the comments of the ILO Administrative Tribunal on the limited range of disciplinary measures. That was an improvement on previous practice. While the proposed amendment had been clearly intended to establish transparent, efficient and effective disciplinary proceedings, with proportionate and progressive disciplinary measures, that was not apparent in the proposed modifications of Chapter XII of the Staff Regulations. The Office should explain how it intended to ensure that the disciplinary measures would be applied progressively and to provide the training essential for the new Disciplinary Committee officials. The Staff Union had been consulted regarding those reforms and was satisfied with the outcome.

70. **The Employer spokesperson** supported the establishment of the Disciplinary Committee, which could effectively support the findings of other committees. The Committee should be furnished with guidelines to ensure that members performed their duties with fairness and transparency and avoided conflicts of interest. It should also be diverse and gender-balanced. The difference between the new list of disciplinary measures under article 12.4 and the previous list should be clarified, specifically the criteria and examples of conduct that would differentiate the disciplinary measures. That would avoid perceptions of a lack of transparency. The group supported the draft decision.

71. **Speaking on behalf of the Africa group**, a Government representative of Rwanda noted that the three-pronged approach to addressing misconduct would ensure the highest standard of professional conduct among staff and fair, efficient, transparent and effective disciplinary proceedings. The ILO would therefore attract and retain a high calibre of employee. The Office should prioritize preventive measures with due regard to enforcement and remedial action. There should also be ad hoc members of the Disciplinary Committee and provision for dealing with disciplinary cases involving members of the Disciplinary Committee itself. While the Disciplinary Committee and the Joint Advisory Appeals Board had different responsibilities, cooperation and complementarity between the two bodies would be key to better assisting the Director-General. The Africa group supported the draft decision.

72. **Speaking on behalf of GRULAC**, a Government representative of Mexico said that GRULAC understood that the proposed amendments had been discussed with the Staff Union and would like to know whether they had been reviewed with the Independent Oversight Advisory Committee, the ILO Office of Internal Audit and Oversight and the ILO Ethics Officer. Since other international organizations had been consulted, examples of organizations of the UN

common system which had created similar disciplinary committees to the one being proposed should be provided. For informed decision-making, knowledge of the existing process for imposing disciplinary measures and the principal changes ensuing from the envisaged measures was indispensable. It was also unclear which bodies would refer cases to the Disciplinary Committee and how the sanctions imposed would be determined, which body would take the final decision in the absence of consensus in the Disciplinary Committee and possible lack of independence of investigations. Without prejudice to the Office's response, GRULAC restated the importance of implementing the recommendation of the JIU on the status of the investigative function. More information was needed on how the Disciplinary Committee would function during investigations of allegations of sexual or other types of harassment and the manner in which sanctions would be implemented.

73. **Speaking on behalf of the IMEC**, a Government representative of France said that for greater clarity, the appendix should have clearly indicated the envisaged changes in tracked changes. IMEC welcomed the efforts to adapt the ILO's disciplinary framework, reflecting its efforts to implement recommendations of the ILO Committee on Accountability and the Joint Advisory Appeals Board, together with comments by the Administrative Tribunal. It also welcomed the expansion of the list of available disciplinary measures, helping to make sanctions more progressive and proportional, and the provision for proceedings to recover any losses in line with Rule 13.20 of the Financial Rules. The introduction of a disciplinary committee relying on findings by the Internal Auditor would help determine the existence of misconduct and advise the Director-General on the appropriate sanction to be taken. IMEC would welcome further clarification on the selection criteria and the composition of that committee, including gender representation and the parameters governing ex officio membership, recusal guidelines in the event of conflicts of interest, and procedures in the event of absence of unanimity. Details on interactions between the Disciplinary Committee and the ILO Committee on Accountability regarding Rule 13.30(a) of the Financial Rules would be welcome, as would details on how the Committee would respond to acts of retaliation, in particular for whistle-blowers or victims of harassment. Further information on the administrative measures that would complement disciplinary sanctions was also necessary in order to support better remediation of misconduct and minimize the likelihood of repeat offences. IMEC supported the draft decision.

