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Institutional Section

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Agenda of the International Labour Conference

Agenda of future sessions of the International Labour Conference

Purpose of the document

This document is intended to facilitate consideration by the Governing Body of proposals for the agenda of the International Labour Conference for 2026 and beyond, including the strategic approach to be followed (see the draft decision in paragraph 58).

Relevant strategic objective: All four strategic objectives.

Main relevant outcome: Enabler B: Output B.1. Enhanced leadership and strategic direction to ensure organizational impact.

Policy implications: Implications for the Conference agenda for 2026 and beyond.

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

Financial implications: The estimated budget for a tripartite meeting of experts on the protection of personal data in the digital era is presented in Appendix II.

Follow-up action required: Any follow-up required will be submitted to the Governing Body for consideration at its 352nd Session (October–November 2024).

Author unit: Departments in the Governance, Rights and Dialogue Cluster and in the Jobs and Social Protection Cluster.

Related documents: [GB.347/INS/2/1](#); [GB.347/PV\(Rev.\)](#); [GB.349/INS/PV](#).

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► A. Overview of the Conference agenda-setting process

1. The rules applicable to the agenda of the International Labour Conference are set out in the Constitution of the International Labour Organization, the Standing Orders of the International Labour Conference and the Standing Orders of the Governing Body.¹ The agenda of the Conference consists of standing and technical items.
2. The three standing items are:
 - reports of the Chairperson of the Governing Body and of the Director-General;
 - financial and budgetary questions;
 - information and reports on the application of Conventions and Recommendations.
3. In accordance with established practice, the Conference agenda also includes three technical items, generally with a view to standard-setting or to holding a general discussion or a recurrent discussion.² Standard-setting items are usually subject to a double discussion, unless the Governing Body decides to hold a single discussion.³ The Governing Body may also decide that a technical item should be considered at a preparatory tripartite technical meeting or meeting of experts, which would potentially enable the item to be handled in a single Conference discussion.⁴ Proposals to place an item on the agenda of the Conference must be considered at two successive sessions of the Governing Body, unless the members present unanimously consent when it is discussed for the first time.⁵
4. Recurrent discussions of the four strategic objectives under the ILO Declaration on Social Justice for a Fair Globalization, 2008, as amended in 2022, are held in a five-year cycle, adopted by the Governing Body at its 328th Session (October–November 2016). At its 347th Session (March 2023), the Governing Body decided to initiate a new cycle of recurrent discussions in 2026 and to place an item on the strategic objective of social dialogue on the agenda of the 114th Session (2026) of the Conference.

Strategic and coherent approach

5. At its 322nd Session (October–November 2014), the Governing Body approved the strategic and coherent approach to the setting of the Conference agenda,⁶ for which constituents have continued to express their support. The general elements of the approach, such as a strategic focus to the setting of the Conference agenda, institutional coherence, a balance between allowing adequate time for preparation and adequate flexibility, and full tripartite engagement through transparency and inclusiveness, therefore remain valid.

¹ See [ILO Constitution](#), arts 14(1) and 16(3); [Standing Orders of the International Labour Conference](#), arts 10–12, 23 and 44–52; [Standing Orders of the Governing Body](#), section 5 and art. 6.2.

² Other items that may be included by the Governing Body are items that can usually be dealt with either in a plenary sitting, by the General Affairs Committee or by other technical committees holding a limited number of sittings.

³ In recent years, the Conference adopted the Social Protection Floors Recommendation, 2012 (No. 202), and the Protocol of 2014 to the Forced Labour Convention, 1930, on the basis of a single discussion.

⁴ Standing Orders of the International Labour Conference, art. 45(5).

⁵ Standing Orders of the Governing Body, art. 5.1.1.

⁶ [GB.322/PV](#), para. 17(1), and [GB.322/INS/2](#), paras 11–19.

6. In accordance with the strategic and coherent approach, the Governing Body reviews the coordination between the outcomes of previous discussions at the Conference and the consideration of proposals for future sessions. It builds synergies between the setting of the Conference agenda and other institutional processes and strategic discussions, such as those concerning the ILO's Strategic Plan for 2022–25.⁷ It may also take into consideration the strategic direction of the United Nations (UN) in matters related to the ILO's mandate, as may be provided by major events such as the 2023 Sustainable Development Goals Summit held in September 2023, the Summit of the Future scheduled for 2024 and the World Social Summit proposed for 2025.
7. The strategic and coherent approach also requires appropriate and effective linkages to be established between recurrent discussions and the topics of the General Surveys that are prepared by the Committee of Experts on the Application of Conventions and Recommendations based on reports requested under article 19 of the Constitution.⁸ The current practice is for recurrent discussions on a specific strategic objective to be preceded by a discussion by the Conference the previous year of a General Survey on standards related to the same strategic objective. As the Governing Body decided, exceptionally, not to include a recurrent discussion on the agenda of the 113th Session (2025) of the Conference, from 2026 onwards recurrent discussions will be held two years after the Conference has discussed a General Survey on standards related to the same strategic objective.
8. Some members of the Governing Body have also noted the potential impact on the agenda of future sessions of the Conference of the follow-up to the standard-setting recommendations of the Standards Review Mechanism Tripartite Working Group (SRM TWG), and have called for flexibility and innovation in the strategic and coherent approach.⁹ Some Governing Body members have expressed support for enhanced links between General Surveys, the Standards Review Mechanism and the recurrent discussions.¹⁰ The Employers' group has expressed the view that the Governing Body enjoys autonomy in setting the agenda of the Conference and, in so doing, is free to consider recommendations of the SRM TWG, as well as other areas of the ILO's mandate.¹¹ The Workers' group has recalled that following up on the recommendations of the SRM TWG, including in respect of standard-setting, is an institutional priority, as has been decided by the Governing Body on several occasions.¹²
9. The Programme and Budget 2024–25 provides further strategic direction to the setting of the Conference agenda, as it prioritizes strong, modernized normative action for social justice in the interest of renewing the social contract.¹³ The Global Coalition for Social Justice and the role of normative action in pursuing its aim of prioritizing social justice and decent work will be considered by the Governing Body at its present session.¹⁴
10. Finally, when it considers possible items for the agenda of future sessions of the Conference, the Governing Body furthers institutional coherence by taking into account the modalities and

⁷ GB.340/PFA/1(Rev.1).

⁸ ILO, [Resolution on advancing social justice through decent work](#), International Labour Conference, 105th Session, 2016, para. 15.1.

⁹ GB.341/PV, paras 25, 36 and 39.

¹⁰ GB.337/PV, paras 757 and 760.

¹¹ GB.344/PV, para. 679.

¹² GB.346/PV, para. 837.

¹³ ILO, [Programme and budget for 2024–25](#), outcome 1.

¹⁴ GB.350/INS/5.

scheduling of tripartite meetings called for by the Conference. The Governing Body is thus considering a proposal at its present session for a tripartite meeting of experts on the protection of workers' personal data in the digital era (see Appendix II). As a follow-up to the recurrent discussion on labour protection at the 111th Session (2023) of the Conference, the Governing Body also has before it the report of the February 2024 meeting of experts on wage policies, including living wages.¹⁵ Proposals for a meeting of experts on the organization and scheduling of working time will be presented to the Governing Body in due course.¹⁶

11. To improve the transparency and inclusiveness of the process, an updated procedural road map for the implementation of the strategic and coherent approach has been provided to the Governing Body at each of its sessions at which possible items for future sessions of the Conference are discussed.¹⁷

► B. Agenda of future sessions of the Conference

Subjects placed on the Conference agenda, 2024–27

12. At its 349th *bis* (Special) Session (November 2023), the Governing Body decided to request the International Court of Justice to render urgently an advisory opinion on whether the right to strike of workers and their organizations is protected under the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).¹⁸ At its 349th *ter* (Special) Session (November 2023), the Governing Body decided not to include a standard-setting item on the right to strike on the agenda of the 112th Session of the International Labour Conference (2024) and decided to consider any appropriate follow-up action after having received the advisory opinion of the International Court of Justice.¹⁹ Consequently, no changes were made to the agenda of the 112th Session (2024) of the Conference.
13. At its current Session, the Governing Body will consider the modalities for the Working Party on a New Social Contract for our Common Agenda as well as a road map for the preparation of the tripartite input to the World Social Summit. The road map provides for the possible inclusion of a corresponding item on the agenda of 113th Session of the Conference which, if approved by the Governing Body, will be the seventh item on the agenda of that session.²⁰
14. At its 349th Session (October–November 2023), the Governing Body decided to defer to its present session a decision on three technical items it had been considering:²¹
 - (a) to place on the agenda of the 114th Session (2026) OR of the 115th Session (2027) of the Conference an item on the consolidation of instruments on chemical hazards for standard-setting on the basis of a double discussion;

¹⁵ GB.350/POL/1.

¹⁶ GB.349/INS/3/2, para. 23.

¹⁷ For more details on the implementation of the strategic and coherent approach, see GB.328/INS/3, paras 7–15. An updated road map, covering the period from now up to 2025, is presented in section F below and in Appendix V.

¹⁸ GB.349**bis**/PV, para. 147.

¹⁹ GB.349**ter**/PV, para. 91.

²⁰ GB.350/INS/6.

²¹ GB.349/INS/PV, para. 75.

- (b) to place on the agenda of the 114th Session (2026) OR of the 115th Session (2027) OR of the 116th Session (2028) of the Conference an item on harnessing the fullest potential of technology for decent work for a general discussion;
- (c) to place on the agenda of the 355th Session (October–November 2025) OR the 356th Session (March 2026) of the Governing Body an item on the review of modalities of recurrent discussions under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization (2008), as amended in 2022.

15. Table 1 provides an overview of items selected and items under consideration for the Conference agenda up to 2027.

► **Table 1. Overview of items selected and under consideration for the Conference agenda, 2024–27**

Session	Agenda item			
	IV	V	VI	VII
112th (2024)	Occupational safety and health protection against biological hazards – standard-setting (first discussion).	Recurrent discussion on the strategic objective of fundamental principles and rights at work.	Decent work and the care economy – general discussion.	Abrogation of Conventions Nos 45, 62, 63 and 85.
113th (2025)	Occupational safety and health protection against biological hazards – standard-setting (second discussion).	General discussion on innovative approaches to tackling informality and promoting transitions towards formality to promote decent work.	Decent work in the platform economy – standard-setting (first discussion).	
114th (2026)	Decent work in the platform economy – standard-setting (second discussion).	Recurrent discussion on the strategic objective of social dialogue and tripartism.	<i>[Occupational safety and health protection against chemical hazards – standard-setting, double discussion (first discussion) (to be decided)]</i> OR <i>[General discussion on harnessing the fullest potential of technology for decent work].</i>	

Session	Agenda item			
	IV	V	VI	VII
115th (2027)	<i>Occupational safety and health protection against chemical hazards – standard-setting, double discussion (first or second discussion) (depending on the decision made for 2026).</i>	Recurrent discussion on the strategic objective of social protection (social security).	[General discussion on <i>harnessing the fullest potential of technology for decent work</i>] OR [<i>any other item identified by the Governing Body closer to the 2027 session (depending on the decision made for 2026)</i>].	

16. If the Governing Body wishes to include a standard-setting item on the agenda of the 114th Session (2026) of the Conference for a double discussion, it should take the decision at its present session.²² If it wishes to include an item with a view to a general discussion in 2026, it should take the decision by its 353rd Session (March 2025).²³
17. An overview of the technical items selected for the Conference agenda (2010–33) is provided in Appendix V to assist the Governing Body in determining the possible timing for the items currently under consideration.

► C. Subjects under consideration for the agenda of future sessions of the Conference

Standard-setting on occupational safety and health in the context of the Standards Review Mechanism follow-up

18. At its fifth meeting (September 2019), the SRM TWG discussed the follow-up to be given to its earlier recommendations, approved by the Governing Body in 2017 and 2018, calling for standard-setting on the topics of biological hazards, ergonomics and manual handling, chemical hazards and the guarding of machinery.²⁴ At its 337th Session (October–November 2019), the Governing Body approved the recommendations of

²² Under the Standing Orders of the Conference, for standard-setting items, the Office needs to send, not less than 18 months before the opening of the session of the Conference at which the item is to be discussed, a report on law and practice and a questionnaire to Member States. Thus, for the 114th Session (2026) of the Conference, a report would need to be sent no later than the end of November 2024. A decision by the Governing Body in October–November 2024 would not provide the Office with sufficient time to prepare that document.

