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SECOND ITEM ON THE AGENDA

Agenda of the International Labour Conference

Proposals for the agenda of the 103rd Session (2014) and beyond of the Conference

Purpose of the document

To submit to the Governing Body proposals for the agenda of the 103rd (2014) and 104th (2015) Sessions of the Conference and beyond, in light of the decision taken at the 316th Session (November 2012). The Governing Body is invited to provide the relevant guidance to the Office (see the draft decisions in paragraphs 12 and 17).

Relevant strategic objective: All four strategic objectives.

Policy implications: A decision to select items for the agenda of the 103rd (2014) and 104th (2015) Sessions of the Conference will have implications for the programme of those sessions of the Conference.

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 of placing items on the Conference agenda and with respect to items for which technical preparatory meetings are proposed.

Follow-up action required: Preparatory work for Conference discussions.

Author unit: Standards and Fundamental Principles and Rights at Work Sector, Employment Sector, Social Protection Sector and Social Dialogue Sector, the Bureau for Gender Equality and the International Institute for Labour Studies.

Related documents: GB.316/INS/4; GB.316/INS/12; GB.316/WP/GBC/1.

Introduction

1. At its 316th Session (November 2012), the Governing Body considered a number of proposals for the agenda of the 103rd (2014) and the 104th (2015) Sessions of the International Labour Conference, and beyond. The paper submitted by the Office in November 2012 also provided information on the consultations that had been held on improvements to the process of setting the Conference agenda.¹ On the basis of its discussions, the Governing Body decided to defer until its 317th Session (March 2013)² the decisions on the selection of additional agenda items and the consideration of the broader questions relating to changes in the process of setting the Conference agenda.³
2. Accordingly, the present paper contains proposals for items to be placed on the agenda of the 103rd Session (2014) of the Conference (section A) and of the 104th Session (2015) and possibly beyond (section B). These proposals are necessarily based on current practices for the setting of the Conference agenda, including the number of items to be selected. The issues relating to the process of setting the Conference agenda are included in the discussion on improving the functioning of the International Labour Conference.
3. Pursuant to the ILO Constitution,⁴ the Standing Orders of the International Labour Conference,⁵ and the Standing Orders of the Governing Body,⁶ the agenda of the Conference is composed of two parts consisting respectively of standing items and ad hoc items.
4. 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;
 - programme and budget and other questions; and
 - information and reports on the application of Conventions and Recommendations.
5. It has also become the practice to normally include on the Conference agenda three additional ad hoc items to be examined, either in a general discussion and/or with a view to standard setting. For standard-setting items, either a double or a single discussion may be held, depending on the decision of the Governing Body.
6. Since the adoption of the ILO Declaration on Social Justice for a Fair Globalization in 2008, in which the Conference decided to hold recurrent discussions on the strategic

¹ GB.316/INS/4.

² Governing Body, *Record of decisions*, 19 November 2012, “Decision on the fourth item on the agenda: Agenda of the International Labour Conference”.

³ These questions have also been raised in the Working Party on the Functioning of the Governing Body and the International Labour Conference: GB.316/INS/12, paras 9–11; and GB.316/WP/GBC/1, paras 21–29.

⁴ ILO Constitution, articles 14(1), and 16(3).

⁵ Rules for the Conference, General Standing Orders, articles 7, 7bis and 8.

⁶ Standing Orders of the Governing Body, section 5.

objectives of the Organization,⁷ the Governing Body has included a recurrent discussion as one of the technical items on the Conference agenda each year.⁸ The Governing Body also 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.

A. Completing the agenda of the 103rd Session (2014) of the Conference

Items already considered for the 103rd Session

7. At its 313th Session (March 2012), the Governing Body decided to: include on the agenda of the 103rd Session (2014) of the Conference a recurrent discussion on the strategic objective of employment;⁹ postpone the selection of a second item pending the outcome of the 101st Session (2012) of the Conference; and include the selection of the second and third items in the tripartite consultations on the agenda that were to be pursued. The outcome of the informal tripartite consultations held in September 2012, and the subsequent virtual consultations, on the proposals for the second and third agenda items were reflected in the paper submitted to the 316th Session (November 2012) of the Governing Body.¹⁰
8. Accordingly, the agenda of the 103rd Session (2014) of the Conference is so far as follows:
 - reports of the Chairperson of the Governing Body and the Director-General;
 - programme and budget and other financial questions;
 - information and reports on the application of Conventions and Recommendations; and
 - a recurrent discussion on the strategic objective of employment.

Proposals to complete the agenda of the 103rd Session (2014) of the Conference

9. In accordance with the practice outlined above, the Governing Body may wish to select a further two items to complete the agenda of the 103rd Session (2014) of the Conference.

⁷ ILO Declaration on Social Justice for a Fair Globalization, 2008, Part II(A)(i).

⁸ GB.303/3/1. The modalities for the recurrent discussion are decided by the Governing Body. Social Justice Declaration, Annex, Part II(B).

⁹ This will be the second discussion on the strategic objective of employment in the seven-year cycle of recurrent discussions. The first was in 2010.

¹⁰ GB.316/INS/4.

- 10.** The Governing Body held a first discussion at its 316th Session (November 2012) of a number of proposals for the 103rd or subsequent sessions of the Conference. Intensive internal consultations have since been held within the Office, taking into account the views expressed in the Governing Body and the tripartite consultations. Based on a review of the work already undertaken, and subject to the Governing Body's approval of reduced preparatory intervals for the standard-setting proposals,¹¹ the Office considers that it would be in a position to complete the necessary preparatory work if any two of the following six proposed items were to be selected.

103rd Session (2014) of the Conference

| Proposal | Nature | The Governing Body is invited to: |
|--|--------------------|---|
| (a) Supplementing the Forced Labour Convention, 1930 (No. 29), to address implementation gaps to advance prevention, protection and compensation measures, to effectively achieve the elimination of forced labour ¹² | Standard setting | In light of the outcome of the meeting of experts, provide guidance on the inclusion of this proposal in the agenda of the 103rd Session (2014) of the Conference or beyond |
| (b) Facilitating transitions from the informal economy to the formal economy ¹³ | Standard setting | Provide guidance on the inclusion of this proposal in the agenda of the 103rd Session (2014) of the Conference or beyond |
| (c) Violence against women and men in the world of work ¹⁴ | Standard setting | Provide guidance on the inclusion of this proposal in the agenda of the 103rd Session (2014) of the Conference or beyond |
| (d) Decent work for peace, security and disaster resilience: Revision of the Employment (Transition from War to Peace) Recommendation, 1944 (No. 71) ¹⁵ | Standard setting | Provide guidance on the inclusion of this proposal in the agenda of the 103rd Session (2014) of the Conference or beyond |
| (e) Effective ILO technical cooperation in a changing global context (see Appendix I) ¹⁶ | General discussion | Provide guidance on the inclusion of this proposal in the agenda of the 103rd Session (2014) of the Conference or beyond |
| (f) Building a diverse and inclusive world of work ¹⁷ | General discussion | Provide guidance on the inclusion of this proposal in the agenda of the 103rd Session (2014) of the Conference or beyond |

- 11.** The detailed proposals are contained in Appendix I. The format of the proposals is based on a common template, which has been modified in light of the views expressed by the Governing Body in November 2012.¹⁸

¹¹ See ILC Standing Orders, articles 38(3) and 39(5), which apply to situations with less than 26 months and 18 months, respectively, to prepare before the opening of the session concerned.

