



## Governing Body

320th Session, Geneva, 13–27 March 2014

GB.320/INS/2

Institutional Section

INS

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### SECOND ITEM ON THE AGENDA

## Agenda of the International Labour Conference

#### Purpose of the document

To give effect to the decision taken by the Governing Body at its 319th Session (October 2013) by submitting proposals for the selection of a further item on the agenda of the 105th Session (2016) of the Conference and providing advice on the preparation for the general discussion items for the 104th and 105th Sessions (2015 and 2016) of the Conference. In addition, the document includes two specific proposals arising from the Maritime Labour Convention, 2006, for the 103rd Session (2014) and the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) for the 104th (2015) or the 105th (2016) Sessions. In relation to the agenda of future sessions, the document seeks guidance on the evaluation of the impact of the Declaration on Social Justice for a Fair Globalization, 2008 and provides information on certain other matters (see the draft decision in paragraph 32).

**Relevant strategic objective:** All four strategic objectives.

**Policy implications:** A decision to complete the agenda of the 105th Session (2016) of the Conference will have implications on the programme of the Conference of that session.

**Legal implications:** The usual implications arising from the application of the Standing Orders of the Conference and the Standing Orders of the Governing Body.

**Financial implications:** The usual implications which arise from placing items on the Conference agenda and from items which involve proposed preparatory meetings.

**Follow-up action required:** Preparatory work of the Conference discussions, including the organization of preparatory meetings, or follow-up in preparing proposals for the consideration by the Governing Body at its 322nd Session (November 2014).

**Author unit:** The following departments of the Policy Portfolio: International Labour Standards, Employment Policy, Enterprises, Sectoral Activities, Conditions of Work and Equality; the following department of the Field Operations and Partnerships Portfolio: Partnerships and Field Support.

**Related documents:** GB.320/LILS/5, GB.320/LILS/6, GB.320/WP/GBC/1, GB.320/POL/3, GB.319/INS/2, GB.319/PV/Draft (paras 5–35), GB.317/INS/2(Rev.), GB.317/PV (paras 3–39), GB.316/INS/4, GB.316/PV(&Corr.) (paras 8–55), GB.317/WP/GBC/1, GB.317/INS/10, GB.319/WP/GBC/1, GB.319/INS/13(Rev.).

## Introduction

1. At its 319th Session (October 2013), the Governing Body: <sup>1</sup>
  - (a) selected the item “small and medium-sized enterprises and decent and productive employment creation” with a view to a general discussion for the 104th Session (2015) of the Conference;
  - (b) selected the item “decent work in global supply chains” with a view to a general discussion for the 105th Session (2016) of the Conference;
  - (c) postponed a discussion on any further item for the 105th Session (2016) of the Conference to the 320th Session (March 2014) of the Governing Body;
  - (d) requested the Director-General to provide advice to the 320th Session (March 2014) of the Governing Body on preparation for the general discussion items for the 104th and 105th Sessions (2015 and 2016) of the Conference;
  - (e) requested the Director-General:
    - (i) to take note of the guidance provided by the Governing Body as regards removal of items set out in table A of document GB.319/INS/2, and the follow-up to be undertaken in respect of the five options set out in table B of the same document;
    - (ii) to invite member States and social partners to submit any further suggestions for items that could be included in future agendas of the Conference; and
    - (iii) to report further to the 322nd Session (November 2014) of the Governing Body.
2. The Governing Body is called upon to complete the agenda of the 105th Session (2016) of the Conference. Information on this issue is set out in section A of the present document. It is also being requested to consider three additional matters. The first matter relates to the Maritime Labour Convention, 2006 (MLC, 2006) and is relevant to the agenda of the 103rd Session in 2014. The second matter, relating to the agenda for 2015 or 2016, concerns the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185). Information about these issues is set out in section B of the present document. The third matter relates to the review by the Conference of the impact of the Declaration on Social Justice for a Fair Globalization, 2008 (the Social Justice Declaration), which is examined in Section D.
3. The Governing Body is also invited to provide guidance to the Office concerning the preparation for the items selected with a view to general discussions for the 104th and 105th Sessions (2015 and 2016) of the Conference. Information about this issue is set out in section C of the present paper. In addition, it is invited to take note of the information on certain other matters.
4. In preparing the present document, the Office has taken into account the comments made during the 319th (October 2013) Session of the Governing Body concerning both the agenda

<sup>1</sup> GB.319/INS/2; GB.319/PV/Draft, paras 5–35.

of the Conference and the report of the Working Party on the Functioning of the Governing Body and the International Labour Conference.<sup>2</sup>

5. Before addressing the substance of the proposals, it should be briefly recalled that the rules on setting the agenda of the International Labour Conference are found in the ILO Constitution,<sup>3</sup> the Standing Orders of the International Labour Conference,<sup>4</sup> and the Standing Orders of the Governing Body.<sup>5</sup> The agenda of the Conference is usually composed of two parts consisting, respectively, of standing items and ad hoc items.
6. Currently, the following standing items are required to be included by the Governing Body on the Conference agenda each year:
  - reports of the Chairperson of the Governing Body and of the Director-General;
  - financial and budgetary questions; and
  - information and reports on the application of Conventions and Recommendations.
7. It has also become the practice to normally include on the Conference agenda three additional ad hoc items to be examined, either with a view to a general discussion and/or with a view to standard setting. For standard-setting items, while a double discussion remains the norm, the Governing Body may decide to hold a single discussion instead.
8. The Social Justice Declaration and its Follow-up introduced a scheme of recurrent discussions by the Conference to understand better the diverse realities and needs of Members of the Organization with respect to each of the ILO strategic objectives, respond more effectively to them using all the means of action available, and adjust priorities and programmes of action accordingly.<sup>6</sup> The Governing Body decided that recurrent discussions would follow a seven-year cycle, with employment, fundamental principles and rights at work, and social protection being discussed twice during the cycle and social dialogue once.<sup>7</sup> As a result of this decision, the Governing Body has included a recurrent discussion as an item on the Conference agenda for each session within the seven-year cycle<sup>8</sup> according to the following sequence: employment (first recurrent discussion, 2010), social protection (social security) (first recurrent discussion, 2011), fundamental principles and rights at work (first recurrent discussion, 2012), social dialogue (2013), employment (second recurrent discussion, 2014), social protection (labour protection) (second recurrent discussion, 2015), fundamental principles and rights at work (second recurrent discussion, 2016). The

<sup>2</sup> Since the 317th Session (March 2013) of the Governing Body, issues relating to the process of setting the Conference agenda have been included in the discussions on improving the functioning of the International Labour Conference. See GB.319/INS/13(Rev.), GB.320/WP/GBC/1.

<sup>3</sup> ILO Constitution, articles 14(1) and 16(3).

<sup>4</sup> Standing Orders of the International Labour Conference, in particular articles 7, 7bis, 8 and 12.

<sup>5</sup> Standing Orders of the Governing Body, section 5 and para. 6.2.