²³ The Standing Orders of the Conference provide that, when an item has been placed on the agenda for general discussion, the Office shall prepare a report on the question and make it available to governments not less than two months before the opening of the session of the Conference at which the item is to be discussed. As time is needed to prepare such a report, it is highly advisable for the Governing Body to make a decision by March of the preceding year at the latest.

²⁴ GB.337/LILS/1, Appendix, Annex I, para. 9.

the SRM TWG and requested the Office to prepare those standard-setting proposals at the earliest dates possible and as a matter of institutional priority.²⁵

19. At its 341st Session (March 2021), the Governing Body decided to place on the agenda of the 112th Session (2024) and 113th Session (2025) of the Conference an item related to occupational safety and health (OSH) protection against biological hazards (standard-setting – double discussion).²⁶
20. Updated proposals for standard-setting items on chemical hazards, ergonomics and manual handling, and the guarding of machinery are set out in Appendix I.

Standard-setting on OSH protection against chemical hazards

21. At its 346th Session (October–November 2022), the Governing Body decided to place an item on the consolidation of instruments on chemical hazards for standard-setting based on a double discussion either on the agenda of the 114th Session (2026) and 115th Session (2027) of the Conference, or of the 115th Session (2027) and 116th Session (2028), to be determined by the Governing Body at its 347th Session (March 2023).²⁷
22. At its 347th Session (March 2023), a significant majority in the Governing Body expressed a preference for including the item on chemical hazards on the agenda of the 114th Session (2026) of the Conference. One constituent group recalled, however, that simultaneous standard-setting should be embarked on only in the most exceptional circumstances and that, while it had exceptionally agreed to simultaneous standard-setting in 2025, it would be most appropriate to start standard-setting on chemical hazards in 2027, considering that the Conference agenda of 2026 already included a standard-setting item on decent work in the platform economy.²⁸
23. The Office clarified that, although the practice had been more common in the past, more than one standard-setting item could be addressed in a single Conference session, provided that the items were not both related to OSH, as that would put significant pressure on the same technical department.²⁹ The Governing Body may also wish to consider the capacity of constituents to engage effectively in two standard-setting discussions during a two-week session, even if only one is related to OSH.
24. Based on this guidance, the Governing Body considered at its 349th Session (October–November 2023) two alternatives to complete the agenda of the 114th Session (2026) of the Conference:

(a) an item on OSH protection against chemical hazards.

This implied that the second standard-setting discussion would be included on the agenda of the 115th Session (2027) of the Conference and that one technical item would still have to be decided for that session.

OR

(b) an item on harnessing the fullest potential of technology for decent work.

²⁵ GB.337/PV, para. 745(a).

²⁶ GB.341/PV, para. 50(b).

²⁷ GB.346/PV, para. 93(a).

²⁸ GB.347/PV(Rev.), para. 20.

²⁹ GB.347/PV(Rev.), para. 38.

This implied that the first standard-setting discussion on OSH protection against chemical hazards would be included on the agenda of the 115th Session (2027) of the Conference and the second discussion on the agenda of the 116th Session (2028) of the Conference.

25. As both options received substantial support, the Governing Body deferred its decision to the present session.
26. The discussion also confirmed the wish of some members of the Governing Body to maintain the option of scheduling a standard-setting discussion on decent work in supply chains, possibly as early as the 115th Session (2027) of the Conference, even if a standard-setting discussion on OSH was, exceptionally, held in parallel.³⁰

Standard-setting on ergonomics and manual handling and on guarding of machinery

27. At its six most recent sessions, the Governing Body provided guidance on options for potentially innovative and efficient modalities of standard-setting on ergonomics and manual handling and on guarding of machinery.
28. The discussions gave rise to the following guiding considerations:
 - (a) Following up on the recommendations of the SRM TWG, including in respect of possible standard-setting on OSH, remains an institutional priority, taking into account the autonomy of the Governing Body to set the agenda of the Conference.
 - (b) In accordance with the consensus reached in the SRM TWG, the process of standard-setting should be flexible and ensure optimum time-efficiency, cost-effectiveness and inclusivity.
 - (c) Standard-setting on protection against ergonomic hazards that extends beyond matters related to manual handling would be the first of its kind. A double discussion, possibly starting in 2028 or 2029, would be preferable, due to the amount of work required to revise the standards on manual handling and incorporate ergonomics.³¹
 - (d) Standard-setting on the guarding of machinery would involve the revision of two existing standards.³² While it would normally be considered for a double discussion, standards could, exceptionally, be set based on a single discussion procedure, possibly preceded by a tripartite technical meeting or meeting of experts. A single discussion at the 118th (2030) or 119th (2031) Session of the Conference, possibly preceded by a tripartite meeting in 2029, would avoid any overlap with standard-setting on ergonomics and manual handling possibly starting in 2028 and 2029.
29. The Governing Body may wish to keep this possible item under consideration at its future sessions.

Harnessing the fullest potential of technology for decent work

30. At the 337th Session of the Governing Body (October–November 2019), the Employers' group proposed an item on harnessing the fullest potential of technology for decent work.³³ The acceleration in recent technological developments, while in principle a source of higher

³⁰ GB.347/PV(Rev.), paras 22 and 35; GB.349/INS/PV, para. 46.

³¹ GB.347/PV(Rev.), paras 27 and 38.

³² Notably the Guarding of Machinery Convention (No. 119) and Recommendation (No. 118), 1963. See GB.331/LILS/2, para. 3.

³³ GB.337/PV, para. 25.

productivity, innovation and jobs, can have a disruptive impact on decent work in the absence of guardrails for a just transition. Members of the Governing Body supported the inclusion of the item, but also indicated that it would be prudent to await the outcome of the Conference discussions on a just transition, including consideration of industrial policies and technology, towards environmentally sustainable economies and societies for all³⁴ and on decent work in the platform economy³⁵ before further considering the subject as a potential agenda item.

31. At its 347th Session (March 2023), the Governing Body decided to include a standard-setting discussion on decent work in the platform economy on the Conference agenda in 2025 and 2026. At its 111th Session (June 2023), the International Labour Conference adopted a resolution concerning a just transition towards environmentally sustainable economies and societies for all.³⁶
32. Related developments at the UN include the Secretary-General's proposal, in his report *Our Common Agenda*, for a Global Digital Compact to be agreed at the Summit of the Future in September 2024.³⁷ In October 2023, the UN Secretary-General established an advisory body on the risks, opportunities and international governance of artificial intelligence (AI), which launched an interim report to be finalized ahead of the Summit of the Future.³⁸
33. Substantial support for an early inclusion of the item on the Conference agenda was expressed in the Governing Body at its 349th Session (October–November 2023), with several members noting their preference for scheduling a discussion following the conclusion of the standard-setting process on decent work in the platform economy.
34. In the light of these circumstances, the Governing Body may wish to consider including an item on harnessing the fullest potential of technology for decent work with a view to a general discussion at an early stage, possibly on the agenda of the 114th (2026), 115th (2027) or 116th (2028) Session of the Conference.³⁹

Protection of workers' personal data in the digital era

35. At its 346th Session (October–November 2022), the Governing Body requested the Office to take into account the guidance it had provided in preparing proposals for a meeting of experts on protection of workers' personal data in the digital era for a decision by the Governing Body in 2023.⁴⁰ The meeting could focus on the extent to which the ILO code of practice on the protection of workers' personal data remains relevant in the light of technological developments and on updating it as appropriate.⁴¹ Alternatively, the scope could include broader issues concerning the protection of workers' personal data in the digital era.⁴²

³⁴ GB.344/PV, para. 82.

³⁵ GB.343/PV, para. 33, and GB.347/PV(Rev.), paras 29 and 35.

³⁶ ILO, *Outcome of the General Discussion Committee on a Just Transition*, ILC.111/Record No. 7A.

³⁷ Projection by the *Office of the Secretary-General's Envoy on Technology*.

³⁸ UN, AI Advisory Body, *Interim Report: Governing AI for Humanity*, December 2023.

³⁹ Proposals are included in Appendix I, section 2.

⁴⁰ GB.346/PV, para. 93(g).

⁴¹ ILO, *Protection of Workers' Personal Data*, 1997. A preliminary analysis of the code of practice in the light of progressive digitalization of the world of work and its impact on social justice is presented in Appendix I, section 3(A).

⁴² This might include new privacy and fairness risks arising from automatic surveillance tools, processing of data using generative AI or algorithmic management.

36. The Office proposes that in order to give the necessary attention to this subject, the meeting should take place over four days and be attended by eight experts nominated after consultation with the Government group, eight experts nominated after consultation with the Employers' group, and eight experts nominated after consultation with the Workers' group of the Governing Body.⁴³
37. Given the resource and budgetary implications for the Office to deliver a meeting of this nature, and its existing commitments in 2024, it is proposed that the timing, resourcing and scope of the meeting and other related matters be decided by the Governing Body at the present session, but that they may be revisited taking into account the outcome of related institutional processes such as the standard-setting on decent work in the platform economy or the possible inclusion of an item on harnessing the fullest impact of technology for decent work.

Advancing the transformative agenda for gender equality at work

38. At the 349th Session of the Governing Body, the Workers' group proposed the transformative agenda for gender equality as a possible item for a general discussion at a future session of the Conference.⁴⁴ The Governing Body will recall that the ILO Centenary Declaration for the Future of Work, 2019, requires the ILO to direct its efforts to achieving gender equality at work through a transformative agenda,⁴⁵ with regular evaluation of progress made.⁴⁶ The United Nations recently noted that mid-term progress on Sustainable Development Goal 5, the stand-alone Goal on gender equality and empowerment of women and girls in the 2030 Development Agenda, is particularly slow: none of the target indicators had been met or were close to being met. The UN report highlighted in particular the large gender gap in labour force participation and the adverse effect that this and other factors would have on women living in extreme poverty by 2030.⁴⁷ Disadvantage of women and girls in the labour market is often compounded by multiple forms of discrimination. At its 112th Session (2024), the Conference is holding a general discussion on the care economy and a recurrent discussion on the strategic objective of fundamental principles and rights at work. Both discussions will at least in part consider key objectives of the transformative agenda for gender equality at work. The Governing Body may wish to take into account the outcome of the 112th Session (2024) of the Conference before giving further consideration to a possible item on gender equality at work for a general discussion at one of the future sessions of the Conference.

Structural transformation of the economy towards higher levels of productivity

39. At previous sessions of the Governing Body, the Employers' group proposed a possible item on the role of the ILO and its constituents in supporting a structural transformation of the

⁴³ Proposals for the meeting of experts are set out in Appendix II.

⁴⁴ GB.349/INS/PV, para. 22.

⁴⁵ Para II(a)(vii) of the ILO Centenary Declaration for the Future of Work. The transformative agenda involves ensuring equal opportunities, equal participation and equal treatment, including equal remuneration for women and men for work of equal value; enabling a more balanced sharing of family responsibilities; providing scope for achieving better work-life balance by enabling workers and employers to agree on solutions, including on working time, that consider their respective needs and benefits; and promoting investment in the care economy.

⁴⁶ At its current session, the Governing Body is considering a mid-term progress report on the ILO Action Plan for Gender Equality 2022–25; see GB.350/INS/4.

⁴⁷ UN Women and UN Department of Economic and Social Affairs, *Progress on the Sustainable Development Goals: The Gender Snapshot 2023*, September 2023.

economy towards higher levels of productivity for a general discussion.⁴⁸ Structural transformation of the economy involves production and production factors shifting towards higher-value-added and higher-productivity activities, often in combination with an increased share of higher-skilled work. While the traditional pathway of structural transformation has been understood to lead from agriculture to manufacturing and then to services, many developing countries are experiencing “premature deindustrialization”, where employment is reallocated from agriculture to low-productivity services rather than to industry. Rebalancing economies away from an over-reliance on low-productivity sectors, in particular primary sectors, is essential for more resilient, productive and sustainable domestic employment opportunities, reducing informality and raising standards of living. The need to revitalize coordinated national employment policies, including industrial policies supporting the productive capacity of economies and societies by improving factors such as technology adoption, infrastructure, skills, research and development, and access to finance, is brought into sharper focus by countries’ recent commitment at the Conference of the Parties to the UN Framework of Climate Change (COP28) to “[t]ransitioning away from fossil fuels in energy systems, in a just, orderly and equitable manner, accelerating action in this critical decade, so as to achieve net zero by 2050”.⁴⁹ The work programme on just transition pathways adopted at COP28 for the first time calls for a “[j]ust transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities, including through social dialogue, social protection and the recognition of labour rights”.⁵⁰

40. The Governing Body may wish to provide guidance and invite further proposals on these possible items for a future general discussion.

