



Governing Body

340th Session, Geneva, October–November 2020

Minutes of the 340th Session of the Governing Body of the International Labour Office

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▶ Abbreviations

ACT/EMP	Bureau for Employers' Activities
ACTRAV	Bureau for Workers' Activities
ASEAN	Association of Southeast Asian Nations
ASPAG	Asia and Pacific group
CEACR	Committee of Experts on the Application of Conventions and Recommendations
COVID-19	coronavirus disease
DWCP	Decent Work Country Programme
EESE	Enabling Environment for Sustainable Enterprises
EU	European Union
GRULAC	group of Latin American and Caribbean countries
IAO	Office of Internal Audit and Oversight
ILO	International Labour Organization or International Labour Office
IMEC	group of industrialized market economy countries
IMF	International Monetary Fund
IOAC	Independent Oversight Advisory Committee
IOE	International Organisation of Employers
IPEC+	International Programme on the Elimination of Child Labour and Forced Labour
ITUC	International Trade Union Confederation
JIU	Joint Inspection Unit
MNE Declaration	Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy
OSH	occupational safety and health
RBSA	Regular Budget Supplementary Account
SDG	Sustainable Development Goal
SME	small and medium-sized enterprise
SRM TWG	Standards Review Mechanism Tripartite Working Group
UN	United Nations
UNDIS	United Nations Disability Inclusion Strategy

UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNSDCF	United Nations Sustainable Development Cooperation Framework
WTO	World Trade Organization

▶ Introduction

1. The 340th Session of the Governing Body of the International Labour Office was held in Geneva, from 2 to 14 November 2020. Owing to the exceptional circumstances of the coronavirus (COVID-19) pandemic, the session was conducted online in accordance with the special arrangements described in document [GB.340/INS/1\(Rev.1\)](#).
2. To ensure that members from different time zones could participate, only one sitting was held each day and not all items on the agenda were considered during the sittings. For a number of items, decisions were made by correspondence between 15 October and 10 December 2020. For the same reason, when the agenda was set, it was decided to defer the consideration of several items to the next session and to have some documents submitted for information only.
3. This document contains the minutes of the 12 sittings held, alongside a description of the process that led to each decision adopted by correspondence, including summaries of the comments received from Governing Body members during that process, and the items on the agenda that were deferred or were submitted for information only.

Officers of the Governing Body

Chairperson:	Mr Apurva Chandra (Government, India)
Employer Vice-Chairperson:	Mr Mthunzi Mdwaba (South Africa)
Worker Vice-Chairperson:	Ms Catelene Passchier (Netherlands)

Chairing and speaking responsibilities by section

Institutional Section (INS)		
Chairperson:	Mr Apurva Chandra (India)	
	Item INS/18/6: Mr Indra Rosandry (Indonesia)	
Item	Employer spokesperson	Worker spokesperson
9	Mr Thomas Mackall (United States)	Ms Amanda Brown (United Kingdom)
11	Mr Rajeev Dubey (India)	Ms Catelene Passchier (Netherlands)
12	Mr Scott Barklamb (Australia)	Ms Catelene Passchier (Netherlands)
16	Mr Alberto Echavarría (Colombia)	Ms Amanda Brown (United Kingdom)
17	Mr Harry Kyriazis (Greece)	Ms Silvana Cappuccio (Italy)
All other items	Mr Mthunzi Mdwaba (South Africa)	Ms Catelene Passchier (Netherlands)

Policy Development Section (POL)		
Employment and Social Protection Segment		
Chairperson:	Mr Indra Rosandry (Indonesia) ¹	
Item	Employer spokesperson	Worker spokesperson
1	Mr Scott Barklamb (Australia)	Mr Gerardo Martínez (Argentina)
2	Ms Anne Vauchez (France)	Mr Plamen Dimitrov (Bulgaria)
Development Cooperation Segment		
Item	Employer spokesperson	Worker spokesperson
6	Ms Jacqueline Mugo (Kenya)	Mr Mody Guiro (Senegal)
Programme, Financial and Administrative Section (PFA)		
Programme, Financial and Administrative Segment		
Chairperson:	Mr Apurva Chandra (India)	
Item	Employer spokesperson	Worker spokesperson
1	Mr Mthunzi Mdwaba (South Africa)	Ms Claudia Menne (Germany)
2	Ms Renate Hornung-Draus (Germany)	Ms Claudia Menne (Germany)
Audit and Oversight Segment		
Item	Employer spokesperson	Worker spokesperson
6	Mr José María Lacasa Aso (Spain)	Ms Claudia Menne (Germany)
High-Level Section (HL)		
Strategic Policy Segment		
Chairperson:	Mr Apurva Chandra (India)	
Item	Employer spokesperson	Worker spokesperson
2	Mr Mthunzi Mdwaba (South Africa)	Ms Catelene Passchier (Netherlands)
Committee on Freedom of Association (CFA)		
Chairperson:	Mr Evance Rabban Kalula (Zambia)	
	Employer spokesperson	Worker spokesperson
	Mr Alberto Echavarría (Colombia)	Mr Yves Veyrier ² (France)

¹ Delegation of authority from the Chairperson (under paragraph 2.2.5 of the Standing Orders of the Governing Body).

² Substituting for Ms Catelene Passchier.

▶ Institutional Section

Opening remarks

4. **The Chairperson** welcomed participants to the 340th Session of the Governing Body, which was being held virtually due to the COVID-19 pandemic. He thanked the Government group, and in particular the Asia and the Pacific region, for his nomination. He extended his gratitude to the social partners as well, for their endorsement of his nomination and reiterated his commitment to the Governing Body and to the Organization's mandate.
5. The Chairperson then reminded participants that due to the deferral of the June 2020 session of the Governing Body, the Governing Body had elected him Chairperson by correspondence. In light of that, the Governing Body had not had the opportunity to recognize the work of and thank its outgoing Chairperson, Ambassador Refiloe Litjobo from the Kingdom of Lesotho. He therefore suggested the Governing Body take a moment to thank Ambassador Litjobo.
6. **The outgoing Chairperson** said it had been an honour and a privilege to perform his duties. He thanked Screening Group members for their work in the context of the pandemic, in particular the Regional Coordinators. He likewise extended his gratitude to Mr Mdwaba and Ms Passchier and recognized their expertise. The Screening Group had held 17 virtual sessions since 13 March 2020. He thanked the Director-General for his availability and support. Lastly, he referred to a few momentous discussions which he had been pleased to superintend: the Update on the status of ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO ([GB.337/INS/12/1\(Rev.1\)](#)); the proposals for including safe and healthy working conditions in the ILO's framework of fundamental principles and rights at work ([GB.337/INS/3/2](#)); the programme of work and results framework for 2020–21 ([GB.337/PFA/1/1](#)); and the update on the costed and time-bound integrated strategy to address decent work deficits in the tobacco sector ([GB.337/POL/5](#)). He likewise referred to the adoption, by the International Labour Conference, of the ILO Centenary Declaration for the Future of Work in June 2019; and to his participation in the 14th African Regional Meeting, where the Abidjan Declaration had been adopted.
7. **The Employer Vice-Chairperson** thanked the outgoing Chairperson for his time, energy and understanding disposition towards the social partners, which he was able to bring together through the compromises and consensus he had helped create.
8. **The Worker Vice-Chairperson** thanked the outgoing Chairperson for his dedication, polite and friendly attitude when attempting to bridge gaps. She was grateful for the good cooperation between them. Furthermore, she welcomed the new Chairperson, who would be taking over the post under such unusual and difficult circumstances and chairing remotely. She recalled, on behalf of her group, that they hoped for the virtual format to be a unique, one-off exercise.

Opening statement by the Director-General of the International Labour Office

9. **The Director-General** opened the 340th Session of the Governing Body by referring to the very particular circumstances under which it was taking place. The COVID-19 pandemic struck shortly after the 337th Session in 2019, year of the Centenary, and the

Governing Body had not been able to hold its sessions since. The Director-General pointed out the dramatic impact the pandemic had had on the ILO and the world of work at large. While the ILO had continued working under exceptional arrangements, COVID-19 and its consequences had been devastating for the world of work – from job destruction to labour income reduction, to enterprise closures and resurging poverty. In this context, this session of the Governing Body was crucial in promoting a human-centred recovery from the crisis. The Director-General paid tribute to all those who agreed to hold this session in a fully virtual format, under special arrangements. He congratulated Mr Apurva Chandra on his election as Chairperson of the Governing Body and assured him of the Office's full confidence. While recognizing the dramatic context in which the Governing Body met, the Director-General focused on the relevance of that session's agenda items in setting the future direction of the Organization. In doing so, he reaffirmed the importance of the Centenary Declaration and of the United Nations 2030 Agenda for Sustainable Development (2030 Agenda). He reiterated that the Organization could rely on two unique assets to overcome the crisis: tripartite cooperation and social dialogue, along with international labour standards. A few of the agenda items which would have far-reaching implications included the Preview of the Programme and Budget proposals for 2022–23, and the draft Strategic Plan for 2022-25. Both of these prioritized continuity in the operationalization of the Centenary Declaration for the Future of Work, while taking into account the response to COVID-19.

10. He introduced two documents specifically addressing ILO action in respect of COVID-19. The first one (GB.340/INS/18/6) presented measures taken by the Office to ensure business continuity following the onset of the pandemic. The second one (GB.340/HL/2) contained a proposal for ILO action and leadership in a human-centered recovery from the COVID-19 crisis, in order to maximize the impact of the Centenary Declaration in the recovery efforts. He also referred to document (GB.340/POL/6) which contained a draft Development Cooperation Strategy for 2020-25. Some of the standards system's mechanisms had been interrupted in 2020. The Director-General was nevertheless satisfied that the Committee on Freedom of Association had been able to meet and was looking forward to reviewing its report. Moreover, no less than six specific country cases would be reviewed during the session, all of which related to complaints under article 26 of the ILO Constitution. The Director-General reiterated that they should be addressed by the Governing Body on the basis of the three "Ps": process, principle and perseverance. He concluded by acknowledging the considerable political effort on the part of members to agree to the deferment of a significant number of agenda items until the next session of the Governing Body, and thanked all members for that effort. He wished to underline that the decision for deferral in no way diminished the importance of the issues concerned. He congratulated the Governing Body on the efficiency with which decisions had been taken by correspondence, and trusted members would take example and encouragement from it so that the remaining business of this first-ever virtual session of the Governing Body could be concluded successfully.

