



## Governing Body

325th Session, Geneva, 29 October–12 November 2015

GB.325/INS/3

Institutional Section

INS

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### THIRD ITEM ON THE AGENDA

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

#### Purpose of the document

To provide an update on the preparations for the Conference evaluation in 2016 and seek further guidance on key elements for the Office report to the Conference. It submits options for consideration on possible arrangements for the Conference discussion and the next cycle of the recurrent discussions (see draft decision in paragraph 28).

**Relevant strategic objective:** All.

**Policy implications:** None at this stage.

**Legal implications:** None at this stage.

**Financial implications:** To be determined depending on the decision taken.

**Follow-up action required:** To be determined depending on the decision taken.

**Author unit:** Office of the Deputy Director-General for Management and Reform (DDG/MR).

**Related documents:** GB323/PV, paragraphs 19–33; GB.323/INS/3; GB.323/INS/2; GB.323/INS/1; GB.322/INS/PV, paragraphs 18–27; GB.322/INS/3; GB.322/INS/2; GB.320/PV, paragraphs 342–351; GB.320/15/2; GB.319/INS/2; GB.304/PV, paragraph 183; GB.304/7; GB.304/SG/DECL/1(Rev.); ILO Declaration on Social Justice for a Fair Globalization, 2008; Resolution on strengthening the ILO's capacity to assist its Members' efforts to reach its objectives in the context of globalization, adopted by the Conference at its 97th Session (2008).



## Introduction

1. At its 320th Session (March 2014), the Governing Body decided to place the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization (the Social Justice Declaration)<sup>1</sup> on the agenda of the 105th Session of the Conference. At its 322nd (November 2014) and 323rd (March 2015) Sessions,<sup>2</sup> the Governing Body provided guidance on the scope, focus areas and modalities of the evaluation, and requested a further review of preparations at its 325th Session (November 2015).
2. The present document provides an update and seeks further guidance on key elements for the Office report to the Conference. Finally, it submits options for consideration on possible arrangements for the Conference discussion and the next cycle of recurrent discussions.

### A. Update on the preparations for the evaluation

3. Since the last report, significant progress has been made in the preparations for the evaluation. Informal tripartite consultations were held on 30 April 2015 and 18 September 2015. A web page has been established to heighten awareness of the importance of the Declaration and Conference evaluation.<sup>3</sup>
4. The report to be submitted to the Conference is currently being prepared. Information is being gathered from ILO member States, ILO headquarters and field offices, and international and regional organizations. Following the April consultations, a questionnaire was sent to member States on 22 May 2015 seeking information on relevant steps taken towards policy coherence across ministries, national planning and programmes and collaboration with other Members. Governments were requested to consult the most representative employers' and workers' organizations, which also received copies of the questionnaire. Briefings on the questionnaire were organized for delegates to the 104th International Labour Conference, and an information tool to assist member States in completing the questionnaire was sent to ILO field offices and posted on the web page. A *note verbale* sent to permanent missions in Geneva on 23 July recalled that replies should reach the ILO by 4 September 2015.
5. Information has also been collected from all departments at ILO headquarters and from field offices to seek inputs on steps taken since 2009 to help implement the aims of the Social Justice Declaration, in particular, on efforts at the global, regional and country levels that have contributed to an integrated approach to decent work, the resulting impact on Members' efforts to achieve the Decent Work Agenda, and the challenges encountered.
6. The assessment of contributions of international and regional organizations is proceeding on the basis of desk reviews and of individual and group consultations with selected organizations on their own contributions to promote an integrated approach to decent work. Commitments to enhanced collaboration with the ILO, including in the context of

<sup>1</sup> GB.320/PV, para. 351.

<sup>2</sup> GB.322/INS/3, para. 16; GB.323/INS/3.

<sup>3</sup> [www.ilo.org/sjd2008](http://www.ilo.org/sjd2008).

the Sustainable Development Goals, will be covered. Among other sources, the Office is drawing upon relevant ILO and UN Joint Inspection Unit evaluations.<sup>4</sup>

## **B. Key elements for the report to the Conference**

7. Subject to further guidance from the Governing Body, and drawing on the views expressed in the last Governing Body discussion on the subject,<sup>5</sup> the Office report to the Conference would address the following key elements for the evaluation.