Other pending items

41. Preparatory work by the Office to further advance consideration of the following possible Conference agenda items will be reported to the next regular sessions of the Governing Body:
 - (a) protection of whistle-blowers in the public service;⁵¹ and
 - (b) decent work in supply chains.⁵²

► D. Discussion on the modalities of recurrent discussions

42. At its most recent sessions, the Governing Body discussed a possible evaluation of the Social Justice Declaration in the context of its strategic approach to setting the agenda of future sessions of the Conference.⁵³ A wide range of views on various aspects of a possible evaluation were expressed. The Governing Body considered scheduling a possible evaluation after the

⁴⁸ GB.346/INS/2, para 15.

⁴⁹ Conference of the Parties, [Outcome of the first global stocktake](#), draft decision, Dubai, 13 December 2023, para 28(d).

⁵⁰ Conference of the Parties, [Work programme on just transition pathways](#), draft decision, Dubai, 13 December 2023, para. 2(e).

⁵¹ See Appendix I, section 3(B), and GB.349/INS/2, paras 35–37.

⁵² See GB.349/INS/2, paras 42–44. Possible initiatives that complement the body of international labour standards will be considered in a tripartite process in 2025, including in a discussion by the Governing Body.

⁵³ See GB.343/PV, GB.344/PV and GB.346/PV.

first cycle of recurrent discussions since 2016⁵⁴ (ending in 2024), or after the completion of a second cycle of recurrent discussions (ending in 2029 or 2030). Some members of the Governing Body indicated that the timing of the World Social Summit (2025) and the completion of the 2030 Agenda for Sustainable Development should guide its decision. The Governing Body also weighed the option of a comprehensive evaluation of the Social Justice Declaration, which would have to be undertaken by the Conference, against the option of a more limited discussion of the modalities of recurrent discussions, which the Governing Body could hold itself.⁵⁵

43. At its 347th Session, the Governing Body decided to initiate in 2026 a new cycle of recurrent discussions under the follow-up to the Social Justice Declaration, and to place an item on the strategic objective of social dialogue on the agenda of the 114th Session (2026) of the Conference.
44. Members of the Governing Body continued to consider the most appropriate timing for an evaluation in the light of other strategic priorities for setting the agenda of future sessions of the Conference. It emerged from the discussions that the consideration of the timing might benefit from an initial discussion dedicated to the modalities of recurrent discussions or of the eventual evaluation by the Conference.⁵⁶
45. The Governing Body is mandated to determine the modalities of recurrent discussions.⁵⁷ This implies that it has the discretion to consider the timing of such discussions in the light of other priorities for the agenda of Conference sessions while safeguarding the institutional importance of recurrent discussions. It has exercised this discretion by deciding not to place a recurrent discussion item on the agenda of the 113th Session (2025) of the Conference.
46. A review of the modalities could: consider the extent to which recurrent discussions respond to Members' diverse needs and realities with respect to each strategic objective; assess the results of the ILO's activities with respect to the strategic objectives to facilitate decision-making on future priorities; inform ILO strategic planning and programme and budget discussions;⁵⁸ consider links with standard-setting; and take into account interaction with multilateral actors. The Governing Body could also consider aspects that have been the subject of past proposals on modalities of recurrent discussions, including the preparation of the report for recurrent discussions; the organization of the discussion itself; the outcome of

⁵⁴ An evaluation of the impact of the Social Justice Declaration was undertaken for the first time by the Conference at its 105th Session (2016), in accordance with Part III(C) of the [Follow-up to the Declaration](#). In preparation for the evaluation, the Governing Body provided guidance on its scope and modalities during several sessions ([GB.322/INS/3](#), [GB.323/INS/3](#) and [GB.325/INS/3](#)). At its 105th Session, the Conference adopted a resolution on advancing social justice through decent work, in which it identified priority areas for action for the ILO to effectively assist its Members in their efforts to achieve the full potential of the Social Justice Declaration and also called upon Members to take action to mainstream the Decent Work Agenda in national and regional strategies, achieve progressively the ratification and implementation of the fundamental and governance Conventions, promote policy coherence and promote sustainable enterprises.

⁵⁵ GB.347/PV(Rev.), paras 28, 44, 46 and 54.

⁵⁶ GB.347/PV(Rev.), see the questions raised and the Office's response in para. 44. An evaluation of the Social Justice Declaration would require comprehensive, and therefore resource-intensive, preparations by the Office. The scope of an evaluation would be wide-ranging and would have an impact on the means through which the Organization pursues its objectives. For example, an evaluation could give rise to a reconsideration of the basic tenets of the Social Justice Declaration, including the relationship between social justice and fair globalization; or the relevance of the Decent Work Agenda based on the four equally important strategic objectives of the ILO and their inseparable, interrelated and mutually supportive nature.

⁵⁷ Follow-up to the Declaration, Part II(B).

⁵⁸ Para. 15.2(a) of the resolution on advancing social justice through decent work suggests that these are the criteria by which to assess whether modalities of recurrent discussions are appropriate.

the discussion and its follow-up; and the linkage between General Surveys and recurrent discussions.⁵⁹

47. The Governing Body has indicated at previous sessions that it could support holding a discussion on the modalities of recurrent discussions.⁶⁰ Should it wish to have the opportunity to consider the outcome of the Summit for the Future (2024) and the World Social Summit (2025) as well as the Sustainable Development Goals Summit held in 2023, it could hold a comprehensive discussion at its 355th Session (October–November 2025) or its 356th Session (March 2026). A discussion in November 2025 would leave less time to take stock of the World Social Summit in particular. On the other hand, a discussion in March 2026 would leave less time to make any necessary adjustments to the modalities of the recurrent discussion on social dialogue, which is the first of the new cycle and is scheduled for the 114th Session (2026) of the Conference.
48. At its 349th Session (October–November 2023), the Governing Body did not reach consensus but appeared to lean towards holding the discussion at its 356th Session (March 2026). It decided to defer its decision on this matter to the present session.

► E. Abrogation or withdrawal of instruments

49. At its 349th Session (October–November 2023), the Governing Body noted the recommendations adopted by the SRM TWG at its eighth meeting (September 2023) concerning the proposed abrogation or withdrawal of 17 international labour instruments,⁶¹ and decided to consider including relevant items on the agenda of future sessions of the Conference.⁶²
50. In relation to instruments concerning maternity protection, the SRM TWG recommended the abrogation of the Maternity Protection Convention, 1919 (No. 3), and the Maternity Protection Convention (Revised), 1952 (No. 103), and the withdrawal of the Maternity Protection Recommendation, 1952 (No. 95). The SRM TWG also recommended that the Governing Body place an item to this effect on the agenda of the 121st Session (2033) of the Conference.⁶³
51. In relation to instruments concerning old-age, invalidity and survivors' benefits, the SRM TWG recommended the abrogation of the following Conventions: the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35); the Old-Age Insurance (Agriculture) Convention, 1933 (No. 36); the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37); the Invalidity Insurance (Agriculture) Convention, 1933 (No. 38); the Survivors' Insurance (Industry, etc.) Convention, 1933 (No. 39); and the Survivors' Insurance (Agriculture) Convention, 1933 (No. 40). The SRM TWG recommended that the Governing Body place an item to this effect also on the agenda of the 121st Session (2033) of the Conference.

⁵⁹ GB.328/INS/5/2.

⁶⁰ GB.343/PV, paras 21 and 28; GB.344/PV, para. 59; GB.346/PV, para. 33; GB.347/PV(Rev.), paras 28, 32, 33 and 35.

⁶¹ GB.349/LILS/1.

⁶² GB.349/LILS/PV, para. 23(g).

⁶³ GB.349/LILS/1. The SRM TWG also recommended that the Governing Body might reconsider the date at which the Conference would consider the item, in the light of an evaluation to be held in 2028 to assess whether Member States with effective ratifications of those outdated Conventions have taken any necessary action to ratify the Maternity Protection Convention, 2000 (No. 183).

52. It may be recalled that, at its 346th Session (November 2022), the Governing Body already decided to place on the agenda of the 121st Session (2033) of the Conference an item on the abrogation and withdrawal of six instruments concerning workmen's compensation.⁶⁴ The proposed abrogation or withdrawal of the above nine instruments concerning maternity protection and old age, invalidity and survivors' benefits could be considered under the same item.
53. In relation to instruments concerning minimum age, the SRM TWG recommended the abrogation of the following Conventions: the Minimum Age (Agriculture) Convention, 1921 (No. 10); the Minimum Age (Non-industrial Employment) Convention, 1932 (No. 33); the Minimum Age (Industry) Convention (Revised), 1937 (No. 59); and the Minimum Age (Underground Work) Convention, 1965 (No. 123). In addition, the SRM TWG recommended the withdrawal of the following instruments: the Minimum Age (Industry) Convention, 1919 (No. 5); the Minimum Age (Non-Industrial Employment) Recommendation, 1932 (No. 41); the Minimum Age (Family Undertakings) Recommendation, 1937 (No. 52); and the Minimum Age (Underground Work) Recommendation, 1965 (No. 124). The SRM TWG recommended that the Governing Body place an item to this effect on the agenda of the 116th Session (2028) of the Conference.
54. Appendix IV provides further information on the instruments proposed for abrogation or withdrawal.

► F. Procedural road map

55. An updated proposal for the procedural road map is set out below. At all sessions, the Governing Body will continue to provide guidance on the agenda of future sessions of the Conference.
56. **At its present session, the Governing Body will:**
- (a) decide whether an item on the consolidation of instruments on chemical hazards for standard-setting on the basis of a double discussion should be placed on the agenda of the 114th Session (2026) or the 115th Session (2027) of the Conference;
 - (b) decide or provide guidance on whether an item on harnessing the fullest potential of technology for decent work should be placed on the agenda of the 114th Session (2026), the 115th Session (2027) or the 116th Session (2028) of the Conference for a general discussion;
 - (c) decide or provide guidance on the timing and modalities for the standard-setting on ergonomics and manual handling and on the guarding of machinery;
 - (d) decide or provide guidance on proposals for a tripartite meeting of experts on the protection of workers' personal data in the digital era;
 - (e) decide or provide guidance on a possible discussion in the Governing Body on the review of modalities of recurrent discussions under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization (2008);

⁶⁴ GB.346/PV, para 93(d).

- (f) decide whether an item on the abrogation or withdrawal of instruments in line with the recommendation of the SRM TWG at its eighth meeting should be placed on the agenda of future sessions of the Conference.

57. At its 352nd Session (October–November 2024), if it has not yet taken a decision, the Governing Body will:

- (a) decide on whether to place an item on the consolidation of instruments on chemical hazards for standard-setting on the basis of a double discussion on the agenda of the 115th Session (2027) of the Conference;
- (b) decide or provide guidance on whether an item on harnessing the fullest potential of technology for decent work should be placed on the agenda of the 114th Session (2026), the 115th Session (2027) or the 116th Session (2028) of the Conference for general discussion;
- (c) decide or provide guidance on the timing and modalities for the standard-setting on ergonomics and manual handling and on the guarding of machinery;
- (d) decide or provide guidance on a possible discussion in the Governing Body on the review of modalities of recurrent discussions under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization (2008);
- (e) decide or provide guidance on possible proposals for a meeting of experts on the protection of workers' personal data in the digital era.

58. At its 353rd Session (March 2025), if it has not yet taken a decision, the Governing Body will:

- (a) consider placing a technical item on the agenda of the 114th Session (2026) of the Conference for a general discussion if it has not completed the agenda of the 114th Session (2026) of the Conference;
- (b) decide or provide guidance on a possible discussion in the Governing Body on the review of modalities of recurrent discussions under the follow-up to the ILO Declaration on Social Justice for a Fair Globalization (2008);
- (c) provide guidance or decide on possible proposals for a meeting of experts on the protection of workers' personal data in the digital era.