<sup>6</sup> ILO Declaration on Social Justice for a Fair Globalization, 2008, Part II(A)(i) and Annex, Follow-up to the Declaration, Part II(B).

<sup>7</sup> GB.304/PV, para. 183(b).

<sup>8</sup> Under Part II(B) of the Follow-up to the Declaration, the modalities for the recurrent discussion are decided by the Governing Body.

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Governing Body will need to give timely consideration to the next cycle of the recurrent item discussions due to begin in 2017, as set out in section D of the document.

## **A. Selecting a further ad hoc item for the 105th Session (2016) of the Conference**

### **Four proposals arising from the discussion of the Governing Body at its 319th Session (October 2013)**

9. It should be recalled that the two following items have been placed on the agenda of the 105th Session (2016) of the Conference: an item concerning decent work in global supply chains with a view to a general discussion and a recurrent item concerning the strategic objective on fundamental principles and rights at work.
10. Table A, at paragraph 11 below, provides an overview of the four proposals to be considered as a possible third item, all of which were discussed by the Governing Body at its 319th Session (October 2013).<sup>9</sup> Two of these proposals have been made with a view to general discussions and two with a view to standard setting. Appendices I to IV of this document detail each of these proposals. These appendices have been revised to take into account the comments made during the 319th Session (October 2013).<sup>10</sup> In particular, they provide additional elements as regards the expected outcome and the preparation of the Conference discussion.<sup>11</sup>
11. The Governing Body's attention is drawn to the need, which has been regularly emphasized by its members, to enhance the effectiveness and the transparency of the agenda-setting process. As was done during its 319th Session (October 2013), if one of the four proposals set out in table A is not selected for the agenda of the 105th Session (2016) of the Conference, it would be important that the Governing Body continue to provide guidance to the Office as to whether any of those proposals should be retained for future sessions of the Conference. This guidance may include any steps that the Office should take to enable further examination by the Governing Body, with a view to the submission of a report to the Governing Body at its 322nd Session (November 2014).

<sup>9</sup> The Office has deemed appropriate to resubmit at a later session of the Governing Body the proposal entitled "public sector: workforce development, career progression and employment conditions (general discussion)", to take into account the outcome the Global Dialogue Forum on Challenges to Collective Bargaining in the Public Service (to be held on 2 and 3 April 2014).

<sup>10</sup> As was done for the previous discussions, these appendices present information on the origins of the proposals, the level of support garnered during previous discussions in the Governing Body and any relationship to other proposed items where applicable. See, for example, comments from: IMEC, GB.316/PV(&Corr.), para. 28.

<sup>11</sup> See Employers' group comment, GB. 319/PV/Draft, para. 6.

Table A. 105th Session (2016) of the Conference

Proposal	Nature	The Governing Body is invited to:
1. Decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71) (Appendix I)	Standard setting	Provide guidance on the inclusion of this proposal in the agenda of the 105th Session (2016) of the Conference
2. Effective ILO technical cooperation in a changing global context (Appendix II)	General discussion	Provide guidance on the inclusion of this proposal in the agenda of the 105th Session (2016) of the Conference
3. Violence against women and men in the world of work (Appendix III)	Standard setting	Provide guidance on the inclusion of this proposal in the agenda of the 105th Session (2016) of the Conference
4. Building a diverse and inclusive world of work (Appendix IV)	General discussion	Provide guidance on the inclusion of this proposal in the agenda of the 105th Session (2016) of the Conference

## B. Two additional proposals

### 1. The MLC, 2006

12. It will be recalled that at the 318th Session (June 2013),<sup>12</sup> in light of the imminent entry into force of the Maritime Labour Convention, 2006, on 20 August, 2013, the Governing Body established the Special Tripartite Committee (STC) under Article XIII of the Convention. The STC has several roles under the Convention including, importantly, a central role under Article XV in the simplified process for amendment of the Code of the Convention. In the paper considered by the Governing Body in June 2013, the timing with respect to proposals for amendments was noted:

... It is envisaged that the first meeting of the Special Tripartite Committee will take place in early 2014, on a date to be decided by the Governing Body. It is therefore important that the proposed amendments are presented as soon as possible after the entry into force of the Convention in August 2013; this would ensure that they could be submitted first to the Special Tripartite Committee for consideration at the end of the six-month period for review by ILO Members and then, if adopted, to the International Labour Conference at its 103rd Session (June 2014).<sup>13</sup>

13. At its 319th Session (October 2013), the Governing Body considered the foregoing information<sup>14</sup> regarding the procedure mandated by the MLC, 2006, for the adoption and approval of amendments when it set the date and agenda for the first meeting of the STC. This agenda included the consideration of two sets of joint proposals for amendments (from the Seafarers' and the Shipowners' representatives on the Committee). Article XV empowers the STC to adopt amendments to the Code of the Convention. If adopted, the amendments must then be submitted for approval to "the next session of the Conference".<sup>15</sup> It is noted that only a short sitting of the Conference would be necessary, as the Conference can only

<sup>12</sup> GB.318/INS/7/1.

<sup>13</sup> *ibid.*, para. 6.

<sup>14</sup> GB.319/LILS/5, footnote 30.

<sup>15</sup> MLC, 2006, Article XV, para. 5.

decide either to approve the amendments or to refer them back to the STC for reconsideration.<sup>16</sup>

## 2. Convention No. 185

14. It will be recalled that the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185) was adopted to help address enhanced border security concerns after the events of September 2001. At the 320th Session (March 2014) of the Governing Body, the LILS Section<sup>17</sup> will be examining the working of Convention No. 185. This Convention provides an essential facility for seafarers to go ashore during their voyages thanks to a sophisticated system for their identification which meets current security concerns. The Convention is, however, not effective at present as it is restricted to ratifying countries, which includes only a few port States. A novel solution is being proposed in the document to be considered by the LILS Section, under which non-ratifying countries could also participate through a system of international cooperation based on either a resolution or possibly a Recommendation adopted by the Conference.

## C. Preparations for the general discussion items for the 104th and 105th Sessions (2015 and 2016) of the Conference

15. As indicated in paragraph 1 above, the Governing Body requested the Office to provide information on the preparation for these items. Following internal consultations, the Office submits the elements below for guidance.

### Small and medium-sized enterprises (SMEs) and decent and productive employment creation (general discussion item for the 104th Session (2015) of the Conference)

16. Within the framework of the 2007 resolution concerning the promotion of sustainable enterprises, and drawing on the Office's long-standing experience and lessons learnt from successful programme implementation in the fields of entrepreneurship education and training, value chain development, an enabling environment, and productivity and working conditions, the report submitted to the Conference could address the following issues:
- the needs of SMEs and their workers and the constraints they face;
  - sectoral differences in needs and constraints (services, industrial or agricultural sectors);
  - differences in needs and constraints by level of development;
  - successful international strategies to develop SMEs and the ILO's approach;
  - identification of interventions that work best in terms of job creation and quality of jobs created;

<sup>16</sup> *ibid.*

<sup>17</sup> GB.320/LILS/5.

