



Governing Body

332nd Session, Geneva, 8–22 March 2018

GB.332

Decisions adopted by the Governing Body at its 332nd Session (March 2018) and outcomes of the discussions

Institutional Section

1. Approval of the minutes of the 331st Session of the Governing Body (GB.332/INS/1)

The Governing Body approved the minutes of its 331st Session, as amended.

(GB.332/INS/1, paragraph 2.)

2. Agenda of the International Labour Conference (GB.332/INS/2)

The Governing Body decided:

- (a) to place on the agenda of the 108th Session of the Conference (2019), beyond the standing items (reports of the Chairperson of the Governing Body and of the Director-General, programme and budget and other questions and information and reports on the application of Conventions and Recommendations):
 - (i) a standard-setting item (second discussion) on violence and harassment against women and men in the world of work;
 - (ii) an item related to the future of work initiative with a view to the adoption of an important outcome document, possibly a declaration and to request the Director-General to further develop the nature and format of the item and to present first ideas regarding the outcome document for further consideration by the Governing Body in November 2018; and
 - (iii) an item related to the organization of debates and events connected to the Centenary, and to request the Director-General to further develop the nature and format of the item for further consideration by the Governing Body in November 2018;
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- (b) to request the Office to take note of the guidance provided in relation to the setting of the Conference agenda beyond 2019; and
- (c) to provisionally place an item on the approval of the proposed amendments to the Code of the Maritime Labour Convention, 2006, on the agenda of the 107th Session (2018) of the Conference, subject to the submission of any amendments adopted by the Special Tripartite Committee in April 2018.

(GB.332/INS/2, paragraph 32, as amended by the Governing Body.)

3. Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work
(GB.332/INS/3)

The Governing Body:

- (a) took note of the information presented under the Annual Review of the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work for the period from January 2017 to 31 December 2017;
- (b) invited the Director-General to further take into account its guidance on key issues and priorities, including as to the interest in the further elaboration of reporting tools with a view to facilitating online reporting and data analysis;
- (c) requested the Office to address simplified questionnaires to the constituents regarding the Protocol of 2014 to the Forced Labour Convention, 1930; and
- (d) reiterated its support for the mobilization of resources with regard to further assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work, through universal ratification and action, and in particular, to combat the global scourge of forced labour including trafficking in persons.

(GB.332/INS/3, paragraph 152.)

4. Report of the Tenth European Regional Meeting
(Istanbul, 2–5 October 2017)
(GB.332/INS/4)

Decision deferred.

5. The Standards Initiative: Implementing the workplan for strengthening the supervisory system (GB.332/INS/5(Rev.))

Decision deferred.

6. Results of the implementation of the ILO Action Plan for Gender Equality 2016–17, and outline of the subsequent ILO Action Plan (GB.332/INS/6)

The Governing Body:

- (a) requested the Director-General to finalize and implement the ILO Action Plan for Gender Equality 2018–21, in light of the lessons learned from previous action plans, the revised UN System-wide Action Plan on Gender Equality and Empowerment of Women, and the UN System-wide Strategy on Gender Parity, and taking into account its guidance;
- (b) instructed the Office to conduct monitoring that coincided with the reporting period for the UN System-wide Action Plan on Gender Equality and Empowerment of Women, while maintaining separate reporting to the Governing Body on progress and gaps in meeting targets at the mid-point of implementation, as well as on implementation results and proposed approaches of future action plans; and
- (c) requested the Director-General to take into consideration its guidance in pursuing the ILO's mandate to promote gender equality in the implementation of the ILO Strategic Plan for 2018–21 and the two corresponding programme and budgets, and in facilitating extra-budgetary resources.

(GB.332/INS/6, paragraph 23.)

7. Review and possible revisions of formats and standing orders for meetings (GB.332/INS/7)

Decision deferred.

8. Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013) (GB.332/INS/8)

Having considered the report submitted by the Director-General, the Governing Body:

- (a) noted the significant progress made on some of the issues referred to in the decision taken at its 331st Session (October–November 2017);
- (b) urged the Government to engage in the process of labour law reform to promote freedom of association through genuine and effective tripartite dialogue and in line with international labour standards;
- (c) welcomed the tripartite negotiation and endorsement of a Decent Work Country Programme in which the elimination of forced labour is included as a core component, and encouraged member States to support its implementation;
- (d) welcomed the extension of the Supplementary Understanding and agreement to the Memorandum of Understanding and associated Action Plan on the Elimination of Forced Labour until 31 December 2018; and

- (e) decided that the reporting to each Governing Body session on cases of forced labour, as referred to in its November 2017 decision, would no longer be required.

(GB.332/INS/8, paragraph 18 as amended by the Governing Body.)

9. Complaint concerning non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 101st Session (2012) of the International Labour Conference under article 26 of the ILO Constitution (GB.332/INS/9(Rev.))

In view of the information communicated by the Government of Guatemala and the information provided by the Office, taking due note both of the significant progress achieved in the implementation of the national tripartite agreement of November 2017 and of the efforts under way in this respect, on the recommendation of its Officers, the Governing Body:

- (a) urged the Government, together with the Guatemalan social partners, with the support of the International Organisation of Employers and the International Trade Union Confederation, and with the technical assistance of the Office and of its representative in Guatemala, to continue to devote all the efforts and resources necessary to achieve the complete implementation of the national agreement aimed at settling the unresolved matters in the complaint and the roadmap;
- (b) encouraged the international community to contribute to the implementation of the national agreement and to the corresponding technical assistance of the Office by providing the necessary additional resources; and
- (c) deferred the decision on the appointment of a commission of inquiry until its 333rd Session (June 2018).

(GB.332/INS/9(Rev.), paragraph 30.)

10. Complaint concerning non-observance by the Bolivarian Republic of Venezuela of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), made under article 26 of the ILO Constitution by several delegates to the 104th Session (2015) of the International Labour Conference (GB.332/INS/10(Rev.))

On the recommendation of its Officers, deeply concerned with the lack of any progress with respect to its previous decisions, in particular as to the establishment of a social dialogue table and action plan, which it had urged the Government, for the last time, to institutionalize before the end of 2017, and regretting the impossibility to carry out the high-level mission

it had recommended at its preceding session, due to the objections raised by the Government to the mission's agenda, the Governing Body decided that a Commission of Inquiry should be established, subject to the approval of the related financial implications set out in GB.332/INS/10(Add.).

(GB.332/INS/10(Rev.), paragraph 13.)

**Addendum: Financial implications
of a commission of inquiry**
(GB.332/INS/10(Add.))

Having decided to appoint a Commission of Inquiry concerning the Bolivarian Republic of Venezuela, the Governing Body further decided that:

- (a) an honorarium at the rate of US\$350 per day would be paid to each member of the commission of inquiry; and
- (b) the cost of the Commission, estimated at US\$756,701, would be financed in the first instance from savings that might arise under Part I of the budget for 2018–19 or, failing that, through the use of the provision for unforeseen expenditure, in Part II. Should that not prove possible, the Director-General would propose alternative methods of financing at a later stage in the biennium.

(GB.332/INS/10(Add.), paragraph 4.)

**11. Reports of the Committee on Freedom
of Association (GB.332/INS/11)**

Decisions deferred.

**12. Report of the Working Party on the Functioning
of the Governing Body and the International
Labour Conference (GB.332/INS/12)**

***Composition of the Governing Body: Update on
the status of ratification of the 1986 Instrument
for the Amendment of the Constitution of the ILO***

The Governing Body:

- (a) decided that this matter become a standing item on the agenda of subsequent March and November Governing Body sessions until the amendment enters into force;
- (b) requested the Director-General to continue promotional efforts for the ratification of the 1986 instrument of amendment, including through direct contacts with and visits, particularly, to member States of chief industrial importance;
- (c) requested the Office to organize promotional campaigns on the side lines of Regional Meetings; and

- (d) requested the Director-General to report at the future Governing Body sessions on the results obtained and the feedback from Members concerned on the reasons which prevent or delay ratification.

(GB.332/INS/12, paragraph 7.)