1. Special arrangements for the 340th Session of the Governing Body of the ILO (October–November 2020) (GB.340/INS/1)

Decision

11. **The Governing Body decided by correspondence to hold its 340th Session from 2 to 14 November 2020 under the special arrangements and rules of procedure set out in the appendix to document GB.340/INS/1 in order to facilitate the conduct of the session.**

(GB.340/INS/1, paragraph 14)

12. **The Chairperson** explained that the situation around the pandemic had evolved since the publication of the document and adoption of the decision by correspondence. That meant that the session would be entirely virtual and delegates would no longer be allowed in the ILO meeting rooms. He therefore sought the Governing Body's approval to request the Office to revise said document to reflect the new reality. His suggestion met with the support of the Governing Body.

(A revised version of the document (GB.340/INS/1(Rev.1)) was published on 4 November.)

2. Approval of the minutes of the 337th Session of the Governing Body and of the proceedings related to the decisions made by correspondence by the Governing Body between March and September 2020 in relation to the items on the agenda of the 338th Session of the Governing Body (GB.340/INS/2)

Decision

13. **The Governing Body approved by correspondence the minutes of its 337th Session (October–November 2019), as amended, and took note of the minutes of the meetings of the Screening Group held in preparation of decisions made by correspondence by the Governing Body between March and October 2020.**

(GB.340/INS/2, paragraph 4)

3. Agenda of future sessions of the international Labour Conference

(The consideration of this item is deferred to the 341st Session (March 2021).)

4. Follow-up to the resolution on the ILO Centenary Declaration for the Future of Work: Proposals for including safe and healthy working conditions in the ILO's framework of fundamental principles and rights at work (GB.340/INS/4)

(The document under this item was submitted for information only.)

5. The Standards Initiative: Proposals on further steps to ensure legal certainty and information on other action points in the work plan on the strengthening of the supervisory system

(The consideration of this item is deferred to the 341st Session (March 2021).)

6. Update on the United Nations reform (GB.340/INS/6)

(The document under this item was submitted for information only.)

7. Mid-term report on the implementation of the ILO Action Plan for Gender Equality 2018–21 (GB.340/INS/7(Rev.1))

14. In preparation for the adoption of a decision by correspondence, the Office held a briefing session for Governing Body members on this item on 9 October 2020. In the light of the discussions at that session, the draft decision contained in document GB.340/INS/7 was amended as follows:

The Governing Body, by correspondence, requested the ~~Office~~ Director-General to:

- (a) **redouble efforts to implement the 2020–21 phase of the ILO Action Plan for Gender Equality 2018–21 and improve results, taking into account the Governing Body’s guidance and lessons learned; and**
- (b) **identify concrete measures and steps to accelerate action in specific indicators, including on leadership and staffing, to improve results with a view to achieving gender equality at the ILO, and provide these for information to the Governing Body as soon as possible; and**
- (c) **report to the Governing Body on the results of an evaluation of the Action Plan 2018–21, along with the proposed approach of the subsequent Action Plan, in early 2022, with a view to a heightened strategic positioning of the ILO in the United Nations reform.**

15. The Screening Group agreed to put the item forward for a decision by correspondence. The decision contained in document GB.340/INS/7(Rev.1) was adopted by consensus and announced to all Governing Body members by a communication of 22 October 2020.

Decision

16. **The Governing Body, by correspondence, requested the Director-General to:**
- (a) **redouble efforts to implement the 2020–21 phase of the ILO Action Plan for Gender Equality 2018–21 and improve results, taking into account the Governing Body’s guidance and lessons learned;**
 - (b) **identify concrete measures and steps to accelerate action in specific indicators, including on leadership and staffing, to improve results with a view to achieving gender equality at the ILO, and provide these for information to the Governing Body as soon as possible; and**
 - (c) **report to the Governing Body on the results of an evaluation of the Action Plan 2018–21, along with the proposed approach of the subsequent Action Plan, in early 2022, with a view to a heightened strategic positioning of the ILO in the United Nations reform.**

(GB.340/INS/7(Rev.1), paragraph 27)

Summary of written comments received during the consideration of the item by correspondence ³

17. **The Employers' group**, noting with satisfaction that most of its contributions had been taken into account, welcomed the closer alignment between the ILO Action Plan and the United Nations (UN) gender strategies and plans. The group also welcomed the inclusion of gender-responsive indicators for the Turin Centre and the recent interviews with constituents to evaluate and improve the Action Plan, and observed that changing attitudes, building capacity and ensuring adequate human and financial resources were critical components of the Action Plan.
18. The increase in the number of unmet targets since 2016–17 suggested that the Office was not prioritizing the required changes, especially in the areas of accountability and capacity. With regard to disincentives, the group was not in favour of withholding the approval of an appraisal for projects and programmes that did not integrate gender, unless necessary, as not all capacity development efforts could be gender-responsive. The topic should be examined holistically under the ILO Development Cooperation Strategy 2020–25.
19. In order to increase the representation of female delegates at sessions of the International Labour Conference and at other meetings, the Office should work with employers' and workers' organizations on gender diversity as a policy issue, with a focus on capacity-building, and hold targeted discussions to improve the gender representation.
20. At the policy level, the Bureau for Employers' Activities (ACT/EMP) had been working closely with employer and business membership organizations through its work on women in business and management, leading to concrete organizational changes in Latin America and the Caribbean. Progress had also been made in the Philippines.
21. To enhance accountability, all senior managers should receive training on unconscious bias and the Office should monitor the situation at the individual unit or office level.
22. The figures showed how difficult it was to achieve equality between men and women, despite all the expertise and efforts made by the ILO. A strong commitment from leaders was required, and a change of culture at all levels of the organization.
23. **The Workers' group** acknowledged the efforts made by the Office to implement the Action Plan and noted with satisfaction that the ILO Policy on Gender Equality and Mainstreaming identified gender parity as a priority area. Nevertheless, work remained to be done. The group had made a commitment to improve the proportion of women in its delegations at the International Labour Conference and at other meetings and welcomed the support of the Office in that regard. The efforts and engagement of the labour movement for the ratification of the Violence and Harassment Convention, 2019 (No. 190), would provide an opportunity to discuss gender gaps and practices that hindered women's participation in decision-making processes.
24. Progress at the P5 level had stalled and the gender gap for directors had increased, which was a trend that had to be reversed as soon as possible. While the Office should conduct monitoring that coincided with the reporting period of the UN System-wide Action Plan on Gender Equality and the Empowerment of Women (UN-SWAP), timely and

³ The complete text of each comment in the original language is available on the [Governing Body's web page](#), together with the decision.

separate reporting to the Governing Body was crucial in order for the Governing Body to provide guidance to the Office on the next steps. Interaction with other UN agencies would allow the ILO to mainstream the relevant international labour standards in order to improve gender equality. Clarity was needed on which measures would be adopted to achieve the unmet targets, an endeavour that required management support and engagement. Efforts to include gender equality and non-discrimination as a cross-cutting policy driver and policy outcome at a programmatic level should be maintained and reinforced. With increased efforts, it should be possible to meet or exceed the unmet targets. The group supported the draft decision.

- 25. The Asia and Pacific group (ASPAG)** noted that achieving gender parity at the P5 level and above had to be a key focus for the ILO in 2021 so that further progress could be made towards achieving the UN goal of 47–53 per cent representation of women or men. A renewed commitment was needed from the Office towards meeting some of the unmet targets, including those relating to accountability and capacity. It was disappointing that some of relatively easy targets had not been achieved or statistics had not been made available; achieving those should be a priority. The COVID-19 pandemic underscored the need for renewed emphasis on achieving gender equality. It was regrettable that the two capacity-building events for the social partners to improve gender parity in delegations to the Conference had not been held. They could be delivered virtually, reaching more people than might have been reached prior to the pandemic, to ensure a gender balance at the 109th Session (2021). ILO leaders at all levels needed to drive the reforms. The Director-General should reinforce the need to deliver on the outcomes of the Action Plan sooner rather than later and the ILO should lead the way in demonstrating its commitment to gender equality and promoting best practice. ASPAG supported the draft decision as amended to reflect the real purpose of the Action Plan, which should be to ensure real and sustained improvements within the ILO.
- 26. The group of industrialized market economy countries (IMEC)**, noting that the mid-term report and the Action Plan itself enhanced institutional transparency, stressed the importance of an ambitious implementation with a view to achieving concrete results. Given its important mandate, the ILO should be a trendsetter on gender equality and the Action Plan should be promoted as a priority, taking into account the disproportionately negative impact of the COVID-19 crisis on women. IMEC welcomed the alignment of the Action Plan with the UN-SWAP and noted the positive comments from UN Women on the progress made in advancing the Action Plan.
- 27.** IMEC noted with concern that 24 of the 57 targets had not been met, including in key areas such as oversight, accountability and capacity, which was a setback compared to 2016–17. The Office should provide further information to explain why there was progress in some areas and not in others and make the necessary adjustments in the implementation of the plan. Some of the information in the report could have been presented more clearly; for example, the information on the targets met, exceeded and not met could have been presented in a table and there could have been a clearer articulation between the statistics and the narrative.
- 28.** IMEC welcomed the progress made in respect of Decent Work Country Programmes (DWCPs), gender parity at the P1–P4 levels and job vacancy descriptions. There was little in the report, however, to address how gaps or challenges – such as the persistent stagnation of staffing at the P5 level and above – would be addressed in 2021. The ILO should be a leader on staffing and gender equity. IMEC would also like to know what the plans were for regions without dedicated gender specialists and what measures would

be taken to encourage all constituents to achieve gender parity in their delegations to the Conference. Information should be provided to explain, in relation to results-based management, why the target related to project and programme proposals was expected to drop. Only 14 per cent of global project and programme proposals met the cross-cutting policy driver, which seemed quite low given that the target was 35 per cent. The Office should move to the UN standard for measuring parity, rather than using its own older measure.