- improving the enabling business environment, as the lack of it represents a key constraint to SME growth;
  - linkages of SME interventions with other policies such as industrial policies or skills development policies; and
  - contribution of employers' and workers' organizations to creating partnerships in SMEs, in particular pertaining to fundamental principles and rights at work, including collective bargaining.
17. The Conference will have a summary of the latest empirical evidence concerning the employment contribution of SMEs and an overview of recent pro-SME interventions adopted as anti-crisis policy measures in the context of the current jobs crisis. On this basis, it could:
- assess the relevance and effectiveness of the different ILO interventions supporting SMEs;
  - define priority research and knowledge gaps concerning the ILO's SME promotion;
  - provide guidance on what should be the main areas of ILO intervention in the future, including consequences for future resource allocation.

### **Decent work in global supply chains (general discussion item for the 105th Session (2016) of the Conference)**

18. The general discussion, and any related conclusions, could offer guidance to constituents on how they could address opportunities and challenges resulting from global supply chains (GSCs). The discussion could also help the ILO to better understand constituents' capacity-building needs and identify potential areas for future work, including further research needs and the promotion of the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy. In addition, the conclusions could provide an opportunity for the ILO to further develop partnerships with non-state entities and economic actors, as well as international and regional organizations with mandates in closely related fields.<sup>18</sup>
19. With a view to identifying policies, good practices, programmes and tools to achieve productive employment and decent work in GSCs, it is proposed that the discussion could consider:
- key structural changes, trends and drivers, as well as the economic dimension of GSCs and their interlinkages, including their contributions to national and local economic development;
  - the implications of GSCs (including gender-specific effects) on job creation, skills development, distribution of employment, and working conditions, including wages, working time and occupational safety and health;
  - the effects of GSCs on the nature of the employment relationship, as well as on collective bargaining and social dialogue;

<sup>18</sup> In line with the ILO Social Justice Declaration.

- policies and good practices to promote backward and forward linkages, the integration of local SMEs, cooperatives and other companies into GSCs, and transitions to formality;
- strategies to accelerate skills upgrading, improve organizational procedures and increase productivity and sustainability;
- the role of international labour standards and, in particular, fundamental principles and rights at work;
- strategies that build on multiple, complementary approaches to achieving workplace compliance;
- the distinct roles and responsibilities of employers and workers at the national and international levels as well as of governments, including government's role in law enforcement;
- the role of organizations representing workers and employers at the global level, including by sector, in view of the opportunities for cross-border social dialogue; and
- the role of multinational enterprises in the promotion of decent work in GSCs.

### **Preparatory work to be undertaken by the Office**

20. To best prepare for both general discussions outlined above, the Office will take stock of the lessons learned, particularly concerning the importance of ensuring that the existing knowledge, in both the Office as well as the Organization as a whole, is effectively utilized.
21. To this end, Office task forces will be created, which will include representatives of the Bureau for Workers' Activities and Bureau for Employers' Activities, as well as of all policy portfolio departments and ILO field offices. These task forces will make an inventory of the existing knowledge about the relevant aspects of each of the agenda items with a view to identifying possible gaps, which, time permitting, would be addressed through specific research. To ensure a lively and interactive exchange, use will be made of videoconferencing and webinar technologies, as well as of an electronic collaboration space.
22. In order to tap as far as possible into the knowledge held by the Organization's constituents on these issues, informal consultations are proposed. As part of these informal consultations, the anticipated structure of each report could be shared and the constituents could be given the opportunity to provide feedback on the draft points of discussion to be presented to the Conference.
23. In view of the substantive link between the two general discussion items under consideration, the Office will pay particular attention to coordinating its work. It will also ensure coherence with the two Conference discussions at the 103rd (2014) and 104th (2015) Sessions on the standard-setting item concerning facilitating transitions from the informal economy to the formal economy. To this end, the task forces will reassess ongoing preparatory work at the end of each preceding Conference Session, to ensure that the relevant guidance and outcomes are reflected and taken into consideration.



## D. Guidance and information for future sessions of the Conference

### Review of the steps taken to promote the implementation and the impact of the Social Justice Declaration

24. It should be recalled that the governance initiative proposed in the Report of the Director-General to the 102nd Session (2013) of the Conference includes the review of the impact of the Social Justice Declaration, including the steps taken to promote its implementation.<sup>19</sup> The report recalled that, in accordance with Part III(C) of the Social Justice Declaration, the review is to be realized by the Conference “at a time and according to modalities to be determined by the Governing Body”. The report added that “it seems appropriate to give early consideration to such a review”.<sup>20</sup> Part II(B) and Part III of the Follow-up provide further relevant elements, including details as to how the evaluation should take place within the framework of an item placed on the agenda of the Conference and on the basis of a report prepared by the Office. The Follow-up also indicates that other interested multilateral organizations will be given the opportunity to participate in the evaluation of the impact and in the discussion, and that the Governing Body may invite other interested entities to attend and participate in the discussion.<sup>21</sup> It should also be recalled that the accompanying Conference resolution adopted alongside the Social Justice Declaration, called upon the Director-General to submit an implementation plan to the Governing Body and indicated a number of elements to be covered therein, including proposals on “the sequence and

<sup>19</sup> *Towards the ILO centenary: Realities, renewal and tripartite commitment*, Report of the Director-General, International Labour Conference, 102nd Session, Geneva, 2013 (Report I(A), para. 155(1)).

<sup>20</sup> *ibid.*, para. 84.

<sup>21</sup> Part III of the Follow-up to the Declaration reads as follows:

- “A. The impact of the Declaration, in particular the extent to which it has contributed to promoting, among Members, the aims and purposes of the Organization through the integrated pursuit of the strategic objectives, will be the subject of evaluation by the Conference, which may be repeated from time to time, within the framework of an item placed on its agenda.
- B. The Office will prepare a report to the Conference for evaluation of the impact of the Declaration, which will contain information on:
- (i) actions or steps taken as a result of the present Declaration, which may be provided by tripartite constituents through the services of the ILO, notably in the regions, and by any other reliable source;
  - (ii) steps taken by the Governing Body and the Office to follow up on relevant governance, capacity and knowledge-base issues relating to the pursuit of the strategic objectives, including programmes and activities of the ILO and their impact; and
  - (iii) the possible impact of the Declaration in relation to other interested international organizations.
- C. Interested multilateral organizations will be given the opportunity to participate in the evaluation of the impact and in the discussion. Other interested entities may attend and participate in the discussion at the invitation of the Governing Body.
- D. In the light of its evaluation, the Conference will draw conclusions regarding the desirability of further evaluations or the opportunity of engaging in any appropriate course of action.”

frequency of items recurring on the agenda of the International Labour Conference”.<sup>22</sup> Under this resolution, the Conference decided that “... the steps taken pursuant to the present resolution will form an integral part of any evaluation by the Conference of the impact of the Declaration under Part III of the Follow-up to the Declaration”.<sup>23</sup>

25. At the 319th Session (October 2013), the document concerning the agenda of the Conference drew the Governing Body’s attention to this matter.<sup>24</sup> The first seven-year cycle of recurrent discussions will be completed in 2016, and the Governing Body has not taken any decision on the cycle of recurrent discussions beyond 2016. It is therefore proposed that the Governing Body give due consideration to a timely decision on the next cycle of recurrent discussions and to the review of the impact of the Social Justice Declaration.
26. In light of the above, the Governing Body is invited to provide guidance to the Office as to the timing and modalities of a Conference discussion to evaluate the impact of the Social Justice Declaration.

