

Governing Body

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Policy Development Section

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MINUTES

Policy Development Section

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Employment and Social Protection Segment

First item on the agenda

The ILO's response to HIV and AIDS: Accelerating progress for 2030 ([GB.337/POL/1](#))

1. *The Worker spokesperson* welcomed the progress achieved through worldwide efforts, but noted that the global AIDS response was at a precarious point given the significant impact of HIV and AIDS on the world of work. In particular, the lack of public policies and investments to address the economic, social and development problems that arose in the domestic sphere as a result of the epidemic increased the burden on women and pushed children to engage in care work within households. That issue was key and must be addressed in the updated strategy.
2. The Workers' group was concerned that the global focus on HIV treatment had shifted strategies and resources away from prevention, with the result being that new infections were on the rise. In order to promote equal opportunities and decent work for all, both prevention and treatment were vital.
3. The ILO should promote the vision of "patients before patents" and ensure strategy coherence at the global level to ensure that people affected by HIV had access to first- and second-generation antiretroviral treatments, which would enable them to have normal working lives.
4. Social dialogue and the involvement of the ILO tripartite constituents were essential for making the AIDS response comprehensive and effective. Workers' organizations in the public, private and informal sectors had engaged in capacity-building and advocacy campaigns in order to disseminate knowledge relating to HIV and AIDS.
5. Referring to paragraph 24 of the proposed updated strategy, which stated that "[w]orkers who know about HIV, know their rights and are economically empowered enjoy improved negotiating power to refuse unprotected sex", he said that refusing unprotected sex was not merely a matter of knowing about rights and being economically empowered, but was also related to other issues, including violence and harassment – and went beyond the sphere of labour relations. He asked the Office to explain the rationale behind that formulation.
6. The issue of HIV and AIDS in the transition to the formal economy should be included in the updated strategy and should be taken into consideration by the Office when designing the assistance to be provided to tripartite constituents. His group supported the increased focus on young workers, workers at higher risk of HIV exposure and workers at risk of violence and harassment.
7. The Workers' group supported the production of evidence-based knowledge, including research on employment-related HIV stigma and discrimination. In that regard, noting that workers living with or affected by HIV faced various forms of stigma and discrimination – for example, in some places, workers were forced to undergo mandatory testing and could be dismissed based on the results – he said that further awareness-raising work in that area should also be foreseen in the updated strategy.

8. Referring to paragraph 21, he noted with satisfaction that ILO action on HIV and AIDS would continue to be guided by the relevant international labour standards. A reference should be added to the fundamental principles and rights at work.
9. Regarding resource mobilization opportunities and partnerships beyond the important partnership with UNAIDS, he called on the Office to consider the guidance provided by the Governing Body at its 335th Session (March 2019) with respect to innovative financing, and in particular to take into account the Workers' concerns regarding social impact bonds. The Office should avoid entering multi-stakeholder partnerships that lacked accountability. He requested further clarification on what was meant by "beyond the UN system".
10. Lastly, he called on the Office to include in the updated strategy a reference to the *Joint ILO/WHO guidelines on health services and HIV/AIDS* and to convene an informal consultation with constituents in order to present an update on the implementation of those guidelines and to assess whether a revision was required. His group agreed with the way forward proposed in paragraph 33 and the proposal to take an integrated approach, and supported the draft decision in paragraph 35.
11. *The Employer spokesperson*, commending the Office's work in recent decades to address the issue of HIV and AIDS in the world of work, said that the updated strategy must reverse the recent loss of momentum in the response to HIV and AIDS within the international community. Although the document was comprehensive in identifying what needed to be done to adapt the world of work response to HIV and AIDS to the changing environment, it lacked details regarding implementation and how the resources required would be sourced. There was a need for a clear and results-oriented strategy on mobilizing funds from outside the regular budget.
12. Given that Decent Work Country Programmes (DWCPs) had not been implemented in some countries because of funding challenges, the updated strategy should be complementary to DWCPs rather than being subsumed under or aligned with them. The expanded outreach programmes referred to in paragraph 26 might be better implemented in collaboration with other UN agencies that had expertise in the areas concerned. The ILO's focus should be on the workplace.
13. The tripartite constituents should be strengthened to play a more central role in the fight against the pandemic, giving non-governmental organizations (NGOs) a more complementary role. In that regard, he expected the Office to obtain the agreement of tripartite constituents before engaging with NGOs. Moreover, the Office should further elaborate on how civil society organizations would be engaged.
14. With respect to the twin-track approach proposed in paragraphs 24 and 25, he welcomed the idea of HIV capacity-building for ILO constituents as the first track. However, further clarification was required from the Office with regard to the second track.
15. Lastly, a strategy that would be implemented over a ten-year time span was unrealistic in the context of a rapidly changing workplace. He therefore called for an inbuilt mechanism for frequent review that would involve the Governing Body. The Employers' group supported the draft decision.
16. *Speaking on behalf of the European Union (EU) and its Member States*, a Government representative of Finland said that the candidate countries Turkey, North Macedonia, Montenegro, Serbia and Albania, as well as Armenia and Georgia, aligned themselves with his statement. The document provided a useful overview of the Organization's response to HIV and AIDS in the world of work. Noting that major inequalities in respect of access to prevention, screening and care remained, she said that the rights-based approach set out in

the HIV and AIDS Recommendation, 2010 (No. 200), must remain at the centre of the Organization's actions. Similarly, the proposed focus on young workers, workers at higher risk of HIV exposure and workers at risk of violence and harassment was very relevant to the ILO's areas of expertise, and should go hand in hand with efforts to promote and protect workers' rights and ensure equality and non-discrimination, including through the voluntary confidential counselling and testing at work (VCT@Work) initiative.

17. If there was to be a hope of ending the AIDS epidemic by 2030, there needed to be a more coherent response to HIV and AIDS in the world of work. Nevertheless, the ILO must, while pursuing partnerships with other organizations, remain within its mandate.
18. The EU and its Member States were at the forefront of the fight against HIV. The European Commission had so far contributed some €2 billion to the Global Fund to Fight AIDS, Tuberculosis (TB) and Malaria, and would continue that support. He would welcome further information on how the Office planned to revitalize its relations with the Global Fund and also to expand public-private partnerships. Subject to the clarifications of the Office, the EU and its Member States were prepared to support the draft decision.
19. *Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)*, a Government representative of Uruguay welcomed the recent appointment of Ms Winnie Byanyima as the Executive Director of UNAIDS, anticipating her successful management of UNAIDS, particularly working with the ILO in the framework of the joint programme to reach the goals of the 2030 Agenda for Sustainable Development. She expressed support for the proposed updated strategy, in particular its multisectoral focus and its emphasis on both rights and prevention, and noted that Recommendation No. 200 was a crucial international instrument for tackling the issues faced by workers and employers in the context of HIV and for promoting gender equality and tolerance for diversity in the workplace. It was essential to implement cross-cutting projects at all levels that would guarantee full respect for the human rights of persons living with HIV. GRULAC was convinced of the importance of continuing to build partnerships to provide prevention and treatment of HIV, linking with health systems and with stakeholders with other spheres of influence. Moreover, tripartism had a key role to play in ensuring that the HIV response was both comprehensive and coordinated. Reiterating her group's commitment to tackling the epidemic, she called on the Office to continue strengthening efforts to mobilize sustainable funding from within and outside the UN system for the implementation of the updated strategy. GRULAC supported the draft decision.
20. *A Government representative of Ecuador* expressed support for the draft decision and the proposed updated strategy, particularly its multisectoral approach and its focus on prevention. She stressed that tripartism could significantly contribute to making the global HIV response more efficient. Decent work, in an environment free of discrimination and stigma, could be achieved only through inclusive forums for dialogue. She encouraged the Office to continue mobilizing the necessary resources from within the UN system and beyond and reiterated her country's commitment to addressing HIV. She supported the point for decision.
21. *A Government representative of India* welcomed the proposed updated strategy, particularly its increased focus on young workers, workers at higher risk of HIV/AIDS exposure and workers at risk of violence and harassment. India had reviewed its policy to mitigate HIV's impact, mainstream prevention and reaching out to informal economy workers. The ILO's tripartite constituents had an essential role to play in making the response to HIV and AIDS comprehensive and effective. She took note of paragraph 18 and supported the alignment of the updated strategy with the UN Sustainable Development Cooperation Frameworks and ILO DWCPs. Measures to improve access to employment for people living with HIV and working in the informal economy, through economic empowerment entrepreneurship skills