► Draft decision

59. The Governing Body:

- (a) **decided to place on the agenda [of the 114th Session (2026)] OR [of the 115th Session (2027)] of the Conference an item on the consolidation of instruments on chemical hazards for standard-setting on the basis of a double discussion;**
- (b) **decided to place on the agenda [of the 114th Session (2026)] OR [of the 115th Session (2027)] OR [of the 116th Session (2028)] of the Conference an item on harnessing the fullest potential of technology for decent work for a general discussion;**
- (c) **decided to place on the agenda [of the 355th Session of the Governing Body (October–November 2025)] OR [of the 356th Session of the Governing Body (March 2026)] an item on the review of modalities of recurrent discussions under the**

follow-up to the ILO Declaration on Social Justice for a Fair Globalization (2008), as amended in 2022, and requested the Office to take into account its guidance in preparing the document for discussion;

- (d) endorsed the proposals made in Appendix II relating to the tripartite meeting of experts on the protection of personal data in the digital era and requested the Office to include the budget for this meeting in the Programme and Budget proposals for 2026–27 and to present for approval any necessary adjustments to the modalities of the meeting in accordance with the outcome of the standard-setting process on decent work in the platform economy;
- (e) decided to:
 - (i) place an item concerning the abrogation of Conventions Nos 10, 33, 59 and 123 and the withdrawal of Convention No. 5 and Recommendations Nos 41, 52 and 124 on the agenda of the 116th Session of the International Labour Conference (2028);
 - (ii) place an item concerning the abrogation of Conventions Nos 35, 36, 37, 38, 39 and 40 on the agenda of the 121st Session of the International Labour Conference (2033);
 - (iii) place an item concerning the abrogation of Conventions Nos 3 and 103 and the withdrawal of Recommendation No. 95 on the agenda of the 121st Session of the International Labour Conference (2033), subject to the possible reconsideration of the date by the Governing Body following an evaluation in 2028;
- (f) requested the Office to take into account the guidance provided in preparing the document concerning the agenda of future sessions of the Conference for its 352nd Session (October–November 2024).

► Appendix I

Items for the agenda of future sessions of the Conference

1. Follow-up to the recommendations of the Standards Review Mechanism Tripartite Working Group

1. Upon the recommendations of the Standards Review Mechanism Tripartite Working Group (SRM TWG) the Governing Body at its 331st Session (October–November 2017) requested the Office to prepare, for consideration of inclusion at the earliest dates possible in the agenda of future sessions of the Conference, proposals for possible standard-setting items on biological hazards, ergonomics and manual handling, recognizing regulatory gaps, on the consolidation of the instruments concerning chemical hazards, and on the revision of the instruments concerning guarding of machinery.¹
2. The agenda for the Conference in 2025 and beyond regarding standard-setting items on occupational safety and health (OSH) as identified above should be guided by the need to ensure a clear, robust and up-to-date body of international labour standards with respect to certain occupational hazards. The resolution adopted by the Conference at its 110th Session to include a safe and healthy working environment in the ILO framework of fundamental principles and rights at work and designate two instruments as fundamental Conventions has increased the urgency of filling OSH regulatory gaps and that international labour standards on OSH respond to changing patterns of the world of work.
3. At its 337th Session (October–November 2019), the Governing Body requested the Office to be guided by the recommendations of the SRM TWG regarding the “thematic integration approach”. As was discussed by the SRM TWG, regulation through thematic integration would, *prima facie*, involve customized standard-setting processes for the four thematic subtopics as decided by the Governing Body. Variations could be on the basis of decisions, whether the standard-setting action should result in a Protocol, a Convention or a Recommendation, or a Convention and a Recommendation. Alternatively, new instruments to complement the existing up-to-date instruments could combine binding and non-binding provisions into a single instrument.
4. At its 341st Session (March 2021), the Governing Body decided to place an item on biological hazards on the agenda of the 112th Session (2024) and the 113th Session (2025) for a double discussion. In accordance with a decision taken at its 346th Session (October–November 2022), the Governing Body should determine at its present session or at its 350th Session (March 2024) if it places an item on the consolidation of chemical instruments for a double discussion on the agenda of the 114th Session (2026) and 115th Session (2027) or 115th Session (2027) and 116th Session (2028) of the Conference. Should the Governing Body wish to follow a practice of a single standard-setting item on OSH per Conference session, the earliest opportunity for a standard-setting item on either ergonomics and manual handling or the guarding of machinery would be the 116th Session (2028) or the 117th Session (2029) of the Conference.

¹ GB.331/LILS/2, Annex, paras 17(i), 19(ii), 27 and 31.

A. Standard-setting item on the consolidation of instruments concerning chemical hazards

5. In 2019, the United Nations Environment Programme (UNEP) observed that global chemical production was accelerating and expected it to double by 2030.² Every year more than 1 billion workers are exposed to hazardous substances, including pollutants, dusts, vapours and fumes in their working environments.³ According to the latest available estimates (2021), 82 per cent of global work-related mortality is caused by non-communicable diseases,⁴ many of these as a result of exposure to hazardous chemicals such as asbestos (209,481 deaths annually and 3.97 million loss of healthy life years). Because of significant knowledge gaps in respect of the occupational health effects of exposure to the steady proliferation of chemical compounds as well as the latency between exposure and at least some known diseases, health effects including fatalities could well be vastly underestimated.
6. The urgency to revise the ILO's normative framework on sound management of chemicals at work does not stem from a regulatory gap but from a need to pursue consolidation, coherence and regular updating of relevant standards. Protection against chemical hazards is currently covered by an instrument, the Chemicals Convention, 1990 (No. 170), that focuses on key principles and is classified as up to date. Convention No. 170 governs the sound management of all risks relating to the use of chemicals at work. It requires a comprehensive national framework for the safe use of chemicals at work, including the formulation, implementation and periodic review of a coherent national policy, as well as defining responsibilities of employers and rights and duties of workers at the level of the undertaking. Convention No. 170 and the Chemicals Recommendation, 1990 (No. 177), are supplemented by an ILO code of practice on safety in the use of chemicals at work (1993). Five instruments that precede Convention No. 170 address specific chemical hazards such as white lead, benzene, lead poisoning, and white phosphorus.⁵ The coexistence of these older instruments on specific chemicals and later principles-based Convention No. 170 affects the coherence of the ILO's normative framework on chemicals and as recommended by the SRM TWG is in need of revision.
7. In order to ensure continued and future relevance of the ILO normative framework on chemical hazards, the third SRM TWG meeting recommended "follow-up involving standard-setting action" as a measure of "practical and time-bound follow-up action"⁶ for the five instruments. The SRM TWG further recommended that these be revised in a consolidated manner, which could conceivably be realized through a Protocol to Convention No. 170.
8. The concerns raised as a reason for revising these instruments recognized that the practice of regulating, in detail, an individual hazardous substance in a single instrument is considered outdated; that there are concerns relating to the five instruments that are gender-related and the inappropriateness to include specific limits for exposure in standards (as is done in the Benzene Convention, 1971 (No. 136), for example); that provisions should be drafted in a manner that will ensure that ILO instruments are kept up to date with scientific and

² UNEP, *Global Chemicals Outlook II* – From Legacies to Innovative Solutions: Implementing the 2030 Agenda for Sustainable Development.

³ ILO, *Exposure to Hazardous Chemicals at Work and Resulting Health Impacts: A Global Review*, 2021.

⁴ World Health Organization (WHO) and ILO, *WHO/ILO Joint Estimates of the Work-related Burden of Disease and Injury, 2000–2016: Global Monitoring Report*, 2021.

⁵ White Lead (Painting) Convention, 1921 (No. 13); Benzene Convention (No. 136) and Recommendation (No. 144), 1971; Lead Poisoning (Women and Children) Recommendation, 1919 (No. 4); and White Phosphorus Recommendation, 1919 (No. 6).

⁶ GB.331/LILS/2, para. 3.

technological progress; and that to the extent that fixed limits should also be regulated, a system for easy updating of such limits should be provided for.

9. A new instrument complementing Convention No. 170 and revising the five older instruments could ensure valuable prohibitions are maintained while facilitating the introduction of new prohibitions or exposure standards that are easily updated in line with scientific and technological development.⁷ It could ensure the ILO makes a strategic, tripartite contribution to policy coherence with a number of international treaties and initiatives that have gathered momentum since the adoption of Convention No. 170, such as the Stockholm Convention on Persistent Organic Pollutants, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Minamata Convention on Mercury, the Strategic Approach to International Chemicals Management, and the Globally Harmonized System of Classification and Labelling of Chemicals. Such policy coherence could in turn promote the ratification and application of Convention No. 170.⁸
10. The COVID-19 pandemic has fuelled an increase in chemical exposures due to more frequent and widespread use of disinfectants, hand sanitizers, and cleaning products and personal protective equipment. Unsafe use of these products can lead to toxic effects in people, with healthcare workers and young persons in cleaning and health services most at risk.
11. Preparatory work will include a detailed law and practice report, broad consultations with constituents, other UN agencies and platforms working with chemical hazards as described above, and relevant professional bodies.

B. Standard-setting item on ergonomics and manual handling

12. Human factors or ergonomics apply theory, principles, and data from many relevant disciplines to the design of products and work processes and systems, taking into account the complex interactions between the human and other humans, the environment, tools and equipment, and technology to enhance human performance and well-being in the world of work.⁹ Ergonomic hazards are much broader than only those involved in manual handling. Ergonomic hazards include manual materials handling causing overexertion; inappropriate lighting or selection and use of tools; continuous standing or sitting while working; slips, trips or falls; thermal discomfort; and office postures causing musculoskeletal disorders (MSDs). The wide variety of MSDs renders an accurate estimate of direct and indirect costs particularly difficult but available evidence suggests that MSDs account for around a third of all injuries and illnesses, a higher-than-average absenteeism and significant healthcare costs, informal care costs and production losses.¹⁰ Attention to prevention of ergonomic risks and efforts to improve comfort and well-being at work also becomes more urgent as workforces age and workers are expected to work longer.

⁷ Updating of exposure limits or “threshold limit values” (TLVs) could follow a procedure similar to the one set out in the List of Occupational Diseases Recommendation, 2002 (No. 194).

⁸ Convention No. 170 is currently ratified by 23 Member States, of which 5 have ratified in the past seven years.

⁹ Kathleen Mosier and Juan Carlos Hiba, “[The Essential Contribution of Human Factors/Ergonomics to the Future of Work We Want](#)” (ILO, 2019).

¹⁰ See, for example, figures from the US Centers for Disease Control and Prevention or the European Agency for Safety and Health at Work. According to the US Bureau of Labor Statistics (BLS) in 2013, MSD cases accounted for 33 per cent of all worker injury and illness cases.

13. New standards could, based on the questionnaire sent to Member States in the course of the standard-setting process, clarify the defining role of human factors and ergonomics in the development of work processes and systems and help determine internationally recognized forms, challenges and opportunities with respect to human factors and ergonomics at the workplace. It could set out broad principles for addressing such challenges and for promoting health and safety through the management of high-quality human factors and ergonomics. The instrument could specify national policies and regulations on human factors and ergonomics at work, establish a defined system of rights, responsibilities and duties of governments, employers, workers and their organizations, and promote a holistic approach to the design, management and operation of work.
14. In accordance with the recommendations of the SRM TWG, the new standards would revise the Maximum Weight Convention (No. 127) and Recommendation (No. 128), 1967, and update the regulatory approach to manual handling. At its 331st Session (October–November 2017), the Governing Body requested the Office to prepare for consideration of inclusion in the agenda of future sessions of the Conference at the earliest possible dates, proposals for a standard-setting item on ergonomics, recognizing the regulatory gaps identified in that area.¹¹ In relation to the instruments concerning maximum weight, the SRM TWG had considered that the instruments had not lost their purpose but were limited in scope, notably including a gap in coverage on ergonomics. The SRM TWG had agreed that Convention No. 127 and Recommendation No. 128 should be classified as requiring further action to ensure continued and future relevance. Follow-up action should involve their revision to take into account the need to both regulate ergonomics, and to update the regulatory approach to manual handling. The SRM TWG considered that the revision process could involve a meeting of experts on how to modernize the existing instruments in the context of the broader issue of ergonomics and manual handling.¹²
15. The preparatory work would be informed by a detailed law and practice report, studies of good practices and data collection, as well as broad consultations with constituents, partners across the UN system and with professional bodies and other stakeholders. It is proposed that a tripartite meeting of experts be held possibly in 2024–25 to advise the Office on the scope of the issues to be covered by standard-setting. Preparatory work could also be informed by technical guidelines published by the Office in 2021.¹³

C. Standard-setting item on the revision of instruments concerning guarding of machinery

16. New standards would revise the Guarding of Machinery Convention (No. 119) and Recommendation (No. 118), 1963. In 2002, the Cartier Working Party had recommended a classification of Convention No. 119 as “to be revised” and in 2017, the Governing Body approved a recommendation of the SRM TWG to revise the instruments concerning guarding of machinery “at the earliest dates possible”.¹⁴

¹¹ GB.331/PV, para 723(f)(i).

¹² GB.331/LILS/2, Appendix, paras 25 and 26.