### Possible items for future sessions of the Conference

27. It should be recalled that at its 319th Session (October 2013), the Governing Body invited the Office to take note of the guidance provided as regards the follow-up to be undertaken in respect of the five possible items for future sessions of the Conference that were presented by the Office.<sup>25</sup>
28. Pending a full report that will be submitted to the Governing Body at its 322nd Session (November 2014), the following information is provided on the five possible items that were presented at the 319th Session (October 2013):
  - *Resolution of labour disputes*: follow-up will be undertaken in the form of research activities, in the framework of the plan of action and the activity matrix for implementation of the Conference conclusions concerning the recurrent discussion on social dialogue in the light of the guidance provided during the Governing Body at its 319th Session (October 2013).<sup>26</sup>
  - *Transition of the world of work to a low-carbon economy*: action is being taken in accordance with the decision of the Governing Body at its 319th Session (October 2013) on the follow-up to the Conference resolution concerning sustainable development, decent work and green jobs; a document providing evidence-based analysis is before the 320th Session (March 2014) of the Governing Body, to enable it to consider the question of a tripartite meeting of experts as suggested in paragraph 24 of the Conference conclusions.<sup>27</sup>

<sup>22</sup> Resolution on strengthening the ILO’s capacity to assist its Members’ efforts to reach its objectives in the context of globalization, International Labour Conference, 97th Session, 2008.

<sup>23</sup> *ibid*, para. 5.

<sup>24</sup> GB.319/INS/2, para. 4. A cross-reference to this document was made in the document concerning the follow-up to the discussion of the Report of the Director-General: GB.319/INS/3/1, para. 16.

<sup>25</sup> GB.319/INS/2, table B.

<sup>26</sup> GB.319/POL/3, para. 22 and GB.319/PV/Draft, paras 353–394.

<sup>27</sup> GB.320/INS/3/2; GB.319/INS/3/2 and GB.319/PV/Draft, paras 47–63.

- *Non-standard forms of employment*: the Office is taking steps to submit a proposal to the Governing Body concerning the organization of a meeting of experts on non-standard forms of employment, taking into account the comments made during the 319th Session (October 2013) of the Governing Body.<sup>28</sup>
  - *Long-term unemployment*: the issue is integrated in the report prepared by the Office for the recurrent discussion on the strategic objective of employment which will be held at the 103rd Session (2014) of the Conference, for consideration by the Conference and guidance on further follow-up action.
  - *Labour migration*:<sup>29</sup> the Governing Body will have before it at its 320th Session (March 2014) a document concerning the follow-up to the Tripartite Technical Meeting on Labour Migration.<sup>30</sup> The outcome of that discussion may provide guidance on the desirability of holding a general discussion on labour migration at a future session of the Conference. Subject to the decision that the Governing Body may take in this regard, a proposal may be submitted to the 322nd Session (November 2014) of the Governing Body in the context of the agenda of the Conference.
- 29.** In response to a communication sent by the Office in July 2013, suggestions relating to the agenda of the Conference were received from five governments: Algeria, Cameroon, Norway, Oman and Turkey. One set of suggestions stressed the need to update and modernize the body of standards and invited the Office to provide advice on which standards need updating or revision, with a view to their placement on the agenda of the Conference. The other suggestions presented additional topics to be discussed by the Conference, mainly related to the strategic objective of employment and in particular: employment promotion (women and youth employment), human resources development, vocational guidance and training and apprenticeship. Other suggestions concerned the strategic objective of social protection (e.g. the issue of flexibility and decent work, social protection floors, occupational safety and health, maternity protection and protection of workers with family responsibilities). No indications were given as to whether these proposals were made with a view to standard setting or a general discussion.
- 30.** In addition, two workers' organizations made suggestions with a view to standard setting. The Federation of Trade Unions of Ukraine – supported by other workers' organizations – suggested the discussion of a possible Recommendation on fair taxation. The UNI Global Union suggested that the ILO begin the process for the development of a new standard (a Recommendation or a Convention) relating to the conditions of work for athletes and coaches.
- 31.** The Office will further report to the Governing Body at its 322nd Session (November 2014) on these suggestions, as well as on any additional suggestions that it may receive.

<sup>28</sup> GB.319/PV/Draft, para. 7 (Workers), para. 8 (Africa group) and para. 15 (United States).

<sup>29</sup> GB.319/PV/Draft, para. 7 (Workers), para. 8 (Africa group), and para. 18 (China).

<sup>30</sup> GB.320/POL/3.

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**Draft decision****32. In light of the above:**

- (a) *with reference to paragraphs 10 and 11 (table A), the Governing Body is invited:*
- (i) *to complete the agenda of the 105th Session (2016) of the Conference by selecting one of the four following proposed items:*
- *decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71) (standard setting, double discussion);*
  - *effective ILO technical cooperation in a changing global context (general discussion);*
  - *violence against women and men in the world of work (standard setting, double discussion);*
  - *building a diverse and inclusive world of work (general discussion);*
- (ii) *to provide guidance as regards the removal from its consideration of proposed items set out in paragraphs 10 and 11 (table A) and which have not been retained for the agenda of the 105th Session (2016) of the Conference, or any other measures that would enable further examination;*
- (b) *with reference to paragraphs 12 and 13, the Governing Body is invited to provisionally place the topic relating to the approval of the proposed amendments to the Code of the Maritime Labour Convention, 2006, on the agenda of the 103rd Session (June 2014) of the Conference, subject to the submission of any amendments adopted by the Special Tripartite Committee in April 2014;*
- (c) *with reference to paragraph 14, the Governing Body is invited to provide guidance on the proposal for an item concerning either a resolution or a Recommendation regarding the Seafarers' Identity Documents Convention (Revised), 2003 (No. 185), on the agenda of the Conference at either its 104th Session (2015) or its 105th Session (2016);*
- (d) *with reference to paragraphs 15 to 23, the Governing Body is invited to provide guidance on preparations for the general discussions concerning the item "small and medium-sized enterprises and decent and productive employment creation" for the 104th Session (2015) and the item "decent work in global supply chains" for the 105th Session (2016);*
- (e) *with reference to paragraphs 24 to 26, the Governing Body is invited to provide guidance on the review by the Conference of the impact of the Social Justice Declaration as regards its timing and the related modalities to be*

*established, in light of Part III(C) of the Social Justice Declaration and Part III of its annex;*

- (f) *with reference to paragraphs 27 to 31, the Governing Body is invited to take note of the information provided in relation to future sessions of the Conference.*