Functioning of the International Labour Conference: Arrangements for the 107th Session (2018)

Having examined the proposed arrangements contained in document GB.332/WP/GBC/2 and the tentative plan of work for the 107th Session (2018) of the Conference, the Governing Body proposed to the Conference to implement those arrangements, including the suspensions of provisions of the Standing Orders detailed in Appendix I of document GB.332/WP/GBC/2, at its 107th Session.

(GB.332/INS/12, paragraph 16.)

Comprehensive review of the Standing Orders of the Conference: Progress report of the inter-sessional consultations

The Governing Body took note of the progress report on the inter-sessional consultations concerning the comprehensive review of the Standing Orders and provided guidance on the next stages.

(GB.332/INS/12, paragraph 19.)

Review of the role and functioning of the Regional Meetings: Consolidated version of the Rules for Regional Meetings and the Introductory Note

The Governing Body decided to:

- (a) adopt the consolidated version of the Rules for Regional Meetings as amended during the discussions in the Working Party;
- (b) submit the consolidated version of the Rules for Regional Meetings contained in the appendix of document GB.332/INS/12 to the Conference for confirmation at its 107th Session (2018); and
- (c) request the Office to prepare for its 334th Session (October–November 2018) a revised version of the Introductory Note, taking into account the discussions in the Working Party.

(GB.332/INS/12, paragraph 36.)

13. Report of the Working Party on the Social Dimension of Globalization (GB.332/INS/13)

Discussion deferred. No decision required.

14. Report of the Director-General – Main Report
(GB.332/INS/14)

The Governing Body took note of the report contained in document GB.332/INS/14.

**Report of the Director-General – Addendum:
Obituary (GB.332/INS/14(Add.))**

The Governing Body paid tribute to the memory of Mr B. de Arbeloa and invited the Director-General to convey its condolences to the family of Mr de Arbeloa and to FEDECAMARAS.

(GB.332/INS/14(Add.), paragraph 5.)

**First Supplementary Report: Report of the
Meeting of Experts to Promote Decent Work and
Protection of Fundamental Principles and Rights
at Work for Workers in Export Processing Zones
(Geneva, 21–23 November 2017) (GB.332/INS/14/1)**

The Governing Body decided to:

- (a) take note of the outcome of the Meeting of Experts, endorse the conclusions, and authorize the Director-General to publish the conclusions of the Meeting; and
- (b) request the Director-General to include the recommended follow-up action in the implementation of subsequent programmes and budgets.

(GB.332/INS/14/1, paragraph 9.)

**Second Supplementary Report: Documents
submitted for information only
(GB.332/INS/14/2)**

The Governing Body took note of the information contained in the documents listed at the end of its agenda.

(GB.332/INS/14/2, paragraph 3.)

**Third Supplementary Report: Replacement
of a member of a Governing Body committee
set up to examine a representation submitted in
accordance with article 24 of the ILO Constitution
(GB.332/INS/14/3)**

The Governing Body appointed Mr Khalid Atlassi (Morocco) as Government member in the tripartite committee responsible for the examination of the representation alleging non-observance by France of the Termination of Employment Convention, 1982 (No. 158),

made under article 24 of the ILO Constitution by the General Confederation of Labour–Force Ouvrière (CGT–FO) and the General Confederation of Labour (CGT).

(GB.332/INS/14/3, paragraph 3.)

15. Reports of the Officers of the Governing Body

(GB.332/INS/15/2 and GB.332/INS/15/3
(confidential))

Decisions deferred.

16. Programme, composition and agenda of standing bodies and meetings (GB.332/INS/16(Rev.))

Meeting of Experts on Defining Recruitment Fees and Related Costs
(Geneva, 14–16 November 2018)

The Governing Body, on the recommendation of its Officers, approved the holding of the Meeting on the dates proposed, as well as the composition proposed in document GB.332/INS/16(Rev.).

(GB.332/INS/16(Rev.), paragraph 4.)

Invitations of intergovernmental organizations and international non-governmental organizations to official meetings

107th Session of the International Labour Conference
(Geneva, 28 May–8 June 2018)

The Governing Body, on the recommendation of its Officers, authorized the Director-General:

- (i) to invite the organizations listed in the appendix of document GB.332/INS/16(Rev.) to be represented at the Conference, it being understood that it would be for the Selection Committee of the Conference to consider their requests to participate in the work of the committees dealing with the agenda items in which they had stated a special interest; and
- (ii) to inform the organizations concerned that they might nominate one person only for each of the agenda items in respect of which their interest had been recognized.