¹³ ILO, *Principles and Guidelines for Human Factors/Ergonomics (HFE) Design and Management of Work Systems*, 2021. The guidelines were prepared by team of expert writers, reviewers, and representatives from the International Ergonomics Association, the International Labour Organization, and other institutions and organizations that recognize the critical need for human factors/ergonomics principles and guidelines in the design and management of work systems.

¹⁴ GB.283/LILS/WP/PRS/1/2 (Office information note, March 2002); GB.331/PV, para. 723(f)(iii).

17. At its 91st Session (2003), the Conference called for the revision of Convention No. 119 and Recommendation No. 118 in order to take into account technical difficulties in the application of the instruments, the latest developments in technology and the need to provide safety and health-related information and training in the transfer of technology. The principal aim of the early instruments to protect workers from machinery-induced accidents by using safety technologies continued to be important and valid but needed to be complemented with comprehensive approaches to promote safety and health in the use of machinery, including the consultation, information and training of workers on all relevant aspects of machinery throughout its lifecycle, including emergency procedures.¹⁵
18. Based on the benchmarks set in the code of practice on safety and health in the use of machinery (2013),¹⁶ new standards could set out broad principles for addressing safety and health issues in the use of machinery.
19. New standards in the form of a Convention could outline in definitional form the nature of safety and health in the use of machinery and define safety and health requirements and precautions applicable to governments, workers and employers, and also to designers, manufacturers and suppliers of machinery.
20. New standards in the form of a Recommendation (or non-binding provisions in a binding instrument), could provide further detailed guidance on more specific technical requirements and measures on the working environment, control systems, machinery guarding and protection against mechanical and other hazards, information and marking, and supplementary measures relating to specific machinery types.
21. A Conference discussion on safety and health in the use of machinery would be informed by a review of the code of practice published in 2013 and a detailed law and practice report and be based on the questionnaire sent to Member States in the course of the standard-setting process.

D. Updating of new instruments on occupational safety and health

22. Standard-setting in the three areas could use appropriate approaches, so that new instruments can be easily updated, in particular with respect to technical provisions to ensure the continued relevance of the standards, taking into account national circumstances. Simplified revision mechanisms used in the Maritime Labour Convention, 2006, as amended (MLC, 2006), the Seafarers' Identity Documents Convention (Revised), 2003, as amended (No. 185), and the Work in Fishing Convention, 2007 (No. 188), or the List of Occupational Diseases Recommendation, 2002 (No. 194), could serve as examples.

2. Harnessing the fullest potential of technology to achieve decent work, sustainable development and a just sharing of the benefits for all (general discussion)

A. Source, nature and context of the possible item outcome

23. At its 111th Session (June 2023), International Labour Conference, following a general discussion, adopted a resolution concerning a just transition towards environmentally

¹⁵ ILO, [Examination of Instruments concerning Occupational Safety and Health \(General Provisions and Specific Risks\): Technical Note 7 – Instruments concerning the Guarding of Machinery](#), Third Meeting of the SRM TWG (25–29 September 2017), 5 and 6.

¹⁶ ILO, [Safety and health in the use of machinery](#), ILO code of practice, 2013.

sustainable economies and societies for all (the Just Transition Resolution).¹⁷ At the 347th Session of the Governing Body (March 2023), some members of the Governing Body advised the Office to draw on this General Discussion and consider normative and non-normative options in the context of the proposed item, “harnessing the fullest potential of technological progress”.¹⁸ In addition, at the 344th Session of the Governing Body (March 2022), it was observed that the item should remain on the list of potential Conference discussions as it was broader than climate change-related policy.¹⁹ It was also emphasized that the Glasgow Climate Pact had recognized the need for a just transition, technology transfer, financing, sustainable development and poverty reduction.²⁰ At the 343rd Session of the Governing Body (November 2021), it was further noted that agenda items should correspond to the achievement of the Sustainable Development Goals and decent work for all in a context of global economic and labour recovery that was dominated by information technology and the need to adapt to climate change and preserve the environment.²¹

24. The Centenary Declaration directs the Office to harness “the fullest potential of technological progress and productivity growth, including through social dialogue, to achieve decent work and sustainable development, which ensure dignity, self-fulfilment and a just sharing of the benefits for all”.²² The 2021 Global Call to Action further reinforces the need to harness “technological progress and digitalization, including platform work, to create decent jobs and sustainable enterprises, enable broad social participation in its benefits and address its risks and challenges, including by reducing the digital divide between people and countries”.²³
25. The impact of technology on the promotion of full, productive and freely chosen employment has been the subject of Conference discussions and statements on a regular basis in the past. Already at its 57th Session (1972), the Conference adopted a resolution on labour and social implications of automation and other technological developments.²⁴ The Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169), devotes a section to “Technology Policies”. Recommendation No. 169 identifies “the development of technology as a means of increasing productive potential and achieving the major development objectives of creation of employment opportunities and the satisfaction of basic needs” and frames its facilitation as “one of the major elements of national development policy”.
26. At its 328th Session (March 2016), the Governing Body considered a possible item on the role of technology and other structural drivers in changing the nature of unemployment and underemployment. The aim of the item, which was not retained at the time, was to develop policy responses to questions such as whether there are sufficient quality job opportunities available for all women and men jobseekers in different contexts, at different age groups and skills levels; how technological changes and other factors affect the structural features including the level, nature and quality of job opportunities and skills demands; and if indeed

¹⁷ ILC.111/Record No.7A.

¹⁸ GB.347/PV(Rev.), para. 35.

¹⁹ GB.344/PV, para. 82.

²⁰ GB.344/PV, para. 73.

²¹ GB.343/PV, para. 37.

²² *ILO Centenary Declaration for the Future of Work*, Part II(A)(ii).

²³ ILO, *Global call to action*, para. 13(a)(v).

²⁴ ILO, *Resolutions Adopted by the International Labour Conference at its 57th Session*, Geneva, 1972, 10.

these trends and patterns gradually develop into structural and permanent features in the labour markets.²⁵

27. The Just Transition Discussion included several elements of relevance to the proposed item.²⁶ It notes that the complexity of a just transition towards environmentally sustainable economies and societies for all is compounded by the implications of technological change,²⁷ while also recognizing that access to technology should be a key part of the just transition as part of its guiding principles.²⁸ It also calls on governments to foster technological development and access to environmentally-sound technologies, including in micro, small and medium-sized enterprises (MSMEs), while ensuring decent work benefits and work-life balance,²⁹ as well as calls on employers and workers' organizations, to effectively engage in social dialogue in all its forms, including collective bargaining, to share the benefits of technological progress.³⁰

B. Relevance in the light of the strategic objectives of the Decent Work Agenda

28. Although technology is seen as an important part of industrial policies, including those required for transition to a low-carbon economy, the Just Transition Discussion highlighted that it has an impact on dignity at work, working-time arrangements (including work-life balance) and redistribution of care work. Recommendation No. 169 highlights the vast potential of technology for decent work including higher productivity, expansion of the volume and structure of employment, improvement of working conditions, reduction of working time, opportunities to use existing and future skills and improved linkages between large-scale and small-scale undertakings. A Conference discussion could take stock of the extent to which existing and new technologies have realized that potential and whether policies have succeeded in eliminating negative effects, for example on OSH.
29. New technologies such as artificial intelligence (AI), machine learning and robotics can provide opportunities and help developing and emerging economies to leapfrog, but they also create new challenges in terms of job quantity and quality. While concerns have been raised over the past decade, there is no consensus in the literature about the potential impacts on jobs due to new technologies and the estimates vary substantially depending upon the country.³¹ Existing research has also raised questions around whether an entire occupation is prone to automation or rather a specific task within an occupation.³²
30. The new technologies can bring about significant productivity gains, new market opportunities and new jobs. At the same time, evidence to date shows a slowdown in productivity in advanced as well as emerging and developing economies over the past decade and a half,

²⁵ GB.328/PV, para. 10.

²⁶ ILC.111/Record No.7A.

²⁷ ILC.111/Record No.7A, para 5.

²⁸ ILC.111/Record No.7A, para 20.

²⁹ ILC.111/Record No.7A, para 21(j).

³⁰ ILC.111/Record No.7A, para 22(a).

³¹ Carl Benedikt Frey and Michael A. Osborne, "The Future of Employment: How Susceptible are Jobs to Computerisation?", *Technological Forecasting and Social Change*, 114 (2017), 254–280; Damian Grimshaw and Uma Rani, "The Future of Work: Facing the Challenges of New Technologies, Climate Change and Ageing", in *Contemporary Human Resource Management*, eds Adrian Wilkinson, Tony Dundon and Tom Redman (London: Sage Publications, 2021); Francesco Carbonero, Ekkehard Ernst and Enzo Weber, *Robots Worldwide: The Impact of Automation on Employment and Trade*, Institute for Employment Research IAB Discussion Paper No. 07/2020, 2020.

³² Melanie Arntz, Terry Gregory and Ulrich Zierahn, *Digitalization and the Future of Work: Macroeconomic Consequences*, IZA Institute of Labor Economics Discussion Paper Series No. 12428, 2019.

which could be due to time lags in diffusion or lack of organizational capabilities and/or workforce skills to exploit them, or concentration of AI and data among a small fraction of large firms,³³ or due to automating existing tasks that were inefficiently done. These findings have given rise to the so-called “productivity-paradox”,³⁴ and the existing evidence points towards a need for conducting more systematic research to have a realistic understanding of the factors that shape the adoption and diffusion of technologies and its impact on productivity in different types of firms, industries, sectors and country or region.

31. As the use of new technologies becomes more widespread, identifying the right skills and preparing the workforce for new task profiles become more important. Social dialogue, including collective bargaining and workplace cooperation, is crucial in guiding successful transformation. There is no systematic evidence with regard to the type of skills and competencies needed as the transformation process is highly country- and sector-specific. Skills anticipation and career guidance systems, which make use of big data and AI are well placed to tackle the complexity of the adjustment process and to smooth the transition path for individual workers.³⁵
32. New technologies also create new challenges such as income and job security, work intensification with mental health implications and certain discriminatory practices.³⁶ These technologies have enabled new forms of work, such as telework and platform work, challenged work-life balance and reduced access to employment-related benefits and basic protections as a result of the incorrect classification of workers, while workplace surveillance technology could infringe on workers’ right to privacy.³⁷ The Recurrent Discussion Committee on Labour Protection also recognized the need to address the transition from informal to formal economy and from insecure to secure work that is decent.³⁸ The forthcoming standard-setting discussions were seen as key to address the unique challenges faced by platform workers, such as lack of social protection and limited bargaining power.³⁹ A gender perspective would need to be applied when addressing specific work modalities, including platform work and telework.⁴⁰
33. The use of AI and “algorithmic management” practices for managing work processes and worker performance on digital labour platforms as well as regular workplaces and in certain human resources processes, which are based on vast amounts of data, can result in discriminatory practices that target particular groups of workers. AI, wearable devices and tools, among others are also increasingly used in traditional workplaces to monitor work

³³ Peter Bauer et al., *Productivity in Europe: Trends and Drivers in a Service-based Economy*, JRC Technical Report, (Luxembourg: European Union, 2020); Alistair Dieppe, ed., *Global Productivity: Trends, Drivers, and Policies* (Washington, DC: World Bank, 2020); Prasanna Tambe et al., “Digital Capital and Superstar Firms”, National Bureau of Economic Research (NBER) Working Paper No. 28285, 2020.

³⁴ Erik Brynjolfsson, Daniel Rock and Chad Syverson, “Artificial Intelligence and the Modern Productivity Paradox: A Clash of Expectations and Statistics”, in *The Economics of Artificial Intelligence: An Agenda*, eds Ajay Agrawal, Joshua Gans and Avi Goldfarb (Chicago: The University of Chicago Press, 2019), 23–60; Bart van Ark, Klaas de Vries, and Abdul Erumban, “How to Not Miss a Productivity Revival Once Again?”, NIESR Discussion Paper No. 518, 2020.

³⁵ Karlis Kandars et al., *Mapping Career Causeways: Supporting Workers at Risk* (Nesta, 2020).

³⁶ Damian Grimshaw and Uma Rani, “The Future of Work: Facing the Challenges of New Technologies, Climate Change and Ageing”, 2021.

³⁷ ILC.111/Record No. 6B(Rev.1), para. 24.

³⁸ ILC.111/Record No. 6A(Rev.), paras 21 and 24(f).

³⁹ ILC.111/Record No. 6B(Rev 1), para. 79.

