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Governing Body

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Policy Development Section

POL

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DRAFT MINUTES

Policy Development Section

Contents

Page

Employment and Social Protection Segment 1

First item on the agenda
Area of critical importance: Protecting workers from unacceptable forms of work (GB.323/POL/1) 1

Second item on the agenda
Area of critical importance: Creating and extending social protection floors (GB.323/POL/2(Rev.)) 7

Third item on the agenda
Conclusions of the Meeting of Experts on Non-Standard Forms of Employment (GB.323/POL/3) 14

Social Dialogue Segment 17

Fourth item on the agenda
Sectoral and technical meetings in 2014 and proposals for sectoral work in 2016–17 (GB.323/POL/4) 17

Technical Cooperation Segment 21

Fifth item on the agenda
The ILO's Development Cooperation Strategy 2015–17 (GB.323/POL/5) 21

Sixth item on the agenda
Regional perspectives on development cooperation:
The Arab States (GB.323/POL/6(&Corr.)) 24

Employment and Social Protection Segment

First item on the agenda

Area of critical importance: Protecting workers from unacceptable forms of work
(GB.323/POL/1)

1. *The Employer coordinator* said that it was the understanding of her group that the area of critical importance (ACI) on "Protecting workers from unacceptable forms of work" (ACI 8) did not create a new ILO concept but rather sought to identify situations that could be recognized as being unacceptable based on the existing tripartite consensus. Further clarity was required with regard to the scope or specifics of the term "unacceptable forms of work", which had not been the subject of any substantial discussion in the Governing Body and was open to differing interpretations. The Programme and Budget for 2014–15 defined it as comprising conditions that denied the fundamental principles and rights at work, put at risk the lives, health, freedom, human dignity and security of workers, or kept households in conditions of poverty.

2. Concerning the first element of the definition, the Employers were firmly committed to combating unacceptable and abhorrent practices and conditions in the context of the ILO Declaration on Fundamental Principles and Rights at Work and agreed that ILO resources should be directed towards workers in those countries, sectors or industries where such unacceptable situations were more widely prevalent. While there was an important link between unacceptable work and informality – and her group strongly supported the negotiation of an ILO Recommendation on the transition to formality – not all work in the informal economy could be viewed as unacceptable. She requested clarification of how the work on ACI 8 would relate to that being undertaken in the context of ACI 6 "Formalization of the informal economy". Concerning the second element of the definition, it was indisputable that occupational safety and health conditions that threatened the lives, health, freedom, human dignity and security of workers were unacceptable.

3. The Employers were concerned, however, by attempts to define the term beyond the broad consensus on the first two elements. "Unacceptable" was a strong, value-laden term that did not encompass work that was less than ideal or susceptible to improvement; rather, it referred to conditions of work that were so egregious that they should disappear. Recalling concerns raised in a recent workshop in Benin about the value added of including unacceptable forms of work as an ILO concept and about the possible confusion that could arise about the relationship between that and existing ILO concepts, such as Decent Work, she asked how it would be possible to ensure that work carried out under the "unacceptable forms of work" rubric was practical, feasible and not duplicative. The document failed to answer those questions, and neither did it define unacceptability with regard to the third element, relating to poverty. For example, there was no indication of how the Delphi survey used to review the concept of unacceptable forms of work contributed to the understanding of the concept and its specific application in the ILO context.

4. Employers were particularly concerned about the references to minimum wages, protection from extreme income insecurity, and working-time arrangements, as those areas reflected wide national and sectoral variations. While there were certainly legitimate areas for debate, they had never been discussed by the Governing Body in the context of their role in ACI 8. She recalled the Employers' view with regard to minimum wages, which had been

DRAFT

discussed at the 103rd Session of the International Labour Conference (ILC) in the context of the General Survey on minimum wage systems that one size did not fit all. She also recalled the discussions of the 2011 Tripartite Meeting of Experts on Working-time Arrangements and the need to recognize flexibility in working time.

5. The absence of a tripartite consensus on the meaning of what was "unacceptable" made demonstrable results under the ACI less likely. Such a tripartite consensus already existed in relation to the definition adopted in the Programme and Budget for 2014–15, but adding other working conditions, in particular wages, was problematic. References to "minimum living wage", "wages", "unduly low wages", "other conditions of work" and "conditions of work, including wages" did not properly belong in the definition of the ACI unless, and until, their unacceptable dimensions had been more satisfactorily and narrowly defined. She nevertheless acknowledged the value added of the ACI, provided there was a clear definition and tripartite consensus on what constituted unacceptable. If the concerns that she had raised were taken into account, the Employers could support the draft decision.

6. *The Worker spokesperson* said that the discussion should focus on fighting abuses of workers' rights, and not on definitions and technicalities. The notion of "unacceptable forms of work" incorporated the denial of the fundamental principles and rights at work, including freedom of association and collective bargaining. The latter were enabling rights that prevented unacceptable forms of work and that should be better reflected in the strategy as well as in the activities to be implemented under the ACI. The concept of unacceptable forms of work added value as it went beyond fundamental principles and rights to address issues such as occupational safety and health, working time and wages. With regard to the latter, the intention was to tackle the issue of unduly low wages that were insufficient to lift a family out of poverty. He expressed support for the Delphi survey approach to assessing unacceptable forms of work and finding appropriate solutions, noting that relevant international labour standards were the benchmark against which the different dimensions should be assessed.

7. Providing examples of work that he considered to be unacceptable, and of different categories of workers who were affected, he said that exploitation and decent work deficits represented multifaceted problems requiring multidimensional responses. Thus, the Workers fully supported building knowledge on the occurrences of unacceptable forms of work, understanding their causes, identifying policies and strategies to address them and promoting action to prevent or eliminate their recurrence. They also supported use of that ACI to increase the ratification and implementation rates of international labour standards. That should be a major priority reflected in the activities of 2015. He welcomed the development of fact sheets and policy briefs on innovative approaches providing guidance on ways in which vulnerable workers could be protected from unacceptable forms of work. ACTRAV should be closely associated with that work. The development of a policy guide on minimum wages and feasible ways to extend protection to workers typically excluded from minimum wage coverage represented an important tool for future work. More visibility should be given to the issue of wages under the ACI. It was important to know the impact of country interventions, and in particular how the notion of unacceptable forms of work had been useful in facilitating integrated action along the various dimensions. The implementation of activities allowing workers to organize and defend their interests should be a key priority of such interventions. The virtuous cycle between the Office's policy advice, its technical assistance and the comments of the supervisory bodies should be replicated in other ACIs.

8. His group welcomed the use of Decent Work Country Programmes (DWCPs) to address unacceptable forms of work. Comments of the ILO supervisory bodies should be used as guidance. Regarding the project in Thailand, clarification was sought as to why the Office

DRAFT

was supporting non-governmental organizations, which were not traditional ILO constituents. He welcomed the ILO activities in Brazil in the context of the 2014 World Cup and the 2016 Olympic Games that had contributed to the future development of a replicable intervention model in promoting decent work in mega-events. He equally welcomed improvements in social dialogue mechanisms, which should be a key tool in initiatives under the ACI. The involvement of the ILO tripartite constituency in the construction of a strategy to protect workers from unacceptable forms of work was crucial to ensure workers' ownership of interventions and their sustainability. He reiterated the need to empower trade unions to take part in that task. He welcomed the fact that further cooperation with Bureau for Workers' Activities (ACTRAV), Bureau for Employers' Activites (ACT/EMP) and the social partners was envisaged. Such cooperation should take place both at headquarters and in the field.

9. *Speaking on behalf of the Asia and Pacific group (ASPAG)*, a Government representative of the Islamic Republic of Iran said that it was essential to reach a common understanding of the concept of unacceptable forms of work. More research was needed to strengthen the ILO's knowledge base on the subject, and the Office should disseminate the findings of the studies it had undertaken so far with a view to developing innovative models of intervention. ASPAG encouraged the Office to strengthen partnerships at the country level with a view to exploring all areas related to the topic. The linkages with the other ACIs mentioned in paragraph 20 of the document could offer productive synergies. His group welcomed the initiative to consider the ACI as one of the ten policy outcomes in the Programme and Budget proposals for 2016–17. His group endorsed the draft decision.

10. *Speaking on behalf of the Africa group*, a Government representative of Lesotho asked for a clearer definition of the concept of unacceptable forms of work. The strategic approach would help reduce or eradicate conditions that gave rise to such forms of work and accelerate the transition to decent work for all. The extensive work undertaken to strengthen the ILO knowledge base was commendable, as were the Office's efforts to secure the participation of the social partners in interventions and to develop sector-specific strategies. The lack of harmonization of policies on employment, migration and social protection was, however, worrying and priority should therefore be given to their harmonization. The intervention in Latin America aimed at improving labour inspection and promoting social dialogue and access to justice should be extended to Africa. His group was in favour of increased ratification and implementation of international labour standards in the relevant policy areas. It would welcome continued technical assistance with the implementation of DWCPs, which would help to address gaps in the protection of the most vulnerable workers. His group endorsed the draft decision.