29. With regard to oversight, the fact that only 25 per cent of audited field office reports identified gender-related risks and mitigation action taken when the target was 70 per cent seemed like a poor result. The Office should explain why there was no information available on several targets. The ILO had, within the multilateral system, the mandate to promote decent work for all without any discrimination. It also had the best expertise in work-related issues and IMEC expected more concrete and ambitious results and commitment from the Office. IMEC supported the draft decision in document GB.340/INS/7(Rev.1).
30. In the statement on behalf of **the European Union (EU) and its Member States**, it was noted that the EU supported the ILO's focus on gender equality and pursued gender equality in its policies. The EU also supported a number of ILO projects that promoted gender equality. The progress identified in the mid-term report was welcome, and it was commendable that the ILO was reinforcing its internal accountability through the independent evaluations of the Action Plan. Nevertheless, the mid-term report revealed a rather sobering picture and presented a number of challenges, especially when considered in the context of COVID-19. The ILO was strongly encouraged to increase its efforts to address the fact that most of the targets relating to oversight and accountability had not been met. It was regrettable that no audit had yet been designed on internal sexual harassment control and response procedures. Up-to-date sex-segregated statistics in accordance with the targets should be provided in a timely manner. Gender equality and non-discrimination in country programmes should be enhanced in terms of both human and financial resources.
31. Although it was positive that there had been an increase in the overall share of regular budget professional positions held by women, the fact that the situation for higher grades had deteriorated since 2010 was a matter of concern. It was apparent that further work was needed to increase the number of women in delegations to the Conference and regional meetings.
32. Decent work for all remained a strong priority and the EU and its Member States looked forward to the ILO report to the 109th Session of the Conference on inequalities and the world of work, which should include analyses on the impact of the COVID-19 pandemic on equality and non-discrimination at work.
33. **The Russian Federation** supported the draft decision as originally proposed by the Office in document GB.340/INS/7, and recalled that, since March 2020 and in accordance with the special arrangements for the 340th Session of the Governing Body as set out in document GB.340/INS/1, in the context of the COVID-19 response, the Governing Body had been taking a series of decisions by correspondence on urgent, non-controversial or routine matters. However, the amendments introduced to the draft decision in document GB.340/INS/7(Rev.1) went beyond technical or editorial changes and significantly affected the meaning and the scope of the decision. Amendments of such nature called for substantive consultations among the tripartite constituents. The Russian Federation would, therefore, prefer the item to be deferred until the

341st Session of the Governing Body when, it was hoped, thorough and inclusive discussions could be held.

34. **The United Kingdom of Great Britain and Northern Ireland** supported the statement by IMEC. It welcomed the mid-term review of the Action Plan and shared the Office's concern about the slow – and, in some cases, reversal of – progress. As part of its commitment to increase gender equality in the labour market, the United Kingdom had introduced gender pay gap reporting and improved its policies on childcare, flexible working arrangements, parental leave and support to those returning to the workforce.
35. With women set to be hard hit by the economic fallout of the COVID-19 pandemic, it was clear that the pandemic would exacerbate gender inequality and there was a risk that there would be a significant reversal in gender equality gains. Women and girls must therefore be at the heart of efforts to build back better.
36. The ILO must continue to promote gender equality through the implementation of its Strategic Plan for 2018–21 and also through efforts within the Office to meet the UN-SWAP targets. Further information should be provided on the concrete ways in which the Action Plan would strategically position the ILO in the UN reform, as proposed in the original decision.
37. At the mid-point of the Action Plan, it was essential to focus on the delivery of the unmet targets. The United Kingdom was keen to identify ways of sharing lessons learned from its policies. It welcomed the adoption of Convention No. 190, and would like to know whether the Office planned to build the monitoring of violence and harassment into the final stage of the Action Plan.

8. Report of the 14th African Regional Meeting (Abidjan, 3–6 December 2019) (GB.340/INS/8(Rev.1))

38. In preparation for the adoption of a decision by correspondence, the Office held a briefing session for Governing Body members on this item on 7 October 2020.
39. The Screening Group agreed to put the item forward for a decision by correspondence on the understanding that the Office would publish a revised version of the document, in which the draft decision would make reference to the Implementation Plan supplementing the Abidjan Declaration and in which the Implementation Plan would be incorporated as an appendix.
40. The decision contained in document GB.340/INS/8(Rev.1) was adopted by consensus and announced to all Governing Body members by a communication of 22 October 2020.

Decision

41. **The Governing Body decided by correspondence to:**
 - (a) **draw the attention of ILO constituents, in particular those of the Africa region, to the Abidjan Declaration and its Implementation Plan by making the text available to:**
 - (i) **the governments of all Member States, requesting them to communicate the text to national employers' and workers' organizations;**
 - (ii) **the official international organizations and non-governmental international organizations concerned;**

- (b) **take the Abidjan Declaration and its Implementation Plan into consideration when implementing current programmes and in developing future programme and budget proposals.**

(GB.340/INS/8(Rev.1), paragraph 232)

Summary of the written comment received during the consideration of the item by correspondence ⁴

42. **The Workers' group** considered that, while there should be collaboration between the ILO and the African Union, the agendas of the two bodies should not be fused. Although many of the group's comments had been taken into consideration in the document, some had not; the group therefore wished to reiterate its priorities to ensure sufficient funding for actions in those areas. Regarding structural transformation, in the current crisis situation and in line with the Centenary Declaration's call for policy coherence, the ILO had a key role to play in the multilateral system by working with international financial institutions to facilitate the economic recovery of the African continent. The ILO should provide its expertise and facilitate dialogue on social protection to find emergency and sustainable solutions. The Decent Work Agenda should guide the employment creation strategy, and consideration should be given to the quality dimension of employment. Cooperatives and the social and solidarity economy were a main source of income and warranted further attention. The adequate funding, staffing and improvement of public services was another key priority, and the Implementation Plan should be guided by a rights-based approach to such services. Priority should also be given to the ratification of and technical support for the implementation of 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). Lastly, holding multinational enterprises accountable was part of the much-needed African structural transformation and the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (multinational enterprise (MNE) Declaration) was a useful tool in that respect. The Workers' group supported the draft decision.

9. ILO disability inclusion policy and strategy (GB.340/INS/9)

43. **The Worker spokesperson** agreed that the ILO should take the opportunity provided by the development of the UN Disability Inclusion Strategy (UNDIS) to develop its own policy on disability inclusion, which was long overdue. The alignment of the ILO's policy with the UNDIS would allow the ILO to incorporate the Decent Work Agenda into the accountability framework across the UN system. She welcomed the consultations that had been held with the ILO Staff Union, noting that trade unions possessed extensive experience in promoting inclusion. Social dialogue was required at all stages of the policy's development to ensure that its impact would be felt by the beneficiaries of ILO programmes, and workers more generally. The human-centred approach set out in the ILO Centenary Declaration for the Future of Work included ensuring equal opportunities and treatment in the world of work for persons with disabilities, but its demands for access to quality public services, universal social protection, fully productive and freely chosen employment and the recognition of occupational safety and health were equally important in the quest for disability inclusion. The policy should therefore reference all

⁴ The complete text of the comment in the original language is available on the [Governing Body's web page](#), together with the decision.

four pillars of the Decent Work Agenda, along with the fundamental Conventions and other relevant ILO instruments.

44. Turning to the proposed policy itself, she said that the second clause of the first sentence of paragraph 2 of the Preamble appeared to be unnecessary and stated in an unfortunate way. The proposed policy made reference to tripartite constituents with disabilities, and the Workers hoped that their needs would be considered in addition to the needs of staff with disabilities, and that they would be able to contribute to the implementation of the policy in forums beyond the Governing Body. Referring to the guiding principles, she said that collective bargaining and freedom of association were necessary if the policy was to reach all areas of ILO operations and must be included under paragraph 7.
45. There was concern among the Workers with regard to how consultations and dialogue would be conducted; while matters pertaining to staff members required consideration by the ILO Staff Union, the proposed policy appeared to suggest separate consultations with staff members with disabilities or with those who had dependants with disabilities. She requested clarification on how the groups to be consulted would be identified. The section on employment and non-discrimination should state explicitly that discrimination would not be tolerated, and her group would welcome later discussion of possible recruitment targets. The Workers supported the draft decision, with the amendment proposed by IMEC and ASPAG to redraft the second part of subparagraph (c) to read "... and to provide to the Governing Body a report for information, on a biennial basis, starting in its 346th Session, on progress and areas for improvement, including a summary of the annual reporting to the UN on its implementation of the United Nations Disability Inclusion Strategy".
46. **The Employer spokesperson** commended the Policy Departments' work in the area of disability inclusion and the Office's leveraging of expertise in that area to lead in the development of the UNDIS. However, noting that the proposed policy stated that the ILO must "lead by example", he said that the ILO risked missing an opportunity given that, with regard to disability inclusion, it tended to rely on the strong work carried out within its Policy portfolio rather than developing expertise within its Human Resources Development Department, which had a different mandate and function. The Office must gather baseline data on the recruitment, promotion and retention of persons with disabilities so as to set targets against which progress could be measured. Confidential employee surveys should be conducted to that end, drawing on the expertise of the private sector, including companies participating in the ILO Global Business and Disability Network. Those data-gathering activities must also include ILO field staff. His group called on the Office to develop such targets promptly and to inform the Governing Body when they have been set.
47. The Office should establish a clear focal point for staff with disabilities within the Human Resources Development Department and in the field, to serve as a "one-stop shop" for accommodation requests, advice, support and grievances. It should use procurement and contracting functions to promote the meaningful employment of persons with disabilities, including by third-party contractors who work on ILO premises. It should also commission an independent evaluation to ensure inclusivity in its key processes, beginning with recruitment. The results of that evaluation should be presented to the Governing Body, and the Office should develop a proactive agenda for offering employment opportunities to persons with disabilities. Again, much could be learned from the private sector.

48. While the proposed policy was understandably general, it lacked key implementation strategies, including timelines and objectives. The Office should submit that information to the Governing Body as soon as possible. In conclusion, he urged the ILO to strengthen its internal human resources approach to disability inclusion without delay, setting ambitious goals and adopting consistent, innovative and quantifiable measures to meet them. The Employers supported the draft decision with the amendment proposed by IMEC and ASPAG.
49. **Speaking on behalf of the Government group**, a Government representative of Panama commended the leading role taken by the ILO in developing the UNDIS and emphasized the need to build on the success of the ILO's previous work in the area of disability inclusion and reflect the values laid down in ILO instruments. Noting that accountability was a precondition for its success, he said that the implementation of the policy through integrated multiannual strategies should be carried out in an efficient and cost-effective manner. The adoption of the subsequent multiannual strategies by senior management was a good way to ensure that the ILO, at all levels, took ownership of the implementation of the policy. The multiannual strategies should set measurable goals to accurately track and assess progress. He wished to know the status of the development of the UN Country Team Accountability Scorecard on Disability Inclusion incorporated in the UNDIS accountability framework to track the implementation of the strategy, and whether it had any implications for the ILO's proposed policy.
50. The fact that the proposed policy's guiding principles would build on key successes and challenges drawn from the ILO's Disability Inclusion Strategy and Action Plan 2014–17 was welcome. However, more could be done to ensure that the ILO responded to discrimination on the basis of disability. The guiding principles should take into account all relevant barriers, and not only physical barriers, with the aim of eliminating them. Effective cooperation with the UN system and beneficiaries should also be considered in the design and implementation of the policy. It would be instrumental to further enhance collaboration and consultation across all levels of the Organization, including country offices, on the policy and its subsequent strategies. Accordingly, his group recommended adding a guiding principle on collaboration within the UN system and the exchange of good practices. The ILO should continue to act as a leading and constructive partner within the UN family as part of its disability inclusion policy. The Government group joined IMEC and ASPAG in proposing the amendment to subparagraph (c) of the draft decision.
51. **Speaking on behalf of the Africa group**, a Government representative of Lesotho said that her group welcomed the proposed policy, which would go a long way in further strengthening the ILO's ability to attract, recruit, retain and promote staff with disabilities and would be instrumental in guiding Member States in developing their own such policies. Referring to the guiding principles, in 7(vii), she noted the importance of disability inclusion as a cross-cutting issue. As such, the proposed disability-inclusive approach in all of the ILO's policies, projects, programmes and operations was commendable. Regarding 7(iii), she emphasized the importance of engaging persons with disabilities in disability inclusion issues. Her group wished to present a specific proposal relating to the access of persons with disabilities to healthcare, including occupational therapy and life-saving procedures, particularly during the COVID-19 crisis, to enable them to continue to work in places suited to their circumstances. With regard to employment and non-discrimination, the ILO should set an example by protecting its staff with disabilities. As for capacity development and communications, the ILO's staff training and development plan should specifically include persons with disabilities. Awareness-raising on disability inclusion should be considered at all levels. The ILO

should implement training and life skills programmes that specifically targeted and empowered persons with disabilities, and provided them with appropriate tools. Her group encouraged the Office to develop the guiding principles into concrete actions and measures with specific timelines. The Office should assist Member States with the establishment of national policies on disability inclusion in the world of work. She supported the draft decision as amended.