## Appendix I

### **Decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71) (standard setting, double discussion)**

#### ***Nature and context of the proposed item***

1. The question of revising the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), was first discussed in the Governing Body in November 1998. Subsequently, the Working Party on Policy regarding the Revision of Standards requested information on the need to replace this Recommendation.<sup>1</sup> The Governing Body considered the possibility of revising Recommendation No. 71 in November 2002 in the context of the agenda of the Conference.<sup>2</sup> More recently, at the 316th Session (November 2012) of the Governing Body, this proposal garnered support from the Employers' group, the Workers' group, the Africa group and the Government of the United Kingdom. At the 317th Session (March 2013), the Employers' group referred to the proposal among "issues that might be useful for future work ... on the agenda of future sessions". The proposal was supported again by the Workers' group and the Africa group, as well as by the Governments of Brazil and Japan. At the 319th Session (October 2013), the Workers' group and the Government of Japan reiterated their support for the proposal.
2. Recommendation No. 71 adopted in 1944 in the specific context following the Second World War introduced a visionary approach of restoring peace through employment. The contexts and approaches to post-conflict recovery have evolved significantly in recent decades. Major geopolitical changes have led to an increase in internal armed conflicts, often sparked by ethnic or religious differences.
3. Furthermore, natural disasters including in relation to climate change are occurring more frequently and playing a destabilizing role in communities, and further exacerbating patterns of poverty and inequality. Significant experience has been gained by the international community in addressing a variety of crisis situations including through employment-centred recovery from natural disasters.
4. Faced with the challenges of contemporary conflict situations, the concern of the United Nations and the wider development community to rebuild post-conflict societies through decent work is reflected in the United Nations Policy for Post-Conflict Employment Creation, Income Generation and Reintegration (the "UN Policy").<sup>3</sup> The UN Policy was the result of several years of joint study and work led by the ILO and the United Nations Development Programme (UNDP) which engaged a significant number of United Nations bodies as well as other UN specialized agencies. In line with the principles of the Social Justice Declaration, the UN Policy aims to scale up and maximize the impact, coherence and efficiency of sustainable employment and decent work.
5. Recommendation No. 71 is currently the only international labour standard that provides guidance and identifies mechanisms needed to help rebuild post-conflict societies through employment. A revised instrument, framed more closely in the current context of multifaceted conflicts, and natural disasters and their interrelationship with environmental

<sup>1</sup> GB.274/LILS/WP/PRS/3, II.3. and GB.274/LILS/4(Rev.1).

<sup>2</sup> GB.285/2.

<sup>3</sup> United Nations, Geneva, 2009.

degradation, encompassing substantive elements of decent work, would strengthen the UN Policy and provide essential support for peace-building efforts.

### ***Constituents' needs and realities in light of the ILO's strategic objectives***

6. In view of its unique tripartite structure and experience, the ILO has a clear comparative advantage in promoting decent work in post-conflict situations and a crucial role to play in reconstruction and development efforts in post-crisis situations.
7. Employment and income generation are vital in post-conflict situations and post-disaster recovery to achieve short-term to long-term stability, socio-economic reintegration and sustainable peace. Various summits and institutions have reiterated the importance of decent work and the need to enhance its impact through the concrete measures outlined in the UN Policy. The programmes developed and implemented in the past two decades by the ILO and other partners have yielded important lessons for effective action. An updated and expanded Recommendation would provide guidance in strengthening the support provided by ILO constituents for crisis-response operations through enhanced preparedness, the mitigation of potential impacts in high-risk countries and increased resilience during crises based on decent work.

### ***Added value of a standard-setting action***

8. Recommendation No. 71 – including the 11 principles set out therein – does not offer in today's context a progressive and coherent approach to crisis management, but rather proposes solutions to one-off and isolated problems, without prioritizing the issues requiring urgent action and those necessitating longer term measures. In contrast, the 2009 UN Policy takes a different approach. Its first guiding principle, “be coherent and comprehensive”, calls for the avoidance of “isolated and fragmented responses” and highlights the need for multifaceted and interlinked interventions. The UN Policy is based on three programming “tracks”, each of which has a specific objective and addresses specific challenges. While the tracks vary in intensity, they should be implemented simultaneously.<sup>4</sup>
9. The ILO can build on this UN guidance and add value by providing for updated tripartite guidance and engagement, emphasizing the role of the Organization and its tripartite constituents in designing and implementing employment policies and programmes as part of building peace, security and disaster resilience.

### ***Expected outcome***

10. A revised standard concerning “Decent work for peace, security and disaster resilience”, would enhance the Organization's effectiveness in the field of peace building and disaster resilience and provide an up-to-date universal normative framework for countries facing the complexities of contemporary emergencies and conflicts. The revision of Recommendation No. 71 would provide the ILO with an up-to-date normative reference and assert its lead role for planning and implementing employment-centred peace building programmes in fragile settings: a unique opportunity to pursue the ILO's mandate to promote social justice and achieve universal peace.

<sup>4</sup> The first of these tracks focuses on the need for an urgent response to satisfy basic needs and provide care for certain particularly vulnerable groups; the second focuses more on the recovery of the local economy; and the third on the creation at the national level of an economic and legal framework to encourage long-lasting and sustainable peace.

11. The revised standard would significantly assist and guide countries exposed to conflicts and recurring natural disasters, including through the development of plans of action which the revised instrument could provide for and could also support the development and implementation of Decent Work Country Programmes (DWCPs). The plan of action would take into full consideration the role of tripartite constituents in peace building and disaster recovery through targeted socio-economic programmes and policies and would help policy-makers to devise a clear road map for peace, social justice and stability with the essential contribution of ILO social partners.

### ***Preparation of the Conference discussion***

12. Extensive research and documentation is already available on the subject. The UN Policy, including its related Guidance Note, forms an integral part of that knowledge. Moreover, an ILO stock taking exercise on ILO activities including technical cooperation programmes and projects in fragile States, is being carried out and would provide a comprehensive analysis of the ILO's experience to inform the process of the revision of the Recommendation. The preparatory process would also include a tripartite consultation process, which might be organized in advance, subject to approval of such consultations. In addition, consultations with the United Nations prior to and during the ILC would be envisaged.



## Appendix II

### Effective ILO technical cooperation in a changing global context<sup>1</sup> (general discussion)

#### *Nature and context of the proposed item*

1. During the tripartite consultations on the ILC agenda in September 2012, the Employers' group proposed a general discussion on technical cooperation (TC). The proposal garnered support from the Africa group and IMEC; the Workers' group indicated that the item should instead be discussed in the Governing Body. At the 319th Session (October 2013) of the Governing Body, the proposed TC item was supported by the Employers' group, as well as by the Governments of China, France and Japan; the Governments of Canada, Italy, the Nordic countries, the Governments of Netherlands and Switzerland also supported the item in principle;<sup>2</sup> and most constituents proposed it for a discussion in 2016. The Workers' group indicated that it did not support a general discussion on TC.<sup>3</sup> A discussion on the ILO's future technical cooperation strategy is scheduled at the 322nd Session (November 2014) of the Governing Body. This discussion could be seen as a preparation for the proposed general discussion.
2. TC is an important means of action of the ILO and contributes over 40 per cent of the total resources available to it. It enables the Office to enhance the capacity of constituents, support the achievement of the ILO's strategic objectives and operational outcomes, operationalize the eight areas of critical importance, and implement Decent Work Country Programmes (DWCPs). The proposal is therefore related to, and relevant for, all other items proposed for future Conferences. TC is central to the programme of action of most UN organizations, and the *raison d'être* of many of them.