11. *Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)*, a Government representative of Cuba called on the Office to give priority attention to the most vulnerable categories of workers in each national context. It was necessary to gain a better understanding of the dimensions and parameters of unacceptable forms of work and to promote the application of international labour standards in order to overcome shortcomings in respect of protection against unacceptable forms of work. More information about the results of country-level interventions would be welcome. He drew attention to what had been said about combating inequality in the Lima Declaration adopted at the 18th American Regional Meeting in Lima, Peru, on 16 October 2014, including with regard to policy expectations and means of action. Since unacceptable forms of work were the result of failures in different and interrelated policy domains, it was vital to boost countries' capacity to ensure compliance with laws designed to combat such forms of work and to promote decent employment practices. GRULAC supported the draft decision.

DRAFT

12. *Speaking on behalf of the European Union (EU) and its Member States*, a Government representative of the Netherlands said that Turkey, the former Yugoslav Republic of Macedonia, Serbia, Albania, Bosnia and Herzegovina, Republic of Moldova and Armenia aligned themselves with the statement. In view of the millions of child labourers, victims of forced labour and people denied decent working conditions and basic rights at work, the ILO, the EU, multilateral organizations, governments and social partners must continue their efforts in the areas listed in paragraph 4 of the document. The focus of the ILO's work to protect workers against unacceptable forms of work was in line with the principles and commitments of the EU Strategic Framework and Action Plan on Human Rights and Democracy. Since the Office's experience had demonstrated that integrated policies worked best, he supported the multidimensional response to eliminating unacceptable forms of work proposed in paragraph 23. He welcomed the particular focus on the most vulnerable groups, such as migrant workers. Expanding the knowledge base was also crucial. The adoption of a recommendation on the transition from the informal to the formal economy at the 104th Session of the ILC would facilitate the development of working conditions that offered better protection for workers. He supported the draft decision.

13. *A Government representative of Thailand* reported that in order to protect fishers – many of whom were migrants – from unacceptable forms of work, the Prime Minister of Thailand had established a Policy Committee on combating human trafficking and illegal fishing, and five subcommittees to drive policy in the related areas. An amendment to the Ministerial Regulation to protect labour in the sea fishing industry, adopted in December 2014, had extended its scope to include small fishing vessels, significantly improved provisions concerning rest periods and required the existence of an employment contract voluntarily signed by the fisher. Labour inspections had been made more stringent. Hotlines had been opened for migrant workers to lodge complaints. His country remained strongly committed to cooperation with other countries in the region that were sources of migrant labour, in order to protect all workers from unacceptable forms of work.

14. *A Government representative of Norway* said that it was of paramount importance that the ILO undertook knowledge-based action. Categories of workers vulnerable to being trapped in unacceptable forms of work could be found in all regions of the world. In Norway, those were mainly concentrated in the construction industry. Experience had shown that a multidimensional integrated strategy was required to address gaps in the protection of vulnerable groups. At the country level, such a strategy had to include several authorities. The priorities identified in DWCPs, lessons learned from pilot programmes and recommendations from the supervisory bodies of the ILO should help to determine the focus of technical assistance. The ILO could also play an important role in campaigns to advocate the ratification and implementation of the relevant Conventions and in producing tools and practical guides and training manuals adapted to constituents' needs. Her Government supported the draft decision.

15. *A Government representative of France* agreed with the Office's definition of unacceptable forms of work which would focus efforts on the most vulnerable workers. Efforts to eradicate such forms of work must be one of the ILO's priorities. The Office should pursue its efforts to widen its knowledge base. It was vital to formulate national strategies and involve the social partners in their definition and implementation. Recognition of fundamental rights at work should certainly be the starting point to tackle unacceptable forms of work. In that connection, he recalled his country's commitment to cooperating with the ILO in projects in the field.

DRAFT

16. *A Government representative of India* said that, while the objective of protecting workers from unacceptable forms of work was consistent with the fundamental objectives of the ILO, care was needed regarding the definition and the boundaries of work under the concept. The concept should be used to identify the incidence of such forms of work and to design feasible solutions, but not to create any additional benchmarking. Country-specific interventions must be consistent with the national context and policy framework. Furthermore, work under that topic must be guided by the relevant ILO Conventions. The ACI should be linked with others, especially ACI 6. Extending social security coverage and providing wide-ranging skills development initiatives must be the key policy drivers to address the root causes of vulnerability, alongside capacity building for the social partners. She asked to what extent the global study on unacceptable forms of work had been successful in identifying protection gaps in different national contexts. She welcomed the ILO's initiatives on the elimination of compulsory child labour, forced labour and addressing unacceptable forms of work and said that the ILO should continue to provide technical expertise and capacity building, disseminate knowledge and share best practices through national and regional workshops. India supported the draft decision.

17. *A Government representative of the United States* said that protecting workers from unacceptable forms of work corresponded to one of the Organization's key mandates as set out in the Constitution and reaffirmed in both the Declaration of Philadelphia and the 2008 Declaration on Social Justice for a Fair Globalization. She welcomed research aimed at providing a better understanding of such forms, their causes and means of addressing them. She requested information on preliminary findings on impact from pilot country-level interventions and a clearer description of how the Office was taking advantage of the synergies resulting from linkages between ACIs. Her Government encouraged the Office to seek the virtuous circle between its policy advice and technical assistance and the supervisory bodies' subsequent comments in all of its work. She supported the draft decision.

18. *A Government representative of China* said that it was a major responsibility of the ILO and its member States to protect workers from unacceptable forms of work. Although the ILO had already achieved significant results, it should try to gain a more accurate picture of the distribution of such forms of work and analyse the causes thereof in various regions and countries of the world. Member countries should be encouraged to eliminate and prohibit unacceptable forms of work. Since the eight ACIs were interrelated, activities under them should be coordinated.

19. *A Government representative of Argentina* said that tackling unacceptable forms of work was a crucial part of living in a society. Even in a time of economic crisis, his Government had passed legislation to promote harmony in the world of work, including the re-introduction of full collective bargaining rights and the National Minimum Wage Council and the adoption of legislation placing agricultural workers on the same footing as industrial and office workers; legislation to protect domestic workers, including the ratification of the ILO Domestic Workers Convention, 2011 (No. 189); a standard giving full effect to the rights of migrant workers, which had later been taken up by MERCOSUR; and legislation extending the social protection floor. It had ratified the Occupational Safety and Health Convention, 1981 (No. 155), the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), on occupational safety and health, and intended to ratify the Protocol of 2014 to the Forced Labour Convention.

20. *A representative of the Director-General* (Deputy Director-General for Policy (DDG/P)), referring to the definition of unacceptable forms of work adopted by the Governing Body and by the ILC at its 102nd Session (2013), as part of the Programme and Budget for 2014–15, said that ACI 8 attempted to address the root causes of the multiple deficits of

DRAFT

decent work faced by vulnerable workers, such as hazardous conditions of work, low pay or non-payment of wages and excessive hours of work. The phrase "unacceptable forms of work" was new, but the concept itself was not, being anchored in the Constitution of the ILO at its foundation in 1919, which referred to the essential need for the establishment of a maximum working day, the provision of an adequate living wage, protection of workers against sickness, disease, and unhealthy conditions, protection of young children, young persons, old age, injury, and so on, and the subsequent Declaration of Philadelphia, which updated the Organization's mandate referring to the need to protect the rights of all human beings in conditions of freedom and dignity, of economic security and equal opportunity. It was the ILO's responsibility to support both national and international policies, especially those concerning "wages and earnings, hours and other conditions of work calculated to ensure a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection", while protecting their lives and health and extending social security to provide a basic income to all in need of such protection. The same principles were enshrined in the 2008 Declaration on Social Justice for a Fair Globalization and they enjoyed wide-ranging consensus.

21. Concerning the relationship between unacceptable forms of work and decent work, interventions to combat unacceptable forms of work targeted the most vulnerable categories of workers suffering the most severe deficits of decent work, such as migrant and domestic workers and those employed in particular sectors and in specific country conditions. Outcome 8 of the Programme and Budget proposals for 2016–17 would translate those shared core values and principles into practical work at the country level. Significant progress had already been made in a number of pilot countries. The country pilot programmes would continue to build understanding of what constituted unacceptable forms of work in specific country contexts and specific industries, and in relation to specific types of vulnerable workers.

22. *A representative of the Director-General* (Director, Conditions of Work and Equality Department (WORKQUALITY)) said that although the term "unacceptable forms of work" was new, it encompassed and related to areas of policy on which the Office had been working for decades. The value added of the ACI strategy was to bring those together with the objective of accelerating the transition towards decent work. Various departments were involved in action concerning fundamental principles and rights at work, occupational safety and health, compliance with laws and working conditions. Examples of the positive impact of the ACIs included Uzbekistan, where action had resulted in a virtuous cycle between concerns raised by the supervisory bodies and subsequent action on the ground. The relevance of acting on multiple fronts and in cooperation with the ILO's tripartite constituency was highlighted through the examples of actions in Thailand and Brazil.