⁴⁰ ILC.111/Record No. 6B(Rev.1), para. 27.

performance.⁴¹ The data collected through AI and other devices can help in decision-making at the firm level such as downsizing, or designing tasks or jobs, which has the potential for improving productivity, and they can generate new challenges for workers' rights and job quality if not well-regulated. However, the adoption of such practices by firms across different sectors in advanced and developing countries remains unclear and needs further exploration to better understand how these practices interact with existing organizational structures.⁴²

34. The Recurrent Discussion Committee on Labour Protection highlighted the need to conduct impact assessments to identify the effects of digitalization and artificial intelligence, including algorithmic management, on labour protection, including working time.⁴³ More research and guidance was also requested on how automated systems, algorithms and artificial intelligence could be used without undermining workers' rights.⁴⁴ Regarding the right to disconnect, calls were made to continue exchanging and collecting evidence on the opportunities, challenges and evolution of telework and the right to disconnect.⁴⁵ In this regard, it was also noted that there was no one-size-fits-all solution and there should not be a new right or rights-based approach, and instead regulations should provide for more flexibility, autonomy and a better work-life balance.⁴⁶
35. The Recurrent Discussion Committee on Labour Protection finally noted that digitalization and the use of automated monitoring and management tools provided both opportunities and challenges to the world of work, and labour protection policies needed to be evaluated to meet the challenges and realize the opportunities.⁴⁷ While digitalization and automation and the transition to a low-carbon economy had the potential to create jobs, ensuring labour protection for such jobs was crucial.⁴⁸ The outcome of the Recurrent Discussion Committee on Labour Protection (the Labour Protection Resolution) calls for knowledge development and capacity-building activities regarding the challenges and opportunities of digitalization, including artificial intelligence and algorithmic management, for labour protection, including emerging OSH risks.⁴⁹ It specifically also calls for the examination of the issue of artificial intelligence and algorithmic management by the Governing Body and the evaluation of the need for a further discussion on the topic.⁵⁰
36. Technologies can be effectively harnessed to provide decent work to all workers. For instance, governments in a number of countries have started to utilize digital technologies to promote formalization through the registration of both economic units and of employment, digital payments or electronic payroll, the provision of social protection and other benefits, filing and

⁴¹ Valerio De Stefano, "Negotiating the Algorithm": Automation, Artificial Intelligence and Labour Protection", ILO Employment Policy Working Paper No. 246, 2018; Pheobe V. Moore, Martin Upchurch, and Xanthe Whittaker, eds, *Humans and Machines at Work: Monitoring, Surveillance and Automation in Contemporary Capitalism* (Palgrave Macmillan, 2018).

⁴² Sara Baiocco et al., *The Algorithmic Management of Work and its Implications in Different Contexts*, Background Paper No. 9, (ILO, 2022).

⁴³ ILC.111/Record No. 6B(Rev.1), para. 68.

⁴⁴ ILC.111/Record No. 6B(Rev.1), para. 89.

⁴⁵ ILC.111/Record No. 6B(Rev.1), para. 68; EU, para. 79.

⁴⁶ ILC.111/Record No. 6B(Rev.1), para. 119.

⁴⁷ ILC.111/Record No. 6B(Rev.1), para. 18.

⁴⁸ ILC.111/Record No. 6B(Rev.1), para. 15.

⁴⁹ ILC.111/Record No. 6A(Rev.), para. 24(g).

⁵⁰ ILC.111/Record No. 6A(Rev.), para. 24(g).

payment of taxes, among others.⁵¹ This strategy could be replicated and scaled up in a variety of different contexts, including platform work. Technologies can also help in increasing compliance through maintenance of digital records, which are transparent and using targeted inspection and enforcement. Similarly, with increasing work intensification, working-time records can be digitally maintained to ensure protection of wages for hours worked, as well as to ensure compliance with working-time regulations. The Labour Protection Resolution calls on the ILO to strengthen its support to governments, employers' and workers' organizations to harness digital technologies for improving working conditions, enhancing workers' OSH and enabling compliance, in particular for MSMEs,⁵² as well as to enhance capacity to better respond to any psychosocial risks and work-related stress that may result from new forms of work organization, including in workplaces with high use of ICT.⁵³

37. The Centenary Declaration calls upon Member States to strengthen the institutions of work to ensure adequate protection of all workers and reaffirm the continued relevance of the employment relationship as a means of providing certainty and legal protection to workers. It specifically calls for "policies and measures that ensure appropriate privacy and personal data protection, and respond to challenges and opportunities in the world of work relating to the digital transformation of work, including platform work". The role of such policies is even more important in the context of recovering from the COVID-19 pandemic and with remote working, which can have serious economic and social consequences if effective policies and regulations are not put in place to protect the workers and ensure that digital access is available to all. The Labour Protection Resolution also called for policy responses to be ambitious and to take into account the impacts of global and structural changes, intersectionality of vulnerabilities, and new forms of work and digitalization.⁵⁴
38. To harness technology so that the benefits can be shared equally by enterprises and workers, both men and women, in different parts of the world would require addressing the digital divide besides a well-informed approach to data regulation. This will allow many developing countries to transition towards formality, provide improved access to markets and facilitate access to public services, which can lead to productivity gains. This will require more investment and funding for developing or upgrading the digital infrastructure to reduce the widening gaps, so that existing inequalities are not exacerbated and to ensure there is universal access to all.

C. Expected outcome

39. Possible outcomes of a general discussion would be conclusions and a resolution on the role of technology in promoting full, productive and freely chosen employment in the digital era; guidance on action to be taken by Member States to enhance the protection of workers in light of new technologies; and proposals for normative or non-normative initiatives to be supported in future programming by the ILO. The general discussion could take into account the standard-setting discussion on decent work in the platform economy (if it is scheduled after 2026) and the imperatives, principles and roles elucidated in the Just Transition Resolution. A general discussion would provide an opportunity for the ILO to present a tripartite perspective

⁵¹ Juan Chacaltana, Vicky Leung and Miso Lee, "New Technologies and the Transition to Formality: The Trend Towards E-Formality", ILO Employment Working Paper No. 247, 2018.

⁵² ILC.111/Record No. 6A(Rev.), para. 23(e).

⁵³ ILC.111/Record No. 6A(Rev.), para. 23(g).

⁵⁴ ILC.111/Record No. 6B(Rev.1), para. 94.

on the UN Secretary-General's Roadmap for Digital Cooperation⁵⁵ and his Call to Action on Human Rights⁵⁶ while contributing to the acceleration of Sustainable Development Goals (SDGs) 8 and 9.⁵⁷

3. Update as regards the follow-up envisaged in relation to subjects currently under preparation

A. Protection of workers' personal data in the digital era⁵⁸

40. In 1996, an ILO meeting of experts adopted a Code of Practice on the Protection of Workers' Personal Data. The Code of Practice, complemented by a commentary prepared by the ILO, regulates the collection, security and storage of personal data, as well as their use and communication to third parties. It also enumerates workers' individual and collective rights, and addresses the automated processing of data as well as electronic monitoring. Subsequently, the HIV and AIDS Recommendation, 2010 (No. 200), and the Domestic Workers Recommendation, 2011 (No. 201), expressly call for the adoption of measures consistent with the code of practice.
41. With advances in information technologies including the use of algorithms and surveillance tools in workplace settings, clear governance on the use of workers personal data requires further attention. This is highlighted in the Centenary Declaration that calls upon ILO Member States to adopt "policies and measures that ensure appropriate privacy and personal data protection and respond to challenges and opportunities in the world of work relating to the digital transformation of work, including platform work". In June 2021, the Conference adopted the Global Call to Action in which the ILO's constituents commit to "introduce, utilize and adapt teleworking and other new work arrangements so as to retain jobs and expand decent work opportunities through, among other means, regulation, social dialogue, collective bargaining, workplace cooperation and efforts to reduce disparities in digital access, respecting international labour standards and privacy and promoting data protection and work-life balance".
42. A preliminary analysis of the 1996 Code of Practice suggests that the principles underpinning it remain relevant due to its alignment with general data protection standards that have developed over many years. Nevertheless, the development of new technologies brings new dimensions to the interpretation and application of these principles. In addition, rapid development of legislative initiatives adopted by countries since 1996 shows the extent to which countries throughout the world are increasingly seeking to protect workers' rights in relation to the collection, processing and use of personal data. In Europe, for example, the Committee of Ministers of the Council of Europe adopted in 2015 a new Recommendation on the processing of personal data in the employment context, which takes into consideration the

⁵⁵ United Nations, *Roadmap for Digital Cooperation*, Report of the Secretary-General, June 2020.

⁵⁶ United Nations, *The Highest Aspiration: A Call to Action for Human Rights*, 2020, notably the workstream on new frontiers of human rights.

⁵⁷ In particular, SDG target 9.c aims to significantly increase access to information and communication technologies and ensure that all people in the least developed countries have access to the Internet at an affordable cost by 2020. SDG 9 is the goal that requires accelerated action more than any other, see UN, *Update on the Sustainable Development Goals: Towards a life-saving plan for humanity and planet*, Report of the Secretary-General (Special Edition), para. 27.

⁵⁸ See GB.343/PV and GB.344/PV for previous discussions of the item by the Governing Body.

impact of the use of new information and communication technologies.⁵⁹ In 2016, the European Union adopted a regulation providing personal data protection also in the employment context.⁶⁰ In Africa, countries including Ghana, Kenya, Madagascar, Mauritius, Nigeria, Rwanda, South Africa, Togo, Uganda and Zimbabwe have been implementing measures in recent years to protect and secure the personal information of their citizens, while the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention) entered into force in June 2023 following the 15th ratification.⁶¹ Many countries in Asia and the Pacific have adopted or amended personal data protection laws in the last ten years.⁶²

B. Protection of whistle-blowers in the public service

43. The conclusions of the Global Dialogue Forum on Challenges in Collective Bargaining in the Public Service (Geneva, 2–3 April 2014) included references to the role of legislation, social dialogue and collective bargaining in the independence and protection of public servants, including anti-corruption legislation. The Workers' group also highlighted this issue in the Sectoral Advisory Bodies in October 2014. The Governing Body was informed in October 2015 that a proposal from Public Services International had been received for an item on the Conference agenda with a view to standard-setting to ensure the independence, impartiality and protection of certain categories of public service workers, notably through the fight against corruption.⁶³
44. As this was an emerging topic, the document submitted to the Governing Body in October 2016 suggested that it be first examined by a meeting of experts. In the framework of their meetings from 11 to 13 January 2017, the Sectoral Advisory Bodies recommended that the Office undertake research on the topic as part of the sectoral programme 2018–19. As a result, the Office published a working paper on national law and practice on protecting whistle-blowers in the public and financial services sectors.⁶⁴ The Sectoral Advisory Bodies, at their meeting of January 2021, decided to propose to the Governing Body a technical meeting on the protection of whistle-blowers in the public service sector, to be held during the 2022–23 biennium. The Governing Body endorsed this proposal at its 341st Session (March 2021),⁶⁵ and set the dates and composition of the meeting at its 343rd Session (November 2021).⁶⁶ The Technical meeting on the protection of whistle-blowers in the public

⁵⁹ [Recommendation CM/Rec\(2015\)5](#) of the Committee of Ministers to member States on the processing of personal data in the context of employment.

⁶⁰ [Regulation \(EU\) 2016/679](#) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation or GDPR). See Claudia Ogriseg, [GDPR and Personal Data Protection in the Employment Context](#), Labour & Law Issues, Vol. 3, No. 2, 2017.

⁶¹ [Convention on Cyber Security and Personal Data Protection](#).

⁶² See, for example, China (Personal Information Protection Law, 2021), Japan (Personal Information Protection Law, 2003), amended in 2020; Philippines (Data Privacy Act, 2012); Republic of Korea (Personal Information Protection Act (2011), amended in 2020; Singapore (Personal Data Protection Act, 2012) amended in 2020.

⁶³ [GB.325/INS/2](#), para. 31.

⁶⁴ Iheb Chalouat, Carlos Carrión-Crespo and Margherita Licata, [Law and Practice on Protecting Whistle-blowers in the Public and Financial Services Sectors](#), ILO Working Paper No. 328, 2019.

⁶⁵ [GB.341/PV](#), paras 653–662. The composition of the meeting was set at all interested Governments, eight Employer representatives, eight Worker representatives, as well as advisers, observers, official international organizations, and non-governmental international organizations as observers.

⁶⁶ [GB.343/POL/2\(Rev.2\)](#), Appendix I.

service sector was held from 26–30 September 2022, at which it adopted conclusions.⁶⁷ The results of this meeting were submitted to the Governing Body at its 347th Session⁶⁸ and discussed.⁶⁹

⁶⁷ TMWBPS/2022/8.