### **Contextual elements**

8. The Office report could facilitate the Conference evaluation by providing a concise yet comprehensive summary of the path of globalization since 2008 and its consequences in employment, social and human terms. This should help delegates to identify and address the different challenges and opportunities to advancing the aims of the Declaration and to further develop a roadmap to achieving its full potential.
9. The context within which the relevant events occurred is important to their evaluation. It is thus proposed to present to the Conference a succinct view of the global and institutional challenges confronting the ILO and its Members at the time of the adoption of the Declaration, and the aims and methods adopted in the Declaration to support an integrated approach to decent work. The purpose for the evaluation and the methodology used to undertake the review would also be briefly explained. In addition, the report would include a panorama of the global and other significant developments with potential impact on the effectiveness of the Organization's and Members' efforts towards the Declaration's aims, including the Sustainable Development Agenda 2030, and recall that preparations for the ILO Strategic Plan 2018–21 will be under way in June 2016.

### **Main elements**

10. The main elements for the evaluation set out in the Declaration would form the core of the report, notably: actions or steps taken by the tripartite constituents as a result of the Declaration; follow-up action taken by the Governing Body and the Office; and the possible impact of the Declaration in relation to other interested international organizations.<sup>6</sup> The particular steps for institutional follow-up articulated in the resolution adopted with the Declaration would be included as required.<sup>7</sup> Based on the analysis of the impact from the information reported, these chapters would identify the overall implications for consideration in terms of results, good practices and lessons learned, and the persistent challenges or gaps in implementation.

<sup>4</sup> See, for example, [http://www.ilo.org/wcmsp5/groups/public/---ed\\_mas/---eval/documents/publication/wcms\\_314441.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_314441.pdf); [https://www.unjiu.org/en/reports-notes/JIU%20Products/JIU\\_REP\\_2015\\_1\\_English.pdf](https://www.unjiu.org/en/reports-notes/JIU%20Products/JIU_REP_2015_1_English.pdf).

<sup>5</sup> GB.323/PV, paras 19–33.

<sup>6</sup> Social Justice Declaration, Annex, Part III.

<sup>7</sup> The resolution provides that the follow-up steps “will form an integral part of any evaluation by the Conference”. Resolution on strengthening the ILO's capacity to assist its Members' efforts to reach its objectives in the context of globalization, adopted 10 June 2008, ILC, 97th Session, para. 5.

## Action by Members

11. Members' action would cover two main areas. Firstly, efforts by *individual Members*, including those undertaken by the Member with the support of the ILO, would cover efforts by the constituents to coordinate relevant policies; monitor and evaluate progress in the context of a national or regional strategy for decent work; increase the ratification and use of ILO standards; and promote sustainable enterprises. The role played by national circumstances and the priorities of social partners, as well as the expectations of the Members for assistance from the ILO and the results would be included. Secondly, *Members' cooperation with each other* would cover relevant bilateral, regional and multilateral agreements including South–South cooperation, and the use by Members of ILO services and expertise in interacting with each other and with transnational economic actors to share knowledge, good practice and other resources.

## Action by the ILO

12. Action taken by the ILO would mainly cover three areas. First, the effects of *recurrent discussions* with a review of their impact, preparation, conduct and follow-up.<sup>8</sup> Observations on the extent to which Members' needs are being identified and linked to ILO priorities would include the use of the expertise arising from General Surveys. Second, the issue of *ILO capacity and governance* would cover research and knowledge development, technical cooperation and advisory services, resource mobilization and evaluation, standards promotion, management and internal reforms, and changes in working methods of the Governing Body and functioning of the Conference.<sup>9</sup> Third, a review of *partnership building* and its relevant outcomes, would include ILO cooperation with the UN and other international and regional organizations and groupings of States, and relevant non-state entities and economic actors.<sup>10</sup>

## Action at the international and regional levels

13. The review of action at international and regional levels would seek to address such efforts as: coordination by Members of their respective positions in international forums; contributions of international and regional organizations and groupings of States to a global and integrated strategy for decent work; and relevant ILO actions, including in the evaluation of the employment effects of trade and financial market policy. The promotion of decent work at the sectoral level would also be included.