23. Concerning the relationship with other ACIs and future outcomes, outcome 9 on promoting fair and effective labour migration policies was especially relevant, as migrant workers in particular faced serious decent work deficits. In Thailand, the Office was working with an NGO specialized in health issues and with strong ties with the Cambodian migrant community in order to increase outreach to migrant workers. Referring to Benin, she clarified that actions were carried out in consultation with governments and constituents. Regarding the confusion surrounding the concept of unacceptable forms of work and its added value, it was similar to that concerning the concept of decent work when it was first introduced, but decent work had since been established as part of the Organization's genetic makeup.

DRAFT

24. *The Director-General* recalled that the discussion on ACI 8 was closely linked to that on the programme and budget proposals, and stated that he would take the matter up again as part of the debate on that topic.

25. *The Employer coordinator* noted that the centre of unacceptable forms of work lay in the fundamental principle and rights at work, and that was the starting point. Circumstances that put workers in harm's way – that destroyed their dignity, and so on – were not acceptable. She expressed her satisfaction at the consensus on what constituted unacceptable forms of work, but the terms of the definition needed further clarification and elaboration and should consequently be elaborated within national contexts, in order to permit a focus on the worst forms of work.

26. *The Worker spokesperson* welcomed the fact that a common understanding had been reached of the action needed to eliminate unacceptable forms of work while achieving decent work, sustainable enterprises and fair competition and taking account of national circumstances. However, in addition to fundamental principles and rights at work, the three remaining pillars of the Decent Work Agenda must also be addressed, including social protection to address the lack of income security. An integrated policy framework was needed at the national level, to create decent jobs, address unacceptable forms of work and ensure respect for international labour standards through legislation on collective agreements and social dialogue.

Decision

27. ***The Governing Body requested the Director-General to take account of its guidance in implementing the strategy for the ACI on "Protecting workers from unacceptable forms of work", also in view of the proposed outcome 8 of the Programme and Budget proposals for 2016–17.***

(GB.323/POL/1, paragraph 26.)

Second item on the agenda

Area of critical importance: Creating and extending social protection floors
(GB.323/POL/2(Rev.))

28. *The Worker spokesperson* noted the crucial significance of the ACI on "Creating and extending social protection floors" (ACI 3). His comments had to be read in conjunction with those his group had made on the Programme and Budget proposals for 2016–17. His group supported the strategy for the ACI, which was clear, comprehensive and rooted in the rights-based mandate of the ILO. It endorsed the horizontal and vertical dimension of the extension of social protection that also underpinned outcome 3 in the programme and budget for the coming biennium. He called for the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), to be taken into account in the strategy of ACI 3. Under area 1, his group welcomed the communication strategy. Work under area 2 was an excellent example of inter-agency cooperation, as evidenced by the recent adoption of a statement on social protection floors (SPFs) by the UN Committee on Economic, Social and Cultural Rights. Nonetheless, the ILO and other organizations had to continue efforts to convince the move from ad hoc social safety nets to a comprehensive rights-based approach and SPF guarantees. Under area 3, his group welcomed the use of DWCPs to

DRAFT

support countries in giving effect to Social Protection Floors Recommendation, 2012 (No. 202), and building SPFs and comprehensive social security systems. He stressed the need to build the capacities of social partners and the need for inclusive social dialogue at national level. Promoting the participation of workers' and employers' organizations and other relevant and representative organizations involved in designing and implementing social protection systems was welcomed. The expertise of the Turin Centre could be used in that respect. The Workers' group would continue to advocate for SPFs to be included in the final list of sustainable development goals that the UN General Assembly would adopt in September 2015. His group welcomed the joint commitment of the ILO and United Nations Development Programme (UNDP) to support the implementation of Recommendation No. 202 through UN Country Teams. Under area 4, high-quality evidence-based reports, such as the *World Social Protection Report 2014–15* (WSPR), were indispensable for determining the current situation of social security coverage and for measuring progress.

29. He cautioned that the floor was a floor and not a ceiling. In the light of austerity measures in some countries, an SPF could be misinterpreted as an alternative to a comprehensive social security system. It was therefore important to highlight that the ILO was pursuing the concept of horizontal and vertical extension of social protection. The Office should pursue its work on social protection and sufficient resources should be allocated to that important area of work.

30. *The Employer coordinator* said that SPFs were an ACI and a relevant focus for the ILO, and Recommendation No. 202 was a standard that clearly offered added value. The Employers' group had endorsed the Plan of Action, described in the strategy, adopted by the Governing Body in November 2012. ACT/EMP should participate in the promotion of Recommendation No. 202. The Employers supported the SPF campaign being carried out under area 1 of the Plan of Action. Concerning area 2, efforts should not be duplicated and results should be optimized. Regarding area 3, social partners should be involved in implementing Recommendation No. 202. Since they were likely to constitute an important source of funding for SPFs, governments had to consult with them. They could also play a major role in ensuring that social protection approaches were appropriate to national circumstances. The ILO should organize capacity-building programmes to ensure that social partners took part in the discussions. Regarding area 4, the Office should also provide knowledge on good country experiences. Concerning area 5, it was important to distinguish between the contributions of social partners to social dialogue and the partnerships developed with economic and social councils.

31. He stressed the focus on progressivity and sustainability in Recommendation No. 202. In addition to decent work, there was a need to consider issues of financing, good governance, fiscal sustainability, economic growth and an enabling environment for enterprise development. SPFs should be nationally defined and should be designed and implemented in coordination with employment policies. The various ACIs should be efficiently coordinated with SPFs. For example, the latter could offer incentives for moving towards the formal economy, a point that needed to be developed in more detail within the strategy. In extending SPFs, it was important to modernize social security systems and for some systems to resolve management and financing challenges.

32. The ILO should focus on making a better assessment of needs and an evaluation of the impact of macroeconomic and other policies. Provided the points from the group were taken into account, it would support the draft decision.

DRAFT

33. *Speaking on behalf of the Community of Portuguese-Speaking Countries (CPLP)*, a Government representative of Brazil said that the five areas of action would help member States to address deficits in social security coverage and improve their systems in order to extend benefits to the most disadvantaged. She acknowledged the technical assistance that the CPLP was receiving from the ILO for the development of a multilateral agreement on social security. The ILO should continue to play its role as a facilitator of policies and a disseminator of knowledge, and strengthen its South–South and Triangular Cooperation. Her group supported the draft decision.

34. *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said that the following countries aligned themselves with the statement: Turkey, the former Yugoslav Republic of Macedonia, Serbia, Albania, Bosnia and Herzegovina, Republic of Moldova and Armenia. Social protection lay at the heart of the European social model. In the context of EU development cooperation, partner countries were encouraged to include the provision of social security in their national policies. Civil society organizations should be actively involved in strengthening social protection policies. A gender approach should be incorporated in designing, implementing and evaluating social protection programmes. Consideration should be given to meeting the particular needs of fragile and conflict-affected countries and improving social protection in those contexts. The group supported the inclusion in the post-2015 development framework of a target on the implementation at national level of universal and comprehensive social protection systems. More information was requested on how the Office would address the methodological challenges associated with assessing the costs and benefits of social protection programmes tailored to national circumstances, what would be achieved through the SPF campaign, and what resources would be allocated to it. The EU supported the draft decision, provided its guidance was taken into consideration.

35. *Speaking on behalf of the Africa group*, a Government representative of Ethiopia said that the African Union had taken policy initiatives that demonstrated high-level political commitment to social protection as a key area for sustainable and inclusive growth in Africa. Social protection was a priority area of intervention in their DWCPs. However, most social protection benefits in Africa were not adequate in terms of coverage and quality, and did not meet the minimum standards of the Social Security (Minimum Standards) Convention, 1952 (No. 102); it was necessary to progressively build SPFs and comprehensive social security systems that were sustainable and tailored to each country's specific circumstances. The group noted that only a limited number of African countries were receiving ILO support through ACI 3. As many countries as possible should be reached, in order to maintain the momentum of ongoing SPF efforts. The Africa group supported the draft decision.

36. *Speaking on behalf of ASPAG*, a Government representative of the Republic of Korea believed that creating and extending SPFs was at the heart of decent work. The *WSPR* showed how relevant the agenda was in a time of recession and slow growth. Noting the cross-cutting nature of ACI 3, the group welcomed progress made in the five strategic areas of intervention and was pleased that the post-2015 development agenda would reflect the importance of extending social protection. He highlighted the importance of cash transfer programmes in decreasing income inequality and helping individuals move out of poverty. In relation to health care and food security, the Office should intensify cooperation and coordination with relevant international and regional organizations. It should also assist constituents in their efforts to expand social security coverage for migrant workers and to facilitate the portability of social security benefits. ASPAG supported the draft decision.