development and business-related services, were essential. She stressed the strong correlation between HIV and TB and the need to address co-infection. Her Government had recently adopted a framework to respond to HIV and TB. Noting the crucial role of the social partners in the world of work response, she suggested that the involvement of employers' organizations in awareness-raising initiatives was essential to eliminate stigma and discrimination for people living with HIV. Such involvement would also help to protect workers from being deemed unacceptable for work.

22. *A representative of the Director-General* (Director, Conditions of Work and Equality Department (WORKQUALITY)) said that the guidance given by Governing Body members had been duly noted and would be taken into account when finalizing the updated strategy. The Office took the view that the most effective way of preventing requests for unprotected sex from arising, both at the workplace and beyond, was by contributing to the construction of workplaces that were free from violence and harassment. For that reason, the proposed updated strategy made an explicit reference to the Violence and Harassment Convention, 2019 (No. 190), and its accompanying Recommendation (No. 206), as a guiding framework for the protection of people living with HIV and AIDS, who constituted a group more likely to be exposed to violence and harassment. It remained true that workers who were economically secure and aware of their rights were more likely to be forceful in refusing requests for unprotected sex.
23. Discussions within the Office were under way to explore the best ways of diversifying sources of funding for implementation of the updated strategy. In a context where extrabudgetary resources for HIV- and AIDS-related activities were in decline, the Office had been trying to mainstream an HIV response into other areas of the ILO's work and for which it received extrabudgetary resources, particularly social protection, youth employment and preventing and addressing discrimination in employment. In fact, the second track of the twin-track approach was specifically about ensuring that HIV- and AIDS-related concerns were adequately taken into account in other policy areas, which, though not explicitly focusing on HIV and AIDS contribute to enhancing the effectiveness of the AIDS response.
24. The ten-year time frame had been proposed in order to align the updated strategy with the 2030 Agenda for Sustainable Development. The Office welcomed the suggestion to review implementation of the strategy regularly and assess whether further adjustments were required. The Office could provide further clarifications if necessary after the session.
25. *The Employer spokesperson* expressed appreciation for the Office's explanation regarding the second track of the twin-track approach but said that his group was concerned by the limited number of policy areas mentioned thus far, namely, social protection and youth employment. Noting that there was, in fact, a need for much wider HIV integration, he suggested that paragraph 25 of the document should include wording such as "as applicable and appropriate".

Decision

26. ***The Governing Body requested the Director-General to take into consideration the strategy for ILO action concerning HIV and AIDS in the world of work, and the guidance given during its discussion, in the implementation of the Programme and Budget for 2020–21, in the preparation of the next strategic framework and future programme and budget proposals and in facilitating extrabudgetary resources.***

(GB.337/POL/1, paragraph 35)

Social Dialogue Segment

Second item on the agenda

Sectoral meetings held in 2019 and proposals for sectoral work in 2020 ([GB.337/POL/2](#))

27. *The Employer spokesperson* took note of the sectoral meetings held in the first half of 2019 as mentioned in part I of the report. He welcomed in particular the points of consensus adopted by the Global Dialogue Forum on Decent Work in the Management of Electrical and Electronic Waste (e-waste). Despite concerns regarding the impact on the environment and human health, the meeting had highlighted that e-waste could be a resource rather than simply waste, as it had a significant potential for job creation. His group strongly supported the call made in the points of consensus to foster an enabling environment for sustainable enterprises in the e-waste sector, which could create decent jobs, introduce new technologies and innovative business models and contribute to productivity growth. Those objectives were in line with the Office's priorities under the ILO Centenary Declaration for the Future of Work, and his group therefore encouraged the Office to support the creation of decent and sustainable jobs in the sector.
28. The Sectoral Meeting on Promoting Decent Work and Safety and Health in Forestry had recognized that promoting decent and sustainable work in forestry could contribute towards the achievement of the Sustainable Development Goals (SDGs), in particular through efforts to combat climate change and desertification. He recalled that, at the Meeting, the Employers had pointed out that significant progress had been made in the forestry sector, but that the sector still presented high risks in respect of occupational safety and health (OSH), and various challenges remained. The meeting's points of consensus provided guidance in that respect and its recommendations would help the ILO to strengthen its efforts and build on the progress made thus far to promote decent, sustainable and productive work in the forestry sector.
29. Turning to the proposals for upcoming meetings, his group welcomed the agreement to hold a meeting of experts to produce joint ILO–IMO guidelines for medical examination of fishers, which would ensure policy coherence at the international level. He asked the Office to hold consultations with the secretariats of the Employers' and Workers' groups to determine the rules that should apply to that meeting. His group supported the draft decision.
30. *The Worker spokesperson* recalled that discussions during the Sectoral Meeting on the Recruitment and Retention of Seafarers and the Promotion of Opportunities for Women Seafarers had covered the various obstacles to decent work in the maritime sector. His group reiterated its view that mandatory pregnancy testing for securing and retaining employment at sea was a serious form of discrimination and that making such testing mandatory for reasons of safety was unacceptable. It was therefore important to follow the consensus reached on that point in accordance with the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). The Meeting's conclusions would serve to further improve working conditions in the maritime sector.
31. The Global Dialogue Forum on e-waste would encourage research and data collection in that sector. A majority of workers in the sector were informal workers and often exposed to dangerous substances. The work of the Office and the social partners was essential to respond to their needs. The points of consensus constituted a valuable road map towards workers' enjoyment of fundamental labour rights in that sector.