⁶⁸ GB.347/POL/2.

⁶⁹ GB.347/PV(Rev.).

► Appendix II

Proposal for a Tripartite Meeting of Experts on the protection of personal data in the digital era

Background

1. In 1996, an ILO meeting of experts adopted a Code of Practice on the Protection of Workers' Personal Data. The Code of Practice, complemented by a commentary prepared by the ILO, regulates the collection, security and storage of personal data, as well as their use and communication to third parties. It also enumerates workers' individual and collective rights. With advances in information technologies including the use of algorithms and surveillance tools in workplace settings, clear governance on the use of workers personal data requires further attention.
2. A preliminary analysis of the 1996 Code of Practice suggests that the principles underpinning it remain relevant due to its alignment with general data protection standards that have developed over many years. Nevertheless, the development of new technologies brings new dimensions to the interpretation and application of these principles. In addition, the rapid development of legislative initiatives adopted by countries since 1996 shows the extent of new measures taken to protect workers' rights in relation to the collection, processing and use of personal data.
3. The Governing Body at its 349th Session requested the Office to present further proposals on the scope, timing, and resourcing of a meeting of experts on the protection of personal data in the digital era to its 350th Session (March 2024).¹

Purpose of the tripartite meeting

4. The Office proposes that a tripartite meeting of experts is convened for the purpose of developing guidance to the Governing Body on measures to promote the adequate protection of workers personal data which may include updating the ILO Code of Practice or other measures in light of technological developments in the digital era.

Composition

5. The Office proposes that the meeting be attended by eight experts nominated after consultation with Governments, eight experts nominated after consultation with the Employers' group, and eight experts nominated after consultation with the Workers' group of the Governing Body.
6. It is further proposed that intergovernmental and international non-governmental organizations will also be invited to the meeting (with a list to be presented in 2026).

Date, length, place, and form of the results of the proceedings of the tripartite meeting

7. Subject to the allocation of resources for holding this meeting, the Office proposes that it take place after the standard-setting process in respect of decent work in the platform economy

¹ GB.349/INS/2/Decision.

has been completed. In 2026, the Office would present an updated proposal including a proposed agenda for the meeting to take place in 2027 on a date to be confirmed. The revised proposal would consider all relevant developments on the topic between now and the meeting.

8. The Office proposes that:
 - the meeting would take place over four days in Geneva at the ILO headquarters in Switzerland;
 - the languages of the meeting be English, French and Spanish;
 - the meeting would have a record of conclusions that would be submitted to the Governing Body following the meeting.
9. Further details about the proposed modalities for the meeting including its agenda would be included in an updated proposal in 2026.

Financial arrangements – estimated costs

10. The Office provisionally estimates the meeting costs, based on the format presented in this proposal would be as follows:

	US\$
Travel and per diem	156 478.59
Interpretation	110 400.00
Total	266 878.59

11. The resources for this meeting will be included in the proposals for the Programme and Budget for 2026–27.

► Appendix III

Excerpts from the follow-up to the ILO Declaration on Social Justice for a Fair Globalization (2008) ¹

...

II. Action by the Organization to assist its Members

...

Understanding and responding to Members' realities and needs

B. The Organization will introduce a scheme of recurrent discussions by the International Labour Conference based on modalities agreed by the Governing Body, without duplicating the ILO's supervisory mechanisms, so as to:

- (i) understand better the diverse realities and needs of its Members with respect to each of the strategic objectives, respond more effectively to them, using all the means of action at its disposal, including standards related action, technical cooperation, and the technical and research capacity of the Office, and adjust its priorities and programmes of action accordingly; and
- (ii) assess the results of the ILO's activities with a view to informing programme, budget and other governance decisions.

...

III. Evaluation by the Conference

A. The impact of the Declaration, in particular the extent to which it has contributed to promoting, among Members, the aims and purposes of the Organization through the integrated pursuit of the strategic objectives, will be the subject of evaluation by the Conference, which may be repeated from time to time, within the framework of an item placed on its agenda.

B. The Office will prepare a report to the Conference for evaluation of the impact of the Declaration, which will contain information on:

- (i) actions or steps taken as a result of the present Declaration, which may be provided by tripartite constituents through the services of the ILO, notably in the regions, and by any other reliable source;
- (ii) steps taken by the Governing Body and the Office to follow up on relevant governance, capacity and knowledge-based issues relating to the pursuit of the strategic objectives, including programmes and activities of the ILO and their impact; and
- (iii) the possible impact of the Declaration in relation to other interested international organizations.

C. Interested multilateral organizations will be given the opportunity to participate in the evaluation of the impact and in the discussion. Other interested entities may attend and participate in the discussion at the invitation of the Governing Body.

D. In the light of its evaluation, the Conference will draw conclusions regarding the desirability of further evaluations or the opportunity of engaging in any appropriate course of action.

¹ ILO Declaration on Social Justice for a Fair Globalization (2008), as amended in 2022.

► Appendix IV

Instruments proposed for abrogation or withdrawal

Instruments concerning maternity protection ¹

Maternity Protection Convention, 1919 (No. 3)

Maternity Protection Convention (Revised), 1952 (No. 103)

Maternity Protection Recommendation, 1952 (No. 95)

Ratifications: Convention No. 3 was adopted in 1919. Convention No. 103 and Recommendation No. 95 were adopted in 1952. Convention No. 3 has been ratified by 34 Member States and subsequently denounced by eight Member States. Convention No. 103 has been ratified by 41 Member States and subsequently denounced by 18 Member States. Nine of the 26 countries currently bound by Convention No. 3 have also ratified Convention No. 183. In total, 36 Member States currently bound by Convention No. 3 and/or Convention No. 103 have not ratified the up-to-date Convention No. 183. In addition, Convention No. 3 has been declared applicable to three non-metropolitan territories.

Remarks: Convention No. 183 and Recommendation No. 191 are the most recently adopted of the international labour standards on maternity protection and contribute to the effective achievement of gender equality. They adopt a more inclusive and better integrated approach to maternity protection than the earlier instruments and seek to enable women to successfully combine family life and work.

Convention No. 3 was revised by Convention No. 103, but, in the absence of final provisions to this effect in Convention No. 3, it was not closed to further ratifications and cannot be automatically denounced. Convention No. 3 takes a sectoral approach to maternity protection, applying only to industrial or commercial undertakings while Convention No. 183 and Recommendation No. 191 expanded the scope of maternity protection to cover all employed women, including those in atypical forms of dependent work. The number of ratifications of Convention No. 183 by Member States has continued to increase, while the number of effective ratifications of Convention No. 3 has decreased.

Convention No. 103 was revised by Convention No. 183 and classified as outdated. The entry into force in 2002 of Convention No. 183 has closed Convention No. 103 to further ratifications. A ratification of Convention No. 183 by a State party to Convention No. 103 entails the automatic denunciation of the latter. The number of ratifications of Convention No. 183, has increased, while the number of effective ratifications of Convention No. 103 has decreased. The Maternity Protection Recommendation, 2000 (No. 191), adopted together with Convention No. 183 de facto replaces Recommendation No. 95. For more detailed information, see [Technical Note 1.1](#).

¹ See the report of the eighth meeting of the SRM TWG ([GB.349/LILS/1](#)).

Instruments concerning old-age, invalidity and survivors' benefits ²

Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35)

Old-Age Insurance (Agriculture) Convention, 1933 (No. 36)

Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37)

Invalidity Insurance (Agriculture) Convention, 1933 (No. 38)

Survivors' Insurance (Industry, etc.) Convention, 1933 (No. 39)

Survivors' Insurance (Agriculture) Convention, 1933 (No. 40)

Ratifications: Conventions Nos 35, 36, 37, 38, 39 and 40 were all adopted in 1933. Convention No. 35 has been ratified by 11 Member States and subsequently denounced by one Member State. Convention No. 36 has been ratified by ten Member States. Convention No. 37 has been ratified by 11 Member States and subsequently denounced by one Member State. Convention No. 38 has been ratified by ten Member States. Convention No. 39 has been ratified by eight Member States and subsequently denounced by one Member State. Convention No. 40 has been ratified by seven Member States and subsequently denounced by one Member State.

Convention No. 102 does not revise any Convention and, therefore, its ratification does not involve the automatic denunciation of any of Conventions Nos 35, 36, 37, 38, 39 and 40. Among the countries currently bound by those Conventions, some have already ratified Convention No. 102 and accepted its relevant parts; concretely, seven of the ten States parties to Convention No. 35, seven of the ten States parties to Convention No. 36, four of the ten States parties to Convention No. 37, four of the ten States parties to Convention No. 38, five of the seven States parties to Convention No. 39 and four of the six States parties to Convention No. 40.

As regards non-metropolitan territories, Convention No. 35 is applicable to seven non-metropolitan territories, Convention No. 36 is applicable to six, Convention No. 37 is applicable to five, Convention No. 38 is applicable to five, Convention No. 39 is applicable to three and Convention No. 40 is applicable to one non-metropolitan territory.

Remarks: Conventions Nos 35, 36, 37, 38, 39 and 40 no longer correspond to the evolution in social security schemes and current regulatory needs. Conventions Nos 102 and 128 reflect a contemporary regulatory approach to the provision of social security and are the up-to-date international standards in respect of old-age, invalidity and survivors' benefits. The two Conventions allow for a more systemic, non-sectoral, approach and provide for flexibility in application by authorizing various mechanisms through which protection can be provided, in comparison to the outdated instruments which only considered social insurance. Conventions Nos 102 and 128 have higher number of ratifications than Conventions Nos 35, 36, 37, 38, 39 and 40. Only a limited number of States and non-metropolitan territories remain bound only by one or several of those Conventions, which, since 1986, are no longer subject to regular reporting or being promoted. For more detailed information, see [Technical Note 1.2](#).

² See the report of the eighth meeting of the SRM TWG (GB.349/LILS/1).

Instruments concerning minimum age ³

Minimum Age (Industry) Convention, 1919 (No. 5)

Minimum Age (Agriculture) Convention, 1921 (No. 10)

Minimum Age (Non-industrial Employment) Convention, 1932 (No. 33)

Minimum Age (Industry) Convention (Revised), 1937 (No. 59)

Minimum Age (Underground Work) Convention, 1965 (No. 123)

Minimum Age (Non-Industrial Employment) Recommendation, 1932 (No. 41)

Minimum Age (Family Undertakings) Recommendation, 1937 (No. 52)

Minimum Age (Underground Work) Recommendation, 1965 (No. 124)

Ratifications: Convention No. 5, which was adopted in 1919, has been ratified by 72 Member States and subsequently denounced by 71 Member States. Convention No. 10, which was adopted in 1921, has been ratified by 55 Member States and subsequently denounced by 51 Member States. Convention No. 33 and Recommendation No. 41 were both adopted in 1932. Convention No. 33 has been ratified by 25 Member States and subsequently denounced by 23 Member States. Convention No. 59 and Recommendation No. 52 were both adopted in 1937. Convention No. 59 has been ratified by 36 Member States and subsequently denounced by 27 Member States. Convention No. 123 and Recommendation No. 124 were both adopted in 1965. Convention No. 123 has been ratified by 41 Member States and subsequently denounced by 21 Member States.

Of the five and four Member States currently bound by Conventions Nos 10 and 59, respectively (one denunciation of Convention No. 10 has not yet come into effect), only one has not ratified Convention No. 138. All the Member States currently bound by Conventions Nos 33 and 123 have also ratified Convention No. 138. ⁴

As regards non-metropolitan territories, Convention No. 5 is applicable to 12 non-metropolitan territories, Convention No. ten is applicable to ten non-metropolitan territories, Convention No. 33 is applicable to five non-metropolitan territories, Convention No. 59 is applicable to seven non-metropolitan territories and Convention No. 123 is applicable to two non-metropolitan territories.

Remarks: All the Conventions listed represent a sectoral approach to the regulation of minimum age and have all been revised by Convention No. 138 (Convention No. 5 had already been revised by Convention No. 59; Convention No. 33 had already been revised by Convention No. 60, which was withdrawn by the International Labour Conference in 2017). Convention No. 138 is the modern, comprehensive standard in terms of the abolition of child labour and allows for greater flexibility to permit a wide application of the Convention and has been recognized, together with Convention No. 182, as a fundamental Convention. Recommendation Nos 41 and 52 also take a sectoral approach to the regulation of minimum age, supplement outdated Conventions, and do not correspond to the current ILO regulation of the matter, while Recommendation No. 124 was classified as outdated in 2000. Recommendation No. 146, which supplements Convention No. 138, offers a more systemic

³ See the report of the eighth meeting of the SRM TWG (GB.349/LILS/1).