- 52. Speaking on behalf of Group of Latin America and Caribbean Countries (GRULAC)**, a Government representative of Barbados, noting that the inclusion of persons with disabilities constituted a challenge for countries in his region, especially in the light of the COVID-19 crisis, expressed his group's support for the UNDIS and its confidence that the priorities of the ILO policy, the structure proposed and the framework of multiannual strategies would contribute to the full implementation of the UNDIS. GRULAC recognized the work already done by the ILO on disability issues and agreed that the guiding principles would facilitate further progress. An adequate allocation of resources was needed for the implementation of the policy and the strategies proposed, as was a coherent institutional framework. Intersectionality should be a priority and particular attention should be given to persons with disabilities who also belonged to other groups in vulnerable situations. The ILO should maintain clear leadership on the issue. He supported the draft decision as amended.
- 53. Speaking on behalf of IMEC**, a Government representative of Canada said that, with a view to strengthening the applicability and impact of the proposed ILO policy on disability inclusion, as set out in the appendix to the document, references should be added in paragraph 3 to the Convention on the Rights of the Child and in paragraph 4 to persons with "other or multiple disabilities". Subparagraph 5(a) should reflect the importance of facilitating proper conditions so that persons with disabilities were able to benefit equally from all ILO projects, programmes and operations. The guiding principle on consultation and social dialogue could be strengthened by explicitly stating that the ILO would operationalize those principles in its field work. It was important that the indicators and targets referred to in paragraph 6 were measurable.
- 54.** She suggested that "working conditions, including those introduced as a result of the COVID-19 pandemic", should be added to the list of issues for consultation enumerated in paragraph 7(ii). Telework should be included at the end of paragraph 7(iii). The text of paragraph 7(iv) should be strengthened by adding "on the basis of gender, colour, sexual orientation, age, language, religion, political or other opinion, national or ethnic origin and discrimination by association". In relation to paragraph 7(v), she emphasized the importance of making all ILO documents accessible and extending the notion of the removal of barriers to accessibility to encompass the "proactive identification, removal and prevention of barriers to accessibility". Paragraph 7(vi) should include ILO meetings, conferences and events that were conducted virtually or by videoconference. In paragraph 7(vii), meaningful engagement with persons with disabilities and their organizations needed to be part of designing and implementing all ILO projects, programmes and operations, wherever they were implemented. She welcomed the collection of disability-disaggregated data referred to in paragraph 7(x) and encouraged the Office to collect, in conjunction, data on gender, age and other relevant factors, to gain insights on intersectionalities. She was of the view that senior management should play a pivotal role in the process of monitoring and evaluation, to ensure implementation of the policy and its subsequent strategies at all levels of the Organization, including country offices. In the context of review of policy (paragraph 7(xiii)), relevant stakeholders, including persons with disabilities and their organizations, should be

consulted in order to identify gaps. She supported the amendment to the draft decision put forward by ASPAG and IMEC.

- 55. Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that North Macedonia, Albania, Norway and Georgia aligned themselves with the statement. Target 8.5 of the 2030 Agenda, to achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value, had become even more relevant owing to the COVID-19 pandemic. Only 28 per cent of persons with disabilities globally had access to disability benefits, with only 1 per cent in low-income countries. That alarming disparity needed to be addressed in all future joint international actions aimed at COVID-19 response and recovery.
- 56.** The EU and its Member States, as parties to the Convention on the Rights of Persons with Disabilities, were deeply committed to promoting, protecting and respecting all the human rights of persons with disabilities on an equal basis with others, across all policies. The European Disability Strategy 2010–2020 aimed to empower people with disabilities to enjoy their rights and participate fully in society and the economy. The results of evaluation of that strategy would inform the preparation of a new strategy for 2021–2030, which would contribute to building a union of equality.
- 57.** The structure and content of the proposed ILO policy and strategy were in line with the UNDIS. The Office was strongly encouraged to proactively continue playing its key role in all inter-agency actions, in order to further promote the implementation of disability inclusion at the global level within international development programmes, multilateral cooperation and future COVID-19 recovery responses. She supported the draft decision as amended.
- 58. A Government representative of Bangladesh** appreciated the development of the ILO disability inclusion policy and said it was encouraging that more attention had been paid to the mainstreaming of disability issues in the ILO Programme and Budget for 2020-21. In 2008, Bangladesh had been among the first countries to ratify the Convention on the Rights of Persons with Disabilities. Since then, the Government of Bangladesh, in cooperation with the ILO and other development and social partners, had made major strides towards achieving a shared vision of disability inclusion.
- 59.** To promote a disability-inclusive approach across the world of work, the ILO should mainstream disability inclusion in its projects, programmes and operations, complemented by targeted interventions for persons with disabilities, and should assist Member States in developing skills among persons with disabilities. The ILO should also focus on disability inclusion, to create systematic change in the demand and supply of skilled persons with disabilities, through activities and reforms within industry and training institutions, while both governments and the private sector should focus on generating disability-inclusive employment opportunities. Lastly, the ILO should support countries in promoting microfinancing and microenterprises for persons with disabilities and enhance its partnerships with organizations working for persons with disabilities. He wished to know how the ILO would streamline its work with its country offices, as well as with the UN country teams, in ensuring meaningful implementation of the policy.
- 60. A Government representative of Ecuador** said that two significant actions had been undertaken in his country. First, a network of inclusive companies had been formed to help persons with disabilities, and those companies shared their good practices. Secondly, companies that had implemented good practices, particularly during the pandemic, were recognized. The inclusion of persons with disabilities and adaptation to

their specific needs, on the basis of social dialogue, needed to be an ongoing priority in ILO policy. He supported the document under consideration.

- 61. A Government representative of the United Kingdom** said that her country supported full implementation of the UN Disability Inclusion Strategy, as well as finalization and implementation of the proposed ILO policy and strategy on disability inclusion. The ILO was commended for its policy brief on the key issues that a disability-inclusive COVID-19 response should address and its recommendation that persons with disabilities should be included in all COVID-19 response-related initiatives. The ILO's disability inclusion strategy should reflect issues arising from the evidence that the COVID-19 pandemic was disproportionately affecting persons with disabilities. The United Kingdom encouraged the Office to strengthen its approach on capacity development and communications by taking steps to amplify the voices of people with disabilities within the Organization, as well as offering disability awareness training to staff. The Office could also look to establish networks of staff at country office level and globally to coordinate, monitor and oversee progress against indicators and targets.
- 62. A Government representative of Ethiopia** commended the Office for the document and took note of the ILO's commitment to become a fully disability-inclusive organization. Persons with disabilities often faced obstacles to participation in their national economies, such as inaccessible transportation, limited access to assistive technologies and societal stigma. Her Government had taken steps to promote disability inclusion in healthcare settings, employment legislation and national plans, and had been working with the ILO to enhance employment, entrepreneurship and skills development among persons with disabilities. All stakeholders should cooperate more closely to promote disability inclusion. Her Government looked forward to the Office's continued support in improving the well-being of persons with disabilities in efforts to end poverty, discrimination and exclusion, and ensure decent work and social justice for all.
- 63. A Government representative of Barbados** congratulated the Office on its continuing leadership on disability inclusion and commended its efforts to consult with staff members with disabilities as well as those with dependants with disabilities. The inclusion of persons with disabilities was an important component of a human-centred approach to development and social justice; discussions on ideas such as decent work and just transitions must therefore contemplate ways to ensure that all people, including those with disabilities, could lead productive and fulfilled lives.
- 64.** The Declaration of Philadelphia was relevant to the present discussion, because, like race, creed and sex, disability can be used as grounds for stigma, discrimination, exclusion and violence and harassment. Persons with disabilities often experienced discrimination that prevented them from occupying their rightful roles in societies and nation-building. The ILO should continue to spearhead a rights-based, gender-responsive approach to rectify that discrimination and address societal dynamics and power imbalances. History had long taught that countries could not protect their citizens while permitting discrimination; his Government had therefore recently adopted legislation prohibiting all forms of discrimination in employment.
- 65.** The eight guiding principles set out in the document would help to translate good intentions into actions. It would be a progressive step for the ILO to engage with civil society organizations in social dialogue on disability inclusion and should take the lead in the mainstreaming of disability inclusion to ensure the sustainability of the proposed policy and strategy. All communications from the ILO, Member States and other organizations should be inclusive and respectful of persons with disabilities.