32. He welcomed the conclusions of the sectoral meeting on forestry, noting the dangerous working conditions in that sector, which was a fundamental part of the wood and paper supply chain. The recommendations of that meeting took into account the need for a just transition towards sustainability in forestry, and the need to strengthen social dialogue and collective bargaining to ensure safe and healthy workplaces in the sector.
33. Regarding the proposed upcoming meetings, he asked the Office to clarify the implications of not applying the Standing Orders for meetings of experts to the joint ILO–IMO meeting of experts. His group supported the draft decision.
34. *Speaking on behalf of the Africa group*, a Government representative of Chad expressed his group’s satisfaction with the work of the Sectoral Meeting on the Recruitment and Retention of Seafarers and the Promotion of Opportunities for Women Seafarers, noting that gender equality and non-discrimination were at the heart of the Decent Work Agenda. The sectoral meeting had been timely in the light of the Centenary Declaration and the Office’s Centenary challenge to reach 100 ratifications of the Maritime Labour Convention, 2006 (MLC, 2006), as amended, by the end of 2019. His group welcomed the ILO’s cooperation with the International Maritime Organization (IMO), and took note of the planned meeting of experts to produce joint ILO–IMO guidelines for medical examination of fishers. Taking note of the meetings proposed for 2020, his group supported the draft decision.
35. *Speaking on behalf of the group of industrialized market economy countries (IMEC)*, a Government representative of Ireland noted the reports of the three meetings held in the first half of 2019. The recommendations they contained were focused on themes that were present in the Centenary Declaration: effective social dialogue to promote decent work and sustainable development; collaboration between Governments and social partners to ensure safe and healthy workplaces; and the promotion of equal opportunities for women and men and persons in other groups that were vulnerable to discrimination. The reports also highlighted the need to collect and analyse statistical data and to conduct research to identify trends, good practices, future challenges and opportunities in the three sectors. IMEC welcomed the decision to convene a joint ILO–IMO meeting in 2021 and noted that the Standing Orders for meetings of experts would not apply to that meeting. It also noted the proposals for the meetings to be held in the first half of 2020. IMEC supported the draft decision.
36. *A Government representative of Panama*, noting that Panama was the country with the largest maritime register in the world, emphasized the importance of tripartite meetings concerning the maritime sector. He welcomed the planned joint ILO–IMO meeting in 2021 and assured the Office of his Government’s full support for ongoing work in that sector.
37. *A representative of the Director-General* thanked the constituents for making the sectoral meetings a success and said that the Office has already started work on the implementation of the outcomes of the meetings. Since the Global Dialogue Forum on e-waste, the Office had continued its work in that sector. It would shortly publish two country studies and was an active member of the emerging United Nations E-waste Coalition. In that connection, she noted that the four meetings scheduled to be held in 2020 all related to the future of work from a sector-specific perspective, following the guidance provided by the Centenary Declaration.
38. Concerning the meeting of experts to produce joint ILO–IMO guidelines for medical examination of fishers, she explained that the ILO’s Standing Orders for technical meetings and the Standing Orders for meetings of experts applied only to meetings convened by the Governing Body of the ILO, and as the planned meeting of experts would be a joint meeting with the IMO, this would not be a meeting convened by the Governing Body of the ILO; therefore the Standing Orders would not apply. The ILO and the IMO would work together

to define a set of rules for that meeting, and would of course consult with the tripartite constituents.

39. *The Worker spokesperson* said that the Governing Body should give further consideration to holding sectoral meetings on the issue of whistleblowers and on the issue of inland waterways.
40. *The Employer spokesperson* said that a sectoral meeting on whistleblowers would not be appropriate as it was an issue that affected all industries and sectors. Identifying a single sector with specific and unique challenges relating to whistleblowers would be difficult. Should such a meeting take place, his group would prefer to focus on the public sector. The empty slot on the programme of sectoral meetings for 2020–21 should be used for a meeting directly linked to the Centenary Declaration. His group would support the inclusion of a meeting on the future of skills in the electronic and telecommunication sector, which had been identified as an area of engagement essential for the implementation of the Centenary Declaration.

Decision

41. The Governing Body:

- (a) *approved the reports of the meetings referred to in section I of document GB.337/POL/2 and authorized the Director-General to publish the final reports of those meetings;*
- (b) *requested the Director-General to bear in mind, when drawing up proposals for future work, the recommendations for future action by the ILO made by the meetings referred to in section I of document GB.337/POL/2;*
- (c) *noted that the IMO had authorized the convening of the joint ILO–IMO meeting to produce joint ILO–IMO guidelines for medical examination of fishers in 2021; and*
- (d) *endorsed the proposals contained in Appendix I to document GB.337/POL/2 relating to the dates, duration, official title, purpose and composition of the meetings listed therein.*

(GB.337/POL/2, paragraph 20)

Multinational Enterprises Segment

Third item on the agenda

Promotional activities concerning the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and related developments outside of the ILO ([GB.337/POL/3](#))

42. *The Employer spokesperson* said that coherence between the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) and the United Nations Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises was critical. Her group welcomed many of the activities to promote the MNE Declaration, including the new web portal, the updated e-learning, the set of training courses provided by the International Training Centre of the ILO in Turin (Turin Centre) and in-country awareness-raising efforts among governments, social partners and companies. She requested more information on the Office's engagement with small and medium-sized enterprises (SMEs), particularly the lessons learned in conveying the Declaration's guidance to SME owners and managers in a way that was relevant to their specific operational realities and welcomed collaboration with the International Organisation of Employers (IOE) and employers' organizations on this.
43. The regional follow-up to the Declaration should continue as intended in bringing awareness of the MNE Declaration from Geneva into the regions. Employers have promoted this from the beginning. However, her group wished to know more about how the questionnaire administered under the follow-up mechanism helped the Office in its further dissemination work of the Declaration. There was no need for the Governing Body to further clarify the format and intended output of the special session on the Declaration at ILO regional meetings; that should be left to the discretion of each region based on its needs and priorities.
44. The Office must base its country-level assistance on constituents' needs, linking the tools used to the specific situations and priorities in each country. It was therefore encouraging that the Office provided country-level assistance upon request through awareness-raising workshops and the facilitation of dialogue among the tripartite constituents. The Office should stand ready to respond to such requests in coordination with the Bureau for Employers' Activities (ACT/EMP) and the Bureau for Workers' Activities (ACTRAV). Her group participated actively in two EU-funded projects in Asia and Latin America in an effort to connect the work of the ILO, the Organisation for Economic Co-operation and Development (OECD) and the United Nations. It was essential that those implementing partners responded to the needs and realities of constituents in the countries concerned. Project implementation in China and Japan, in particular with the Tokyo 2020 Organising Committee, have been welcomed by employers.
45. The work of the ILO Helpdesk for Business should continue, and she asked whether the Office had received any feedback from users that could help further strengthen the services. Her group welcomed the confidentiality of the four company–union dialogue procedures conducted so far and underlined that the results of that procedure should not be used for any binding procedure. The list of facilitators should be drawn up in consultation with the social partners, with the main criterion being impartiality.

46. National focal points were intended to promote the MNE Declaration and its principles at the national level. They should be appointed on a tripartite basis and should not be present in countries where other promotional tools for the Declaration existed. It was not the intention that they receive individual complaints or mediate in disputes. For that the company–union procedure existed. It was therefore regrettable that one member State had created a complaint mechanism for the Declaration under the national focal points, conflating the roles of the national focal point and the National Contact Point for the OECD Guidelines for Multinational Enterprises.
47. In its engagement with outside bodies, the Office should stress the voluntary nature of the Declaration and ensure involvement of the social partners. That was particularly true for the promotional activities to maintain the tripartite support for the Declaration. Her group proposed amending the draft decision to remove the repetition of the notion of implementation.
48. *The Worker spokesperson*, after acknowledging the ILO’s substantive work in awareness-raising and capacity-building, especially the new web portal and the ACTRAV Guide on the MNE Declaration, said that activities at the national level were key to promoting the implementation of the MNE Declaration, particularly for the establishment of the national focal points. Regional follow-up was a key element in the Declaration’s follow-up mechanisms. The shift of focus from global to regional follow-up decided in 2014 and confirmed by the Governing Body in 2017 had proven useful, helping to increase the relevance of the Declaration for constituents. His group expected that a formal session on the promotion and application of the Declaration at the regional, subregional and national levels should appear on the programme of every regional meeting. His group welcomed the establishment of national focal points in six member States and urged others, particularly members of the Governing Body, to follow suit.
49. The high number of users of the ILO Helpdesk for Business demonstrated the need to continue to promote the MNE Declaration. The Office should provide training for ILO officials on the recent successful use of the company–union dialogue procedure, while respecting its confidential nature. His group encouraged staff to promote this procedure as a means of conflict resolution in industrial relations and highlighted the increased frequency with which the Declaration was referenced in global framework agreements.
50. His group recognized the importance of promoting the MNE Declaration outside the ILO. The document contained several good examples of how the Declaration could play a key role, together with other instruments, in promoting responsible business conduct. His group welcomed the new draft of the binding treaty on transnational corporations and human rights and clear interest in the regulation of business conduct. The ILO’s true strength and expertise lay in labour issues, and its efforts should concentrate on strengthening tripartite conferences and dialogue on substantive issues relating to operations of multinational enterprises. The constituents’ increased ownership of the Declaration had been accompanied by increased demand for training opportunities. His group was committed to promoting and implementing the Declaration. Turning to the draft decision, his group proposed the addition of the words “the social partners” after “member States”.
51. *Speaking on behalf of GRULAC*, a Government representative of Uruguay said that the MNE Declaration’s increased visibility had contributed to the adoption of regional and national policies aimed at implementing its principles, including the protection of human rights and respect for labour rights. However, a firmer commitment was required at country and enterprise levels. Her group recognized the ILO’s work with other relevant international and intergovernmental organizations to support the implementation of the Declaration’s principles. The Office should harmonize the format and intended output of the discussion on regional reports to facilitate comparability and the identification of progress. Her group