74. **A representative of the Director-General** (Director, Human Resources Development Department) confirmed that the Staff Union, the Ethics Office and the Office of Internal Audit and Oversight had been consulted regarding the proposed changes. The revision of the range of sanctions was initiated following the recommendation of the ILO Committee on Accountability and the Joint Advisory Appeals Board, as well as comments from the Administrative Tribunal. The proposed range of sanctions aligned with practice in other international organizations of the UN common system and was intentionally designed to be applied progressively. Sanctions would be applied in line with ILO jurisprudence and UN common system best practices. The Disciplinary Committee was advisory. It would receive cases only after the facts had been established by other bodies. Its role would not be to reassess the facts of cases or trigger new investigations, but to determine whether an offence had been proven beyond a reasonable doubt and then to recommend a proportionate sanction. It would not organize hearings and would deliver its report as expeditiously as possible. The final disciplinary decision would rest with the Director-General. The four members of the Disciplinary Committee would offer a more diverse range of perspectives as they would not be specialists in law or in human resources. The Committee would be consistent in its application of sanctions and members would be briefed on the importance of their role and of the underlying principles of confidentiality, transparency and fairness. They would also receive guidelines. Committee members would be appointed for a term aligned with the mandate of the Director-General. There would be alternate members in the case of recusal. Potential or perceived conflict of interest would entail self-recusal of the Committee member concerned. Confidentiality regarding cases would be strictly binding on members. The protection of whistle-blowers and victims of harassment would be enshrined in separate provisions to prevent any form of retaliation. The ILO Committee on Accountability would continue to perform its role as defined in the Financial Rules in case of fraud; its decision would be reviewed by the Disciplinary Committee. Administrative measures to prevent repeat offending were covered by the specific staff management framework of the ILO, used to ensure compliance with the standards in the overall performance appraisal system.

75. **The Director-General** added that in establishing the Disciplinary Committee the goal had been to enhance transparency in the disciplinary process by having a variety of layers, with a certain degree of autonomy. An area for improvement was the timeline of investigations. The reforms had been instituted to bring the ILO in line with the rest of the UN system and to take account of recommendations of the report by the JIU. Progress was only possible through broad-based discussions and a consultative approach with the Staff Union, to which he expressed thanks for its vision and contribution to the handling of often complex matters.

Decision

76. **The Governing Body approved the amendments to Chapter XII of the Staff Regulations relating to discipline, as set out in the appendix to document GB.349/PFA/8, with immediate effect.**

(GB.349/PFA/8, paragraph 5)

9. Matters relating to the Administrative Tribunal of the ILO

(No matters were submitted to the Governing Body at this session.)

10. Review of the jurisdictional set-up of the United Nations common system (GB.349/PFA/10)

77. **The Employer spokesperson** welcomed the update on the review of the jurisdictional set-up of the UN common system. He recalled that, during consultations on the subject in March 2023, his group had reiterated its concerns about establishing a joint chamber of the ILO Administrative Tribunal and the UN Appeals Tribunal, which were based on the two tribunals having separate bodies of jurisprudence, on the risk of increased litigation costs and delays to final decisions, and on the disproportionate nature of the solution. As stated in paragraph 16 of the document, the judges of the ILO Administrative Tribunal continued to consider that the proposal was fundamentally unsound and should not be pursued. Accordingly, his group agreed with the Office's conclusion that the conditions for the Governing Body to move forward with consideration of any of the proposals for promoting consistency in the ICSC recommendations and decisions had not been met. His group therefore supported the draft decision.

78. **The Worker spokesperson** noted with satisfaction that the views expressed at previous sessions of the Governing Body and during the March 2023 consultations had been taken into account by the UN Secretary-General in his third report on the review of the jurisdictional set-up of the UN common system. She was also pleased to note that the UN Secretary-General had underlined that any measures involving changes to the set-up would require the agreement of the tripartite constituents of the ILO. In addition, the ILO Staff Union had been properly

informed of developments and had been able to express its position through the Coordinating Committee for International Staff Unions and Associations of the United Nations System, whose collective position had been reflected in the UN Secretary-General's report. The Workers' group supported the draft decision, but wished to state that the informal exchanges among the judges of the tribunals of the UN common system, referred to in paragraph 26(b) of the draft decision, should take place under the conditions agreed by the ILO Administrative Tribunal in its letter dated 28 July 2023, whereby third-party involvement should be limited to the provision of funding.