- 66. A representative of the Director-General** (Deputy Director-General for Policy) welcomed the Governing Body's strong support, insights and useful suggestions that would be very helpful in finalizing the disability inclusion policy and preparing the multiannual strategies. Through the policy, the Office was particularly seeking to address disability inclusion internally, and this, in turn, would ensure it would be better prepared to address disability inclusion in its work with ILO constituents.
- 67.** In response to calls for disability inclusion to be addressed more proactively in social dialogue processes, she said that the policy's guiding principles would be revised to make specific reference to collective bargaining and freedom of association. The revised policy would also reflect the ILO's ongoing collaboration with the UN and its leadership role in disability inclusion. Responding to a call for a sharper focus on the intersectionality of disability and other dimensions, she recalled that the Office's disability team was part of its Gender, Equality and Diversity and ILOAIDS Branch (GED/ILOAIDS) and therefore had access to the technical competence required to address disability inclusion through an intersectional lens. The Office would ensure that the policy would be gender-responsive.
- 68.** She expressed her appreciation for the Governing Body's support for the development of ambitious indicators and targets to measure progress; those targets would be set out in multiannual strategies, the first of which would cover the period 2021–23 and would be uploaded to the ILO's website in early 2021 following approval by the Senior Management Team. The Office would take on board the suggestion made by the Employers' group regarding the establishment of baselines and setting of targets for each indicator in those multiannual strategies alongside the timelines and measures to be adopted. The guidance received from the Employers' group would also prove valuable in the Office's revision of the 2005 ILO Policy on the employment of persons with disabilities.
- 69.** In response to concerns raised by the Workers' group, she said that the Office would prioritize the inclusion measures raised by workers and by IMEC, in particular measures to enhance the accessibility of ILO meetings and documents, and agreed that the Office would benefit from listening to the experiences of constituents, including those with disabilities, to inform the implementation of the policy.
- 70.** Acknowledging the need to promote disability inclusion at ILO headquarters and field offices, she confirmed that many field offices were paying closer attention to disability inclusion with the help of UNDIS. Furthermore, any element of the policy affecting the working conditions of ILO staff, including staff with disabilities and those with dependants with disabilities, would be addressed through the Office's internal social dialogue mechanism and the Office would normally seek the ILO Staff Union's support to hold broader consultations with those staff members.
- 71.** The Office had obligations arising from UNDIS to produce guidelines on how to undertake consultations with organizations of persons with disabilities, which would be particularly relevant to ILO field offices. Those guidelines would promote gender-responsive consultations, taking into account other dimensions such as gender and migration status, and could facilitate the role of constituents in the consultation process. The UN Country Team Accountability Scorecard on Disability Inclusion adopted earlier in the year would require each UN Country Team to report annually on the inclusion of persons with disabilities in their work and was expected to foster country-level inter-agency collaboration on disability inclusion. Progress on the scorecards would be taken into account in the development of ILO strategies. Finally, she assured

constituents that the ILO had participated in the UN procurement network that had recently developed guidance on disability-inclusive procurement.

72. The Office would align its work with UNDIS, ensuring accountability and developing measurable targets. She welcomed the amendment to the draft decision proposed by IMEC and ASPAG.
73. **The Employer and Worker spokespersons** expressed their appreciation for the comments made by the Deputy Director-General for Policy.

Decision

74. The Governing Body:

- (a) requested the Director-General to finalize and implement the ILO policy on disability inclusion set out in the appendix to document GB.340/INS/9, taking into account the guidance provided during the discussion;
- (b) instructed the Office to put in place multiannual strategies to implement the ILO policy on disability inclusion, beginning in 2020–23, in the light of the United Nations Disability Inclusion Strategy;
- (c) instructed the Office to conduct monitoring that coincides with the reporting period for the implementation of the accountability framework established by the United Nations Disability Inclusion Strategy, and to provide to the Governing Body a report for information, on a biennial basis, starting in its 346th Session, on progress and areas for improvement, including a summary of the annual reporting to the UN on its implementation of United Nations Disability Inclusion Strategy; and
- (d) requested the Director-General to pursue the ILO's mandate to promote disability inclusion in the implementation of current and future ILO strategic plans and corresponding programmes and budgets, and to facilitate extrabudgetary resources, taking into consideration the guidance provided during the discussion.

(GB.340/INS/9, paragraph 9, as amended by the Governing Body)

10. Guatemala: Progress report on action taken on the follow-up to the decision adopted by the Governing Body at its 334th Session to support the National Tripartite Agreement of November 2017 aimed at implementing the road map (GB.340/INS/10)

75. **The Worker spokesperson** expressed her group's extreme disappointment at the lack of progress made by four successive governments of Guatemala in complying with the road map. That had led to a deeply concerning increase in violence against trade union leaders and members, including 12 instances of murder in 2020 alone, that was routinely met with impunity. Reports from workers in Guatemala that the situation was worsening had validated the concerns raised by the Workers' group regarding the closure of the article 26 complaint procedure against Guatemala.
76. Protection measures for trade union leaders at risk of violence were not working, and the protocol for the implementation of immediate and preventive security measures for trade union members ceased to be valid in 2018 without being replaced. The systematic failure of State institutions such as the Ministry of the Interior, the judiciary and the

Public Prosecutor's Office to abide by fundamental principles had resulted in hundreds of unfair dismissals without enforcement of reinstatement orders, a lack of accountability among offending employers and diminished trust in the State. The Ministry of Labour and Social Welfare had also deliberately imposed unachievable requirements for trade union registration that had made dozens of unions illegal in order to facilitate the dismissal of workers by unscrupulous employers.

77. Trade unions had demonstrated their commitment to resolving such issues through social dialogue by attending meetings of the National Tripartite Committee on Labour Relations and Freedom of Association, despite the challenges posed by the COVID-19 pandemic; however, the Guatemalan authorities had not shown the same level of commitment. Furthermore, the Government had not yet approved a bill in Congress to institutionalize the National Tripartite Committee, as noted by the Workers' group at previous sessions of the Governing Body. The situation brought about by the pandemic should be viewed as an opportunity to expand labour rights to all workers as a way out of the crisis. Guatemala would not recover from the emergency unless trade unions were part of the solution.
78. She expressed hope that the technical cooperation programme "Strengthening of the National Tripartite Committee on Labour Relations and Freedom of Association in Guatemala for the effective application of international labour standards" developed by the Office would result in the rapid and full implementation of the road map with the active participation of the social partners, and appealed to donors to finance the programme. The Governing Body must continue to monitor the situation in order to maintain its credibility and signal that Guatemalan workers would still receive the attention they deserved. The Workers' group therefore proposed adding the following subparagraphs to the draft decision:
- (b) welcomed the ILO technical cooperation programme "Strengthening of the National Tripartite Committee on Labour Relations and Freedom of Association in Guatemala for the effective application of international labour standards" and called upon governments to contribute to its funding; and
 - (c) requested the Office to report annually on its implementation at its October–November sessions.
79. **The Employer spokesperson** noted that the present situation in Guatemala was not the same as article 26 cases. The Government of Guatemala was clearly willing to cooperate in taking action on the road map. Guatemala was facing obstacles to the full implementation of fundamental rights, such as limited resources, weak institutions and a large informal economy, but it was not a country where citizens were systematically prosecuted for their political views or membership of employers' or workers' organizations. While significant regulatory changes were needed, it was more important to improve compliance with current regulations that served as a basis for the implementation of 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). It was vital to ensure that freedom of association was respected, especially in areas where trade unionists and other vulnerable groups were targets of violence, and to build trust among the social partners by abandoning confrontational approaches and encouraging responsible engagement among all actors. The creation of the National Tripartite Committee was a very important step forward, which had a strong support not just from the ILO, but also from the International Organisation of Employers (IOE) and the International Trade Union Confederation (ITUC).

80. The most representative employers' organization in Guatemala, the Coordinating Committee of Agricultural, Commercial, Industrial and Financial Associations (CACIF), had demonstrated its full commitment to the National Tripartite Committee, taken a proactive approach to tripartite dialogue, seized opportunities to develop further action-oriented proposals and sought support from the Office to overcome challenges to social dialogue. However, to be able to function, the Committee needed all three groups, and the workers had to play their respective role to work constructively towards achieving the elements of the road map on the basis of consensus.
81. The progress made in the implementation of the road map, while slow, should not be overlooked, especially given the threat posed to those achievements by the COVID-19 pandemic. The Office should strengthen its support to enable the Government and the social partners to continue making progress. He called on the international community to contribute to the financing of the technical cooperation programme to strengthen the National Tripartite Committee developed by the Office to help to promote and enhance freedom of association and collective bargaining in Guatemala.
82. While the Employers' group supported the original wording of the draft decision, it could also support subparagraph (b) of the Workers' proposed amendment, The group could also support a subamendment proposed in writing by the EU and its Member States to replace, at the end of subparagraph (b), "governments to contribute to its funding" with "the Office to mobilize sustainable sources of funding for its implementation". In principle, the Employers' group would not support subparagraph (c) of the Workers' group's amendment but it would confirm its position after listening to Government members in that respect
83. **The Government representative of Guatemala** (Minister of Labour and Social Welfare) noted that the National Tripartite Committee on Labour Relations and Freedom of Association had approved the ILO's programme of technical assistance and a work plan. The National Tripartite Committee was of vital importance for sharing opinions and reaching holistic solutions to labour issues in Guatemala. Its members had decided to expand its scope to include matters relating to economic recovery, the creation of decent work, and addressing challenges resulting from the pandemic, as well as facilitating a constant dialogue on the ILO Conventions that Guatemala had and had not ratified. The Government had taken seriously the comments made by members of the Governing Body at its 337th Session (October–November 2019) on the importance of effective social dialogue, and reiterated the request for States to provide financial contributions and support to the technical cooperation programme.
84. Concerning efforts to reform the Labour Code to comply with international labour standards, the Subcommittee on Legislation and Labour Policy of the National Tripartite Committee and various sectors would have assistance from an expert, thanks to support from the Office. The judiciary had transformed the labour courts into multi-judge panels, and there were 21 additional judges and 72 judicial assistants specialized in matters relating to labour and social welfare in the largest areas of the country. Digital tools were being implemented to streamline processes, and there had been an increase in documents served electronically.
85. The Government representative of Guatemala said that, in reaction to the concern regarding the number of deaths of labour rights defenders reported by trade unions, the Government reiterated its unfettered commitment to applying the ILO's fundamental Conventions, particularly those concerning freedom of association and collective bargaining. A declaration and undertaking had been signed by relevant State institutions that recognized that any efforts by the Government would be undermined if

the deaths of trade union leaders and members could not be prevented or prosecuted. The Public Prosecutor's Office had strengthened its investigation of crimes against trade unionists, having reclassified the unit responsible as a specialized division for crimes against judicial officials and trade unionists and increased its financial and human resources. Additionally, efforts had begun to update Directive No. 01-2015 on the investigation and prosecution of crimes committed against union members and other labour and trade union activists, in consultation with representatives of workers. To date, 26 verdicts had been handed down in cases involving the death of trade unionists. The Ministry of the Interior was continuing to apply the protocol for the implementation of immediate and preventive security measures for trade unionists prior to risk assessments being carried out by the Personal Protection and Safety Division of the National Civil Police, which had been allocated a significant budget.