urged the Office to continue its efforts to facilitate social dialogue by compiling and maintaining a list of facilitators for the company–union dialogue procedure. It hoped that the Office would increase its dissemination and promotion activities via online and distance-learning courses and webinars, based on the needs of member States and available resources. Her group supported the draft decision.

52. *Speaking on behalf of IMEC*, a Government representative of Germany said that her group welcomed the promotional activities of the MNE Declaration and underlined the importance of the operational tools for its implementation. IMEC welcomed the further operationalization of the company–union dialogue procedure. Awareness-raising and capacity-building at all levels, including within enterprises, was key to the Declaration’s implementation. Her group welcomed the web portal and the continued promotion of the ILO Helpdesk for Business, providing information on practical application of the Declaration’s guidance. Her group appreciated the regular addition of new resources and the launch of additional language versions, as well as the extended training offer and updated e-learning module.
53. IMEC welcomed the country-level assistance in linking promotion of the MNE Declaration to national decent work priorities and existing projects in that regard. The Office should develop partnerships in more countries and promote the due diligence approach together with constituents on the ground. IMEC appreciated the collaboration with other international and intergovernmental organizations and expects the ILO to emphasize its unique mandate and highlight the importance of social dialogue in due diligence. Her group appreciated the reference to the Declaration in the G7 Social Tripartite Declaration of 2019 and the commitment stated therein to the promotion of responsible business conduct, including human rights due diligence. IMEC supported the draft decision.
54. *Speaking on behalf of the EU and its Member States*, a Government representative of Finland said that Turkey, North Macedonia, Montenegro, Serbia and Albania aligned themselves with her statement. The EU and its Member States considered the MNE Declaration to be very important; the instrument was essential to promoting decent work providing direct guidance to governments and enterprises, including in global supply chains. Given the UN development system reform and the desire to raise the awareness of UN resident coordinators of the role of tripartism, it was important to promote the Declaration and due diligence in DWCPs and through other development activities. The format of the discussion on regional reports at regional meetings should be adaptable to regional circumstances.
55. The EU and its Member States supported the appointment of national focal points to stimulate the uptake of the MNE Declaration at the country level, especially where there was no OECD National Contact Point. They encouraged the Office to provide a platform to share knowledge and best practices to support member States seeking to promote and implement the Declaration at the national level. She highlighted the EU-funded projects in Asia and the Americas in this regard. They encouraged the Office to strengthen its efforts to operationalize the company–union dialogue procedure by compiling and maintaining a list of facilitators.
56. The EU and its Member States supported the promotion of the MNE Declaration outside the ILO and collaboration with other international organizations. The ILO with the MNE Declaration should play a key role in advancing decent work in global supply chains in the multilateral system. She welcomed the call in the G7 2019 social communiqué and Social Tripartite Declaration to take action to strengthen the implementation of the Declaration and the acknowledgement of the crucial role of the G7 governments in that regard. The EU and its Member States supported the draft decision.

57. *A Government representative of Ecuador* welcomed the reference in document GB.337/POL/3 to the “Responsible Business Conduct in Latin America and the Caribbean” project, implemented in nine countries of his region, including Ecuador. He welcomed the reference to the UN Human Rights Council’s open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights, which had developed the revised draft legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises. The working group had strengthened references to the ILO’s core Conventions, and had aligned relevant provisions with the MNE Declaration and other international instruments. He encouraged the Office and the constituents to actively participate and contribute to developing a framework for international standards on enterprises and human rights to facilitate the implementation of the Declaration and other frameworks. He supported the draft decision.
58. *Speaking on behalf of the Africa group*, a Government representative of Namibia noted with satisfaction that members of all three constituents were participating in training events at the ILO and at the Turin Centre and requested that statistics on participants be disaggregated by year, gender and region. He agreed that the Governing Body should clarify the format of the special session during ILO regional meetings, as the format of regional follow-ups was not consistent across all regions. On the significant outcomes and lessons learned, he was pleased that the adoption of the revised MNE Declaration had led to greater ownership of the instrument by the tripartite constituents in ILO member States. The lessons learned should be accompanied by evidence showing how a member State had successfully promoted the Declaration with its tripartite set-up, which would then serve not only as a benchmarking exercise, but rather as a promotional strategy to encourage other member States to follow suit. The Africa group supported the draft decision as amended by the Workers’ group, but proposed a sub-amendment to delete “and enterprises” because the proposed addition of “the social partners” would already include enterprises as members of employers’ organizations.
59. *A Government representative of China* outlined action taken by his government to promote and implement the MNE Declaration. This was done in the context of the Responsible Supply Chains in Asia project, which includes research, strengthening the capacities of constituents in specific sectors, raising awareness among enterprises on compliance with domestic laws and relevant international standards and of fulfilling corporate social responsibility in the global supply chain. The Office should further strengthen its efforts to promote implementation of the Declaration, enhance its support to the constituents and assist member States in developing and implementing relevant domestic legislation. He supported the draft decision.
60. *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of the Islamic Republic of Iran said that enhancing assistance to member States and the social partners, while avoiding duplication of efforts, was crucial to the implementation of the principles of the MNE Declaration. ASPAG supported the draft decision as amended by the Workers’ group.
61. *Speaking on behalf of IMEC*, a Government representative of Germany supported the amendment to the draft decision proposed by the Workers’ group, but could not support the sub-amendment of the Africa group or the proposed amendment by the Employers’ group.
62. *The Employer spokesperson* clarified that her group’s proposed amendment was to delete “and assistance to member States and enterprises on its application”, as the phrase was redundant, given that the notion was already contained in the wording earlier in the sentence “enhancing the further recognition and implementation of the Tripartite Declaration”. However, if there were a consensus to keep the original wording, the group would be

prepared to keep both phrases. The Employers could accept the addition of “the social partners”, as proposed by the Workers, but would propose a sub-amendment to replace the word “application” at the end of the sentence with “implementation”, which was the correct term, and to then delete “and implementation” after “recognition” in the first part of the sentence, to avoid duplication.