¹² The subject of a first discussion in November 2012. See the conclusions of the Tripartite Meeting of Experts on Forced Labour and Trafficking for Labour Exploitation held in Geneva on 11–15 February 2013 (TMELE/2013/6).

¹³ The subject of a first discussion in November 2012.

¹⁴ A proposal entitled “Gender-based violence in the world of work” was the subject of a first discussion by the Governing Body in November 2012. This is a modified proposal.

¹⁵ The subject has been included in the proposals for possible Conference agenda items for a number of years as a follow-up to the recommendations of the Working Party on Policy regarding the Revision of Standards.

¹⁶ The subject of a first discussion in November 2012.

¹⁷ The subject of a first discussion in November 2012.

Draft decision

12. *In light of the above and according to its usual practice, the Governing Body is invited to complete the agenda of the 103rd Session (2014) of the Conference by selecting two of the following six proposed items:*

- (a) supplementing the Forced Labour Convention, 1930 (No. 29), to address implementation gaps to advance prevention, protection and compensation measures, to effectively achieve the elimination of forced labour (standard setting, single discussion);*
- (b) facilitating transitions from the informal to the formal economy (standard setting, double discussion);*
- (c) violence against women and men in the world of work (standard setting, double discussion);*
- (d) 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);*
- (e) effective ILO technical cooperation in a changing global context (general discussion); and*
- (f) building a diverse and inclusive world of work (general discussion).*

If proposed item (a) is selected, the Governing Body is invited to approve the programme of reduced intervals for reports set out in Appendix III.

If proposed items (b), or (c) or (d) is selected, the Governing Body is invited to approve the programme of reduced intervals for reports for the first discussion set out in Appendix III.

B. Proposals for the agenda of the 104th (2015) and subsequent sessions of the Conference

Items already considered

13. In accordance with the practice referred to above, the agenda for the 104th Session of the Conference would consist of:

- the three required standing items (see paragraph 4 above); and
- normally three additional items, one of which would be a recurrent discussion.

¹⁸ GB.317/INS/2/2, Appendix I. The template will be further refined in light of the discussions on the process of setting the Conference agenda.

14. In the light of the Governing Body's decision concerning recurrent discussions (see paragraph 6 above), the final item of the first seven-year cycle would cover the strategic objective of social protection (labour protection). Assuming that the Governing Body chooses to follow current practice, there would remain another two items to be selected for the 104th Session (2015) of the Conference.

Proposals to complete the agenda of the 104th Session (2015) of the Conference

15. At its 316th Session (November 2012), the Governing Body considered a number of proposals for the agenda of the 104th (2015) and possibly also for subsequent sessions of the Conference. Proposals considered, but not selected, for the 103rd Session (2014) of the Conference could also be taken into account. Based on the comments made during the discussion at the 316th Session of the Governing Body, the following six topics are proposed for further consideration for the 104th Session of the Conference:

- (a) facilitating transitions from the informal to the formal economy (standard setting, double discussion) (if not selected for the 103rd Session – see Appendix I);
- (b) 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) (if not selected for the 103rd Session – see Appendix I);
- (c) decent work in global supply chains (general discussion) (see Appendix II);
- (d) violence against women and men in the world of work (standard setting, double discussion) (if not selected for the 103rd Session – see Appendix I);
- (e) effective ILO technical cooperation in a changing global context (general discussion) (if not selected for the 103rd Session – see Appendix I); and
- (f) building a diverse and inclusive world of work (general discussion) (if not selected for the 103rd Session – see Appendix I).

16. The detailed proposals are contained in Appendices I and II.

Draft decision

17. *With respect to the agenda of the 104th Session (2015) of the Conference, and according to its usual practice, the Governing Body is invited to:*
- (a) *approve the proposal for a recurrent discussion on the strategic objective of social protection (labour protection); and*
 - (b) *either complete the agenda of the 104th Session of the Conference (2015) by selecting one or two items from the six proposals referred to in paragraph 15 above, or postpone the selection of the items to a subsequent session.*

C. Proposals for the agenda of future sessions of the Conference

18. In addition to any proposals outlined above and not selected for the respective sessions of the Conference, the Office proposes to continue developing, for consideration by the Governing Body at its 319th Session (October 2013), the following proposals for Conference agenda items (see Appendix II):

- (a) Resolution of labour disputes (taking into consideration the conclusions of the Working Party on Policy regarding the Revision of Standards and the Conference conclusions concerning the recurrent discussion on Fundamental Principles and Rights at Work, 2012);
- (b) Non-standard forms of employment (temporary work) (standard setting);
- (c) Long-term unemployment (general discussion);
- (d) Small enterprises and employment creation (general discussion); and
- (e) Public sector: Workforce development, career progression and employment conditions (general discussion).

Appendix I

Revised proposals for consideration as items for inclusion in the agenda of the 103rd (2014) Session of the Conference

(a) *Supplementing the ILO Forced Labour Convention, 1930 (No. 29), to address implementation gaps to advance prevention, protection and compensation measures, to effectively achieve the elimination of forced labour (standard setting)*

1. This proposal has been developed as a follow-up to the conclusions adopted by the Conference in 2012 concerning the recurrent discussion on Fundamental Principles and Rights at Work. In particular, the conclusions call for “a detailed analysis, including through the possible convening of meetings of experts to identify gaps in existing coverage of ILO standards with a view to determining whether there is a need for standard setting to: (i) complement the ILO’s forced labour Conventions to address prevention and victim protection, including compensation; and (ii) address human trafficking for labour exploitation.”¹ Support has been expressed for the proposal by the Employers’ and Workers’ groups, which suggested that any proposed standard-setting item might ultimately be referred to the Conference with a view to a single discussion. The group of industrialized market economy countries (IMEC) emphasized the need to await the outcome of the meeting of experts and to hold further discussions on the scope of the ILO’s mandate with regard to human trafficking.
2. The Governing Body held a first discussion of the proposal at its 316th Session (November 2012) and approved the holding of a meeting of experts from 11 to 15 February 2013. The report and the conclusions of the meeting of experts are published separately.² Should the Governing Body decide to select the proposal, it would also have to determine whether it would be the subject of a single discussion, in which case a programme of reduced intervals for the reports would also have to be approved, in accordance with the single-discussion procedure set out in article 38(3) of the Standing Orders of the Conference.