86. The Ministry of Labour and Social Welfare monitored the application of international labour Conventions and had taken steps to ensure that the management of registration procedures for trade unions and their members adhered to national and international standards. With a view to improving the protection of labour rights, the Government had also approved the technical assistance and cooperation programme, which included that matter as its second outcome. The COVID-19 pandemic had brought challenges, but also forged institutional will to further strengthen freedom of association.
87. He thanked the ILO, IOE and ITUC for their valuable support, and commended the work of the members of the National Tripartite Committee in generating the trust necessary to maintain social dialogue and strengthen the capacity to resolve the outstanding issues at the national level. The report had been submitted on a tripartite basis, taking into account all views despite the fact that there had not always been agreement. The Government would continue to work to address the concerns expressed, seeking a culture of change and an institutional response that was efficient and was focused on the needs of trade union members and leaders. The Government would maintain its commitment to fully complying with national and international labour legislation, despite the economic challenges facing the country.
88. **Speaking on behalf of the vast majority of countries of Latin America and the Caribbean**, a Government representative of Barbados commended the progress made by the tripartite constituents in implementing the road map and consolidating social dialogue. He noted in particular the joint declaration and undertaking between the Public Prosecutor's Office, the Ministry of Interior and the Ministry of Labour and Social Welfare, signed on 22 October 2020, to improve and accelerate inter-institutional coordination to guarantee the full application of labour rights and strengthen institutional capacities. He encouraged the employers and workers to maintain tripartite social dialogue through the National Tripartite Committee, with the support of the ILO. He invited the authorities of the executive, legislative and judicial branches and the Public Prosecutor's Office to redouble their efforts in relation to the road map in order to consolidate social dialogue and the work carried out by the National Tripartite Committee and to guarantee the application of Convention No. 87. He supported the draft decision.
89. **Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that North Macedonia, Montenegro, Albania and Norway aligned themselves with the statement. She recalled the commitment undertaken by Guatemala under the EU Central America Association Agreement to effectively implement, in law and in practice, the fundamental ILO Conventions and took note of the recent developments on labour relations and freedom of association, as outlined in the report.

Notwithstanding the closure of the article 26 procedure at the 334th Session of the Governing Body, the EU continued to closely follow progress on issues related to the implementation of Convention No. 87 and to closely engage with Guatemala on labour issues.

90. She noted with regret that, based on the constituents' observations, limited progress had been made in implementing the National Tripartite Agreement of November 2017 and the road map adopted in 2013. She noted with strong regret the continued anti-union discrimination and violence, and emphasized that the protection of trade union leaders and activists must be ensured. Investigations into the deaths of trade union leaders and trade unionists must continue in order to ensure prompt and full accountability and justice. If prevention, protection and response mechanisms relating to threats and attempts against trade union officials and activists were not strengthened, the situation was likely to continue. She also noted with strong regret the lack of progress in incorporating the amendments proposed by ILO supervisory bodies into the Labour Code. The long-overdue institutionalization of the National Tripartite Committee was disappointing. The technical cooperation programme must be implemented without delay in order to address all of the pending issues under the road map.
91. Referring to the Workers' proposed amendment to the draft decision, she proposed a subamendment to replace, at the end of subparagraph (b) "governments to contribute to its funding" by "the Office to mobilize sustainable sources of funding for its implementation".
92. **A Government representative of the United States of America** recalled that, at the 334th Session of the Governing Body, his Government had been strongly in favour of keeping the article 26 procedure open, in order to ensure that the Government of Guatemala honoured its commitments under the road map. He expressed deep concern about the Government's failure to make meaningful progress on its commitments during the two years since the closure of the procedure. No progress had been made in bringing the Labour Code into conformity with Conventions Nos 87 and 98; the Government had failed to institutionalize the National Tripartite Committee through legislation; and the continuing allegations of acts of violence and harassment against, and murders of, trade unionists in Guatemala were deeply troubling.
93. He urged the Government to fully implement the commitments made in 2018 by improving investigative processes and increasing the number of successful prosecutions for acts of violence and murder against trade unionists. In that connection, he asked for more information on the decision of the Public Prosecutor's Office No. 70-2019 that established the Unit for Crimes against Judicial Officials and Trade Unionists and its impact. The Government must also: create a safe and enabling environment that allowed workers to freely exercise their rights, including by strengthening prevention and protection mechanisms; adopt consensus legislation to bring Guatemalan law into compliance with international standards on freedom of association and collective bargaining, including by institutionalizing the National Tripartite Committee through legislation; strengthen the process for registering trade union organizations and collective agreements on working conditions; and significantly increase the percentage of reinstatement orders implemented in a timely manner for workers that were victims of anti-union dismissals and enact enforceable measures to protect workers from such dismissals. He called on the Government to fully implement those recommendations in close cooperation with the social partners and the Office.
94. His Government supported the amendment to the draft decision proposed by the Workers' group and the subamendment thereto proposed by the EU.

95. **A Government representative of the United Kingdom** recalled the international commitments undertaken by Guatemala and welcomed the progress that had been made, but remained concerned that, based on the observations made by the trade union federations, there had been limited engagement by the Government, slow progress in implementing the road map and further cases of anti-union discrimination and violence. She encouraged the new Government and the Congress of Guatemala to continue an open dialogue and consultations to achieve the application of fundamental principles and rights at work.
96. Limited progress had been made towards adopting the bill to confirm the institutionalization of the National Tripartite Agreement and approving the reforms needed to bring domestic legislation into line with Convention No. 87, specifically in relation to the establishment of sectorial unions and their participation in collective bargaining. However, she commended the implementation of the recommendations made by the National Tripartite Committee to the Public Prosecutor's Office on the Special Investigation Unit for Crimes against Trade Unionists. It was essential to strengthen that unit and to continue investigations into the deaths of trade union leaders and activists. She urged the Ministry of the Interior to follow the recommendations to ensure the protection of trade union leaders and unionists. Although she welcomed the implementation of the technical cooperation programme, the progress promised when the procedure relating to the complaint had been closed had not been delivered.
97. Her Government supported the amendment to the draft decision proposed by the Workers' group and the subamendment thereto proposed by the EU.
98. **A Government representative of Canada** said that, while her Government appreciated the efforts made by the Government of Guatemala and its social partners over the course of the year, especially in the context of the pandemic, much work remained to be done to fully implement the road map. She called on the Government to prioritize the prompt and effective protection of at-risk trade union leaders and labour representatives and efforts to properly investigate acts of violence against trade unionists. Perpetrators and instigators should be brought to justice in a timely manner and in accordance with the rule of law and due process. She also called on the Government to launch, without delay, an enhanced, nationwide awareness-raising campaign on the right to freedom of association developed in consultation with the social partners. Such a campaign would be key to promoting a violence-free labour relations climate.
99. She welcomed the recently approved technical cooperation programme to strengthen the National Tripartite Committee and its work towards the effective application of international labour standards in Guatemala, which she hoped would lead to timely and comprehensive labour law reforms to align national legislation with the principles of Convention No. 87. Those reforms should be the result of genuine and constructive tripartite dialogue. She encouraged the Government to continue to engage closely with the Office and to avail itself of technical assistance as necessary, as that was key to making tangible progress.
100. Her Government supported the amendment to the draft decision proposed by the Workers' group and the subamendment thereto proposed by the EU.
101. **The Employer spokesperson** said that, in the light of the comments made, his group could support the amendment to subparagraph (c) proposed by the Workers' group, if it was rendered less open-ended by including explicit reference to the submission of a report in October–November 2021.

- 102. The Worker spokesperson** said that trade unions in Guatemala were cooperating fully with the country's tripartite structures, which had only recently become functional. The seriousness of the situation in Guatemala should not be understated. While the Government had repeatedly expressed goodwill, evidence of progress on the ground was now needed. The Workers would accept the subamendment proposed by the EU provided that emphasis was placed on the need for funding, including from the Guatemalan Government. Subparagraph (c) of the draft decision should include a requirement for annual reporting until the road map had been implemented.
- 103. The Minister of Labour and Social Welfare of Guatemala** said that preparing the technical cooperation programme and the work plan of the National Tripartite Committee had been a major undertaking, involving a process of dialogue among the parties concerned that had enabled agreement to be reached on the measures to be included. Although the programme lacked the necessary funding, his Government was making significant efforts to continue to meet its international commitments, including in respect of compliance with Convention No. 87, and the significant budgets allocated to the related bodies, including the Public Prosecutor's Office and the Personal Protection and Safety Division of the Police, demonstrated its financial commitment. He reiterated that, despite the budgetary constraints, efforts were under way to improve access to justice. He also reiterated his Government's appreciation of the support provided by the Office, especially with respect to the appointment of an expert to provide technical assistance in the process of legislative reform.
- 104.** There was a need to further strengthen the capacity of the National Tripartite Committee, which had been operating on the basis of an agreement that had not yet been enshrined in law, and which was an important forum for dialogue and for finding comprehensive solutions to the labour issues faced in Guatemala. His Government had complied with the terms and conditions of the National Tripartite Agreement of November 2017, and would continue its efforts to implement the ILO Conventions, including in the context of the technical cooperation programme.
- 105. The Worker spokesperson** proposed that subparagraph (c) of the draft decision should include a requirement for annual reporting for the duration of the technical cooperation programme, which was three years.
- 106. The Employer spokesperson** said that, given that violence was commonplace in Guatemala, it could not be stated definitively that the tragic murders of the 12 trade unionists in 2020 were related to their trade union activities; the Governing Body should be careful not to make assumptions in that regard. The Employers welcomed the amendments submitted by the EU regarding funding because the programme had the potential for extremely positive outcomes and was therefore worthy of support. Consultation within his group was required with regard to the requirement for annual reporting for three years, as suggested by the Worker spokesperson.
- 107. The Chairperson** said that there appeared to be consensus on subparagraphs (a) and (b). The only point of disagreement in relation to subparagraph (c) related to the frequency of reporting.
- 108. The Worker spokesperson** agreed that further consultations might help to achieve as close to full consensus as possible and called upon participants to refrain from speculating on the motives behind the trade unionists' murders.

(The Governing Body resumed consideration at a later sitting.)