DRAFT

37. *Speaking on behalf of GRULAC*, a Government representative of Cuba stressed the importance of encouraging comprehensive social protection systems that resulted in greater linkages between contributory and non-contributory schemes. The region had enjoyed decent work and improved social protection systems over the past decade, but there was still a long way to go. The region's greatest challenges included the informal economy and establishing SPFs for all workers, as well as the fragmentation of financing schemes and of the labour market, so the Office should involve more countries from the region in the Plan of Action. Through its strategy and five areas of action, the ILO could play a fundamental role in helping the region to continue to make progress. He recognized that the efforts made by the Office in raising awareness and advocating for SPFs had resulted in their inclusion in the sustainable development goals. The Office should continue to develop policy, knowledge and tools, provide technical assistance and build capacity. The group supported the draft decision.

38. *A Government representative of Norway* supported the rationale behind the strategy and the need for SPFs in building sustainable societies. In Norway, economic development had progressed jointly with development of an extensive social protection system. The latter and active labour market policies had facilitated structural change and stimulated risk-taking in her country's economy. She drew attention to the necessity for countries to make fiscal space available for SPFs and supported the international coordination initiatives taken by the ILO to promote SPFs. While she recognized the research and knowledge gathering undertaken, greater awareness was needed of the linkages between social protection and human rights, as well as of country experiences where rights-based approaches to SPFs had met with success. Welcoming the ILO's new flagship programme on building SPFs for all, she said that emphasis should be placed on the links between SPFs, sustainable economic growth and human rights obligations. She supported the draft decision.

39. *A Government representative of China* encouraged the ILO to continue its work on SPFs by allocating additional resources. The Office should provide technical assistance to countries not covered under the action plan, given the urgent need for additional social protection in the region. Regarding China, in recent years, it had enhanced social security coverage through universal health care and old-age pensions. Furthermore, a joint feasibility study was being launched with the ILO on the country's ratification of Convention No. 102.

40. *A Government representative of Colombia* said that informality was a challenge in her region and thus interventions under the ACI were fundamental. A number of tripartite agreements had been reached in her country on several aspects of social protection, including one on social protection in old age. Efforts to strengthen the social protection system over the previous four years had resulted in a sharp reduction in unemployment. Health coverage had expanded considerably and was now almost universal. Her Government had a number of policies in place to support job creation and to consolidate the social protection system in order to respond to the needs of the population. She supported the draft decision.

41. *A Government representative of Turkey* said that the relatively rapid recovery of the Turkish economy following the financial crisis had proved that a well-structured social protection system could improve resilience to downturns. A rights-based approach to social protection should be accompanied by policy measures ensuring that all had access to their rights in practice and without any discrimination. The Istanbul Ministerial Declaration "Building a secure future for all", adopted at the second Council of Europe Conference of Ministers responsible for Social Cohesion (11–12 October 2012), underscored the need for immediate and sustained action at all levels to restore people's

DRAFT

confidence in a secure future for all. Addressing demographic challenges required policies aimed at ensuring the sustainability of social protection systems, actively involving also vulnerable population groups and promoting intergenerational solidarity. The three key cross-cutting issues to bear in mind for extending and strengthening SPFs were international labour standards, social dialogue and non-discrimination. Turkey had incorporated inclusiveness into the agenda of the G20 in order to mainstream social protection issues in discussions and action during the country's presidency. He supported the draft decision.

42. *A Government representative of the Dominican Republic* specified that the purpose of the current discussion was how to surmount the barriers to social protection through public policies. With increasing globalization, labour rights should be recognized irrespective of an individual's status or condition, and all workers should be covered by SPFs. In the Dominican Republic, while there had been a reduction in the unemployment rate and some 6 million workers were covered by SPFs, it was necessary to continue efforts. She appealed to the Governing Body to ensure that the role of governments was adequately reflected in the tripartite dialogue.

43. *A Government representative of Indonesia*, recognizing the support that Indonesia had received from the Office, said that his country had considerably enhanced its social protection system, covering both informal and formal economy workers. He highlighted some of the achievements. Given the importance of the ILO's support for technical advisory services and capacity building, he praised the training of decision-makers at the Turin Centre and requested the continuation of such programmes. He supported the draft decision.

44. *A Government representative of Bangladesh* said that the expansion of social protection in most developing countries was a matter not only of willingness but also of the capacity to mobilize resources. In many countries, considering the size of the informal economy, universal social protection was a challenge. He therefore requested the Office to continue its support for social protection schemes in developing countries through collaboration with international monetary institutions and to give priority to developing countries in activities under the Social Security Plan of Action. He encouraged the Office to continue research into, and dissemination of, good practices in developing countries. He supported the draft decision.

45. *A Government representative of Mexico* remarked that public policies in Mexico related to social security and social protection were in line with Recommendation No. 202, as the Recommendation was considered an indispensable tool for transition to the formal economy and for economic and social development. The *WSPR* provided valuable country information and experiences. However, analysis was needed of the positive correlation between income and extension and maturity of social protection systems. Concerning partnerships, the Social Protection Inter-agency Cooperation Board must include mechanisms to disseminate information about international Recommendations and agreements, and promote their application at national level. In the development of policies and tools, a clear distinction should be made between those that were related to social protection as opposed to social security. More information should be shared on the context and costs of successful national policies and also on unsuccessful actions and strategies. He stressed the importance of linkages between ACIs. He asked for clarification regarding the work mentioned in paragraph 22, and in which countries the tools referred to in paragraph 25 were being tested. The training provided to decision-makers should be expanded to cover the vertical dimension of SPFs. He supported the draft decision.

DRAFT

46. *A Government representative of the United States* remarked that capacity building of constituents by the Office was most valuable, and she called on the Office to continue to prioritize in-country work on SPFs. She asked how many DWCPs included work on SPFs. The ILO should continue to strengthen its partnerships with the World Bank and other multilateral organizations implementing social protection technical assistance programmes. Reports by the Office on such collaboration would allow her Government to also engage with those institutions. She asked how the ACI strategy would link with plans for the implementation of outcome 3 under the Programme and Budget for 2016–17; how the knowledge gaps mentioned in paragraph 33 had been identified and what justification had been given for researching those areas; and how it fit into the ILO research agenda. She supported the draft decision.

47. *A Government representative of India* said that her country had already incorporated SPFs into its DWCP. Reaching out to unorganized sectors and vulnerable groups required a multidimensional, well integrated, and efficiently delivered structural response. As government resources in developing countries were often limited, a progressive extension of social security programmes could be implemented and convergence among existing schemes should be ensured. Her Government was committed to extending social security benefits to all workers, and she highlighted some initiatives that had been undertaken. The implementation and extension of SPFs must be determined by the capacities and situation of each country. Welcoming the information on gaps in coverage contained in the *WSPR*, she remarked that support to least developed countries was crucial. She welcomed the ILO's technical expertise in knowledge generation and dissemination and sharing of best practices, as well as in building the capacities of constituents. She supported the draft decision.

48. *A Government representative of the Republic of Korea* expressed appreciation for the Office's efforts to negotiate the inclusion of SPFs in the sustainable development goals and encouraged the ILO to continue to play an active role. The Seoul Declaration on Promotion of National Social Protection Floors for All by Economic and Social Councils and Similar Institutions was of particular significance as it enhanced international cooperation and generated momentum for similar initiatives. She noted the importance of social dialogue in efforts to strengthen SPFs. She supported the draft decision.

49. *A Government representative of the Islamic Republic of Iran*, while endorsing the implementation strategy, said that his Government attached particular importance to the development of tools mentioned in the Office paper and to reinforcement of the necessary foundations for the achievement of sustainable social protection outcomes. Actuarial assessments and enhancement of capacities were crucial. The development of a calculator for the rapid assessment of costs of nationally defined packages of SPF guarantees was particularly relevant. The Turin Centre could contribute to realizing the SPF implementation strategy. He acknowledged the *WSPR* as the most comprehensive global source of statistics on social protection. His Government had taken numerous measures to extend social protection coverage and establish a comprehensive social security system in line with the national development programme, resulting in almost universal health insurance coverage. He supported the draft decision.

50. *A Government representative of Panama* said that although economic growth in Panama had led to some progress in relation to social protection, remaining challenges included employment insecurity and a strong imbalance in income distribution. Given the commitment of the Government, one of the priorities in the Memorandum of Understanding signed by the Government and the ILO in 2014 was to increase the scope and effectiveness of social protection. He supported the draft decision.

DRAFT

51. *A Government representative of the Russian Federation* said that his country had developed a sophisticated social protection system, features of which included: universal coverage by the pension system; additional benefits for low-income workers and citizens with children; free basic health care; active labour market policies and worker mobility policies; and the provision of social and medical insurance and pensions to migrant workers. The key challenge for the Russian Federation was to ensure adequate financing of the social protection system. Measures had been taken to increase available funds, such as reducing benefits for high-income pensioners. Furthermore, proposals had been developed to improve the collection of contributions.