Constituents’ needs and realities in light of the ILO’s strategic objectives

3. In recent years, the persistent use of forced labour has been the subject of growing international attention, with particular reference to human trafficking. In June 2012, the ILO launched a new global estimate of forced labour, emphasizing that it is more pervasive than previous data had suggested. The ILO estimates that there are at least 20.9 million victims of forced labour globally, affecting all regions. New data suggest a strong link between forced labour and migration, with almost half (44 per cent) of all forced labour victims being involved in cross-border or internal migration.
4. Those who exact, aid or abet forced labour generate vast illegal profits, with domestic work, agriculture, construction and manufacturing among the sectors most concerned. While forced labour can occur in both the formal and informal economies, workers in the informal economy lack protection and are more vulnerable.

¹ ILO: *Provisional Record* No. 15, ILC, 101st Session, Geneva, 2012, para. 22(c).

² TMELE/2013/6 and TMELE/2013/7.

5. The elimination of forced labour is one of the 19 strategic outcomes set out in the ILO's Strategic Policy Framework.³ In light of the vulnerability of the growing number of victims of forced labour, it is appropriate to review the need for additional guidance for member States to reinforce the protection and assistance of all victims of forced labour, including victims of trafficking.

Added value of standard setting

6. While Convention No. 29 effectively covers the prevention of forced labour practices and the protection of victims of forced labour, including in the context of trafficking in persons for labour and sexual exploitation, it does not contain provisions explicitly mentioning these three areas. The adoption of a new instrument or instruments supplementing the forced labour Conventions could therefore reinforce an integrated approach to prevention, victim protection and compensation and set out detailed provisions concerning the various measures to be taken in these three areas.
7. It should be emphasized that new standard setting does not imply that existing forced labour Conventions would be weakened, but rather that the very important elements of prevention and victim protection are given stronger focus. A new ILO standard could therefore make an important contribution by providing additional guidance to member States on policies for the effective prevention of forced labour and the improvement of protection and assistance for all victims of forced labour, including bonded labourers and victims of slave labour and trafficking. It would therefore address more vigorously one of the major challenges facing the world of work.
8. The meeting of experts referred to in paragraph 2 above considered that:

... there was an added value in the adoption of supplementary measures to address the significant implementation gaps remaining in order to effectively eradicate forced labour in all its forms. There was consensus among the Experts that the implementation gaps should be addressed through standard setting to advance prevention, protection and compensation measures to effectively achieve the elimination of forced labour globally. The Experts considered different options for standard setting in the form of a Protocol and/or a Recommendation, but did not reach a consensus. The Experts did not retain the option of a new Convention.⁴
9. On the basis of the discussions and outcome of the Meeting of Experts, the Office proposes that the Governing Body may wish to consider that the above standard setting could take the form of a Protocol to Convention No. 29, complemented by a Recommendation. Such a Protocol could be succinct and specify the main principles relating to the implementation gaps in respect of prevention, protection and compensation measures. A possible Recommendation could then contain the details of concrete measures to be taken to effectively address those implementation gaps.

Preparation of the Conference discussion

10. In addition to the report prepared by the Office for the meeting of experts,⁵ and the outcome of that meeting, the preparation of the Conference discussion would build on the

³ GB.304/PFA/2(Rev.), para. 70.

⁴ See paras 26 and 27 of the conclusions of the Tripartite Meeting of Experts on Forced Labour and Trafficking for Labour Exploitation (TMELE/2013/6).

⁵ 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)*, Geneva, 2013 (TMELE/2013).

Global Reports on forced labour prepared under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, 1998, and the information gathered on national law and practice and the analysis of the ILO supervisory bodies. It would also build on the expertise and resources relating to the elimination of forced labour acquired through technical cooperation. Consultation with, and the comments of, the United Nations and other international and regional organizations would also be part of the preparation process. All relevant units in the Office, both at headquarters and in the field, would collaborate closely, and consultations would be held with constituents.

(b) Facilitating transitions from the informal economy to the formal economy (standard setting)

11. This proposal, which was first discussed by the Governing Body in November 2012, arises out of a proposal made during the informal tripartite consultations in September 2012 on behalf of the Employers' group with a view to the adoption of a Recommendation. During the Governing Body discussions, the proposal was supported by the Workers' group. It was also supported by a number of governments, and particularly the Africa group. Some members of the IMEC group supported the proposal but with a view to a general discussion. The Office has developed the present proposal with a view to standard setting (double discussion).
12. The proposal builds on the Conference conclusions concerning decent work and the informal economy (2002) and the outcome of the ILO Tripartite Symposium on the Informal Economy (2007). The conclusions concerning the recurrent discussion on Fundamental Principles and Rights at Work (2012)⁶ called for the convening of a meeting of experts on advancing fundamental principles and rights at work in the informal economy, which would provide important guidance for the proposed instrument.
13. This item is being proposed with a view to a double discussion. Should the Governing Body decide to select this proposal for 2014, in accordance with article 39(5) of the Standing Orders of the Conference, a programme of reduced intervals for the reports for the first discussion would have to be approved by the Governing Body.

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

14. A significant proportion of working people throughout the world, particularly in developing countries, work under conditions of informality and are deprived of basic rights, opportunities for decent work and the protection of labour legislation. Most recent data indicate that the informal economy represented 51 per cent of total employment in Latin America, 82 per cent in South Asia and 66 per cent in sub-Saharan Africa.⁷ The informal economy covers many different realities, and there is global consensus that inclusive development is not possible unless rights and opportunities are extended to informal economy workers. The persistence of a large informal economy is incompatible with substantial progress in achieving decent work and undermines the ability of enterprises to become more productive. It is therefore necessary to facilitate transitions to

⁶ ILO: *Provisional Record* No. 15, ILC, 101st Session, Geneva, 2012, para. 13(c). See also the Plan of action on fundamental principles and rights at work, GB.316/INS/5/3, para. 18.

⁷ *Women and Men in the Informal Economy. An Update*. ILO–WIEGO, Geneva (forthcoming, 2013).

the formal economy, particularly by creating incentives for formal enterprises and jobs, and through cooperatives.⁸

15. This is an area of intense policy debate and recent policy innovations. The available evidence suggests that well-designed policies can facilitate transitions to formality and effectively promote the formal economy in a manner that provides new opportunities for all workers and enterprises, including for those in the informal economy to move to the formal economy. By putting together the main lessons from the experience acquired, important guidance could be provided on the wide range of policies that are effective in facilitating transitions to formality (in such areas as employment-intensive growth strategies creating formal employment opportunities, fundamental principles and rights at work, social security, working conditions, occupational safety and health (OSH), income opportunities, education and skills development, access to finance and markets, law enforcement, industrial policy, infrastructure, enterprise registration, promotion of cooperatives and other social economy enterprises, labour administration and labour inspection, transparent and democratic governance and social dialogue).
16. A new instrument would help to improve policy coherence at the national level between the four strategic objectives of employment, social protection, social dialogue and fundamental principles and rights at work, with gender as a cross-cutting issue. It would also contribute to ensuring that account is taken of the broad range of informal working arrangements and their gender and sectoral dimensions, and to shifting global policy attention towards job quality as a driver of economic development. Transitions to formality enhance economic efficiency and welfare, thereby contributing to productivity, sustainable growth and development. Countries that achieve successful transitions to formal employment have a stronger basis for promoting sustainable enterprises and core worker rights, eradicating working poverty and funding pro-development programmes and social protection, thereby permitting economic growth with social equity.