63. *Speaking on behalf of the Africa group*, a Government representative of Namibia clarified that his group’s sub-amendment to delete “and enterprises” was to avoid duplication because it was its understanding that the social partners included employers, who were entrepreneurs and thus enterprises.
64. *A Government representative of Panama* did not agree with the Employers’ proposed sub-amendment to replace “application” with “implementation” because the verb “*aplicar*” had a stronger meaning in Spanish. He concurred with the Africa group’s understanding that the social partners included enterprises, and therefore agreed with its proposed sub-amendment to delete “and enterprises”.
65. *The Employer spokesperson* said that the MNE Declaration itself referred to the social partners and multinational enterprises. Moreover, individual enterprises were not the same as social partner organizations. Hence, both the terms “the social partners” and “enterprises” were necessary. With regard to the term “application”, she emphasized that the Declaration was a voluntary instrument, containing principles, which should be promoted; it was not a law.
66. *The Worker spokesperson* said that his group wished to keep the words “and implementation” in the first part of the sentence and agreed to changing “application” to “implementation” in the second part. Enhancing implementation of the Declaration and enhancing assistance on its implementation had two different meanings and so there was no repetition.
67. *The Employer spokesperson* said that, in the spirit of social partnership and compromise, the Employers could agree with the proposal by the Workers.
68. *A representative of the Director-General* (Director, Enterprises Department (ENTERPRISES)) said that the reference to multinational enterprises in the draft decision was consistent with the terminology used in the introduction of the MNE Declaration, which mentioned “guidelines to multinational enterprises, governments, and employers’ and workers’ organizations”. Thus, it was one of the few, if not the only, areas in the ILO that referred in that way to the social partners and enterprises. With regard to SMEs, alignment with the Declaration and other international instruments would improve their competitiveness and access to local, regional and global markets. A list of facilitators for the company–union dialogue procedure would be compiled in consultation with member States and social partners, as requested. The Office used an analysis of enquiries received by the ILO Helpdesk for Business to improve its responses, while respecting confidentiality. The website was receiving many hits, especially the Questions and answers section. On the regional follow-up, the questionnaires to which governments and social partners respond on a voluntary basis were an important source to identify areas for further Office assistance. He took note of the request for increased training and confirmed the Office’s commitment to keep the training levels as high as possible. He indicated that the Africa regional report on the MNE Declaration was already available on the website of the 14th Africa Regional Meeting.
69. *Speaking on behalf of the Africa group*, a Government representative of Namibia said that, in light of the Office’s explanations, his group supported the amended draft decision.

70. *Speaking on behalf of IMEC*, a Government representative of Germany said that her group supported the amended draft decision.
71. *The Employer spokesperson* said that her group also supported the amended draft decision.

Decision

72. ***The Governing Body invited the Director-General to take into account its guidance on enhancing the further recognition and implementation of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and assistance to member States, the social partners, and enterprises on its implementation.***

(GB.337/POL/3, paragraph 32, as amended by the Governing Body)

Development Cooperation Segment

Fourth item on the agenda

Enhanced programme of development cooperation for the occupied Arab territories ([GB.337/POL/4](#))

73. *The Employer spokesperson* commended the informative, realistic and succinct nature of the document. Her group noted with concern the continued decline of the economy and labour market participation and the high unemployment rate, especially among women and young people, in the occupied Arab territories.
74. Her group took note of the ILO public–private partnership agreement signed with the non-governmental organization, Cooperation for the Development of Emerging Countries (COSPE), and encouraged the Office to engage regularly with Palestinian employer organizations, who could provide substantive input on the development and implementation of employment policies that would create jobs, foster a business-friendly environment and build up the weak economy.
75. Efforts should be made to build the capacity of employers in the region and engage in social dialogue. The information requested by her group at the October–November 2018 session of the Governing Body on the ILO’s actions to build and encourage a conducive and sustainable environment for business, however, had not been included in the document. The Office was encouraged to work with the International Organisation of Employers (IOE) and its networks in the region to obtain the relevant information.
76. The Office should continue to provide technical advisory support for the formulation of a Palestinian employment policy and action plan until the constituents were able to take ownership of that important process. Work to support the development of Palestinian social security systems should remain a priority for the Office, as it was a means to improve employment and the livelihoods of Palestinian people.
77. Her group was pleased to see that the Office had collected empirical data and statistical information on the labour market to provide employer guidance, as requested at the October–November 2018 session of the Governing Body. The development of a chapter on labour

linked to the SDGs in the *Economic Monitor* report through a partnership with the Palestinian Central Bureau of Statistics and the Palestine Economic Policy Research Institute was evidence of good progress in that regard.

78. The Office should strengthen its ongoing technical and capacity-building support to the Federation of Palestinian Chambers of Commerce, Industry and Agriculture on its role in the labour law reform process. Her group took note of the ILO's assistance in increasing the membership of Palestinian women in trade unions and appealed to the ILO to provide the same support to employer organizations to strengthen their membership. Social dialogue and tripartism could only be effective and meaningful if employer organization representation was strengthened at the national level.
79. Her group called once again for a more coordinated international response and cooperation between the ILO and other UN agencies through a collaboration strategy, while ensuring that the funding of international agencies on the ground was not to the detriment of those most in need of assistance.
80. Her group supported the draft outcome contained in paragraph 32 of document GB.337/POL/4.
81. *Speaking on behalf of the Arab Employers' group*, an Employer member from Jordan recalled the dire economic and employment situation in the occupied Arab territories that resulted from the policies and practices of the Israeli occupation, which prevented the circulation of people and goods, withheld monies due, undermined the Palestinian economy and denied Palestinians access to natural resources in certain areas.
82. He encouraged the ILO to renew the Palestinian Fund for Employment and Social Protection and hold a meeting to promote the issue as soon as possible. The occupied Arab territories suffered from the highest unemployment rates in the world; ILO funds should be provided from the regular budget or from extrabudgetary sources to support the offices in Beirut and Jerusalem and the Arab Labour Organization in job creation and unemployment reduction.
83. He urged the ILO to intervene to restore the rights lost by Palestinians in 1970. Fundamental ILO principles were not being observed: Palestinians were not being paid wages in accordance with international standards and the Paris Protocol of 1994 was not being applied by the Israeli Government. In addition, he urged the ILO to strengthen its efforts to support the re-establishment of the social security structure and to seek an agreement to recover the contributions made by Palestinian workers to Israeli funds that had been withheld. He further urged the Office to strengthen cooperation in relation to development programmes for the occupied Arab territories and to report regularly to the Governing Body on the situation in the region.
84. *The Worker spokesperson* expressed deep concern at the poor prospects for a peace agreement and the stalling of the Palestinian reconciliation process. The continued undermining of human rights, the exponential growth of settlements on the West Bank and the huge number of restrictions on the freedom of movement and access to infrastructure or services seriously harmed the economic and social rights of Palestinians, as did severe levels of discrimination in the employment market. The continuing embargo in Gaza had gutted the local economy and production base and ravaged the lives of the population, especially those involved in the "Great March of Return" demonstrations and front-line workers and placed additional burdens on women.
85. As indicated in the Appendix to the Report of the Director-General to the 108th Session (2019) of the International Labour Conference concerning the situation of workers of the occupied Arab territories, economic decline and high unemployment levels in Gaza and the

West Bank were caused solely by external factors, which were linked to the occupation. The budget crisis, caused by the freezing of certain customs and value added tax revenues, was having a negative impact on the purchasing power of the Palestinian people and bogging down the employment market at a time when external financial support had shrunk to 50 per cent of 2013 levels. Record levels of unemployment were affecting highly qualified young people and women in particular.