52. *A representative of the Director-General* (Deputy Director-General for Policy (DDG/P)) said that while it was gratifying to hear strong support for the ACI and ILO work in social protection, three quarters of the world population continued to face gaps in or a lack of social security coverage. Consequently, the Office proposed to expand support to the outcome on SPFs in the following biennium by increasing the budget and staff of the Social Protection Department. Furthermore, the ILO had advocated for the inclusion of SPFs in the post-2015 development agenda as one of the key elements of ending poverty and expanding inclusive development for all. A new ILO flagship technical cooperation programme on SPFs had been created which would mobilize extra-budgetary resources to address constituents' needs. Referring to calls by Governing Body members for the Office to do more, she requested their support to go forward. She expressed her appreciation for the comments on the *WSPR* and advocated its use as a reference for the expansion of national SPFs.

53. *A representative of the Director-General* (Director, Social Protection Department (SOCPRO)) said that the comments and suggestions received would be incorporated in the Office's future work. The ILO aimed to achieve universality of SPFs, mixing contributory and non-contributory schemes, and taking into consideration the sustainability of systems. It was careful with actuarial projections, providing different options to governments and liaising with ministries of finance. SPFs were affordable in virtually all countries, and other avenues were available to certain low-income countries and fragile States. Links to other ACIs would be made more evident in future; significant work was under way to coordinate with the ACIs on informality, the rural economy, jobs, and protection from unacceptable forms of labour. The ILO was investing considerable time in partnerships. Different interpretations of social protection presented challenges, but the ILO nevertheless was ensuring that international labour standards were promoted. Collaboration with the UN agencies had been relatively successful in the context of the development of United Nations Development Assistance Frameworks (UNDAFs) and country partnerships. Regarding South–South cooperation, the ILO was working to collect country experiences that could help others. Much remained to be done, but political commitment was clear: Recommendation No. 202 had been endorsed by the United Nations and the G20, and it figured in sustainable development goals 1 and 10, and in the 2016 programme of the African Union.

54. *The Worker spokesperson*, noting the consensus around the SPFs and Recommendation No. 202, stressed the need to enhance also the vertical dimension of social protection systems. The opposite trend had emerged under austerity measures imposed in various countries, and it was imperative to defend social protection achievements. Social security system management must be addressed for private pension funds. Regarding progressivity, he called for "geometrical" or much more rapid progression. While SPFs should be adapted to national circumstances, certain elements, such as essential health care and minimum income security, must be implemented immediately. He also stressed the importance of increasing fiscal space for social protection and noted that taxation was crucial for that.

DRAFT

55. *The Employer coordinator* said that, although his group agreed with the strategy and the importance of establishing SPFs, programmes should ensure enterprise sustainability. Progressivity of implementation and sustainability of systems were very important. The concept of diversity was fundamental, and national circumstances must be taken into consideration as there was no unique model. SPFs should stimulate the active search for employment and strengthen labour markets, rather than weaken the culture of work. There should be no overlap between the ILO's programme on SPFs and other Office programmes.

Decision

56. ***The Governing Body requested the Director-General to take account of its guidance in implementing the strategy for the area of critical importance on "Creating and extending social protection floors", especially in the light of: the Social Protection Floors Recommendation, 2012 (No. 202); the strategy for action as a follow-up to the resolution concerning efforts to make social protection floors a national reality worldwide, endorsed by the Governing Body at its 316th Session (November 2012); the Social Security Plan of Action 2011–19 adopted by the Governing Body at its 312th Session (November 2011); and the conclusions of the recurrent discussion on social protection (social security) adopted by the International Labour Conference at its 100th Session (2011).***

(Document GB.323/POL/2(Rev.), paragraph 39.)

Third item on the agenda

Conclusions of the Meeting of Experts on Non-Standard Forms of Employment
(GB.323/POL/3)

57. *The Employer coordinator* said that different and flexible work arrangements were needed to respond to the evolving world of work and were preferable to informal work or long spells of unemployment. Social protection should be adapted to deal with those new or non-standard forms of employment. The conclusions of the Meeting of Experts (henceforth Meeting) provided a sound basis for guiding the ILO's future work, and the Employers agreed with the experts on the need for measures to address potential decent work deficits.

58. He clarified some of the recommendations for future action by the Office. In connection with the need to address outdated international labour standards or instruments and identify barriers to ratification (paragraph 8(c)), he welcomed the launch of the Standards Review Mechanism (SRM). Investigating employers' and workers' reactions to and satisfaction with different forms of collective bargaining and social dialogue (paragraph 8(e)) was important in determining what worked best in different systems and whether removing certain rigidities would make better use of non-standard forms of employment. The recommendation on extending social security to workers in non-standard forms of employment (paragraph 8(g)) was key, as it focused on effective policies based on the premise that workers would transition from one job to another, rather than remain in the same job for life, while respecting the need for social security systems to be sustainable. Regarding the need to create a repository of data (paragraph 8(k)), he reiterated the importance of having a good understanding of the specific needs of businesses and of the

DRAFT

obstacles they faced, as well as of the challenges of labour markets. The Employers welcomed the recognition of the positive aspects of non-standard forms of employment and the Office's effort to better understand the different forms of flexible work and their impact on workers, businesses and the labour market. His group supported the draft decision.

59. *The Worker spokesperson* commended the Meeting on its work, which showed the value of social dialogue and the commitment of all parties to achieving a consensual outcome on a critical topic. The conclusions contained important recommendations to governments, employers and workers, including on measures to protect workers in non-standard forms of employment and promote decent work. Highly insecure forms of employment, such as zero-hours contracts, warranted particular attention. The recommendations for future action provided the Office with an important roadmap of activities. She welcomed the call to promote the ratification and implementation of international labour standards relevant for workers in non-standard forms of employment and the related guide and fact sheets. The analysis of gaps in protection in the area of temporary contracts and discrimination based on employment status were a priority for her group, and she expected that resources would soon be identified for holding the meetings of experts referred to in the conclusions.

60. She supported the work to remove barriers to freedom of association and collective bargaining in law and in practice for workers in non-standard forms of employment and welcomed the call on the Office to document trends and analyse the effects of non-standard forms of employment. That, together with research and data collection, was important for building the ILO knowledge base and informing policy responses. Follow-up work by the Office and constituents on the topic should feed into the centenary initiatives, especially the women at work and future of work initiatives. She supported the draft decision, in particular the recommendation that the outcome of the Meeting should be taken into consideration during the recurrent discussion on social protection (labour protection) to be held at the 104th Session (2015) of the International Labour Conference.

61. *Speaking on behalf of the Africa group*, a Government representative of Ghana said that the importance of the report could not be underestimated, especially at a time when ILO constituents were expecting decent work to be listed as an explicit goal in the post-2015 development agenda. He commended the holistic approach taken and the measures highlighted in the report to protect and maintain decent work for workers in non-standard forms of employment through social dialogue. By organizing the Meeting called for by the Conference recurrent discussion on fundamental principles and rights at work in June 2012, the ILO had demonstrated its commitment to implementing its constitutional mandate. The report would assist constituents in efforts to better regulate non-standard forms of employment and help enterprises adjust labour input to volatile labour markets. He endorsed the recommendations for future action by the Office and approved the draft decision.

62. *Speaking on behalf of GRULAC*, a Government representative of Cuba recalled that the conclusions had been unanimously adopted by the Meeting. Noting that, in some cases, non-standard forms of employment were used as a way of denying fundamental rights at work, he mentioned the need to analyse the modifications in employment relationships in order to guarantee worker protection. The Office should continue documenting trends, analyse the forms and causes of non-standard employment, including their economic impact and effect on the most vulnerable, and identify and share best practices. Despite paradigm changes, the ILO should make sure that decent work prevailed. GRULAC supported the draft decision.

DRAFT

63. *A Government representative of Argentina* said that recent experiences in her country obliged her Government to be wary of irregular work, which created job insecurity and an absence of access to social security. In order for enterprises to be sustainable, a balance needed to be struck between promoting the interests of employers and respecting the fundamental rights of workers. She highlighted her country's achievements in improving the situation of certain groups, such as domestic and rural workers, and in establishing a minimum wage floor. Noting that collective bargaining was the best way to increase wages, she said that improving workers' income inevitably led to economic growth, which in turn was of benefit to enterprises.

64. *Speaking on behalf of the EU and its Member States*, a Government representative of the Netherlands said that Turkey, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina and the Republic of Moldova aligned themselves with her statement. She welcomed the outcome of the Meeting, which provided clear guidance to the Office, and supported the strengthening of the analytical work of the Office, in particular the improvement of data collection and reporting systems aimed at better capturing the various forms of non-standard employment. However, such data collection should not impose a disproportionate administrative burden on constituents. A regulatory framework was needed that met the requirements of both employers and workers and of the labour market. While recalling the importance of the framework of international labour standards and of reaching the highest ratification rates for those instruments, she said that clearer objectives should be defined for future action by the Office. The Office could improve the legal framework and better cover all aspects of non-standard forms of employment including temporary contracts and dependent self-employment. After outlining the progress made in that regard in the EU, she approved the draft decision.

65. *A Government representative of Indonesia* said that measures to protect workers in non-standard forms of employment should be tailored to the national context through social dialogue. She expressed the hope that the Office would act on the Meeting's recommendations in close cooperation with member States and social partners. She supported the draft decision.