Added value

17. In principle, international labour standards are not restricted in scope to the formal economy and are therefore applicable to the informal economy. Several ILO standards include provisions referring specifically to the informal economy. However, none of them provide guidance on the kind of comprehensive approach that is required. The instrument would therefore address a major gap in ILO standards and supplement the existing body of instruments, particularly those on employment promotion, fundamental principles and rights at work, the employment relationship, working conditions, OSH, social security and labour inspection. It would also make a contribution to the global policy debate on the post-2015 development framework and the Sustainable Development Goals (SDGs).

Expected outcome

18. In addition to providing guidance to constituents in their efforts to address the informal economy in a comprehensive manner, the proposed instrument would enhance the ILO's standing as a global forum for the discussion of good practices in this area, the provision of guidance to constituents and the promotion of concerted action for socially inclusive development.

Preparation of the Conference discussion

19. To reflect the multidimensional nature of the issue, an Office-wide task force has been constituted, particularly to address research and knowledge gaps. The meeting of experts, which is proposed to be held in September 2013 subject to the approval of the Governing

⁸ Promotion of Cooperatives Recommendation, 2002 (No. 193), Paragraph 9.

Body, will help to identify the focus and nature of the discussion. Building on the outcome of the meeting of experts, knowledge would be gathered on innovative solutions and up-to-date experience (legal, policy, institutional, governance and other interventions) which have proved successful in supporting the transition of informal workers and enterprises to formality, preventing others from entering the informal economy and enhancing rights and opportunities. A broad process of consultation with constituents would also be carried out, particularly with organizations representing people in the informal economy.

(c) *Violence against women and men in the world of work (standard setting)*

20. This proposal, which was first discussed by the Governing Body in November 2012, is a follow-up to the Conference conclusions concerning gender equality at the heart of decent work (2009). Strong support was expressed by the Workers' group with a view to the adoption of a Convention and a Recommendation. The Africa group and the Government of India supported the proposal. IMEC favoured a general discussion adopting a broader approach to the topic. 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.
21. Violence at work, based on unequal power relations, and particularly reflecting gender discrimination, is manifested in different ways and is a critical and major challenge in all regions to the goal of equality between women and men. Sexual harassment and other forms of harassment and abuse (physical, verbal or psychological), bullying, mobbing, work-related stress and other forms of violence affect all professions and sectors, and both women and men. While the United Nations system has targeted gender-based violence in general, with emphasis on human rights abuses, situations of armed conflict and domestic violence, and regional entities have adopted texts prohibiting violence against women and girls, the ILO can offer contextual enrichment with its unique world of work mandate. New standards would build on ILO expertise in assisting groups from different backgrounds who may be subject to multiple forms of discrimination, including migrant workers, child labourers, ethnic minorities, workers in the informal economy, rural workers, indigenous peoples, domestic workers and those at risk of HIV infection.
22. This item is being proposed with a view to a double discussion. Should the Governing Body decide to select this proposal for 2014, in accordance with article 39(5) of the Standing Orders of the Conference, a programme of reduced intervals for the reports for the first discussion would have to be approved by the Governing Body.

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

23. Violence against women and men at work is a major issue, linked to entrenched behavioural patterns and stereotypes, changes in work organization, intensity of work, the volatility of wages and jobs, and the impact of the economic crisis. Effective preventive and remedial action need to take into account the specific gender differentials in labour markets and national economies.
24. Violence in the world of work is a human rights issue, as well as a health, education, legal and socio-economic problem. Gender-based violence is one of the most prevalent human rights violations. There is also a strong business case for eliminating violence against women and men. The costs to enterprises include absenteeism, increased turnover, lower job performance and productivity, negative public image, legal/litigation fees, fines or high settlement costs, and rising insurance premiums. For workers, it can lead to heightened stress, loss of motivation, increased accidents and disability, and even death. The potential strain on health, welfare and social security systems can be avoided through the promotion

of integrated, gender-responsive OSH policies and a preventive culture in the world of work.

25. Constituents have increasingly highlighted the need for action against violence at work in the context of ILO technical cooperation, including United Nations joint programmes. ILO support to constituents to combat gender-based violence, including sexual harassment, has consisted of research, advocacy and legislative expertise, Office-wide tools and guides.⁹

Added value of standard setting

26. The ILO already addresses the issue of violence at work through the supervision of its equality standards, as well as those on forced and child labour, indigenous peoples, domestic workers and HIV and AIDS. While some forms of violence, including sexual harassment, are covered by existing ILO standards, training materials and research, gaps remain, especially in addressing violence in the broader sense. New ILO instruments covering sexual, physical, verbal, moral, psychological and other forms of violence in the workplace would reinforce the existing framework of international and regional human rights standards. They would cover not only discrimination, but also socio-economic and legal issues, OSH 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 encompassing policy advice, operational recommendations and sex-disaggregated data collection.

Expected outcome

27. A Convention and Recommendation on violence against women and men in the world of work would provide a solid foundation for action by workers, employers and their organizations. They would provide the basic elements for a national policy on violence at work, including clear definitions, guidance on the roles, responsibilities and accountability of the tripartite partners, and would emphasize the need for a comprehensive approach and policy coherence going beyond labour and employment. Dialogue mechanisms and collective agreements would play a pivotal role. The instruments would also offer guidance on meaningful and context-specific monitoring, evaluation and reporting.

Preparation of the Conference discussion

28. Preparatory work for the Conference discussion would be undertaken in coordination with work on areas of critical importance, including the protection of workers from unacceptable forms of work, the informal economy, youth, rural workers and labour inspection, and would be based on existing research, interregional initiatives and advocacy (symposia, information briefs and awareness campaigns).¹⁰ The preparatory process would include consultation with the United Nations system and other public international organizations.
29. This standard setting is being proposed with a view to a double discussion.

⁹ See, for example, ILO: *Code of practice on workplace violence in services sectors and measures to combat this phenomenon* (Geneva, 2004), and ILO, ICN, WHO and PSI: *Framework guidelines for addressing workplace violence in the health sector* (Geneva, 2002).

¹⁰ ILO: *Gender-based violence in the world of work: Overview and selected annotated bibliography*, Working paper No. 3, Bureau for Gender Equality (Geneva, 2011).