86. Her group supported the ILO's continued efforts to strengthen the legislative labour framework and took note of the significant progress made in the labour law reform process, particularly from a gender perspective, during the reporting period. Her group concurred with the Employers that continued technical and financial support of the development of the Palestinian social security system should remain an absolute priority for the Office to ensure the protection of workers outside the public sector and to strengthen the creation of decent work in a private sector that had become lethargic. As the development of the system had stalled and was at risk of collapse, it was essential to preserve the knowledge base built up over recent years and to re-establish the system.
87. In relation to social protection, the Office should continue to support an inclusive dialogue and the capacity-building of relevant government institutions and worker and employer organizations, as well as broader civil society organizations. It should also support the design and implementation of an awareness-raising campaign and communication strategy on social security reforms to ensure stakeholder engagement.
88. Her group endorsed the continuation of the three priorities of the first Decent Work Programme (DWP) to the second such programme and the focus on strengthening social dialogue and trade union freedom and, in particular, welcomed the Office's efforts to improve the labour market situation in Gaza. Although Palestinians themselves had limited possibilities to improve their job market prospects in the occupied Arab territories, the need to promote good governance and effective institutions remained. Support for the development of the social security system was more necessary than ever to strengthen the protection of workers and, also, the attractiveness of the private sector, which would help create decent jobs.
89. Her group highlighted the importance of the ILO's presence in the occupied Arab territories to promote decent work and social justice for the Palestinian people and noted the need to expand and diversify the partnerships needed to implement the second DWP. It reiterated its request to mobilize funding for the Palestinian Fund for Employment and Social Protection, which was essential for the promotion of decent work which, in turn, would drive sustainable development, the building of a state structure and the achievement of peace and social cohesion for all. In addition, the Workers proposed that a tripartite meeting should be organized to develop and promote employment policies and strategies in the occupied Arab territories. In the absence of political progress, her group encouraged the ILO to urge the international community to promote the two-state solution as the only credible option to enable the Palestinian people to recover their legitimate rights and build their State on a sustainable basis.
90. Her group supported the draft outcome.
91. *Speaking on behalf of the Africa group*, a Government representative of Morocco expressed concern at the bleak situation of workers in Gaza and the deteriorating prospects for improvement. The group noted with satisfaction the considerable efforts expended by the Office to obtain funding to promote decent work in the occupied Arab territories and invited it to support the organization of a donors' meeting as soon as possible, with the aim of creating jobs for Palestinian workers. The group requested the Office to maintain its support of the Palestinian Fund for Employment and Social Protection in order to help boost the

economy and employment prospects, to continue diversifying and strengthening partnerships and resources for promoting decent work and to continue to update the Governing Body on the economic situation of Palestinians in its future reports on the enhanced development programme for the occupied Arab territories.

92. *Speaking on behalf of the Arab group*, a Government representative of Bahrain thanked the Director-General, the ILO Regional Office for the Arab States in Beirut and the ILO representative in Jerusalem for their work to ease the suffering of the Palestinian people by implementing the enhanced programme of development cooperation for the occupied Arab territories. He also thanked donors supporting the programme, in particular the Government of Kuwait. He noted with reference to the worsening situation highlighted in the document and in the Appendix to the Report of the Director-General that the intensification of the occupation and the blockade of Gaza damaged the Palestinian economy and the labour market, causing real hardships for the Palestinian people, preventing their access to decent work and posing real obstacles to sustainable development. He requested the international community to take action against those responsible. A meeting of the Palestinian Fund for Employment and Social Protection should be convened as soon as possible.
93. Financial resources to address unemployment and boost the economy in the occupied Arab territories needed to be mobilized. His group therefore called on the Governing Body to redouble its efforts and broaden the scope of programmes to benefit the Palestinian people and Palestinian workers. He also called on the ILO to actively intervene to ensure that Palestinian workers enjoyed the rights denied to them since 1970 and receive all monies due to them in accordance with the Paris Protocol of 1994, through the creation of a social security institution to collect the monies concerned. Lastly, he requested the Director-General to include in his next progress report an update on all efforts undertaken.
94. *The Chairperson* recalled that while the Standing Orders of the Governing Body did not provide for speaking rights of representatives of liberation movements, under article 2.2 it was the prerogative of the Chairperson to accord the right to address the Governing Body. The Officers of the Governing Body had considered the matter and he had decided to allow the representative of the Palestinian Authority to speak, on the understanding that the intervention would be strictly limited to the matter under discussion, which was of direct concern to the Palestinian Authority.
95. *A representative of Palestine* welcomed the document, which chronicled the suffering of Palestinian people due to the destruction of the Palestinian economic infrastructure, distortion of the labour market and Palestinian workers deprived of their rights.
96. He commended the report of the Director-General on the situation of workers of the occupied Arab territories and urged members to give it greater attention. There was a real need for input from the tripartite constituents with regard to social justice. He therefore asked that the annual Report of the Director-General on the occupied Arab territories be added to the agenda as an item for discussion in order to consider plans for implementing the recommendations set out therein.
97. He thanked the ILO for its technical assistance, which had protected at least some decent working conditions and helped compensate workers for the lack of decent work in the Israeli labour market. The programme was not just supporting government policy, but also the employers' and workers' organizations, which were consulted on all labour issues.
98. He urged the ILO to redouble its efforts to help the Palestinian people recover their social security rights and the arrears that had accumulated in Israel since 1970. He requested effective technical and financial assistance for the implementation of the recently adopted Palestinian employment plan, drawn up in coordination with the Regional Office for the

Arab States in Beirut. Lastly, he thanked the Director-General for his attention to programmes in the Palestinian territories, the Palestinian DWP and his 2018 visit.

99. *A Government representative of the United States* applauded the positive role of the ILO in working constructively with Israel and the Palestinian Authority to implement decent work initiatives for Palestinian workers. It was unfortunate that the Palestinian representative had offered only a provocative statement rather than engage in constructive discussion on the critical labour issues at hand.
100. *A Government representative of Israel* expressed her country's continuing support for the ILO's technical assistance and development programmes in the Palestinian territories. Israel and the Palestinian Authority had recently reached a bilateral agreement committing Israel to address transfers of clearance revenues and, with a regional focus, the regulations and social structures affecting women's participation in the labour market in the Palestinian territories. Her Government continued to support the efforts of Israel's workers' union, Histadrut, to raise awareness of Palestinian workers' rights in Israel by providing them with important information in Arabic on wages, pensions, safety and other worker protections guaranteed by law in Israel. Recently, more than 5,000 Palestinian workers had elected to join Histadrut. After expressing regret at the willingness of some to engage in political debate under a standing item on which all parties agreed, she reiterated her country's support for the ILO's development programme in the occupied Arab territories and its commitment to the ILO's work of promoting decent work for all.
101. *A representative of the Director-General* (Regional Director for the Arab States), replying to comments, said that capacity-building was a cross-cutting objective under all three pillars of the Palestinian DWP, and was particularly central to the second key work area of strengthening labour governance and realizing fundamental principles and rights of work through improved social dialogue mechanisms. Those activities included the review and strengthening of labour legislation in tripartite and bipartite consultations facilitated by the Office, aimed partly at enhancing the capacity of the social partners to engage in such dialogue. During the year under review, the ILO had provided capacity-building and legal and technical support to the Federation of Palestinian Chambers of Commerce, Industry and Agriculture and the Palestinian General Federation of Trade Unions (PGFTU). The Office was also planning to deliver a series of capacity-building initiatives before the end of 2019 to assist Chamber participants at all levels in matters of effective employer organization.
102. The Office continued to intensify its efforts to mobilize additional resources and expand partnerships for the implementation of the DWP. An allocation of US\$1.3 million had been made from the Regular Budget Supplementary Account (RBSA) to further support social protection, social security, labour inspection and OSH. Two UN-to-UN agreements had been signed with UN Women in the areas of gender equality and decent work, for a total amount of US\$1.5 million, the first funded by Italy and the second by the Swedish International Development Cooperation Agency (SIDA). The ILO had signed a public-private partnership agreement with an Italian NGO to further expand its support for cooperative development in the Occupied Palestinian Territory and, together with other UN agencies, was seeking support from the SDG Fund to promote universal social protection for persons with disabilities and older persons. An agreement worth €1.5 million was under negotiation with the Italian Government to support the newly established Cooperative Work Agency (CWA). She welcomed the recent approval by the Palestinian Cabinet Ministers of a proposal to develop the Palestinian Employment Strategy and hoped that it would encourage donor financing and forge partnership alliances around implementation of the Strategy. The ILO would continue to provide support for the Strategy's development and implementation and, by the end of 2019, hoped to have recruited two international and three national staff to support development cooperation activities on the ground, particularly on gender, social protection and cooperatives. Following the suspension of the 2016 Social Security Law, the