(GB.332/INS/16(Rev.), paragraph 8.)

Invitation of observers to other official meetings

The Governing Body endorsed the proposals made in the table appended to document GB.332/INS/16(Rev.) relating to the invitation of international non-governmental organizations as observers to the meetings listed therein.

(GB.332/INS/16(Rev.), paragraph 10.)

Programme of meetings for 2018 and 2019

The Governing Body took note of the programme of meetings, as approved by the Officers of the Governing Body, subject to decisions to be adopted, as described in the footnotes of document GB.332/INS/16(Rev.), Part II.

(GB.332/INS/16(Rev.), paragraph 11.)

Policy Development Section

1. Follow-up discussion on the voluntary peer review mechanisms of national employment policies (GB.332/POL/1(Rev.))

The Governing Body requested the Office to hold tripartite intersessional consultations on drafting further detailed proposals regarding document GB.332/POL/1(Rev.), so that the issue can be examined for decision at its 334th Session in October–November 2018.

(GB.332/POL/1(Rev.), paragraph 32, as amended by the Governing Body.)

2. Sectoral meetings held in 2017 and proposals for sectoral work in 2018–19 (GB.332/POL/2)

The Governing Body:

- (a) took note of the reports of the meetings referred to in section I;
- (b) authorized the Director-General to communicate the final report of the Tripartite Meeting on Issues relating to Migrant Fishers to governments, requesting them to communicate the report to the employers' and workers' organizations concerned, and to the international employers' and workers' organizations and other international organizations concerned;
- (c) 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 Tripartite Meeting on Issues relating to Migrant Fishers;
- (d) authorized the Director-General to publish the code of practice on safety and health in opencast mines; and
- (e) endorsed the proposals contained in the appended table relating to the dates, duration, official title, purpose and composition of the meetings listed therein.

(GB.332/POL/2, paragraph 11.)

3. Follow-up to the IV Global Conference on the Sustained Eradication of Child Labour
(Buenos Aires, 14–16 November 2017)
(GB.332/POL/3)

The Governing Body:

- (a) expressed its gratitude to the Government and the social partners of Argentina for hosting and ensuring the success of the IV Global Conference on the Sustained Eradication of Child Labour;
- (b) endorsed the Buenos Aires Declaration and requested the Office to support its implementation in conjunction with the ILO Plan of Action for the period 2017–23 to give effect to the conclusions concerning the second recurrent discussion on fundamental principles and rights at work, adopted by the International Labour Conference in June 2017;
- (c) reconfirmed its commitment to the elimination of child labour and forced labour and requested the Office to continue providing technical assistance to achieve these objectives;
- (d) asked the Office to make an overview of the pledges made in Buenos Aires, clustered per theme and/or subject;
- (e) requested the Office, in cooperation with the Alliance 8.7, to organize before the Vth Global Conference a mid-term review of the progress made in eliminating child labour and forced labour, and achieving SDG 8.7 in these matters; and
- (f) encouraged the General Assembly of the United Nations to declare the year 2021 as International Year for the Elimination of Child Labour.

(GB.332/POL/3, paragraph 25, as amended by the Governing Body.)

4. ILO South–South and triangular cooperation and decent work: Recent developments and future steps (GB.332/POL/4)

The Governing Body requested the Office:

- (a) taking into account the recommended future steps outlined in paragraphs 20–22 of document GB.332/POL/4, to further develop the implementation of the South–South and triangular cooperation strategy, as stated in the Programme and Budget for 2018–19; and
- (b) to consider the initial guidance, provided in the Governing Body discussion on South–South and triangular cooperation, in the forthcoming general discussion on effective development cooperation in support of the Sustainable Development Goals at the 107th Session (2018) of the International Labour Conference.

(GB.332/POL/4, paragraph 23.)

5. An integrated ILO strategy to address decent work deficits in the tobacco sector (GB.332/POL/5)

Decision deferred.