⁴ The ratification of Convention No. 138 and the use of the flexibility clauses, either setting a lower minimum age or excluding specific branches of economic activity from the scope of application of the Convention, may prevent the automatic denunciation of Conventions Nos 10, 33, 59, 123.

approach than previous Recommendations and stresses that the minimum age should be fixed at the same level for all sectors of economic activity. For more detailed information, see [Technical Note 2.2](#).

► Appendix V

Overview of the technical items selected for the Conference agenda (2010–33)

Session	Technical items			
99th (2010)	Decent work for domestic workers – standard-setting , double discussion (first discussion).	Elaboration of an autonomous Recommendation on HIV/AIDS in the world of work – standard-setting , double discussion (second discussion).	A recurrent discussion on the strategic objective of employment, under the follow-up to the Social Justice Declaration.	Review of the follow-up to the 1998 Declaration on Fundamental Principles and Rights at Work.
100th (2011)	Decent work for domestic workers – standard-setting , double discussion (second discussion).	Labour administration and labour inspection – general discussion .	A recurrent discussion on the strategic objective of social protection (social security), under the follow-up to the Social Justice Declaration.	
101st (2012)	Elaboration of an autonomous Recommendation on Social Protection Floors – standard-setting , single discussion.	Youth employment crisis – general discussion .	A recurrent discussion on the strategic objective of fundamental principles and rights at work, under the follow-up to the Social Justice Declaration, and the follow-up (revised, June 2010) to the 1998 Declaration.	
102nd (2013)	Employment and social protection in the new demographic context – general discussion .	Sustainable development, decent work and green jobs – general discussion .	A recurrent discussion on the strategic objective of social dialogue, under the follow-up to the Social Justice Declaration.	Further review of remaining measures previously adopted by the Conference under article 33 of the ILO Constitution to secure compliance by Myanmar with recommendations of the Commission of Inquiry on forced labour.

Session	Technical items			
103rd (2014)	Supplementing the Forced Labour Convention, 1930 (No. 29), to address implementation gaps to advance prevention, protection and compensation measures to effectively achieve the elimination of forced labour – standard-setting , single discussion.	Facilitating transitions from the informal to the formal economy – standard-setting , double discussion (first discussion).	Second recurrent discussion on the strategic objective of employment, under the follow-up to the Social Justice Declaration.	Approval of amendments to the Code of the Maritime Labour Convention, 2006, as adopted by the Special Tripartite Committee established under Article XIII of the Convention.
104th (2015)	Facilitating transitions from the informal to the formal economy – standard-setting , double discussion (second discussion).	Small and medium-sized enterprises and decent and productive employment creation – general discussion .	A recurrent discussion on the strategic objective of social protection (labour protection), under the follow-up to the Social Justice Declaration.	
105th (2016)	Decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71) – standard-setting , double discussion (first discussion).	Decent work in global supply chains – general discussion .	Evaluation of the impact of the Social Justice Declaration.	Approval of amendments to the annexes to the Seafarers' Identity Documents Convention (Revised), 2003, as amended (No. 185); and to the Code of the Maritime Labour Convention, 2006, as adopted by the Special Tripartite Committee.
106th (2017)	Decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71) – standard-setting , double discussion (second discussion).	Labour migration – general discussion .	A recurrent discussion on the strategic objective of fundamental principles and rights at work, under the follow-up to the Social Justice Declaration.	Abrogation and/or withdrawal of Conventions Nos 4, 15, 28, 41, 60 and 67.
107th (2018)	Violence and harassment against women and men in the world of work – standard-setting , double discussion (first discussion).	Effective ILO development cooperation in support of the Sustainable Development Goals – general discussion .	A recurrent discussion on the strategic objective of social dialogue and tripartism, under the follow-up to the Social Justice Declaration.	Abrogation of Conventions Nos 21, 50, 64, 65, 86 and 104 and withdrawal of Recommendations Nos 7, 61 and 62.

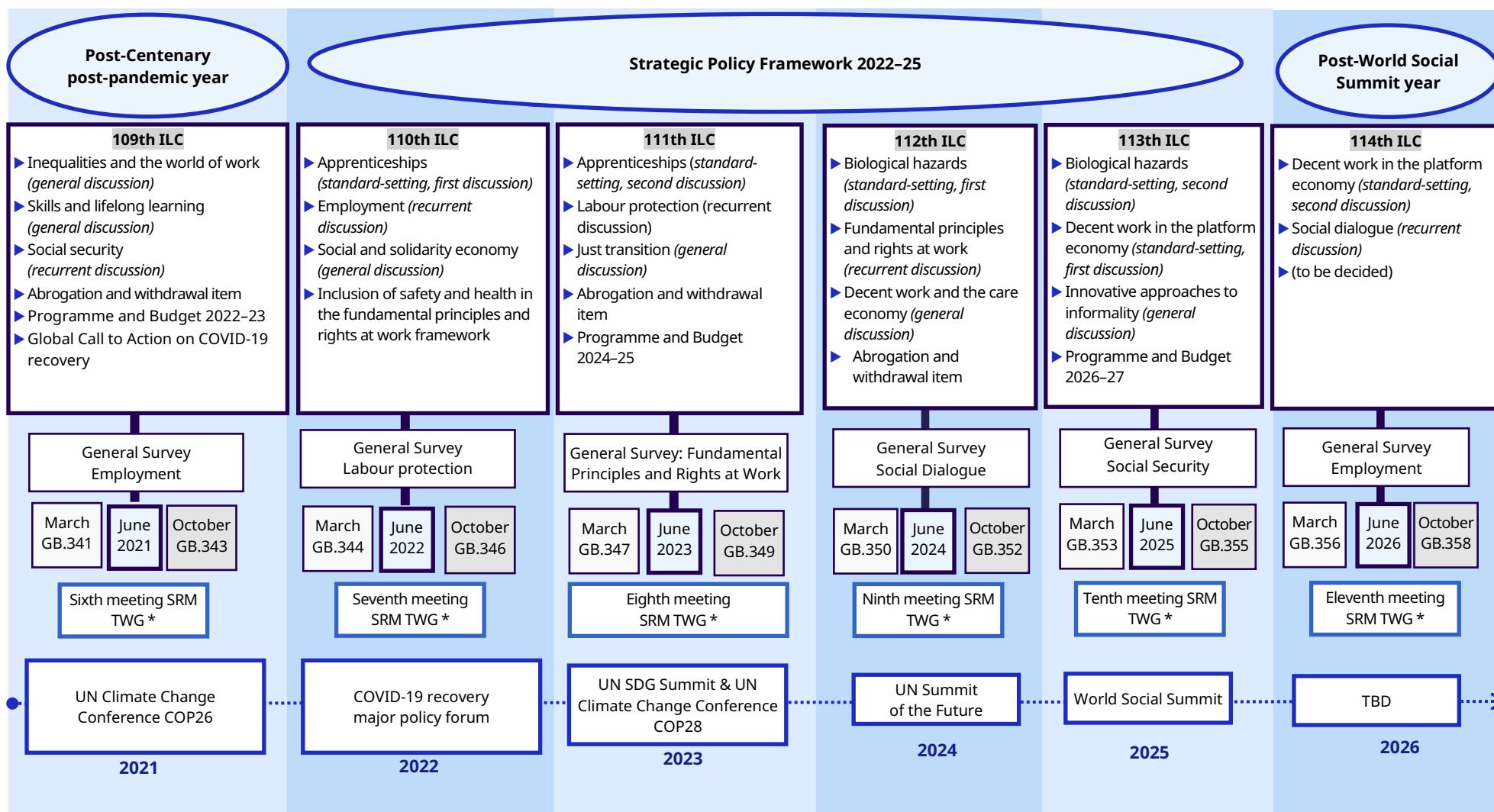
Session	Technical items			
108th (2019)	Violence and harassment against women and men in the world of work – standard-setting , double discussion (second discussion).	Centenary Declaration for the Future of Work.	Organization of debates and events connected to the ILO's Centenary.	
109th (2021)	Skills and lifelong learning – general discussion .	Inequality and the world of work – general discussion .	A recurrent discussion on the strategic objective of social protection (social security), under the follow-up to the Social Justice Declaration.	Abrogation of Conventions Nos 8, 9, 16, 53, 73, 74, 91 and 145 and withdrawal of Conventions Nos 7, 54, 57, 72, 76, 93, 109, 179 and 180 as well as of Recommendations Nos 27, 31, 49, 107, 137, 139, 153, 154, 174, 186 and 187. Withdrawal of the Fee-Charging Employment Agencies Convention, 1933 (No. 34).
110th (2022)	Apprenticeships – standard-setting , double discussion (first discussion).	A recurrent discussion on the strategic objective of employment, under the follow-up to the Social Justice Declaration.	Social and solidarity economy – general discussion .	Inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work through an amendment to paragraph 2 of the ILO Declaration on Fundamental Principles and Rights at Work, 1998.
111th (2023)	Apprenticeships – standard-setting , double discussion (second discussion).	A recurrent discussion on the strategic objective of social protection (labour protection), under the follow-up to the Social Justice Declaration.	Just transition, including consideration of industrial policies and technology, towards environmentally sustainable economies and societies for all – general discussion .	Adoption of the Safe and Healthy Working Environment (Consequential Amendments) Convention, 2023 (No. 191) and Recommendation, 2023 (No. 207). Abrogation of Convention No. 163. Withdrawal of Conventions Nos 70, 75, 165, 178 and of the Protocol of 1996 to the Merchant Shipping (Minimum Standards) Convention, 1976, as well as of Recommendations Nos 9, 10, 20, 28, 48, 75, 76, 78, 105, 106, 108, 138, 140, 141, 142, 155, 173 and 185.

Session	Technical items			
112th (2024)	Occupational safety and health protection against biological hazards – standard-setting , double discussion (first discussion).	A recurrent discussion on the strategic objective of fundamental principles and rights at work, under the follow-up to the Social Justice Declaration.	Decent work and the care economy – general discussion .	Abrogation of Conventions Nos 45, 62, 63 and 85.
113th (2025)	Occupational safety and health protection against biological hazards – standard-setting (second discussion).	Decent work in the platform economy – standard-setting , (first discussion).	Innovative approaches to tackling informality and promoting transitions towards formality to promote decent work – general discussion .	
114th (2026) (to be completed)	Decent work in the platform economy – standard-setting , (second discussion).	Harnessing the fullest potential of technology for decent work – general discussion . <i>Or</i> Occupational safety and health protection against chemical hazards – standard-setting , discussion (first discussion) (to be decided).	Recurrent discussion on the strategic objective of social dialogue and tripartism under the follow-up to the Social Justice Declaration.	
115th (2027) (to be completed)	Occupational safety and health protection against chemical hazards – standard-setting , double discussion (first or second discussion) (to be confirmed).	A recurrent discussion on the strategic objective of social protection (social security), under the follow-up to the Social Justice Declaration.		
116th (2028) (to be completed)		A recurrent discussion on the strategic objective of employment, under the follow-up to the Social Justice Declaration.		Abrogation of Conventions Nos 10, 33, 59 and 123. Withdrawal of Convention No. 5 and Recommendations Nos 41, 52 and 124 (to be confirmed).

Session	Technical items	
117th (2029) (to be completed)	A recurrent discussion on the strategic objective of social protection (labour protection), under the follow-up to the Social Justice Declaration.	
118th (2030) (to be completed)	A recurrent discussion on the strategic objective of fundamental principles and rights at work, under the follow-up to the Social Justice Declaration.	Abrogation of Conventions Nos 22, 23, 24, 25, 55, 56, 58, 68, 69, 92, 96, 133, 134, 146, 164 and 166. Withdrawal of Recommendation No. 29.
119th (2031) (to be completed)	An evaluation of the impact of the Social Justice Declaration (to be confirmed).	
120th (2032) (to be completed)		
121st (2033) (to be completed)		Abrogation of Conventions Nos 17, 18 and 42. Abrogation of Conventions Nos 35, 36, 37, 38, 39 and 40 (to be confirmed). Abrogation of Conventions Nos 3 and 103 (to be confirmed and possibly reconsidered following evaluation in 2028). Withdrawal of Recommendations Nos 22, 23 and 24. Withdrawal of Recommendation No. 95 (to be confirmed and possibly reconsidered).

► Appendix VI

Agenda of the ILO – Timeline (2021–26)



* SRM TWG – Standards Review Mechanism Tripartite Working Group.