66. *A Government representative of Japan* requested the Office to continue data collection on the various forms and characteristics of non-standard forms of employment in each country. The Office should research measures taken to improve the situation of workers in such forms of employment, analyse whether measures worked well and share best practices with constituents. She noted that the issue of non-standard forms of employment was an important challenge that should be dealt with in the context of the future of work. The ILO Research Department was planning to hold a symposium on new forms of employment in Japan, with the support of the Government of Japan and the Japan Institute for Labour Policy and Training. She supported the draft decision.

67. *A Government representative of Cambodia* said that, despite its limited resources, Cambodia was strongly committed to promoting and protecting labour standards and had ratified the core ILO Conventions. Noting that as a result of the Better Factories Cambodia project, 80 per cent of garment factories in the country fully complied with labour law, he also described some of the mechanisms put in place in his country to deal with labour disputes.

68. *A Government representative of Norway* said that the conclusions of the Meeting were bold, operational and provided guidance for the Office, and she recommended that they feed into the recurrent discussion on labour protection at the 104th Session of the International Labour Conference. Her Government attached great importance to improving

DRAFT

data collection and reporting systems in order to capture more effectively the various forms of non-standard employment. She supported the draft decision.

69. *A representative of the Director-General* (Director of the Conditions of Work and Equality Department (WORKQUALITY)) noted the tripartite agreement that the conclusions provided a sound basis for guiding future action by the ILO and acknowledged the call to build on the momentum generated by the Meeting for further analytical work, the promotion of the relevant standards and improvement of the protection offered by existing standards. She also noted the importance of linking the conclusions of the Meeting and the deliberations during the recurrent discussion on social protection (labour protection), to be held at the 104th Session (2015) of the International Labour Conference, to the future of work and women at work centenary initiatives and to the broader post-2015 development agenda.

Decision

70. ***The Governing Body:***

(a) took note of the final report of the Meeting of Experts on Non-Standard Forms of Employment (see the Appendix to document GB.323/POL/3) and authorized the Director-General to publish the conclusions of the meeting;

(b) recommended to take into consideration the final report and the conclusions of the Meeting within the context of the recurrent discussion on social protection (labour protection) to be held at the 104th Session of the International Labour Conference;

(c) requested the Director-General to bear in mind, when drawing up proposals for future work of the Office, the wishes expressed in the conclusions for follow-up action by the ILO.

(GB.323/POL/3, paragraph 5.)

Social Dialogue Segment

Fourth item on the agenda

Sectoral and technical meetings in 2014 and proposals for sectoral work in 2016–17
(GB.323/POL/4)

71. *The Employer coordinator* said that while sectoral work was a priority area, it did not seem to fit well into the Office-wide programming procedures. Although the Sectoral Activities Department had been renamed as the Sectoral Policies Department, it was hoped that the actual work done would not be affected by the change, as sectoral work went beyond public policy. Sectoral work was and should continue to be driven by constituents. He supported sections I and II of the document. Regarding the length of meetings, the Employers would not support two-day meetings; longer durations were needed. The group did not oppose the GRULAC proposal to hold meetings in the regions. However, travel costs for the Employer secretariat would have to be borne by the ILO. The good results of

sectoral meetings needed to be followed up, even if such work did not fit smoothly into the ILO programme and budget. Time and resources were needed to allow officials to perform such follow-up work. Furthermore, a better balance in the budget had to be found to that effect.

72. *The Worker spokesperson* said that sectoral meetings were important to the Workers because they addressed everyday work issues. The points of consensus and recommendations for action coming out of the meetings should be followed up and the Guidelines on occupational safety and health in the maritime sector promoted. Regarding the proposals for sectoral work in 2016–17, the meeting of the advisory bodies in October had allowed constituents' needs at the sectoral level to be ascertained. He expressed support for the proposals in Appendix I and he hoped that the proposals for meetings in the security services and forestry sectors could be considered again at the following meeting of the advisory bodies. Recurrent and statutory sectoral work should prioritize the promotion of sectoral Conventions and Recommendations, codes of practice and guidelines, as well as the implementation of conclusions and points of consensus adopted by sectoral meetings and forums. That required better evaluation and monitoring tools and the use of SECTOR's budget primarily for work proposed by the advisory bodies. Certain areas of sectoral work were considered "recurrent" by the Office and should be taken into account in the programme of work. Regarding Appendix II, his group was not in favour of holding global sectoral meetings outside ILO headquarters. If such meetings were held, the costs for Worker and Employer group secretariats to participate would have to be included in the costs of those meetings. The Office needed to ensure better coverage of all the topics pertaining to the Social Dialogue Segment by proposing relevant items to the screening group. There were many important issues within the mandate of the segment that were not being sufficiently covered, such as labour legislation, and labour administration and inspection.

73. *Speaking on behalf of the Government group*, a Government representative of Italy supported the draft decision. Sectoral work was considered to be important and the work should be aligned with the strategic priorities of the Organization, while being cost-effective. The real needs and challenges in the world of work should be the focus of activities. Whether issues would be best served by global meetings or other tools should be decided on a case-by-case basis. Capacity building, knowledge sharing, achieving results and impact should be leading principles. The sectoral advisory bodies could identify trends and challenges to decent work in specific sectors and serve as a platform for seeking tripartite consensus. However, it was the role of the Governing Body to define the final programme. Reconfirming and redefining the role and responsibilities of the sectoral advisory bodies could help prevent the risk of dual governance. Although sectoral work had sometimes been seen as the exclusive domain of the social partners, it stood to benefit from government involvement, not least because of their role in implementing the results of sectoral work. Governments would engage constructively with the social partners to set the agenda of sectoral meetings. The functioning of the sectoral advisory bodies could be improved. As well as on meetings, sectoral activities should also focus on institutional development, knowledge dissemination and policy coherence. She suggested holding one-day advisory body meetings in which Governments, Workers and Employers could more efficiently reach consensus on proposals, while parallel sessions discussed challenges in specific sectors. The potential conflict of interest, arising from the Office both chairing the advisory bodies and acting as secretariat and adviser, could be prevented by having a Government representative chair those meetings. The advisory bodies could refer to the Organization's Strategic Policy Framework when prioritizing activities to be pursued. The reasons for adopting a particular format for meetings were not always clear; it would be useful to review the different formats and rules. The results of the sectoral meetings should receive proper follow-up by constituents and the Office.

DRAFT

74. *Speaking on behalf of the Africa group*, a Government representative of Mali supported the draft decision and asked that follow-up activities be taken to ensure that the outcomes of the 2014 sectoral meetings were implemented and subsequently evaluated. The ILO should take into account the specific situation in Africa, particularly in terms of initiatives to promote decent work. He noted with appreciation the selection of the eight global meetings, and said that the activities should be aligned with the policy outcomes, selected for their relevance, and be results-oriented.

75. *Speaking on behalf of ASPAG*, a Government representative of the Republic of Korea welcomed the tripartite consensus reached during the three sectoral meetings held in the second half of 2014, and shared the view that slow and uneven recovery from the global jobs crisis had generated increased interest in applying policies and strategies at sectoral level to promote decent work and productive employment. He supported the proposed global sectoral meetings for 2016–17 and noted the growing number of cross-sectoral issues, such as migrant workers and non-standard forms of employment, which were accentuated by rapid technological change, globalization and demographic shifts. He wished to see more meetings on those issues. Regarding Appendix II, he asked whether there were specific sectors concentrated in certain regions, and suggested that if so, holding global sectoral meetings in those regions could be a feasible option. He supported the draft decision.

76. *Speaking on behalf of GRULAC*, a Government representative of Cuba supported the draft decision. Regarding the proposed five meetings of experts, he reiterated that since in that format participation was typically limited, the principles of regional balance and group autonomy should be observed. He welcomed the transparent presentation of the challenges to a partial decentralization of sectoral meetings and global forums. Such an approach would present certain advantages, such as enabling greater representation of the regions and a fresh approach to topics under discussion, opportunities for technical visits and other activities, such as the dissemination of knowledge and capacity development. GRULAC continued to be interested in participating in discussions on the objectives and rules relevant to each type of meeting held by the Department, and would work alongside Workers, Employers and the Office to find ways to make sectoral meetings more relevant, topical and reflective of the needs of constituents in the field.

77. *A Government representative of India* said that sectoral work was a key aspect of the ILO's work and needed to be given more relevance in changing times. Government involvement in the process from the early stages was critical, including the identification of relevant sectors and regions. Flexible working hours were necessary in the textiles, clothing, leather and footwear industries to ensure work–life balance. India was setting affirmative policies to enhance female workforce participation. An effective labour inspection system was vital for ensuring compliance in terms of wages and working hours, and creating a level playing field. Temporary work was mainly a result of the considerable skills mismatch in labour demand and supply, and involved workers who were vulnerable in terms of decent work opportunities and fundamental principles and rights at work. Those aspects should be discussed at forthcoming sectoral meetings. In addition to global sectoral meetings, the Office should also hold regional and subregional meetings with country offices and national experts to identify core sectors that played a major role in providing employment opportunities and were crucial to regional economies. Sectoral committees should discuss the presence of migrant workers in almost all economic sectors and the situation of developing countries. She agreed with the consensus building and capacity development in paragraph 20, and with promoting the ratification of relevant ILO Conventions as the main way to address the issues at policy level. While she welcomed the approach of leveraging support through strategic partnerships within the UN system, such partnerships should not dilute the ILO's core principles, and its leadership on labour issues. She supported the draft

DRAFT

decision and stressed that it was important to ensure that recommendations of sectoral meetings and advisory bodies were well integrated into the programme and budget.