6. Review of the MNE Declaration follow-up mechanism comprising promotional activities and an information-gathering system (GB.332/POL/6)

The Governing Body:

- (a) took note of the information contained in document GB.332/POL/6; and
- (b) requested the Office 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 (MNE Declaration).

(GB.332/POL/6, paragraph 20.)

Legal Issues and International Labour Standards Section

1. Follow-up to the discussion on the protection of Employers' and Workers' delegates to the International Labour Conference and members of the Governing Body in relation to the authorities of a State of which they are a national or a representative (GB.332/LILS/1)

The Governing Body:

- (a) taking into account the limited time made available for comprehensive analysis of document GB.332/LILS/1, postponed the item to its 334th Session (October–November 2018) with a view to the submission of a draft resolution to the following session of the International Labour Conference;
- (b) requested the Office to recirculate the document GB.332/LILS/1 to member States by the end of the 332nd Session and schedule a consultation process including informal tripartite consultations in order to find a viable approach.

(GB.332/LILS/1, paragraph 11, as amended by the Governing Body.)

2. Composition of the International Labour Conference: Proportion of women and men in delegations (GB.332/LILS/2)

The Governing Body:

- (a) urged all groups to aspire to achieve gender parity among their accredited delegates, advisers and observers to the Conference and Regional Meetings;
- (b) requested the Director-General, after every Conference as well as Regional Meeting, to continue to bring the issue to the attention of Members and groups that had not reached the minimum target of 30 per cent of women's participation with the goal of gender parity, and to periodically report to the Governing Body on obstacles encountered, as well as measures taken by tripartite constituents to achieve gender parity;
- (c) requested that the report of the Director-General list delegations that meet the long-standing minimum target of 30 per cent participation; and
- (d) requested the Office to continue hosting workshops for all groups, including social partners and those outside Geneva, who might need assistance to reach gender parity in delegations.

(GB.332/LILS/2, paragraph 23, as amended by the Governing Body.)

3. Proposed form for reports to be requested under article 19 of the ILO Constitution in 2019 on a number of instruments on employment promotion through the regulation of the employment relationship (GB.332/LILS/3)

Decision deferred.

Programme, Financial and Administrative Section

1. ILO programme implementation 2016–17 (GB.332/PFA/1)

The Office took note of the observations and guidance provided by the Governing Body.

(Document GB.332/PFA/1.)

2. Delegation of authority under article 18 of the Standing Orders of the International Labour Conference (GB.332/PFA/2)

The Governing Body delegated to its Officers, for the period of the 107th Session (June 2018) of the Conference, the authority to carry out its responsibilities under article 18 of the Conference Standing Orders in relation to proposals involving expenditure in the 76th financial period ending 31 December 2019.

(GB.332/PFA/2, paragraph 3.)

3. Update on the headquarters building renovation project (GB.332/PFA/3)

The Governing Body:

- (a) without prejudice to future decisions on the financing of further renovations, approved the use of resources in the Building and Accommodation Fund up to an amount of 600,000 Swiss francs, to finance further studies of land development of lot 4057;
- (b) requested further inter-sessional consultations on phase 2 of the building renovation project; and
- (c) deferred further decisions to the 334th Session (October–November 2018) of the Governing Body.

(GB.332/PFA/3, paragraph 40, as amended by the Governing Body.)

4. Report of the Government members of the Governing Body for allocation of expenses (GB.332/PFA/4)

The Governing Body decided, in accordance with the established practice of harmonizing the rates of assessment of ILO member States with their rates of assessment in the United Nations, to base the ILO scale of assessment for 2019 on the UN scale for 2016–18, and to accordingly propose to the Conference the adoption of the draft scale of assessment for 2019 as set out in the appendix to GB.332/PFA/4, subject to such adjustments as might be necessary following any further change in the membership of the Organization before the Conference is called upon to adopt the recommended scale.

(GB.332/PFA/4, paragraph 7.)

5. Programme and Budget for 2016–17: Regular budget account and Working Capital Fund as at 31 December 2017 (GB.332/PFA/5)

In accordance with article 16 of the Financial Regulations, the Governing Body approved the transfers between budget items listed in table 4 of Appendix I of document GB.332/PFA/5.