## Concluding elements

14. The concluding elements would summarize the analysis of action and interaction with a view to drawing up a comprehensive picture of the impact of the Declaration, taking due account of the broader political, economic and social contexts.
15. The final section would identify issues where guidance is needed from the Conference. These issues would cover opportunities and possible courses of action for institutional follow-up by the Organization and its Members and for enhancing the ILO's leadership on

<sup>8</sup> Social Justice Declaration, Part II(A)(i), Follow-up, Part I(B), II(A)(vi) and II(B); res., para. II.

<sup>9</sup> Social Justice Declaration, Part II(A) and subparas (ii)–(iv), Follow-up Part II(A)(i)–(iv), C and D; res., para. 2(b)(I). See also the Implementation plan, GB.303/SG/DECL/2 and GB.304/SG/DECL/1(Rev.).

<sup>10</sup> Social Justice Declaration, Part II(A)(v); C; Follow-up, Part II(A)(v); res., para. III.

social justice, to further strengthen the capacity of the ILO and of its Members to achieve the full potential of the Declaration.

16. The Governing Body is invited to provide guidance on the key elements to be included in the Office report to the Conference on the evaluation of the impact of the Social Justice Declaration.

### **C. Possible arrangements for the Conference discussion**

17. As an important opportunity for the Organization to highlight the need for persistent action to address the social dimensions of globalization since 2008, the Conference discussion should serve as a tripartite forum for informative and substantive debates that facilitate the possibility to develop conclusions to achieve the full potential of the Declaration.
18. At the 322nd (November 2014) and 323rd (March 2015) Sessions of the Governing Body, members expressed support for arrangements to hold interactive panel discussions and the participation of relevant regional and international organizations in the Conference discussion.<sup>11</sup> In order to provide sufficient means for the delegates to reflect and effectively deliberate on the implications of the information received, the Governing Body may wish to recommend special arrangements for the 105th Session (2016) of the International Labour Conference. During the initial stages of work, arrangements could be made for the Conference delegates to benefit from inputs by recognized specialists, high-level officials and eminent persons through high-level interventions, interactive panel discussions and thematically-focused debates on pertinent trends, drivers, and responses. These arrangements could further take account of pioneering examples of integrating decent work objectives involving international and regional organizations, non-state entities and economic actors, and public-private partnerships.
19. The arrangements for the Conference discussion should allow sufficient participation and flexibility to build robust tripartite consensus on the significant outcomes of the evaluation. Three options could be considered for the format of the discussion. First, the Conference could appoint a technical committee with the modalities that are used by committees appointed for general discussions. However, these modalities may be too restrictive for the nature of the evaluation of the impact of the Social Justice Declaration. Second, the Conference could appoint a technical committee with more flexible arrangements, including a combination of interactive plenary, invited speakers and general discussions. Or, third, the Conference could appoint a Committee of the Whole, as was done for the debates on the Global Jobs Pact and the Maritime Labour Convention in 2009<sup>12</sup> and 2006, respectively. In all three options, a drafting group could be appointed. However, the latter two options would have the advantage of allowing for wider participation and greater flexibility in the discussion. A Committee of the Whole would be similar to the second option but would be open to any delegate to the Conference.

<sup>11</sup> GB.322/INS/PV, paras 20 and 23; GB.323/PV, paras 27 and 29.

<sup>12</sup> The 2009 Committee of the Whole on Crisis Responses was structured in three segments with ten thematic dialogues followed by general discussions on policy issues concerned and the discussions on the draft outcome document. The composition of the Committee was modified eight times during the session. See *Provisional Record* No. 19, the 98th Session of the ILC (2009). [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_108440.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_108440.pdf).

20. Whatever the arrangements, the active participation of relevant official international and regional organizations, non-governmental organizations and other organizations, whose participation the Officers of the Governing Body are delegated to authorize as relevant and appropriate, could be sought. Such participation would be governed under the Conference Standing Orders on observer status and participation rights. Member States could also be encouraged to include different national ministries and institutions concerned with the integrated approach in their delegations.
21. Further proposals relating to the functioning and organization of the Conference discussion will be presented in April 2016 to the informal tripartite consultations under the schedule approved by the Governing Body at its 323rd Session.