#### *Constituents' needs and realities in light of the ILO strategic objectives*

3. Constituents have frequently stressed the importance of TC for capacity development and for the achievement of the objectives of the Organization. The proposed general discussion would enable the Office to better align its current and future TC programme with the requirements and realities of ILO's tripartite constituency and the renewed focus on development effectiveness as emphasized by developing countries and development partners.

#### *Added value of an examination by the Conference*

4. The last general discussion on "The role of the ILO in technical cooperation" took place during the 95th Session of the International Labour Conference (2006). On that occasion,

<sup>1</sup> The original suggestion referred to a "changing global economic and employment context". The Office proposes to simply refer to a "changing global context" so as to capture other elements as well, such as the aid effectiveness debate and the post-2015 framework.

<sup>2</sup> These countries pointed out that the general discussion on TC should take place after the ILO's field operations review. This will be the case should the item be placed on the agenda of the 2016 ILC.

<sup>3</sup> GB.319/PV/Draft, para. 7.

the ILC adopted a resolution which called for a review of the subject five years later. This review has not yet taken place.

5. The general discussion would situate the ILO's TC programme within a changing internal and external context, and provide guidance for a substantial increase in scope, size and effectiveness of this programme and its alignment with the focus on the areas of critical importance.
6. During 2013, the Office has undertaken, under the Director-General's reform agenda, internal reviews of field operations and technical cooperation which have a direct bearing on the proposed general discussion. In addition, the Governing Body discussions during 2014 and 2015 on the ILO's next Strategic Policy Framework (SPF) (2016–21) will define the high-level priorities for the ILO technical cooperation programme, and provide guidance for the preparation of the proposed general discussion on TC.
7. Four principal external factors underscore the importance and timeliness of the proposed general discussion:
  - The UN General Assembly adopted in December 2012 resolutions concerning the quadrennial comprehensive policy review (QCPR) which establishes policy directives for the UN development system covering the 2013–16 period. Specialized agencies are strongly “encouraged” to take those into account in their own operational programmes with the aim of enhancing UN system-wide coherence.
  - The UN General Assembly is expected to adopt in September 2015 the “sustainable development goals” (SDGs) which, as successors to the current MDGs, will provide the framework for the ILO's technical cooperation programme in the years to come. A general discussion on TC in June 2016 would be very timely.
  - The Partnership for Effective Development Cooperation, launched in Busan, Republic of Korea, in December 2011, to which the ILO subscribes via its membership in the UN Development Group, sets the parameters for a more transparent, accountable, visible, results-based and effective development partnership.
  - The development environment is evolving rapidly in terms of composition and complexity; overall ODA has been shrinking in recent years due to fiscal constraints in traditional donor countries; former recipient countries have become donors; the private sector, including foundations, plays an increasingly important role in development cooperation; and civil society and local authorities have become active players in this field as well. This trend is reflected in the report of the High-level Panel which calls for a new global partnership involving these players and stresses the need for transforming economies for jobs and inclusive growth.<sup>4</sup>
8. A general discussion at the Conference would also provide the Office with guidance on its role and position within the new global partnership, and within the future international development framework defined by the post-2015 sustainable development goals.

<sup>4</sup> *A new global partnership: Eradicate poverty and transform economies through sustainable development*. Report of the High-level Panel of Eminent Persons on the post-2015 development agenda, May 2013.

### ***Expected outcome***

9. The general discussion would review and revise the ILO's TC strategy adopted by the Governing Body in November 2009<sup>5</sup> in light of the internal and external developments outlined above, and taking into account the Governing Body discussion that is expected to take place in November 2014 (see above). It would identify indicators and set targets for the Office in terms of resource mobilization, substantive and financial delivery, development partnership diversification, alignment with the priorities set by constituents through the SPF, the programme and budget and the DWCPs, reporting and visibility, and development effectiveness. The strategy would be complemented by a time-bound plan of action aimed at enhancing the scope, size and effectiveness of the ILO's technical cooperation programme.

### ***Preparation of the Conference discussion***

10. The Conference report should be based on the reform reviews, and on a client satisfaction survey which would enable beneficiaries, constituents, donors, partners and implementing ILO units and field offices to express their view on the relevance and effectiveness of ILO's TC programme. It will benefit from a series of Governing Body discussions, such as on regional perspectives of TC in Africa (315th Session of the GB), Asia (318th), the Americas (319th) and Europe (320th), on South–South and triangular cooperation (315th, 316th), on Public–Private Partnerships (316th, 320th) and on the ILO's future TC strategy (321st). Moreover, the report submitted to the Conference will take into account the conclusions of the 18th American Regional Meeting (October 2014) and of the 13th African Regional Meeting (2015). The report itself will be prepared by ILO regular staff and will not require additional resources.

<sup>5</sup> GB.306/TC/1.

## Appendix III

### Violence against women and men in the world of work (standard setting, double discussion)

#### *Nature and context of the proposed item*

1. This proposal is a follow-up to the 2009 Conference resolution concerning gender equality at the heart of decent work. It was considered by the 316th, 317th and 319th Sessions of the Governing Body. At the 316th Session (November 2012) strong support was given by the Workers' group. The Africa group and the Governments of India and Italy also supported the proposal while IMEC, the Governments of the United Kingdom and Canada supported a general discussion. The Employers' group was not in favour of the proposal but indicated that the question of violence in the world of work should be approached from a broader perspective. At the 317th Session (March 2013), support was given to an amended proposal by the Workers' group, who wanted gender-based violence and sexual harassment to be addressed; the Governments of India and Italy reiterated their support and the Governments of Canada and Mexico also supported the amended proposal. Support was also expressed by the Government of Australia for an inclusion of the proposal on the 103rd Session (2014) of the Conference. At the 319th Session (October 2013), support to the amended proposal came from the Workers' group, the Governments of Canada, India and Italy. The Nordic countries and the Governments of Netherlands and Switzerland saw this as an important topic that needed to be approached from a broader perspective. The Government of the United States indicated support for the proposal as long as it encompassed other components such as violence or threats against any partners in labour-related activities.
2. There is burgeoning international attention to gender-based violence with the agreed conclusions of the 57th Session (2013) of the Commission on the Status of Women on the elimination and prevention of all forms of violence against women and girls making specific references to the world of work. At a special session of that Commission, leaders of 11 UN funds, programmes and specialized agencies including the ILO committed to work together to end the scourge of violence against women and girls, with specific mention of eliminating sexual harassment in the workplace. Also in 2013, the UNAIDS Report, AIDS by the Numbers, stated unequivocally that gender-based violence increased the risk of HIV infection. The UN General Assembly Political Declaration on HIV and AIDS had already in 2011 adopted a target and goal on eliminating gender inequalities and gender-based abuse and violence and zero tolerance for gender-based violence. The most recent WHO Report on global and regional estimates of violence against women found that 35 per cent of women worldwide have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence. Eliminating gender inequalities in access to formal wage employment is seen as one way to address this. UN Women is seeking a stand-alone goal on achieving gender equality, women's rights and women's empowerment in the post-2015 development framework, and this goal includes a component on freedom from violence, all to be discussed at the February 2014 meeting of the Open Working Group.
3. The ILO can bring a contextual enrichment to these efforts by articulating their meaning within its unique world of work mandate. Currently, the ILO addresses the issue in a general way through supervision of existing standards on gender equality, especially the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). In addition, the HIV and AIDS Recommendation, 2010 (No. 200), calls for measures to prevent and prohibit both violence and harassment in the workplace, Article 20(3) of the Indigenous and Tribal Peoples Convention, 1989 (No. 169), calls for protection from sexual harassment and Article 5 of the Domestic Workers Convention, 2011 (No. 189), covers