ILO had maintained its technical and financial support for the Palestinian Social Security Corporation in order to preserve its accumulated knowledge capital. Earlier in the year, the Office had prepared a technical note for the Ministry of Labour assessing the legal and financial implications of the proposed amendments to the Social Security Law, with the ultimate aim of supporting a contingency plan and a road map to put social security back on track. Drawing on the lessons learned from the process leading to the adoption of the Social Security Law, the Office intended to support inclusive dialogue at the level of the territory and to develop the capacities of the relevant government institutions and employers' and workers' organizations regarding social protection issues, as well as to support the design and implementation of an awareness-raising campaign and communication strategy on the social security reform. The ILO had also conducted an actuarial valuation of the public-sector pension scheme, with a view to helping the board of the Palestinian Pension Agency ensure long-term financial sustainability. It was currently engaged in assessing social protection floors in the Occupied Palestinian Territory and would soon recruit a full-time international officer to provide support on the ground for the various social protection and social security activities. The Palestinian Central Bureau of Statistics, alongside statistical offices from 15 Arab countries, had received regional training earlier in the year on the measurement of SDG indicators related to decent work, as part of a regional South–South and triangular cooperation initiative.

Outcome

103. *The Governing Body took note of the information provided in document GB.337/POL/4.*

(GB.337/POL/4, paragraph 32)

Fifth item on the agenda

Update on the costed and time-bound integrated strategy to address decent work deficits in the tobacco sector
([GB.337/POL/5](#))

104. *The Worker spokesperson* said that she welcomed the costed and time-bound integrated strategy, which had originally been called for by her group, as the decent work deficits in the tobacco sector could not be solved by focusing solely on eliminating child labour. The Technical Meeting to Promote an Exchange of Views on the Further Development and Implementation of the Integrated Strategy to Address Decent Work Deficits in the Tobacco Sector (the Technical Meeting) that took place in Kampala in July 2019 and numerous country consultations had been instrumental in further developing the strategy, which also built on the 2003 Tripartite Meeting on the future of employment in the tobacco sector and drew on the lessons learned from the implementation of development cooperation projects on the elimination of child labour in tobacco-growing communities and the broader agricultural sector.

105. The integrated strategy was timely, as the tobacco industry was experiencing changes and restructuring, in many cases with a lack of social dialogue and mass dismissals in management and manufacturing plants, alongside a shift from cigarette production to electronic cigarettes and a forecast dramatic drop in demand for tobacco leaf globally. Her group therefore welcomed the fact that the integrated strategy also considered the issue of

the transition to alternative livelihoods and that it did not limit itself to tobacco growing but looked at the entire supply chain.

- 106.** The building blocks of the integrated strategy, as presented in the document, were sound. In building block 1 on the enabling policy environment, she welcomed the emphasis on the promotion of decent work in the broader rural economy; promotion of ratification and implementation of ILO standards; access to public services, education and healthcare; safe and healthy working conditions in the agricultural sector; and action to address gender-based discrimination and promote policy coherence across several ministries to address decent work deficits in the tobacco sector. She fully supported building block 2 on strengthened social dialogue, including consideration given to cross-border social dialogue, given the sector's global nature. She recalled that the preconditions for social dialogue were respect for freedom of association and the promotion of collective bargaining. In building block 3 on addressing decent work deficits in the tobacco sector, the focus on wages, social protection and working time were welcome. She supported the need to identify alternative crops and higher-value sectors to generate decent jobs and income, and contribute to food security and thus facilitate a just transition for workers. Her group also welcomed the promotion of the MNE Declaration. The Office's commitment to work with constituents beyond the three-year implementation period for the integrated strategy was notable. While acknowledging that the strategy was global, she agreed that priority should be given to the four countries that had formerly benefited from public-private partnerships. The private sector had an important role to play, and tobacco companies should engage in social dialogue with trade unions at the national and international levels to promote decent work and decent wages in the sector. Her group fully supported the promotion of South-South and triangular cooperation to allow developing countries to benefit from the experience of others.
- 107.** Her group supported the financing of the integrated strategy through voluntary contributions from multi- and bilateral aid for development cooperation, with the addition of ILO resources if necessary, and had taken note of the letter of the UN Secretary-General that called on UN organizations to adhere to the *Model Policy for agencies of the United Nations system on preventing tobacco industry interference* and not accept funds from the tobacco industry. The group maintained its position that the *Model Policy* should be respected by the ILO. She supported the draft decision and appealed to governments to support the ILO in funding the integrated strategy.
- 108.** *The Employer spokesperson* said that, since the Governing Body had already had a number of lengthy and difficult discussions on decent work deficits in the tobacco sector. Furthermore, the Technical Meeting held in Kampala had discussed the integrated strategy and the approach that the Office should take to address decent work deficits in the sector. Therefore, at this stage her group was keen to conclude the discussions successfully. In the spirit of compromise, instead of sharing her group's views on the Office document, she proposed a number of amendments to the decision, which had been agreed in informal consultations with the other groups in a bid to reach consensus. Employers were of the view that it was of utmost importance that the Governing Body moved unitedly forward in addressing decent work deficits in the tobacco sector. In subparagraph (b) of the draft decision, following the word "endorsed", the words "the building blocks of" should be inserted. Following the phrase "decent work deficits in the tobacco sector", the words "and directed the Director-General to implement the strategy" should be added. At the end of the sentence, after the word "countries", the following wording should be added "working in close cooperation with constituents, and in line with the previous Governing Body decisions on this issue".
- 109.** *Speaking on behalf of ASPAG*, a Government representative of Australia welcomed the revised integrated strategy and noted that the Office had drawn on guidance from past Governing Body sessions and intersessional consultations in its work on the item. She

encouraged all members of the Governing Body to endorse the integrated strategy and expressed support for the draft decision.