## D. Governance of recurrent discussions and their cycle

22. As part of its follow-up, the Social Justice Declaration required the Organization to introduce a scheme of recurrent discussions of the strategic objectives.<sup>13</sup> Accordingly, in November 2008, the Governing Body placed the strategic objectives of employment and social protection on the agendas of the 99th and 100th Sessions of the Conference, respectively,<sup>14</sup> and in March 2009 it adopted a seven-year cycle for the recurrent discussions.<sup>15</sup> This decision took account of the benefit in coordinating the recurrent discussion cycle with the Strategic Policy Framework. The recurrent discussion scheme was introduced as a governance tool to help the Organization better understand the realities and needs of its Members in pursuing the strategic objectives and more effectively respond to them by adjusting priorities and programmes of action, and to assess the results of ILO activities.<sup>16</sup>

### Recent Governing Body discussions

23. In view of the upcoming conclusion of the seven-year cycle in 2017, the members of the Governing Body exchanged views at its 320th (March 2014) and 323rd (March 2015) Sessions, on when to take a decision on the next cycle of recurrent discussions and whether to do so before the 2016 Conference evaluation. The Workers' group expressed a preference for the Governing Body to take a decision at its 325th Session (November 2015) and favoured a five-year cycle of recurrent discussions which would allow social security to be discussed separately from labour protection.<sup>17</sup> The Employers' group preferred to review the cycle of recurrent discussions in a separate exercise and to address it as a technical rather than political issue.<sup>18</sup> In general, Governments looked to the

<sup>13</sup> Social Justice Declaration, Annex, Part II(B).

<sup>14</sup> GB.303/PV, para. 252 (November 2008).

<sup>15</sup> GB.304/PV, para. 183; GB.304/7, para. 19 (Steering Group recommendation). The strategic objectives of employment, social protection and fundamental principles and rights at work discussed twice and social dialogue once in the cycle with social protection discussions alternating between social security and labour protection.

<sup>16</sup> Social Justice Declaration, Annex, Part II(B).

<sup>17</sup> GB.323/PV, para. 26; see also GB.320/PV, para. 343. At the 322nd Session, the Workers' group had referred to the possibility of a four-year cycle; see GB.322/PV, para. 20.

<sup>18</sup> GB.323/PV, para. 20; GB.322/PV, para. 19.

Conference evaluation to cover both the substantive impact of the recurrent discussions and their modalities, including the cycle of recurrent discussions.<sup>19</sup> Some Government members suggested the possibility for the Governing Body to decide on the strategic objective to be examined by the recurrent discussion in 2018, on an “ad hoc” basis, without confirming the whole cycle.<sup>20</sup>

24. The benefit of aligning the recurrent discussions with reviews of the General Survey<sup>21</sup> was also noted. Under this arrangement the topic of the General Survey discussed by the Conference Committee on the Application of Standards (CAS) in one year relates to the topic of the recurrent discussion in the following year, which allows the outcomes of the survey and the discussion by the CAS to inform the recurrent discussion. The Workers’ and Employers’ groups supported maintaining this approach.<sup>22</sup>

### **Options for the decision on the next cycle of recurrent discussions**

25. There appear to be two options for the timing of the decision on the next cycle of recurrent discussions. Either the Governing Body could decide at its present session on the next cycle of recurrent discussions, or defer the decision until November 2016 when it could be taken in light of the outcome of the Conference evaluation of the impact of the Social Justice Declaration. Irrespective of the timing of the decision, the Governing Body may decide to either renew the current seven-year cycle of recurrent discussions, or determine a new duration and/or sequencing of the cycle of recurrent discussions.
26. If a decision is taken on the next cycle of recurrent discussions at the present session of the Governing Body, it could be reviewed in November 2016 if adjustments are considered necessary in light of the evaluation of the Social Justice Declaration. However, such a decision at this session could provide guidance for the subject of the General Survey to be reviewed by the Conference in 2018, which is submitted for decision at the present session (November 2015).<sup>23</sup>
27. If the decision on the next cycle of recurrent discussions is deferred until November 2016, the Governing Body would also need to determine at that session, the subject of the recurrent discussion to be held in 2018. However, the topic of the General Survey that will be reviewed by the CAS in 2018 would already have been selected by then (see the appendix).