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

30. The Employment (Transition from War to Peace) Recommendation, 1944 (No. 71), adopted a visionary approach and addressed the issue of restoring peace through employment following armed conflict. However, Recommendation No. 71 was adopted in 1944 in the specific context of the Second World War. 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. Natural resources and their scarcity are increasingly playing a destabilizing role, and climate change is further exacerbating patterns of inequality. In parallel, significant experience has been gained in addressing a variety of crisis situations.
31. The question of revising Recommendation No. 71 was first discussed in the Governing Body in November 1998. The Working Party on Policy regarding the Revision of Standards proposed and the Governing Body endorsed the proposal to examine the possibility of replacing the Recommendation.¹¹
32. 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.¹² The Policy was the result of several years of joint study, analysis and work by a significant number of United Nations bodies. In line with the principles of the 2008 ILO Declaration on Social Justice for a Fair Globalization and the 2009 Global Jobs Pact, the United Nations Policy aims to scale up and maximize the impact, coherence and efficiency of sustainable employment and decent work.
33. Recommendation No. 71 is currently the only international labour standard that identifies mechanisms needed to help rebuild post-conflict societies through employment. A revised instrument, framed more closely in the context of current multidimensional conflicts, and their interrelationship with environmental degradation and natural and human-made disasters, and encompassing substantive elements of decent work, would strengthen adherence to the United Nations Policy and provide essential support for peace-building efforts.
34. This item is being proposed with a view to a double discussion. Should the Governing Body decide to select this proposal for 2014, in accordance with article 39(5) of the Standing Orders of the Conference, a programme of reduced intervals for the reports for the first discussion would have to be approved by the Governing Body.

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

35. In view of its unique tripartite structure and experience, the ILO has a clear comparative advantage in promoting decent work in post-conflict situations. Its mandate to promote employment, international labour standards and social justice means that the Organization has a crucial role to play in reconstruction and development efforts in post-crisis situations.
36. Employment and income generation are vital in post-conflict situations to achieve short-term stability, socio-economic reintegration and sustainable peace. Various summits and

¹¹ GB.274/LILS/WP/PRS/3, II.3.

¹² United Nations, Geneva, 2009.

institutions have reiterated the importance of decent work and the need to enhance its impact through the concrete measures outlined in the United Nations 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 strengthen 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 standard setting

37. Recommendation No. 71 does not specifically envisage a step-by-step and priority-based approach to peace building and security. In other words, the 11 principles set out in the Recommendation do not strictly form part of a progressive and coherent approach to crisis management, but rather propose solutions to one-off and isolated problems, without distinguishing between those requiring urgent action and those necessitating longer-term measures. In contrast, the United Nations Policy takes a completely 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 United Nations 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.¹³
38. The ILO can add value by providing for updated tripartite guidance, including on the role of tripartite constituents in realizing decent work as part of building peace, security and disaster resilience. The revision of Recommendation No. 71 would provide the ILO with a unique opportunity to pursue its mandate of promoting social justice and decent work to achieve universal peace.

Expected outcome

39. A revised (or new) standard, with the suggested title of “Decent work for peace, security and disaster resilience”, would enhance the Organization’s effectiveness in the field of peace building and provide a universal normative framework for countries facing the complexities of contemporary emergencies and conflicts. The implementation of the revised standard in countries exposed to conflicts and cyclical disasters could be reinforced through the development of a plan of action.

Preparation of the Conference discussion

40. Extensive research and documentation is already available on the subject. The United Nations Policy and its Guidance Note form an integral part of the necessary knowledge. The preparatory process would include consultations with the United Nations, and a tripartite consultation process, which might be organized in February 2014. The costs would be limited to the organization of the tripartite consultation.

¹³ 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.

(e) Effective ILO technical cooperation in a changing global context (general discussion)

41. This proposal is a follow-up to a suggestion made on behalf of the Employers' group during the informal tripartite discussions held in September 2012.¹⁴ The proposal for a general discussion on technical cooperation met with support from the Africa group and IMEC. However, the secretariat to the Workers' group considered that the subject should be discussed instead in the Governing Body.¹⁵ The last general discussion on the role of the ILO in technical cooperation was held by the Conference in 2006.¹⁶ On that occasion, the Conference adopted a resolution calling for a review of the subject five years later. That review is now overdue.

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

42. Technical cooperation is an important means of action of the ILO and accounts for over 40 per cent of the total resources available to the ILO. It enables the Office to enhance the capacity of the constituents, provide support for the achievement of the ILO's strategic objectives and operational outcomes and implement Decent Work Country Programmes. Technical cooperation is central to the programmes of action of most United Nations organizations, and the *raison d'être* of many of them. During the course of 2013, the Office, in the context of the Director-General's reform agenda, will be undertaking comprehensive internal reviews of the areas of technical cooperation, funding partnerships, external relations and the field structure, all of which will have a direct bearing on the proposed general discussion.

43. In particular, the general discussion would situate the ILO's technical cooperation programme within a changing internal and external context, and would provide the conceptual basis for a substantial increase in its scope, size and effectiveness. Four principal external factors underscore the importance and timeliness of the proposed general discussion:

- in December 2012, the United Nations General Assembly adopted a resolution on the quadrennial comprehensive policy review (QCPR),¹⁷ which establishes policy directives for the United Nations development system covering the period 2013–16: the specialized agencies are strongly “encouraged” to take these directives into account in their own operational programmes;
- in September 2013, the General Assembly is expected to adopt the future SDGs, which will succeed the current Millennium Development Goals (MDGs) and could provide the framework for the ILO's technical cooperation programme in the years to come;
- the global debate on development effectiveness grounded in the principles of the Paris Declaration on Aid Effectiveness (2005), i.e. ownership, alignment, harmonization,

¹⁴ The original proposal by the secretariat to the Employers' group referred to the “changing global economic and employment context”. The title of the present proposal refers simply to the “changing global context” so as to capture other elements, such as the aid effectiveness debate and the post-2015 framework.

¹⁵ Such a discussion could be held during the 319th Session (October 2013) of the Governing Body, in the Technical Cooperation Segment of the Policy Development (POL) Section.

¹⁶ ILO: *Provisional Record* No. 19, ILC, 95th Session, Geneva, 2006.

¹⁷ A/Res/67/226.

results and mutual accountability, and developed further in the Accra Agenda for Action (2008) and the Busan Partnership for Effective Development Co-operation (2011); and

- the development environment has been evolving rapidly in terms of its composition and complexity: in overall terms, official development assistance has been shrinking in recent years due to fiscal constraints in traditional donor countries, while former recipient countries have become donors and the private sector, including foundations, is playing an increasingly important role in development cooperation; civil society and local authorities have also become active players in this field.

Added value of a general discussion

44. A general discussion of technical cooperation by the Conference would respond to the 2006 ILC resolution and provide the Office with the guidance needed to reposition its technical cooperation programme within this changing context and to align it with the areas of critical importance for the Organization and for constituents.