78. *The Worker spokesperson* in response to the proposals made by the Government group, said that the Workers' group was ready to examine all possible means of improving the work on sectoral issues, and would also make suggestions.

79. *The Employer coordinator* welcomed the renewed engagement of governments and noted their concerns.

80. *A representative of the Director-General* (Director, Sectoral Policies Department (SECTOR)) noted the request of all three groups for review, change and improvement, which had been recurrent themes throughout the existence of the Department. The Department was well placed under the policy portfolio. If it were separated from the results-based management and Strategic Policy Framework under which the Office operated, it might no longer be able to successfully follow up conclusions and recommendations of meetings. Collaboration with the regions and other policy departments was essential to promote the Department and its tools and instruments for better service delivery. The name change confirmed that the Department was part of the Office's policy portfolio and reflected SECTOR's mandate of the promotion of global consensus building on sector-specific policies and practices. It was also in line with the principles of results-based management and the terminologies of other institutions such as the EU and the World Bank. That did not imply a change in the approach or direction of the Department's work. Regarding the eight sectoral meetings, the reduced number provided the Department with leeway to respond to emerging priority issues. She thanked the Government group for its proposals. It was important that the advisory bodies be used to ensure that the work by SECTOR as well as all other ILO departments fitted in with constituent needs. The Office would proceed to organize an informal tripartite discussion outside the scope of the Governing Body to discuss the various proposals made and the way forward.

Decision

81. ***The Governing Body:***

(a) took note of the final reports of the meetings referred to in section I of document GB.323/POL/4;

(b) authorized the Director-General to publish the Guidelines for implementing the occupational safety and health provisions of the Maritime Labour Convention, 2006;

(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 Global Dialogue Forum on Wages and Working Hours in the Textiles, Clothing, Leather and Footwear Industries (23–25 September 2014); and by the Global Dialogue Forum on the Adaptability of Companies to Deal with Fluctuating Demands and the Incidence of Temporary and Other Forms of Employment in Electronics (9–11 December 2014);

(d) endorsed the proposed programme of global sectoral meetings, global dialogue forums and meetings of experts as well as preparatory work for possible future global meetings for 2016–17 contained in Appendix I of

DRAFT

GB.323/POL/4, subject to approval by the 104th Session of the International Labour Conference in June 2015 of the corresponding allocations in the Programme and Budget for 2016–17.

(Document GB.323/POL/4, paragraph 27.)

Technical Cooperation Segment

Fifth item on the agenda

The ILO's Development Cooperation Strategy 2015–17
(GB.323/POL/5)

82. *The Employer coordinator* said that her group supported the revised deliverables and targets presented in the paper. While the group commended the Office for seeking to better involve constituents through informal tripartite consultations, such consultations should not undermine the Governing Body's governance role. The agenda and the number of representatives to be invited from each of the three groups should be agreed before consultations were held, and where possible background information should also be provided in advance. Clarification was requested regarding the suggestion that consultations on development cooperation could coincide with other informal consultations. It was important to know when consultations would take place, who would be involved and whether the Office would provide technical support and financing. She endorsed the draft decision.

83. *The Worker spokesperson* said that his group supported the organization of informal tripartite consultations; the mechanisms described in the paper were acceptable. However, the Workers had not been included in the recent informal exchanges on the ILO's response to special situations. The identification of flagship programmes could have been the subject of an informal consultation. While he welcomed the reference that had been added in table 1, under the operating principle of integrated resource management, to "ensuring a balanced distribution across ILO's programme and budget Outcomes", the same phrase should be included in table 4 on resource mobilization, which should also refer to capacity building of constituents. Unearmarked and lightly earmarked resources must be used for the strategic objectives that received a minimal share of voluntary contributions. He welcomed the fact that the first operating principle in table 1 made reference to international labour standards, as the Workers' group had requested at the 322nd Session of the Governing Body. To strengthen the Development Cooperation Strategy, extra-budgetary resources had to be aligned with the outcomes in the Programme and Budget for 2016–17, and a more balanced distribution of resources across the strategic objectives was necessary. Given the decentralization of development cooperation, it would be all the more important to involve constituents at national level from the project design stage and to have sufficient expert staff available at ILO headquarters.

84. *Speaking on behalf of the Africa group*, a Government representative of the United Republic of Tanzania took note with interest of the proposed consultation objectives and mechanisms but said that it would be necessary to consider and discuss a sustained and institutionalized form of engagement with constituents. His group was also pleased to note the deliverables and targets encompassing the four areas of the Development Cooperation Strategy. The Office was urged to speed up the human resource development reforms, so

DRAFT

that field offices were adequately manned with qualified personnel for effective implementation of the Strategy. He supported the draft decision.

85. *Speaking on behalf of IMEC*, a Government representative of Italy said that her group noted with satisfaction that the paper answered the request of the Governing Body at its 322nd Session and included comments presented during the informal consultations. Her group also supported the new terminology of "development cooperation", which implied a comprehensive approach on a wider range of themes. Informal tripartite consultations could be useful preparation for some Governing Body debates: all interested governments should be able to participate in them at no further cost to the Office. It was important that the ILO developed precise deliverables and targets. The Office was asked to provide details on the identification of the flagship programmes; whether the remaining programmes would continue to exist; how the flagship programmes were integrated in the ILO's Development Cooperation Strategy; and how they related to the new Strategic Policy Framework and the ten policy outcomes. The Office was also asked whether the target figure of US$288,500,000 in table 4 was the total expected for the period 2015–17, and how that amount related to the total of US$445,000,000 for extra-budgetary technical cooperation (XBTC) and Regular Budget Supplementary Account (RBSA) in the Programme and Budget proposals for 2016–17. As there were no agreed criteria for determining what constituted a "balanced" distribution, it would be more realistic for the ILO to seek to ensure a balanced distribution across programmes and outcomes. There should be a more precise target with regard to the deliverable on communication material and reports on global and regional results. She supported the draft decision.

86. *Speaking on behalf of GRULAC*, a Government representative of Cuba said that paragraphs 3–6 of the paper, on consultation objectives and mechanisms, responded to the request in paragraph (c) of the decision taken by the Governing Body at its 322nd Session. The group agreed with the revised operating principles and deliverables/targets, and therefore supported the draft decision. The group was interested in participating in the informal tripartite consultations on preparation of the paper that would be submitted to the Governing Body at its 325th Session. The change in terminology from "technical cooperation" to "development cooperation" should be reflected in the Introductory note to the Compendium of Rules applicable to the Governing Body.

87. *Speaking on behalf of the BRICS countries* (Brazil, Russian Federation, India, China and South Africa), a Government representative of Brazil noted that the paper responded to subparagraphs (c) and (d) of the decision taken by the Governing Body in November 2014, and also presented refined deliverables and targets for the strategy. The revised proposal for table 4 sought the ILO's renewed engagement with emerging partners as a supplement to commitments concerning official development assistance, and not a substitute for it. BRICS countries looked forward to participating in the informal tripartite consultations on preparation of the forthcoming Governing Body paper, together with representatives of top donors to and recipients of ILO's cooperation.

88. *A Government representative of India* said that aligning the ILO's Development Cooperation Strategy with the sustainable development goals of the United Nations would substantially strengthen the Office's Decent Work Agenda. She welcomed the proposed consultative mechanism. The ILO's regional and country offices must involve national partners in identifying constituents' priorities. The focus should be on long-term commitments to support development, prevent crises and build resilience. Capacity building was one of the key elements of the Development Cooperation Strategy. Adequate decentralization of ongoing ILO projects would be needed, in order to ensure value for money and improved efficiency while maintaining quality standards. Traditional development cooperation should remain at the centre of the ILO's cooperation activities,

DRAFT

with South–South and triangular cooperation playing a complementary role. A diversified and decentralized resource mobilization strategy at regional and subregional levels could ensure greater predictability and convergence at local level. Mainstreaming the Decent Work Agenda in the national context should be a priority.

89. *A Government representative of Zimbabwe* said that the informal consultations should not supplant the Governing Body. He welcomed the refined deliverables and targets and supported the draft decision.

90. *A Government representative of Chad* said that the initiative to organize consultations should come from the Office, in line with subparagraph (a) of the draft decision.