<sup>19</sup> GB.323/PV, paras 28 (ASPAG); 32 (IMEC); GB.322/PV, para. 23 (IMEC); GB.320/PV, paras 349 and 621 (IMEC).

<sup>20</sup> GB.320/PV, para. 621 (IMEC). The Governing Body had earlier determined that, in order to facilitate better consideration and integration of the standards-related aspects into the recurrent discussion, the review of the General Survey by the Conference should take place one year in advance of the recurrent discussion (GB.313/PV, para. 506; GB.313/LILS/6).

<sup>21</sup> See Social Justice Declaration, Annex, Part I(B) (adaptation of existing modalities of application of art. 19, paras 5(3) and 6(3) of the ILO Constitution). The General Survey is reviewed in the Conference Committee on the Application of Standards.

<sup>22</sup> GB.320/PV, paras 343–344.

<sup>23</sup> GB.325/LILS/4. The Governing Body has already decided the topics of the General Surveys to be reviewed by the Conference in 2016 and 2017: labour migration and occupational safety and health, respectively.



**Draft decision**

28. *The Governing Body may wish to:*

- (a) recommend that the Conference discussion on the evaluation of the impact of the Social Justice Declaration be organized according to one of the three options described in paragraph 19; and*
- (b) take a decision concerning the arrangements for the next cycle of recurrent discussions, or defer the decision on the cycle of recurrent discussions to its 328th Session (November 2016).*



## Appendix

### Coordination between recurrent discussions and the General Surveys under the Declaration on Social Justice for a Fair Globalization

First seven-year cycle									Beyond 2017	
ILC sessions	99th (2010)	100th (2011)	101st (2012)	102nd (2013)	103rd (2014)	104th (2015)	105th (2016)	106th (2017)	107th (2018)	108th (2019) Centenary
Recurrent discussion (RD)	Employment	Social Protection (Social Security)	Fundamental Principles and Rights at Work	Social Dialogue	Employment (as a transition measure, no GS to feed into the RD on employment)	Social Protection (Labour Protection)	Evaluation of the Social Justice Declaration (No recurrent discussion)	Fundamental Principles and Rights at Work	Recurrent discussion?	Recurrent discussion?
CAS discussion of General Surveys (GS)	99th (June 2010)	100th (June 2011)	101st (June 2012)	102nd (June 2013)	103rd (June 2014) (CAS)	104th (June 2015) (CAS)	105th (June 2016) (CAS)	106th (June 2017) (CAS)	107th (June 2018) (CAS)	108th (June 2019) (CAS)
CEACR General Surveys	80th Session (Nov–Dec 2009) Conventions on employment	81st Session (Nov–Dec 2010) Conventions on social security	82nd Session (Nov–Dec 2011) Conventions on fundamental principles and rights at work	83rd Session (Nov–Dec 2012) Conventions on labour relations and collective bargaining in the public service	84th Session (Nov–Dec 2013) Convention on minimum wage fixing	85th Session (Nov–Dec 2014) Conventions on the right of association in agriculture and rural workers' organizations	86th Session (Nov–Dec 2015) Conventions on labour migration	87th Session (Nov–Dec 2016) Conventions on Occupational Safety and Health	88th Session (Nov–Dec 2017) Instruments to be selected in November 2015 by the Governing Body	89th Session (Nov–Dec 2018)
Governing Body choice of instruments (article 19)	303rd Session (Nov 2008)	304th Session (March 2009)	307th Session (March 2010)	310th Session (March 2011)	313th Session (March 2012)	317th Session (March 2013)	321st Session (June 2014)	322nd–323rd Sessions (Nov 2014–March 2015)	325th–326th Sessions (Nov 2015–March 2016)	329th Session (March 2017)