gender-based violence. Therefore, while violence, including sexual harassment at work, is covered by certain ILO standards, gaps remain especially if violence in the wider sense is to be tackled.

### **Constituents' needs and realities in light of the ILO's strategic objectives**

4. Violence against women and men at work is a global concern. It is linked to changes in work organization, intensity of work, volatility of wages and jobs, and the impact of the economic crisis, with high unemployment and job losses among men leading to increased violence at home spilling into the workplace. Sexual harassment, abuse (whether physical, verbal, emotional or psychological), mobbing, bullying, work-related stress and other forms of violence affect all professions, all sectors, and women as well as men workers. Violence in the world of work is a human rights issue, as well as a health, education, legal and socio-economic problem. There is also a strong business case for eliminating violence against women and men as the costs to enterprises include absenteeism, increased turnover, lower job performance and productivity, and poor public image. For workers it can lead to heightened stress, loss of motivation, increased vulnerability to HIV infection, increased accidents and disability, and even death. The International Trade Union Congress (ITUC) 2nd World Women's Conference (Dakar, November 2013) adopted conclusions and recommendations that address the issue.<sup>1</sup>
5. This proposal is linked to other proposals currently before the Governing Body in relation to the agenda of the Conference: Building a diverse and inclusive world of work; and Decent work in global supply chains.

### **Added value of standard setting**

6. The ILO already addresses the issue of violence at work through the supervision of its equality standards, as well as those on forced labour, child labour, freedom of association, labour inspection, indigenous peoples and migrant workers. For instance, the Committee of Experts on the Application of Conventions and Recommendations in its 2013 report made 16 observations concerning sexual harassment in employment and occupation; the global report *Ending child labour in domestic work and protecting workers from abusive working conditions* (2013) also highlighted the incidence and range of violence against domestic child labourers; and recent meetings have addressed the issue in the wider context of labour exploitation, for example the Tripartite Meeting of Experts on Forced Labour and Trafficking for Labour Exploitation;<sup>2</sup> there is thus a link to the 2014 standard setting in the context of Convention No. 29.
7. New ILO instruments covering all forms of violence in the workplace would reinforce the existing framework of international and regional human rights standards on violence against women in general. Given the variety of approaches at the present time, the issue needs to be addressed within the framework of a more structured approach encompassing the ILO's four strategic objectives. They would cover not only discrimination but also socio-economic and legal issues, access to justice, occupational safety and health and education, and would provide a strong basis for a comprehensive approach to combating violence at work covering the four pillars of decent work, and include policy advice, concrete guidance and the importance of collecting and better analysing sex-disaggregated

<sup>1</sup> To be adopted by the 8th ITUC Women's Committee Meeting in March 2014

<sup>2</sup> ILO: Report for discussion at the Tripartite Meeting of Experts concerning the possible adoption of an ILO instrument to supplement the Forced Labour Convention, 1930 (No. 29), TMELE/2013/7 (Geneva, 11–15 February 2013).

data from a variety of sources. In that way the standards could respond to the need identified at the 18th International Labour Statisticians Conference (October 2013).<sup>3</sup> They would highlight good practices through existing tools, such as Better Work's generic factory tool kit which covers sexual harassment and the jointly produced 2005 training manual on the *Framework guidelines for addressing workplace violence in the health sector*. They would build on ILO expertise in assisting groups more vulnerable to violence, including women and men who may be subject to multiple forms of discrimination, such as migrant workers, informal economy workers, domestic workers and those at heightened risk of HIV infection.

### **Expected outcome**

8. A Convention and Recommendation on violence against women and men in the world of work would provide a solid foundation for action by governments, and workers, employers and their organizations to prevent and remedy violence at work. The instruments would provide the elements for a national policy on violence at work, including clear definitions, advice on the roles, responsibilities and accountability of the tripartite partners, the importance of reliable data sets and would emphasize the need for a comprehensive approach and policy coherence going beyond labour and employment issues. Guidance for social dialogue and well-designed collective agreements, human resource policies, trade union policies, workplace support programmes would feature. They would enhance other attempts internationally to give life to generally worded global texts, by clarifying the dual roles of the world of work (prevention and remedial).

### **Preparation of the Conference discussion**

9. Preparations would be undertaken in coordination with work on areas of critical importance under the Programme and Budget for 2014–15, including the protection of workers from unacceptable forms of work, formalization of the informal economy, jobs and skills for youth, decent work in the rural economy and strengthening workplace compliance through labour inspection and the ILO centenary initiative on women at work<sup>4</sup> and addressing inequality and discrimination. Work would be informed by research and advocacy based on data collection, research materials and campaigns highlighting effective prevention strategies and successful responses with a view to developing a holistic approach to preventing and addressing violence at work. Regional workshops in Africa, Asia and the Americas, consultation with the UN system and other international organizations would be an important component of the pre-Conference preparations.

<sup>3</sup> ILO papers (Room document 7) noted the challenge of defining work-related violence which made it difficult to compare data. This poses challenges of appropriately representing work-related violence in national or international statistics. A proposed definition specifically refers to an act of violence which can be physical, psychological or sexual in nature, related to incidents of force or power.

<sup>4</sup> ILO Report of the Director-General: *Towards the centenary: Realities, renewal and tripartite commitment*, Report I(A), International Labour Conference, 102nd Session, Geneva, 2013.