Expected outcome

45. A general discussion would review and revise the ILO Technical Cooperation Strategy adopted by the Governing Body at its 306th Session (November 2009)¹⁸ in light of the internal and external changes outlined above. It would set targets for the Office in terms of resource mobilization, delivery, donor diversification, reporting, visibility and development effectiveness. A time-bound plan of action could be adopted to enhance the scope, size and effectiveness of the ILO technical cooperation programme.

Preparation of the Conference discussion

46. The report for the general discussion would be based on the internal reviews referred to above, and on a client satisfaction survey through which beneficiaries, donors, partners and implementing units and offices would be able to express their views on the relevance and effectiveness of the ILO technical cooperation programme. The preparation for, and the holding of, a Conference discussion could potentially assist in broadening the ILO's resource base.

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

47. This proposal is submitted to the Governing Body for the second time. In November 2012, the Employers' group and a number of Governments, including the Africa group, expressed support for the proposal, which arises from a suggestion made on behalf of the Employers' group during the informal tripartite consultations in September 2012. The secretariat of the Workers' group emphasized that the issue should be considered in terms of inclusiveness.
48. A general discussion on building a diverse and inclusive world of work would examine how to harness effectively the employment potential and benefits of a more diverse workforce. It would review the inclusion of different, harder-to-reach and marginalized groups in the world of work, based on such grounds as gender, disability, age, race, ethnicity, national extraction, nationality, religion, sexual orientation and HIV and AIDS status. It would place emphasis on promoting decent work through more inclusive, welcoming, efficient and competitive workplaces. The discussion would focus on inclusion, equality of opportunity and treatment, and their significant potential for:

¹⁸ GB.306/TC/1.

additional job creation; the extension of employment to groups that are often excluded; substantial operational and business benefits for workers, employers and their customers; and the promotion and implementation of non-discriminatory employment practices.

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

49. Factors such as increased globalization, demographic change, migration, multiculturalism, the economic costs of exclusion, and the increased attention paid to human rights and corporate social responsibility, are contributing to a broader focus on inclusion and equal opportunities at the workplace. Countries in all regions and at all stages of development are faced with the reality of ageing populations and unemployed youth. About 15 per cent of the world's population, or 1 billion people, have some form of disability, which means that persons with disabilities form the world's largest minority group, of whom an estimated 785 million are of working age. Women, who make up half of the population and 40 per cent of the global workforce, are well educated and have increasing expectations of full and meaningful participation in the labour market. Migrant workers, who account for between 8 and 20 per cent of the labour force, are frequently from ethnic or religious minorities and often face higher labour market barriers. Indigenous peoples are affected by high rates of unemployment and experience difficulty in gaining access to formal employment opportunities. There is a need for prompt and comprehensive responses to these emerging trends to promote and ensure equality of treatment and full, productive and decent employment opportunities for all. Business is harnessing the diversity concept to build on the ILO's standards on equal remuneration, equality of opportunity and treatment, workers' with family responsibilities, persons with disabilities, and HIV and AIDS. Governments, employers and trade unions are adopting strategies and policies for the implementation of non-discriminatory practices and the promotion of equality of opportunity and treatment. Trade unions advocate greater diversity at the workplace on the grounds of non-discrimination and governments, faced with rapid demographic transitions, are encouraging the hiring of a more diverse workforce to address labour shortages. The effective management of diversity and inclusion can help to change attitudes, ensure recognition of discriminatory practices and identify ways of resolving them.

Added value of a general discussion

50. A diverse and more inclusive world of work would result in greater social cohesion and improved welfare and productivity, and would combat the marginalization and exclusion of vulnerable social categories. The tripartite constituents, through social dialogue, are best placed to approach this issue from the social justice, socio-economic and business perspectives. In so doing, they can address the topic in a constructive and positive manner and reach conclusions that promote a more inclusive and diverse workforce, grounded in economic realities, and their own knowledge and experience of what is needed and respect for international standards. In addition, the representatives of governments and of employers' and workers' organizations have an important contribution to make through their experience and knowledge of needs and good practices.

Expected outcome

51. A general discussion would offer the opportunity to engage with contemporary thinking and dialogue, and to reach conclusions that would provide a comprehensive framework for viewing these issues. It would also 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 more effectively.

Preparation of the Conference discussion

52. Preparation for a general discussion would involve reviewing and analysing a diverse body of knowledge from various regions and sectors, and reflecting different dimensions of diversity. The Office has already undertaken considerable research on the application of its equality standards and has an extensive database on national laws and policies on non-discrimination and equality. The 2009 Conference conclusions concerning gender equality at the heart of decent work provide a solid reference point, and the outcome of the general discussion in 2013 on employment and social protection in the new demographic context should provide a basis for addressing the issue of demographic changes within a diversity context.
53. Research is currently being carried out on numerous grounds of discrimination, including gender, sexual orientation, HIV and AIDS and nationality. Guidance is being prepared for employers' and workers' organizations for the development and implementation of workplace policies on ethnic diversity. It is planned to develop training materials and hold regional workshops on gender and diversity for employers and the ILO Global Business and Disability Network has already started to focus on the issue of disability inclusion in the workplace. Additional research will be required on the economic and business impact and benefits of cultural inclusion and diversity and the role of industrial relations in this respect.

Appendix II

Proposals for consideration as items for inclusion in the agenda of the 104th (2015) Session of the Conference and beyond

(a) *Decent work in global supply chains (general discussion)*

1. During the informal tripartite consultations held in September 2012, it was proposed to consolidate two existing proposals on decent work in global supply chains and in export processing zones (EPZs) into a single proposal for a general discussion encompassing the four pillars of the Decent Work Agenda. At its 316th Session (November 2012), the Governing Body discussed a first draft proposal, which found support from the Africa group, a number of IMEC countries and the Workers' group, although the latter suggested its inclusion in the Conference agenda for 2015 or beyond. The present proposal takes into account the various comments and suggestions made in the Governing Body in November 2012.

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

2. Supply chains, some of which include EPZs, have a major impact on the structure of labour markets across the world and have led to significant changes in the international division of labour and in trade flows between countries. Global supply chains are a principal means through which many developing countries are linked to the global economy, and have resulted in some cases in significant enterprise and employment creation and growth. In addition, global supply chains can disseminate knowledge and productive technologies across economies at different stages of development, thereby improving performance and productivity. At the same time, there is debate on their implications for the quantity, quality and distribution of employment throughout the world. As a consequence, there is a need to understand how to maximize their potential to generate growth and productive employment, while addressing qualitative aspects and questions concerning the application of international labour standards and the realization of decent work.
3. Many governments, employers' and workers' organizations are keenly interested in gaining a better understanding of the circumstances in which engagement with supply chains can help national economies to grow in a sustainable and inclusive manner and contribute to realizing decent work for all, especially in sectors that are increasingly reliant on low-paid women workers. A body of knowledge is emerging to inform ILO constituents. For example, labour administration and inspection in some countries have lagged behind in addressing the needs and challenges arising out of global supply chains, while other countries have successfully harnessed their economic benefits and improved working conditions, including safety and health.
4. Workers' organizations express concern that the organization of production around supply chains can generate costs for society and compromise rights at work, including in the areas of freedom of association, social dialogue and collective bargaining. To address these concerns, multinational enterprises and Global Union federations have negotiated a number of international framework agreements (IFAs) which, in addition to regulating labour-management relations across global supply chains, also aim to promote compliance with core labour standards.