110. *Speaking on behalf of GRULAC*, a Government representative of Uruguay explained that her group understood that the integrated strategy encompassed the fundamental rights and principles of the ILO. Its building blocks should be implemented in an integrated manner to achieve the expected outcomes and reduce decent work challenges in the tobacco sector. She appreciated the inclusion in the integrated strategy of the issue of cooperatives, an area in which her region had a number of good practices that could enrich implementation activities. While the strategy should focus on the countries most directly affected, its global scope was welcome and it could serve as a reference point for tobacco-producing countries around the world. The inclusion in the strategy of the financial costs of each outcome would facilitate the identification of donors. Her group was willing to contribute to a consensus or compromise solution around the original draft decision.
111. *Speaking on behalf of the Africa group*, a Government representative of Uganda supported the endorsement and implementation of the integrated strategy. Instead of presenting its own amended draft decision, his group wished to propose some subamendments to the proposed amendments by the Employers' group. At the start of subparagraph (b), the words "the building blocks of", proposed by the Employers' group, should be deleted. Following the term "development cooperation", the word "augmented" should be replaced by "and/or", and "if necessary" should be deleted. At the end of the subparagraph, the word "constituents" should be replaced by the phrase "governments and social partners".
112. *Speaking on behalf of the EU and its Member States*, a Government representative of Finland welcomed the update on the integrated strategy and the publication of the Note on the Proceedings of the Technical Meeting. The strategy represented an important step in developing and delivering a holistic and long-term approach to addressing decent work deficits in the tobacco sector, and its three building blocks represented an integrated and coordinated approach to meeting workers' needs. The EU remained ready to support the integrated strategy and was willing to work closely with the Office to pursue the necessary partnerships with international agencies, international development banks and domestic development agencies. The strategy represented a considerable step forward in how the ILO and its constituents engaged with tobacco-growing communities and the tobacco industry to promote the Decent Work Agenda. The EU and its Member States wished to see a coherent and consistent effort across the UN system to ensure the effective separation between its policy and interference from the tobacco industry. She supported the integrated strategy and, in a spirit of compromise, supported the amended draft decision proposed by the Employers' group, as sub-amended by the Africa group. Furthermore, she proposed replacing the word "Director-General" with "Office".
113. *A Government representative of the United States* expressed strong support for the ILO's work to combat child labour. The Office paper highlighted the important role of the private sector in addressing decent work deficits in both the tobacco sector and the wider rural economy. The ILO's partnerships with the tobacco industry did not conflict with its mandate, tripartite structure and role in the UN system; rather, such partnerships to eliminate child labour – including the acceptance of funding from legal industries – were appropriate. She stressed that the *Model Policy* was non-binding. Although it was important for UN agencies to work together on common goals, it was equally important for each agency to focus on its core mission. Prohibiting ILO partnerships with legal industries would not advance the Organization's efforts to address decent work deficits in the tobacco sector or achieve the UN goal of preventing the spread of non-communicable diseases. It was therefore positive that the document did not specifically preclude future engagement with the tobacco industry over the long term. Her Government appreciated the efforts made to reach a compromise and could support the draft decision with the various subamendments proposed.

114. *A Government representative of Canada* commended the integrated strategy and the Office's work on the issue, particularly its consultations with the tobacco-growing communities in Malawi, the United Republic of Tanzania, Uganda and Zambia. In line with her Government's statements at previous Governing Body sessions on the importance of the Framework Convention on Tobacco Control (FCTC) and the *Model Policy*, she welcomed the communication from the UN Secretary-General and highlighted the ILO's responsibility to abide by the *Model Policy*. Constituents had shown great flexibility in seeking consensus. In that spirit, her Government supported the amended draft decision and was open to further subamendments that would bring all parties in agreement.
115. *A Government representative of Switzerland* expressed support for the integrated strategy, noting the importance of finding a pragmatic solution that would provide the most affected countries with the assistance they needed. In that respect, her Government had reservations regarding the lack of formal pledges of funding to support the programmes mentioned in the strategy. The amount currently available did not match the budget for the projects financed by public-private partnerships, and despite efforts by the Office, it had not yet been able to secure other sources of public funding. The fact that the Office was ending its activities in certain countries, with no development partners working directly in the sector, did not bode well for the future. She requested concrete information on guaranteed funding, with figures and deadlines, for implementation of the projects. In the spirit of compromise, she could support the draft decision as amended.
116. *A Government representative of Brazil* expressed appreciation for the constructive, open discussions that had taken place at the Technical Meeting. Brazil was aligned with the statement delivered by Uruguay on behalf of GRULAC. He thanked the Office and the Government of Uganda for the organization of the successful meeting in Kampala, which was a great opportunity for tripartite dialogue on the issue. He welcomed references to the importance of South-South and triangular cooperation as one of the possible ways to address decent work matters in the tobacco sector. He also thanked the Office for the impressive work to put together the integrated strategy, which Brazil supported. With regard to the issue of alternative livelihoods he emphasized the importance of the different mandates and comparative advantages of the various international organizations. He informed the Governing Body that his Government had tabled a proposal to that effect at the last session of the Eighth Conference of the Parties to the FCTC. In the interest of achieving a reasonable compromise, he supported the draft decision as amended.
117. *A Government representative of Uruguay* welcomed the integrated strategy. There had to be a framework to protect workers' rights and provide reliable information. It was particularly important to prioritize the rapid elimination of child labour. It made sense to focus on the countries most affected by the issue, while the global scope would allow other countries to benefit from ILO assistance where necessary. He thanked the Office for the inclusion of the cost estimates for a three-year programme per outcome per country. This was crucial in order to identify sources of funding and development cooperation donors. His Government supported the amended draft decision.
118. *A Government representative of Ecuador* commended the comprehensive and inclusive nature of the integrated strategy, highlighting the attention paid to mobilizing resources. It was equally important to consider countries other than the four former public-private partnership countries when implementing the strategy. Her Government stood ready to contribute to the development and rapid implementation of the strategy, and supported the amended draft decision.
119. *The Worker spokesperson* recognized the extensive efforts that had been made to reach a solution that would enable progress on the most important issue, namely to ensure decent work for the 100 million workers involved in the tobacco industry – together with an

education for their children – and to create prosperous communities based on diversified economies. In adopting the strategy, the ILO should make it very clear that engaging with the tobacco sector as a social partner in the context of the Organization’s mandate was totally different to the type of arrangement to which the UN and the WHO were objecting. In reference to the last part of the amended draft decision, she noted that all Governing Body decisions build on previous decisions. In this context, she emphasized that it was clear for her group, as it should be for any group in the ILO, that the reference to “appropriate safeguards” in the decision taken at the 334th Session of the Governing Body regarding the mobilization of various sustainable sources of funding from the public and private sector included the *Model Policy* based on the FCTC. The Governing Body was therefore giving the Office a mandate to implement the integrated strategy and engage with the sector in that context. Based on that understanding, her group could support the draft decision with the proposed amendments.

120. *The Employer spokesperson* expressed support for the statements made by the Government representatives of Switzerland, the United States, and Uganda on behalf of the Africa group. Her group agreed that the ILO should engage with the tobacco sector, as had been emphasized during the discussions. Indeed, at the Technical Meeting, the Government group had stated that: “the Office should consider establishing a trust fund where donors and private companies could contribute to ensure sustainable financial support for the successful implementation of an integrated strategy”.¹ In the light of the widespread support expressed by Governments, she accepted the subamendments to her group’s proposed amendments to the draft decision.
121. *Speaking on behalf of ASPAG*, a Government representative of the Islamic Republic of Iran said that, in a spirit of compromise, his group also accepted the subamended draft decision.
122. *The Government representative of Canada* clarified that the statement regarding the establishment of a trust fund had been incorrectly attributed to the Government group. There was no suggestion by the Government group that had Canada’s participation that would allude to the establishment of a fund.

Decision

123. *The Governing Body:*
- (a) *authorized the Director-General to publish the Note on the proceedings of the Technical Meeting to Promote an Exchange of Views on the Further Development and Implementation of the Integrated Strategy to Address Decent Work Deficits in the Tobacco Sector (Kampala, 3–5 July 2019); and*
 - (b) *endorsed the time-bound and costed integrated strategy to address decent work deficits in the tobacco sector and directed the Office to implement the strategy, which was to be financed by voluntary contributions from multi- and bilateral aid for development cooperation and/or by ILO resources, in order to operationalize the integrated strategy in the four former public–private partnership countries working in close cooperation with governments and social partners, and in line with previous Governing Body decisions on the issue.*

(GB.337/POL/5, paragraph 25, as amended by the Governing Body)

¹ MDWDTS/2019/6, para. 89.

- 124.** *A representative of the World Health Organization (WHO)* welcomed the decision of the Governing Body, which was consistent with the UN Secretary-General's call to discourage UN organizations from receiving funds from, or partnering with, the tobacco industry, in order to ensure an aligned UN approach. **He would provide the secretariat with his full statement.**