## Appendix IV

### Building a diverse and inclusive world of work (general discussion)

#### ***Nature and context of the proposed item***

1. This proposal originates from a suggestion by the Employers' group during informal tripartite consultations on the agenda of the Conference (September 2012), reiterated during the 316th Session (November 2012) of the Governing Body. During the latter, the Africa group supported the proposal for the agenda of the 2015 Conference; the Government of the United Kingdom saw its potential merits; and the Government of Canada supported its further consideration. During the 317th Session (March 2013) of the Governing Body, the Employers' group referred to the proposal among "issues that might be useful for future work ... on the agenda of future sessions"; the Governments of Brazil and Canada supported the proposal for future consideration as did the Africa group; and the Government of China supported the proposal. During the discussion of the report of the Chairperson of the Governing Body to the International Labour Conference for the year 2012–13, some 30 delegates called for addressing issues related to gender equality, indigenous peoples and/or persons with disabilities. During the 319th Session (October 2013) of the Governing Body, the Africa group, and the Government of Cuba supported the proposal while the Nordic countries and the Governments of Netherlands and Switzerland saw its potential merits. The Workers' group indicated that it did not support a general discussion on building a diverse and inclusive world of work. ILO standards relevant to the proposal include equal remuneration, equality of opportunity and treatment, maternity protection, workers with family responsibilities, persons with disabilities, indigenous and tribal peoples, age, and persons living with HIV. Relevant ILO research, guidance and outcomes of technical assistance and cooperation activities will also be taken into account<sup>1</sup> as well as relevant action of international organizations.<sup>2</sup>
2. This proposal is linked to other proposals under consideration by the Governing Body in relation to the agenda of the Conference: Violence against women and men in the world of work; and Effective ILO technical cooperation in a changing global context.

#### ***Constituents' needs and realities in light of the ILO's strategic objectives***

3. Multiple discrimination challenges have been magnified by the global economic crisis, as it has accentuated inequalities faced by those most vulnerable to discrimination, including increased unemployment, reduced remuneration and benefits, and social infrastructure

<sup>1</sup> Research and studies include: *Managing diversity in the workplace; Age discrimination and older workers; Technical cooperation and the HIV epidemic – Strengthening capacity to respond; Multiple discrimination in the world of work*; case studies on applying the Conventions on maternity protection and on workers with family responsibilities; and joint reports with UN entities such as *International migration, racism, discrimination and xenophobia*. Technical assistance includes: developing gender-neutral job evaluations; the Indonesia project on women in leadership; the Southern Africa economic empowerment project aimed at reducing HIV vulnerabilities in transport corridors; and the project in Lebanon on protecting migrant domestic workers' rights. An example of ILO public–private partnerships is the ILO Global Business and Disability Network, which focuses on workplace disability inclusion.

<sup>2</sup> Women's Empowerment Principles, a UN Women and UN Global Compact initiative; and multi-stakeholder partnerships promoted under the Convention on the Rights of Persons with Disabilities.

cutbacks such as child and elder care. Data show that groups most affected include youth, boys and girls, racial minorities, migrant workers, workers living with or affected by HIV, older workers, persons with disabilities, and women. Tensions are visible around the world concerning exclusion and discrimination including among the labour force.

4. Rights-based and business cases are compelling reasons to diversify and render workplaces more inclusive. Constituents' needs are related to ageing populations, increasing migration, multiculturalism, and heightened competitiveness in globalized markets. Diversity and inclusiveness measures broaden resource pools for employers, and equal opportunities and treatment build stronger businesses and communities. Diversity in workplaces – including on gender, disability, ethnicity, and national and religious dimensions – offers significant potential for creating additional jobs and extending employment to groups that are often excluded, while providing substantial operational benefits to employers and their clients. Inclusive labour markets help maximize the full potential of the labour force, increase employment rates, and bring about more equitable opportunities and treatment, as well as better job quality including through training and skills development. Inclusive workforces also contribute toward tackling emerging challenges such as shrinking working-age populations and sustainability of social protection systems.<sup>3</sup>
5. Concerning data relevant to the proposal, estimates are available or being compiled on equality-related standards. Specific needs include capacity building in data gathering and analysis, legislative and policy reform, institutional reassessment regarding national anti-discrimination and gender equality machineries, and awareness and capacity building on diversity and inclusiveness.

### ***Added value of an examination by the Conference***

6. A general discussion would offer the opportunity to engage with contemporary thinking and dialogue, and to reach conclusions on a comprehensive framework for addressing these issues. It would identify concrete guidance and the next steps to be taken by the Office, constituents, and within the multilateral system to harness the potential of diversity and inclusiveness. The proposal, about which the Bureaux for Employers' Activities and for Workers' Activities have been consulted, would provide constituents with innovative good practices to promote diversity and inclusiveness, and the Office with instructions for multidisciplinary work to inform technical support. The issues are especially relevant to the areas of critical importance in the Programme and Budget for 2014–15. In accordance with the Social Justice Declaration, the issues are aligned with the cross-cutting issues of gender equality and non-discrimination.

### ***Expected outcome***

7. The potential conclusions of an ILC discussion could provide timely and useful guidance based on recent dialogue and up-to-date research and good practices. The conclusions would provide a comprehensive framework with which to approach diversity and inclusiveness-related issues including dismantling discrimination while at the same time promoting equality. The conclusions would contain crisp guidance on practical actions that could be taken by governments, and employers' and workers' organizations, as well as by the Office, in order to build and strengthen diverse and inclusive workforces.

<sup>3</sup> *Framework Agreement on Inclusive Labour Markets*, Business Europe, European Trade Union Confederation, Business Europe, European Association of Craft Small and Medium-Sized Enterprises, and European Centre of Employers and Enterprises Providing Public Services, Brussels, 25 March 2010.



8. Deliverables would include exchange of data with analysis as part of an outreach and dissemination strategy. Such knowledge sharing would take place through governments and the social partners. The latter could include newsletters that periodically feature diversity and inclusiveness articles such as those of the International Organisation of Employers, and various communication channels sustained by ITUC. Trends, challenges and opportunities for building diverse and inclusive workforces would be identified, including those emanating from Regional Meetings such as the 18th American Regional Meeting in 2014 and the 13th African Regional Meeting in 2015.

### ***Preparation of the Conference discussion***

9. The Office has already undertaken considerable research on the application of its equality standards on discrimination grounds and has an extensive database on national laws on non-discrimination and equality. The 2009 Conference resolution on gender equality at the heart of decent work provides a solid reference point for the discussion. The 2013 Conference resolution and conclusions concerning employment and social protection in the new demographic context provides a basis for addressing ageing within a diversity context. Research on numerous grounds for discrimination is under way. Training materials and regional workshops on gender equality and diversity are being undertaken for employers, and the ILO Global Business and Disability Network is focusing on workplace disability inclusion with multinational companies and employers' organizations. A course on diversity, inclusiveness and non-discrimination in the world of work is offered to ILO constituents and others by the International Training Centre, and a guide on ethnic diversity has been prepared. Issues pertinent to building a diverse and inclusive world of work should be mainstreamed into programmed activities including workshops with constituents. Given the paucity of evidence-based studies on the issue, including data sets, a comprehensive literature review and additional research would be necessary on impact and benefits of workplace diversity and inclusiveness, and the role of industrial relations in this respect.