5. Employers' organizations express the fear that a proliferation of codes of conduct and monitoring regimes may give rise to additional costs and uncertainty for enterprises, without necessarily resulting in improved working conditions. There is concern that enterprises are expected to shoulder responsibilities that should be met by the respective governments.
6. The increasing importance of the subject for constituents is reflected in the many relevant references, among others, in the ILO Declaration on Social Justice for a Fair Globalization, Global Jobs Pact, the HIV and AIDS Recommendation, 2010 (No. 200), and the Conference conclusions concerning the promotion of sustainable enterprises (2007), gender equality (2009), labour administration and labour inspection (2011) and Fundamental Principles and Rights at Work (2012).

Added value of a general discussion

7. Despite the great importance of global supply chains and EPZs in shaping the world of work, the Conference has not yet had the opportunity to discuss the issue as a whole and to address all the aspects related to its core mandate.¹ A general discussion would cover the ILO's four strategic objectives and the cross-cutting issues of gender equality and discrimination. It would offer an important opportunity for the Conference to take stock of the existing body of research, policy options and possible ways forward, as well as the many initiatives related to global supply chains that make reference to the promotion of labour standards. These initiatives include a growing number of IFAs, the inclusion of certification systems in trade agreements, the United Nations Global Compact, the OECD Guidelines for Multinational Enterprises, the United Nations Guiding Principles on Business and Human Rights, and numerous initiatives by private bodies, such as the International Organization for Standardization.

Expected outcome

8. The Conference discussion would offer guidance to constituents on the issues involved and to the ILO on how to reaffirm its mandate, increase policy coherence and support its constituents in addressing more actively the opportunities and challenges of global supply chains and EPZs. It would play an important role in identifying potential areas for inter-agency work and future ILO action (including through technical cooperation and public-private partnerships). As a result, the ILO's mandate in relation to global supply chains would be clarified and reinforced, and guidance would be provided for future work, including the promotion of the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy.

Preparation of the Conference discussion

9. The report for the Conference discussion would build on the considerable knowledge base acquired through research and programme delivery and the policy guidance provided by tripartite sectoral meetings and other Conference discussions.

(b) Long-term unemployment (general discussion)

10. This proposal, which was first suggested by the Government member of the United States at the 316th Session (November 2012) of the Governing Body, is intended to address one of the most pressing consequences of the global economic crisis and to provide guidance

¹ The subject will be addressed during the recurrent discussion on social dialogue at the Conference in 2013, but only in terms of the implications of global supply chains for social dialogue.

on policies to prevent the deepening of long-term unemployment and alleviate its consequences.

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

11. After several years of continuous crisis in global labour markets, there is a backlog of global unemployment of some 200 million. The crisis has had a substantial impact on long-term unemployment rates, particularly in developed countries. In the European Union, over 9 million (well over one third of the unemployed) have spent one year or more out of work. In the United States, long-term unemployment increased dramatically from less than 1 million in 2008 to 4.3 million in 2011 (representing 10 per cent of the unemployed before the crisis, but over 30 per cent in 2011). Long-term unemployment is also persistent in the deeply restructuring transition countries, especially in Central and Eastern Europe.
12. Those who have been seeking work for over a year face particular difficulties, not only because they are less likely to find a job, but also because their eligibility for unemployment benefits has often ended. Long-term unemployment not only affects the well-being of workers and their families in terms of loss of income, but is also associated with increased mortality and suicide rates, and worse outcomes for their children.
13. Long-term unemployment is prejudicial to aggregate labour market outcomes. Skills depreciate and can become partly obsolete, reducing the overall human capital in the economy, limiting future employability and increasing structural unemployment.
14. In response to the crisis, some countries have extended eligibility periods for unemployment benefit, although the use of such measures is likely to be affected by fiscal restraint measures. The drive for more effective approaches would benefit from more efficient linkages between labour market and social protection policies, including unemployment insurance, social assistance and reinsertion measures. In most countries, social assistance schemes are neither sufficiently developed to provide income security for the long-term unemployed, nor are they linked to other labour market policies that offer prospects of a return to the labour market. The issue of long-term unemployment is therefore related to the strategic objectives of promoting greater opportunities for decent work for men and women and of providing adequate social protection for all.

Added value of a Conference discussion

15. A Conference discussion would offer the opportunity to share experience of the action taken to address long-term unemployment and prevent it from increasing during periods of economic downturn. The current crisis has served to popularize certain types of labour market programmes, such as shared work schemes which, by protecting jobs, help to limit the impact of downturns in terms of increasing unemployment and long-term unemployment. But such policies are not necessarily applicable or effective everywhere, and may in any case have a fiscal impact. The discussion would focus on adjusting labour market policies to provide adequate social protection to the unemployed (through a combination of contributory and non-contributory income support benefits) and to prevent disconnection from the labour market (active labour market policies) in times of crisis and fiscal constraint.
16. A coordinated survey would provide additional sources of information on the access of the long-term unemployed to unemployment benefits and social assistance, thereby supplementing existing databases (the ILO Social Security Inquiry and the ILO/World Bank Inventory of policy responses to the global financial and economic crisis of 2008). The discussion would also highlight the practical implications of existing standards dealing with the issue, and particularly those on social security minimum standards and social protection floors, and the Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168), and Recommendation, 1988 (No. 176), which set more

advanced standards for unemployment protection schemes and envisage their integration with employment promotion measures. The discussion would also cover long-term unemployment in relation to policies and institutions that enhance transitions from unemployment to work, and the ILO's corresponding standards on employment policy and employment services.

Preparation of the Conference discussion

17. An analytical cross-country report would be prepared on the typology and incidence of long-term unemployment and on policies to prevent its persistence and alleviate its consequences. The report would focus on the drivers of long-term unemployment and arrangements for providing income support to the unemployed. It would assess recent proposals and practice, including the extension of benefits or eligibility during economic downturns, and the role of contributory and non-contributory provisions.

(c) *Small enterprises and employment creation (general discussion)*

18. This proposal was made by the secretariat to the Employers' group at the 313th Session (March 2012) of the Governing Body. Small enterprise promotion is a key area of ILO intervention in view of the importance of small and medium-sized enterprises (SMEs) for economic growth, development and job creation, and their significance in the world of work. For these reasons, many countries have adopted specific policies targeting SMEs, and there is a high demand by constituents for Office support in this area. Enterprise development has been selected among the top three priorities in two-thirds of the fully developed Decent Work Country Programmes.