- 109. The Worker spokesperson** recalled that the Employers' group had objected to the seemingly open-ended reporting requirement in the proposed subparagraph (c). A compromise proposal had been put forward, to limit the annual reporting to the duration of the technical cooperation programme, which had been accepted by the Government group. She asked why, if the Employers' group disagreed with that proposal, it had not informed the other constituents sooner.
- 110. The Employer spokesperson**, referring to the proposed subparagraph (c), said that, as the article 26 procedure had been closed, there was no longer a requirement for reports to be submitted to the Governing Body under that procedure, and certainly not in an open-ended manner. He requested more time to consider the proposal in the spirit of compromise, noting that he would like to consult further with his colleagues in Guatemala. The question of reporting was not an insignificant one.
- 111. The Worker spokesperson** said that the reporting requirement was an institutional one, affecting only the Government of Guatemala, and asked why the Employer's group needed to hold further discussions on the matter with national employers' representatives. Furthermore, she reiterated that the article 26 procedure had been closed against the will of several trade unions in Guatemala and against the will of her group. As the Governing Body had agreed to a technical cooperation programme to improve the situation in the country, it was appropriate that the results of that programme should be reported to it. It was difficult to understand how the Employers could not accept a request for annual reporting on a programme that had a duration of three years, given the strong concerns about the situation in Guatemala. It was especially difficult to understand the Employers' position given that – although there was no link between the discussions – the Workers were being asked to agree on a way forward to secure compliance with the recommendations of the Commission of Inquiry for the Bolivarian Republic of Venezuela in the context of the discussions on document GB.340/INS/13. However, in the spirit of compromise, she was prepared to postpone the discussion in order to hold further consultations.
- 112. The Employer spokesperson** agreed that there was no link between the two items, and emphasized his group had never suggested that there should be no reporting requirement.
- 113. The Chairperson** said that the matter of reporting requirements should not be insurmountable, and he urged the constituents to seek an agreement.
- (The Governing Body resumed consideration of the item after the Office circulated a revised draft decision following consultations.)*
- 114. The Worker spokesperson**, recalling that the Workers were of the view that the Office should be requested to report annually for the duration of the three-year programme, said that, following consultations, the Workers and the Employers had agreed on an amended text that they hoped would lead to a consensus on the draft decision.
- 115. The Employer spokesperson** introduced the proposed text, in which subparagraph (b) read “welcomed the ILO technical cooperation programme ‘Strengthening of the National Tripartite Committee on Labour Relations and Freedom of Association in Guatemala for the effective application of international labour standards’ and called for funding for its implementation;” and subparagraph (c) read “requested the Office to report annually on its implementation at its next October–November session and for the duration of the programme”. He hoped that the proposal would meet with the Governing Body's approval.

- 116. Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that Montenegro, Albania and Norway aligned themselves with the statement. Noting that little progress had been made in the implementation of the National Tripartite Agreement of November 2017 and road map of 2013, she expressed the hope that the technical cooperation programme would be implemented without delay and that the Office would report on progress made throughout the implementation period, in particular progress made in addressing all pending issues of the road map. She therefore supported the amended text of the draft decision as proposed by the Employers and the Workers.

Decision

117. The Governing Body:

- (a) **took note of the report of the National Tripartite Committee sent by the Government and of the supplementary document communicated by the trade union federations;**
- (b) **welcomed the ILO technical cooperation programme “Strengthening of the National Tripartite Committee on Labour Relations and Freedom of Association in Guatemala for the effective application of international labour standards” and called for funding for its implementation; and**
- (c) **requested the Office to report annually on its implementation at its October–November sessions for the duration of the three-year programme.**

(GB.340/INS/10, paragraph 38, as amended by the Governing Body)

- 118. The Minister of Labour and Social Welfare of Guatemala** reaffirmed the political will of his Government to continue implementing the ILO Conventions, including those highlighted in the technical cooperation programme. He reiterated the Government’s ongoing commitment to cooperate with the ILO supervisory system and to implement the decisions made by the supervisory bodies. The technical cooperation programme was highly important and the Government would make every effort to fulfil its commitments to ensure its success. It was paramount to strengthen the capacities of the National Tripartite Committee, which had promoted social dialogue from the outset and provided an opportunity to maintain and further develop a platform for dialogue and agreement on the different views of the social partners and to work towards effective labour relations in Guatemala. He thanked the ILO, the IOE and ITUC for their ongoing and valuable support.

11. Progress report on the technical cooperation programme agreed between the Government of Qatar and the ILO (GB.340/INS/11)

- 119. A representative of the Director-General** (Head, ILO Project Office for Qatar) said that the achievements of the ILO technical cooperation programme included the dismantling of the *kafala* sponsorship system in Qatar; the removal of the requirement for an exit permit for almost all workers and for a no-objection certificate for workers who wished to change employment; and the introduction, from March 2021, of a non-discriminatory minimum wage. Those measures also applied to domestic workers. Since the publication of the report, Qatar’s Council of Ministers had endorsed a decree to improve protection from heat stress for workers, and the country had completed its first prosecution of human trafficking for forced labour. Those achievements would not have been possible

without the political commitment of the Government of Qatar, and the ILO looked forward to supporting the country in its ambitious labour reform agenda.

- 120. The Employer spokesperson** said that the excellent progress in Qatar should serve as a model response to the ILO supervisory system. The reforms not only represented a milestone for workers' rights, but were also important for employers, given that they would increase dynamism and mobility in the labour market, attract more talent and make Qatar a more appealing prospect for investment and trade. The reforms illustrated the power of strong and representative social partner organizations to shape and support fundamental changes; social partners at all levels, including the Qatar Chamber of Commerce and Industry, as well as civil society organizations and other actors had supported the Government's efforts. The ILO project office in Qatar had played a critical role and fully used the convening power of the ILO to engage all constituents. The Employers' group was firmly committed to continuing support for Qatar and its national social partners in implementing the remaining reforms.
- 121. The Worker spokesperson** said that the technical cooperation programme reflected the Qatari Government's commitment to ensuring compliance with the international labour Conventions that it had ratified. Her group welcomed the progress made in a range of areas, including the adoption of minimum wage legislation; an occupational health and safety (OSH) policy, with emphasis on work in extreme heat; protection for domestic workers; capacity-building for labour inspectors; the fair recruitment pilot project; work towards the ratification of the Protocol of 2014 to the Forced Labour Convention, 1930; a complaints mechanism; and a draft ministerial decree on procedures for collective negotiation and joint agreements. Nevertheless, there remained areas of concern, such as the lack of clarity on the abolition of exit permits; reports of ongoing exploitation of foreign domestic workers, including by recruitment agencies; and the further work required to bring about real freedom of association. The Workers' group would continue to support the technical cooperation programme beyond 2022, to ensure that outstanding issues were implemented.
- 122. Speaking on behalf of ASPAG**, a Government representative of Japan said that his group commended the Government of Qatar for its commitment to the technical cooperation programme and welcomed the significant progress made. The major reforms included the removal of the requirements for exit permits and no-objection certificates and the introduction of a non-discriminatory minimum wage, which was particularly important given the economic uncertainty brought about by the COVID-19 pandemic. He noted with satisfaction the Qatari Government's efforts to promote workers' voices, including by electing workers' representatives to joint committees of private companies and public bodies. The work in Qatar exemplified what could be achieved through constructive dialogue and effective cooperation among the constituents and the ILO. He urged the Government to pursue its efforts in promoting the rights of migrant workers.
- 123. Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that North Macedonia, Albania and Norway aligned themselves with her statement. The EU and its Member States lauded the active engagement of the Government of Qatar with the technical cooperation programme and welcomed all the positive developments outlined in the report, in particular the introduction of a non-discriminatory minimum wage; adoption of a national OSH policy and the implementation of the National Action Plan on Heat Stress; and the strengthening of labour inspection. The Government's work to replace the *kafala* system was a momentous change and crucial to combating forced labour. The programme's focus on sectors with high decent work deficits and the development of related partnerships was

welcome. She encouraged the implementation of the recommendations of the Ministry of Administrative Development, Labour and Social Affairs and the ILO in their joint review of the country's dispute resolution mechanism. Commending the promotion of social dialogue at the sectoral level through the establishment of working groups for joint committees in different sectors, supported by ITUC, the International Domestic Workers Federation and other agencies, she urged Qatar to continue its efforts. The EU and its Member States strongly supported labour legislation reform in Qatar and encouraged the Government to implement and enforce the new laws effectively, in close cooperation with the ILO. The Organization's support for the reform process, including through projects implemented jointly with the EU, was commendable. The EU and its Member States would continue to lend support to the Government of Qatar and the ILO, and endorsed the draft decision.

- 124. A Government representative of the United States** commended the Government of Qatar for its efforts to make decent work a reality for all those working in the country, but emphasized that the notable progress made in adopting new laws must now be followed by implementation and enforcement of reforms. Although Qatar had taken several important steps to improve its wage protection system and monitor wage-related violations, prominent human rights organizations still reported that many employers continued to pay their workers late, or failed to pay wages at all. Additional work was required to strengthen the labour inspectorate's capacity to ensure that all workplaces were safe and healthy, and that all workers received their rightful wages and benefits. Further efforts must also be made to provide protection for domestic workers who suffered abuse in private homes, to ensure that employers complied with the new laws that enabled workers to change jobs and leave the country without permission, and to continue to raise public awareness on the rights and protection of workers. His Government looked forward to continued cooperation under the memorandum of understanding between the United States Department of Labor and Qatar's Ministry of Administrative Development, Labour and Social Affairs. He supported the draft decision.
- 125. A Government representative of India** commended the Qatari Government on its achievements under the five pillars of the technical cooperation programme and on its commitment and collaboration with the ILO and the tripartite constituents throughout the implementation of the programme. The achievements exemplified the benefits of constructive dialogue and effective collaboration between governments, workers and employers together with the ILO.
- 126. A Government representative of Canada** welcomed the many positive reforms undertaken by the Government of Qatar. However, as the success of the reforms was dependent on effective implementation and consistent enforcement, she urged the Government of Qatar to further strengthen inspection capabilities and enforcement efforts and systematically penalize those who failed to comply. She encouraged the Government to ratify and fully implement the Protocol of 2014 to the Forced Labour Convention, 1930, at the earliest possible opportunity. The Government should pursue its labour law reform efforts and ensure that all reforms were the result of genuine and effective tripartite social dialogue and consistent with international labour standards. It should also continue to foster a close partnership with the ILO and keep the Organization informed of all further labour law and policy developments. She supported the draft decision.
- 127. A Government representative of Switzerland** recognized the measures taken by the Qatari Government to dismantle the *kafala* system and welcomed in particular the passing of legislation removing restrictions on migrant workers' ability to change jobs

and establishing a non-discriminatory minimum wage. Effective implementation of the new laws would require firmly establishing them in practice, and ensuring strict compliance through the provision of legal guarantees. She encouraged the Government to continue its progress by focusing on the implementation of its reforms, on which Switzerland would willingly collaborate.