79. **Speaking on behalf of GRULAC**, a Government representative of Mexico expressed regret that it was not yet possible to resolve the situation currently putting the UN common system at risk. Noting that a comprehensive assessment and review of the compensation system scheduled to be presented to the UN General Assembly in 2026 could give rise to litigation and thereby risk further divergence in jurisprudence, she called on the Governing Body to put forward proposals for resolving that prospective issue. Lastly, she asked the Office to update the Governing Body on the process of implementing post adjustment multipliers in line with ICSC methodology.

80. **Speaking on IMEC**, a Government representative of the United States said that the group was committed to upholding the integrity of the UN common system, including through the implementation of approved ICSC recommendations and decisions. IMEC appreciated the contributions made by the Office to the review process. It also appreciated the recognition by the UN Secretary-General that the agreement of the Governing Body was required for any change to be made to the adjudication of cases involving ICSC matters. IMEC looked forward to a further update following the discussions by the General Assembly of that report. She asked the Office to clarify its understanding of how the additional resource requirements for informal exchanges between tribunals would be met, given that the ILO Administrative Tribunal and the UN Appeals Tribunal had each expressed an interest in such exchanges. IMEC supported the draft decision.

81. **A Government representative of the Russian Federation** said that the UN common system had been undermined both by the ILO Administrative Tribunal’s decision concerning the lack of authority of the ICSC to establish post adjustment multipliers and by the lack of a single jurisdiction across the UN common system. Nothing could now be done about the former, but there were many options for resolving the latter. The most effective would be to establish an appeals mechanism for the ILO Administrative Tribunal. Another option would be to establish a joint chamber to increase the level of interaction between the tribunals. Maintaining informal channels could certainly do no harm, but they might prove ineffective in preventing directly contradictory rulings from being handed down on the same case. Either option might be bureaucratically complex, but no more so than procedures previously completed by the General Assembly and other UN bodies for the purpose of changing the ICSC statute. Another option – which he hoped that the ILO Administrative Tribunal would pursue – would be to increase the participation of the ICSC in the consideration of complaints that directly related to its activities.

82. He called on the Governing Body to take a more active stance on the jurisdictional set-up of the UN common system. The situation wherein different levels of remuneration were established in different organizations within the UN common system could very likely recur. As a champion of the rights of workers, the ILO should be endeavouring to resolve, not silence, such issues.

83. **A representative of the Director-General** (Legal Adviser) said that the question of funding for the informal exchanges between tribunals would be answered definitively once the modalities of the exchanges had been further refined and agreed upon; as the UN Secretary-General's report indicated in paragraph 61, "it would be necessary to establish a framework within which such exchanges could be facilitated and administered". The Office would engage with the UN Secretariat and the registries of the two tribunals to determine those modalities once the General Assembly had made its observations on the UN Secretary-General's third report at its 78th Session. If those modalities were finalized before March 2024, the Office would include all relevant information in the information document to be submitted at the next session of the Governing Body. However, preliminary consultations suggested that the Office could fund the expenses of such exchanges within existing resources on the basis of the same cost-sharing arrangement used for the apportionment of the standard costs of the ILO Administrative Tribunal.

84. **Another representative of the Director-General** (Director, Human Resources Development Department) said that the Office applied the post adjustment multipliers established by the ICSC consistently across all duty stations.

Decision

85. **The Governing Body, having carefully examined the third report of the United Nations (UN) Secretary-General on the review of the jurisdictional set-up of the UN common system, decided to:**

(a) **express its appreciation to the Secretary-General for the work accomplished;**

(b) **take no follow-up action for the time being, noting the lack of support for the various proposals to address the issue of inconsistent implementation of the recommendations and decisions of the International Civil Service Commission, with the exception of the promotion of informal exchanges among the judges of the tribunals of the UN common system;**

(c) **request the Director-General to communicate this decision to the UN Secretariat and to keep the Governing Body informed of any decisions that the UN General Assembly may take on this matter at its 78th session or thereafter.**

(GB.349/PFA/10, paragraph 26)

11. Other personnel matters: Membership of the Board of Trustees of the Special Payments Fund (GB.349/PFA/11)

Decision

86. **The Governing Body appointed Mr Fabrice Merle as a member of the Board of Trustees of the Special Payments Fund, effective 1 December 2023.**

(GB.349/PFA/11, paragraph 4)