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

19. There is solid empirical evidence that SMEs are the main engine of job creation across countries in the private sector. SMEs are the biggest contributor to formal employment throughout the world, with a total employment share of 67 per cent. In developing countries, their contribution is even greater, at almost 80 per cent in low-income countries. Over 90 per cent of net employment creation can be attributed to SMEs.² Job creation is especially dynamic in small and young firms. Although in developing countries there is a paucity of empirical data on job quality, findings in Europe show that employment quality in SMEs is lower than in large enterprises in terms of wage levels and job security. The three factors shown by enterprise surveys as constraining SME development and employment growth the most are: a poor enabling environment, and particularly red tape and competition from the informal sector; inadequate infrastructure, especially an unreliable power supply, as well as transport and water; and lack of access to finance.
20. The Office's work in this field is guided by the Job Creation in Small and Medium-Sized Enterprises Recommendation, 1998 (No. 189). The Recommendation provides guidance on policy and legal frameworks, enterprise culture, service infrastructure and the role of employers' and workers' organizations. The Conference conclusions concerning the promotion of sustainable enterprises (2007) outlines a strategic and integrated approach to enterprise promotion, including a conducive environment for sustainable enterprises, which combines the legitimate quest for profit with the need for development that respects

² All figures refer to the share of enterprises with five to 249 employees in formal employment and are based on different waves of the World Bank Enterprise Survey covering a sample of around 50,000 enterprises from 99 countries. All percentages are median values.

human dignity, environmental sustainability and decent work. Guidance is also provided by the ILO's standards on employment policy and cooperative development.

Added value of a Conference discussion

21. In view of the importance of SMEs in terms of employment and economic activity, the key question is not whether to support them, but to identify the policies, measures and institutional arrangements that work best. Although most evaluations of SME promotion interventions show positive results, there is no one-size-fits-all approach to the design and implementation of these interventions. The diversity of country situations has to be recognized and interventions need to follow a coherent and integrated approach that takes into account other policy areas, such as industry, trade, education and training, science and technology, and sectoral and macro policies.
22. A Conference discussion would help to refine knowledge of the needs of SMEs and their constraints, and how they vary in the services, industrial and agricultural sectors, and by level of development. It would highlight successful international strategies to promote SMEs, and the policies and support programmes that work best in terms of job creation and job quality, and would analyse interventions that improve productivity and working conditions in SMEs. It would offer an opportunity to explore what can be done to further improve the enabling business environment, which is a key constraint on employment growth in SMEs. It would also examine the effective linkage of SME interventions effectively with policies and programmes in other areas, and the contribution that employers' and workers' organizations can make to SME development.

Expected outcomes

23. Based on updated information on the situation of the SME sector, its needs and successful policies and programmes, constituents would be able to provide guidance to further focus the ILO's approach to SME promotion.

(d) Non-standard forms of employment (temporary work) (standard setting)

24. This proposal, which will be further elaborated at a later stage, is a follow-up to the Conference conclusions concerning Fundamental Principles and Rights at Work (2012). The conclusions indicate that "the increase in non-standard forms of employment, in cases in which the national legislation does not adequately regulate them, raises questions concerning the full exercise of fundamental principles and rights at work". They also call on the ILO to organize a "meeting of experts, undertake research and support national studies on the possible positive and negative impacts of non-standard forms of employment on fundamental principles and rights at work and identify and share best practices on their regulation".³
25. The changing world of employment is characterized by a decline in open-ended employment relationships and the increasing use of fixed-term contracts and temporary work in general. Non-standard forms of employment include subcontracting, agency work, involuntary part-time work, home work and circular migration schemes. While ILO standards have been adopted covering issues related to the employment relationship, private employment agencies, part-time work and home work, no ILO standard deals specifically with fixed-term contracts or temporary work.

³ ILO: *Provisional Record* No. 15, ILC, 101st Session, Geneva, 2012, paras 12 and 13(b).

26. The growing number of countries that are in the process of regulating or improving the regulation of fixed-term contracts and/or temporary labour arrangements make normative guidance by the ILO both timely and necessary. The preparatory process will be informed by the findings of the meeting of experts on non-standard forms of employment, if the Governing Body decides to convene it.

(e) *Public sector: Workforce development, career progression and employment conditions in the public sector (general discussion)*

27. This proposal will be further elaborated at a later stage. The proposal is based on recognition that a skilled, motivated and productive public sector workforce is critical to an efficient and effective public sector. It is therefore necessary to offer rewarding and sustainable public sector careers with a view to creating a more skilled and diverse public sector. Since the 1990s, many governments have adopted methods of recruitment, selection and performance management in the public sector that are more usually associated with the private sector. This has led to increased use of results-based management, sometimes an increase in time-limited contracts and a renewed interest in skills development and mobility between the public and private sectors.

28. Trade union membership and collective bargaining agreements have also increased, and governments and the social partners have shown greater interest in ratifying the Labour Relations (Public Service) Convention, 1978 (No. 151), which strengthens the prospects for social dialogue. A general survey by the Committee of Experts on the Application of Conventions and Recommendations covering Conventions Nos 151 and 154 will be discussed by the Conference at its 102nd Session (June 2013). However, the financial and debt crises have led several governments to implement changes in working conditions and workforce reductions unilaterally with the aim of increasing national competitiveness.

29. Public sector employees, governments and communities could benefit from harnessing contemporary developments in human resources development, diversity and career progression. Against the background of a far-reaching debate on the opportunities and risks of the application of these approaches, which are sometimes associated with potential negative repercussions on the public service independence and productivity, a general discussion by the Conference would help constituents and the ILO to identify recent practices and the lessons learned, as well as possible areas for future work. The general discussion could also cover the precise scope of the public sector in the present context of the evolving role of the State.

Appendix III

Programme of reduced intervals for reports for the preparatory stages of a single discussion (article 38(3) of the Standing Orders of the International Labour Conference)

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|------------------|---|
| 15 July 2013 | Dispatch of the preliminary report containing a synopsis of law and practice accompanied by a questionnaire, taking into account the outcome of the Meeting of Experts on Forced Labour and Trafficking for Labour Exploitation (February 2013) |
| 31 December 2013 | Deadline for the receipt of replies to the questionnaire |
| March 2014 | Dispatch of the final report to be submitted to the Conference with the outline of a possible instrument |
| June 2014 | Single discussion at the 103rd Session of the Conference |

Programme of reduced intervals for reports for the preparatory stages of a double discussion (article 39(5) of the Standing Orders of the International Labour Conference)

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|------------------|---|
| 15 July 2013 | Dispatch of the preliminary report containing a synopsis of law and practice accompanied by a questionnaire |
| 31 December 2013 | Deadline for the receipt of replies to the questionnaire |
| March 2014 | Dispatch of the first report to governments |
| June 2014 | First discussion at the 103rd Session of the Conference |