91. *A representative of the Director-General* (Director, Partnerships and Field Support Department (PARDEV)) said that informal consultations would not diminish the governance role of the Governing Body. Where possible, several subjects should be combined in informal consultations, in order to keep costs down. The equal distribution of resources between the strategic objectives and alignment with the Programme and Budget for 2016–17 would be integrated in the revised development cooperation strategy for discussion in November 2015. Following internal consultations, the Director-General had identified five areas of work as ILO flagship programmes: the Better Work programme; the International Programme on the Elimination of Child Labour; occupational safety and health; social protection floors; and jobs for peace and resilience. Flagship programmes would focus the attention of the Office and its development partners on certain areas, but the ILO would continue implementing other programmes as well. Mapping had been carried out between flagship programmes and the 2016–17 results framework, as well as with the expected sustainable development goals and targets. The amount of US$288,500,000 for RBSA and XBTC in table 4 was a target for 2017 only. That amount was slightly different from the figure shown in the Programme and Budget proposals for 2016–17 because the base was different (approved contributions for the former, expenditures for the latter) and because the two papers had been developed at different times.

92. *A representative of the Director-General* (Deputy Director-General, Field Operations and Partnerships (DDG/FOP)) said that capacity building and mainstreaming at national level were part of the move from technical cooperation to development cooperation. Decentralizing the management of development cooperation activities did not obviate the need to maintain a certain degree of management at headquarters. The flagship programmes were areas where successful initiatives had been scaled up.

Decision

93. ***The Governing Body:***

(a) requested the Office to proceed with the organization of informal, tripartite consultations on strategic matters pertaining to development cooperation, as outlined in paragraphs 1–5 of document GB.323/POL/5 and taking into account the guidance given in the discussion;

(b) endorsed the new and revised operating principles as well as deliverables and targets of the ILO's Development Cooperation Strategy 2015–17.

(Document GB.323/POL/5, paragraph 10.)

DRAFT

Sixth item on the agenda

Regional perspectives on development cooperation: The Arab States
(GB.323/POL/6(&Corr.))

94. *The Employer coordinator* said that the ILO needed to take into account the diversity of the Arab States when responding to the challenges in the region and to help those in crisis or post-crisis situations in their response and reconstruction efforts. Given the number of middle-income countries, there were opportunities for co-financing and domestic resource mobilization. Some countries had contributed funds to build the capacity of their officials using the expertise of the Turin Centre. The Employers had always called for needs-based development cooperation, and political instability, social unrest and conflict must be taken into account and partnerships sought with other UN agencies. She asked how the ILO could effectively address the issues that posed major challenges in the region: youth unemployment, female empowerment, social dialogue, social protection and migration. The document had not gone far enough to help build the capacity of constituents to enable them to become credible development partners through social dialogue. She supported the draft decision.

95. *A representative of the Arab group of Employers* expressed support for the ten policy outcomes contained in the Programme and Budget proposals for 2016–17 and satisfaction with the achievements of the internal reform process. The programme and budget proposals required the immediate follow-up of conclusions adopted by the International Labour Conference. Furthermore, the adverse situation in the region had still not improved, and had deteriorated in some countries. The Arab group's urgent request for further financing for technical cooperation programmes was due to the changes seen in the region since 2011, the deteriorating economic and social circumstances, the desperation of Arab youth and the lack of labour resources. It could be useful for the ILO, together with the Arab Labour Organization, to conduct field assessments of the needs of Arab countries in the forthcoming period, with a view to implementing specific programmes. Further technical cooperation resources should be allocated to the region, taking into account the balance of resources in individual countries in the region and high inflation levels. Effective measures should be adopted to acquire financing from donor countries and organizations for the implementation of technical cooperation programmes in the region. The needs of the Palestinian people and their workers were a key element. The ILO should take into account the dire and exceptional circumstances of the region, and implement a technical cooperation programme to address them. The enhanced programme of technical cooperation for the occupied Arab territories should be endorsed and supported, and the obstacles preventing the implementation of activities, including finance, overcome.

96. *The Worker spokesperson*, while noting with appreciation several points in the document, expressed surprise at the statement that all countries in the region had ratified all or at least some of the ILO Conventions pertaining to social dialogue, freedom of association and collective bargaining. In many of the countries, there was a complete lack of respect for trade union rights, particularly in the Gulf States, and no progress had been made towards ratifying the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). Greater emphasis should be placed on ratifying and implementing those Conventions. The *kafala* system should be abolished as a matter of urgency to enable the fundamental rights of migrant workers to be observed. Social dialogue could not be promoted in the region if freedom of association was not guaranteed. It was surprising that the ILO encouraged social dialogue in countries that prohibited freedom of association and

DRAFT

collective bargaining. Regarding the development of a framework for cooperation in Qatar, the ratification and implementation of Conventions Nos 87 and 98 must serve as a basis to end the *kafala* system. It was important for the response to the Syrian crisis to be in line with the ILO's principles and mandate, and to involve workers' organizations. Relevant consultations with the constituents were necessary to avoid tensions and instability. He had reservations about the Office's approach to promoting decent employment. Self-employment was not an option for workers in the region, but was rather the result of unemployment and lack of available decent work. The Office should introduce bolder and more innovative initiatives to promote decent employment, and apply the approach regarding youth employment adopted at the Conference in 2012. Greater participation of workers in programmes to enhance labour market information was required, and migrant workers should be taken into account in studies on the labour market in the region. Clarifications would be welcome on the Saudization of the labour market in Saudi Arabia, which appeared to encourage the discrimination of migrants, in addition to information on how the census had been conducted in Lebanon.

97. The social security system in Jordan still did not provide coverage for all workers, and the unemployment insurance scheme introduced in Saudi Arabia excluded migrant workers. He raised doubts regarding the capacity-building package on social dialogue for the Saudi Arabian Ministry of Labour. Efforts to improve social protection in the Occupied Palestinian Territory would have a very limited impact, as the Israeli occupation made it impossible to control fiscal and monetary policy. Further efforts were required to promote social protection through the Social Protection Floors Recommendation, 2012 (No. 202). The Better Work Jordan programme needed a national approach to ensure equality for workers in all sectors. The current collective agreement did not address minimum wage discrimination between Jordanian and migrant workers. The Lebanese Ministry of Labour should recognize the newly created domestic workers' union. Regarding prospects, technical cooperation should support the Decent Work Agenda and the ratification and promotion of international labour standards in the region, and should strengthen labour inspection and labour administration. It was surprising that the document barely mentioned gender, given the situation of women in the region. More attention should be paid to gender in the ILO's work in the region. The Office should develop projects to respond to the Syrian refugee crisis and the situation in the Occupied Palestinian Territory. ILO partnerships with private entities should aim to strengthen tripartism and industrial relations, and public–private partnership agreements should be concluded in line with the ILO's agreed policy and guiding principles and minimize the risks of creating a privatized UN system. The failure of foundations in Gulf States to observe and promote fundamental rights was worrying. It was vital to prevent abuse in the recruitment of migrant workers and ensure protection of their rights. The Office should respond to concerns about the significant number of refugees and human trafficking. The work with other UN partners should concentrate on promoting tripartism and international labour standards, involve trade union organizations, and ensure a coherent technical cooperation programme to respond to the instability in the region. The Office should continue to participate actively in regional and national consultations on the post-2015 development agenda in order to support the Decent Work Agenda in the region. A more global and innovative approach was required in ILO interventions to promote inclusive development based on decent work and social justice in the region. He supported the draft decision.

98. *Speaking on behalf of the Africa group*, a Government representative of the United Republic of Tanzania noted with appreciation the continued support of the Office to the Arab States, its response to the Syrian refugee crisis and its work with social partners to improve international labour standards for migrant workers. The Office should consider extending its support to the countries of origin of migrant workers, including spearheading

DRAFT

constructive engagement in social dialogue and bilateral agreements. He supported the draft decision.

99. *Speaking on behalf of ASPAG*, a Government representative of China noted with appreciation the assistance provided by the ILO to the region, and the commitment pledged in terms of technical and financial resources. The Director-General and the Office should provide financing from the regular budget as seed money to attract and encourage contributions from donor countries for urgent ILO projects and activities in the region.

100. *A representative of the Director-General* (Deputy Regional Director for the Arab States) noted the suggestions made, which would help to shape resource mobilization in the region. Positive trends regarding technical cooperation delivery had been observed in the region in the previous decade. Key achievements included: the consolidation and expansion of the ILO response to the Syrian refugee crisis in Jordan and Lebanon and full ILO engagement in regional and national refugee and response plans; promotion of social dialogue and strengthening of workers' and employers' organizations in the region; the launch of the multidimensional ILO Gaza response programme; support for the implementation of national employment policies in many countries; and strengthened engagement with Gulf Cooperation Council countries on the Decent Work Agenda. The ILO would seek to strengthen its regional capacity in the following years to respond to needs in core areas. However, demand outweighed its means to supply services and technical and policy advice, particularly in terms of response to the crises and emergency situations in the region. The ILO urgently needed to replenish its resources and increase resource mobilization.

Decision

101. ***The Governing Body requested the Office to expand its development cooperation programme in the Arab States and to develop a regional resource mobilization strategy in accordance with the ILO's Development Cooperation Strategy 2015–17 (to be revised in November 2015).***

(GB.323/POL/6(&Corr.), paragraph 51.)

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