(GB.332/PFA/5, paragraph 8.)

6. Report of the Independent Oversight Advisory Committee (GB.332/PFA/6)

The Office took note of the observations and guidance provided by the Governing Body on the Report of the Independent Oversight Advisory Committee (IOAC) and its recommendations as set out in document GB.332/PFA/6.

7. Report of the Chief Internal Auditor for the year ended 31 December 2017 (GB.332/PFA/7)

The Office took note of the observations and guidance provided by the Governing Body with regard to the Report of the Chief internal Auditor and its recommendations.

8. ILO results-based Evaluation Strategy 2018–21 (GB.332/PFA/8)

The Governing Body endorsed the Evaluation Strategy 2018–21 outlined in paragraphs 1–31 of document GB.332/PFA/8.

(GB.332/PFA/8, paragraph 32.)

9. Statement of the staff representative

No document and no decision required.

10. Amendments to Staff Regulations

No document and no decision required.

11. Update on the decisions taken by the International Civil Service Commission (ICSC) at its 85th Session regarding the post adjustment index for Geneva (GB.332/PFA/11)

The Governing Body:

- (a) took note of the legal issues, risks and serious shortcomings associated with consultations on, and the implementation of, the results of the 2016 cost-of-living survey in respect of the duty station Geneva; and
- (b) requested the Office to continue to actively engage with the ICSC at its 86th Session and beyond, with the objective of reforming the post adjustment and other salary survey methodologies, and ensure that the new methodology is applied for any post adjustments. The reform process should guarantee the full involvement of the UN workers' federations and respect basic principles of social dialogue.

(GB.332/PFA/11, paragraph 13, as amended by the Governing Body.)

12. Matters relating to the Administrative Tribunal of the ILO

Withdrawal of the recognition of the Tribunal's jurisdiction by one organization and cessation of activities of another organization (GB.332/PFA/12/1(Rev.))

The Governing Body:

- (a) took note of the cessation of activities of the Agency for International Trade Information and Cooperation (AITIC) and accordingly confirmed that the AITIC would no longer be subject to the competence of the Tribunal with effect from the date of this decision;
- (b) took note of the intention of the Intergovernmental Organisation for International Carriage by Rail (OTIF) to discontinue its recognition of the jurisdiction of the Administrative Tribunal, and accordingly confirmed that the OTIF would no longer be subject to the competence of the Tribunal with effect from the date of the decision except regarding complaint AT 5-4680 pending before the Tribunal; and
- (c) requested the Director-General to follow up with the Secretary-General of the OTIF regarding the payment of any outstanding costs.

(GB.332/PFA/12/1(Rev.), paragraph 8.)

Composition of the Tribunal (GB.332/PFA/12/2)

The Governing Body proposed to the Conference the renewal of the terms of office of Mr Barbagallo (Italy), Ms Diakité (Côte d'Ivoire), Ms Hansen (Canada), Mr Moore (Australia) and Sir Hugh Rawlins (Saint Kitts and Nevis) for three years each and thus decided to propose the following draft resolution for possible adoption:

The General Conference of the International Labour Organization,

Decides, in accordance with article III of the Statute of the Administrative Tribunal of the International Labour Organization, to renew the appointments of Mr Giuseppe Barbagallo (Italy), Ms Fatoumata Diakité (Côte d'Ivoire), Ms Dolores Hansen (Canada), Mr Michael Moore (Australia) and Sir Hugh Rawlins (Saint Kitts and Nevis) for a term of three years.

(GB.332/PFA/12/2, paragraph 4.)

Status of the judges of the Administrative Tribunal of the ILO (GB.332/PFA/12/3)

Decision deferred.

High-Level Section

1. Reform of the United Nations: Implications for the ILO (GB.332/HL/1)

No decision required.

2. Decent work for sustainable development (GB.332/HL/2)

The Governing Body requested the Director-General to take account of its guidance in further developing the ILO contribution to the 2018 High-Level Political Forum (HLPF).

(GB.332/HL/2, paragraph 61.)