- 128. A Government representative of the United Kingdom** welcomed the historic labour reforms legislated by the Government of Qatar, which must be implemented swiftly and comprehensively. Legislative change worked best when supported with real compliance mechanisms, and the strengthening of the wage protection system would help safeguard against slack implementation. The creation of a working group to collect lessons learned and disseminate experiences of reform was encouraging, and the renewed emphasis on data collection and analysis was of particular importance. The developments on dispute resolution and rules and procedures for collective negotiation were promising, and it would be interesting to see the implementation of the electronic gateway and the progression of the Workplace Cooperation Unit. She expressed the hope that the Government would continue working in close partnership with the ILO beyond the end of the programme, and supported the draft decision.
- 129. A Government representative of Qatar** (Minister of Administrative Development, Labour and Social Affairs) confirmed that a minimum wage law, the first of its kind in the region, had been adopted in 2020. Furthermore, laws facilitating a change in employer and abolishing the exit permit requirement for migrant workers had been adopted, penalties had been introduced for employers who did not commit to providing adequate housing for workers, and penalties had been tightened for failure to pay wages on time. The previous month, a ministerial decree had been endorsed by the Council of Ministers which established measures to protect workers from heat stress and which applied international standards for assessing heat stress. Law enforcement agencies in Qatar had succeeded in prosecuting perpetrators of human trafficking crimes, in compliance with Qatar's national and international obligations to protect and promote human rights.
- 130.** The Qatari Government had signed memoranda of understanding with several countries and international bodies for cooperation and studies on various labour issues and to combat trafficking in persons, and was always willing to engage in cooperation and exchange of knowledge with further countries. As a result of the labour reforms and international cooperation, the Qatari labour market had become efficient and competitive, the production process had been enhanced, and a balanced work environment had been created. The positive results of the technical cooperation programme had helped improve the level of human resources and enhance the working and investment environment in the country, which would not have been achieved without the fruitful tripartite cooperation and the contributions of the Office. His Government conveyed its appreciation to the team of the ILO project office and looked forward to having a permanent office in Doha with long-term cooperation and consultation in labour matters. The Government would continue its work with the ILO to achieve common goals in line with Qatar National Vision 2030.
- 131. The Worker spokesperson** said that, while merely noting the report did not do justice to all that had been achieved in Qatar, her group supported the draft decision. Further progress was still required, but she expressed confidence that with the continued commitment of the Qatari Government, the support of the ILO and the critical but constructive role played by the social partners, the necessary improvements would be seen in workers' lives in practice.

- 132. The Employer spokesperson** thanked the Minister for his statement. The reflections shared by the various other governments in the discussion were in line with the Employers' observations. His group looked forward to seeing further improvement.
- 133. The Director-General** acknowledged with gratitude the very positive comments made by Governing Body members about the work of the ILO team in Doha, who were a credit to the Organization. The achievements recorded in the progress reports were the best possible testimony of how the ILO's normative system, supervisory mechanism and technical cooperation could be combined to produce tangible results to improve the working lives of people in need of the Organization's help and support. None of it would have been possible without the active engagement, support and interest of the tripartite constituents, both in Qatar and internationally. It was necessary to build on the positive outcomes achieved and the ILO would continue to be at the disposal of the authorities in Qatar to ensure future progress.

Decision

- 134. The Governing Body took note of the report on ILO activities in Qatar.**

(GB.340/INS/11, paragraph 67)

12. Progress report on the follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013) (GB.340/INS/12)

- 135. A representative of the Director-General** (Deputy Director-General for Management and Reform), noting that the Myanmar National Tripartite Dialogue Forum (NTDF) had met on 11 September 2020 to discuss the process of recovery from the COVID-19 pandemic, said that the Government of Myanmar's recognition of the value of social dialogue in the recovery was a positive development. The Office was providing a wide range of support to workers and employers in Myanmar, as well as to the Government, in their efforts to tackle the serious effects of the pandemic.
- 136.** Since the progress report had been issued, the number of cases within the scope of forced labour being reviewed by the ILO had fallen from 1,090 to 431. To date, 61 complaints had been received in 2020, 37 of which fell within the definition of forced labour and would accordingly be referred to the national complaints mechanism. The Office was reviewing the draft standard operating procedures for that mechanism, and anticipated that its concerns in that regard could be addressed through the mechanism itself. As a result of four technical meetings of the mechanism, some 315 cases had been closed. The National Forced Labour Complaints Mechanism Committee had been expanded, and both workers and employers were currently represented on that body.
- 137. A Government representative of Myanmar** said that the progress report reflected the tangible and positive outcomes of Myanmar's cooperation with the ILO, and the social partners, in respect of the promotion and protection of labour rights. Through the ILO Liaison Office, Myanmar had been cooperating closely with the ILO for almost two decades. Notable progress had been made in carrying out work in the three priority areas of the DWCP, as duly reflected in the report. In addition, action plans had been developed, the Child Rights Law 2019 had been adopted and Myanmar had ratified the Minimum Age Convention, 1973 (No. 138), on 8 June 2020.

- 138.** Considerable progress had also been made in cementing tripartite partnership. The NTDF had been deliberating key issues related to labour law reform and credible and effective national mechanisms. At its 17th meeting, held virtually on 11 September 2020, the NTDF had discussed measures to reduce the risks to workers and employers posed by COVID-19 and to maintain job opportunities, labour law reform and enhanced cooperation with international organizations, including the ILO. At its first meeting, on 17 July 2020, the National Forced Labour Complaints Mechanism Committee had reviewed the standard operating procedures for addressing forced labour. Inter-ministerial and technical working group meetings had been held on pending issues related to forced labour complaints, children in armed conflict and sexual violence against children in armed conflict. A national action plan on children in armed conflict had been drafted.
- 139.** In October 2019, the Government had launched the Tripartite Technical Working Group on Labour Law Reform. A number of trade unions in Myanmar were working with the Government and participating actively in the International Labour Conference and Governing Body sessions. Since 8 April 2020, the Confederation of Trade Unions of Myanmar (CTUM), the Agriculture and Farmer Federation of Myanmar (AFFM), the Myanmar Industries Craft and Services Trade Union Federation (MICS-TusF) and the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI) had been the social partners in the National Forced Labour Complaints Mechanism Committee.
- 140.** The Government of Myanmar was committed to addressing the challenges posed by COVID-19 through a whole-of-nation approach. It was grateful to the ILO for its continued support on COVID-19 response efforts on labour issues and reiterated its firm commitment to work closely with the ILO and tripartite partners to the benefit of workers and employers in the country. It was imperative that cooperation with the ILO was elevated to a higher level and that the current ILO Liaison Office was upgraded to a country office. Since Myanmar had been making the utmost efforts to implement the decisions of the Governing Body and achieve notable progress, the item should no longer appear on the agenda of future sessions of the Governing Body.
- 141. The Worker spokesperson,** welcoming the ratification of Convention No. 138 by the Government of Myanmar, urged the Government to continue to make full use of ILO technical support to implement the obligations under the Convention and to support the social partners in monitoring and enforcement efforts. The Government must implement the Child Rights Law 2019 and provide the necessary resources to that end. The Workers' group acknowledged the relevance of a voluntary self-assessment checklist and toolkit to measure compliance with labour law and freedom of association by members of the Myanmar Garment Manufacturers Association, but those instruments could not replace the Government's obligation to strengthen the role of labour inspectors and the obligation of employers to protect workers and unions who voiced concerns about failures to comply with labour laws and international labour standards.
- 142.** While welcoming the launch of the national occupational safety and health training centre, she regretted that the fundamental and operational regulations to complete the Occupational Safety and Health Law and enable its effective enforcement had yet to be adopted. High-risk sectors required particular attention in enforcement of OSH legislation. She welcomed the implementation of the comprehensive Social Security Board Information System and the standard operating procedures aimed at improving the efficiency of the employment injury insurance scheme, and expected that the social partners would be fully consulted on the contribution of social security funds made by

the Social Security Board to support the COVID-19 Fund and on the distribution of those funds. She would appreciate further information on how much of the COVID-19 Fund had been distributed to insured workers for medical care and income support and how much had been distributed as loans to employers most affected by the pandemic.

- 143.** Despite some progress, forced labour remained a serious concern in Myanmar. The Government should take additional measures, with the support of the social partners and the ILO, to speed up the review of and action taken on allegations of forced labour. Although it recognized that some efforts had been made to develop a framework for dealing with complaints, the Workers' group remained deeply concerned that no new mechanism and procedures were in place to ensure that there was an impartial, independent and effective means to provide remedy to victims of forced labour and create a credible system of accountability for perpetrators. The Government was urged to establish a mechanism along those lines as soon as possible. The progress report showed that forced labour complaints in Rakhine State and other ethnic minority areas of the country remained unresolved. Furthermore, the report did not provide any statistics on the sanctions imposed against military or civilians for their use of forced labour.
- 144.** It was profoundly regrettable that, despite the efforts of the trade unions to negotiate in good faith, progress had not been made in bringing labour laws into compliance with the fundamental Conventions. Once again, the Government had failed to amend the national constitution, potentially allowing for the continued violation of the Forced Labour Convention, 1930 (No. 29).
- 145.** Despite trade union engagement, no progress had been made on labour law reform. The Labour and Employer Organization Law and its rules had still not been amended. As such, trade unions were still required to form, register and operate under a legal framework that substantially limited the rights to freedom of association and to organize and bargain collectively. While the Settlement of Labour Disputes Law had been amended in 2019, it still had no provisions enabling collective bargaining. The right to strike was severely limited; civil servants and workers in the informal economy appeared to be excluded. In practice, the dispute settlement system remained extremely weak, leaving workers and their unions without legal remedy. The rules had been pending for over a year, with no indication as to when they might be published.
- 146.** There were reports of serious and widespread labour violations in the context of the COVID-19 pandemic. In some cases, employers had used the pandemic to terminate the contracts of union members. Assemblies of more than five persons were prohibited, yet workers were transported together to and from work and were exposed to crowding on assembly lines. The Government, in consultation with the social partners, must ensure that the rights of workers were protected and enjoyed under safe public health conditions. Recalling that seven trade union leaders had been convicted of participating in a protest in Mandalay because they came from outside the region, she emphasized that the right to freedom of association and peaceful assembly must be enjoyed by all workers without discrimination as to place of origin.
- 147.** Referring to the draft decision, she proposed that subparagraph (a) should be redrafted to read:
- (a) acknowledged the ~~progress made~~ steps taken by the Government and the efforts of the social partners since March 2019 in implementing the Decent Work Country Programme (DWCP) and ~~encouraged~~ strongly urged the Government to continue its efforts to cooperate with the ILO and social partners to speed up its efforts to establish a credible and effective national complaints mechanism;

She also proposed that, in subparagraph (c), the word “continue” should be replaced by “speed up”.

- 148. The Employer spokesperson**, after commending the Office for its well-written progress report, congratulated the Government of Myanmar on its ratification of Convention No. 138. He recognized the Government’s ongoing cooperation with the ILO Liaison Office in Myanmar and its engagement with the social partners in its COVID-19 pandemic response. He noted that the National Forced Labour Complaints Mechanism Committee had held its first meeting in July 2020; that there had been promising trends towards the reduction in forced labour and the elimination of underage recruitment; and that Tatmadaw had been removed from the list of parties recruiting children into the armed forces.
- 149.** Emphasizing the importance of supporting the social partners to enable them to deliver change in countries such as Myanmar, and in particular the value of ACT/EMP and Bureau for Workers’ Activities (ACTRAV) in that regard, he expressed his appreciation for the support provided by the ILO Liaison Office to the UMFCCI, the primary employers’ organization in the country, especially for the development of business continuity plans, the strengthening of its legal advisory services and the provision of OSH training in the light of the COVID-19 pandemic. The UMFCCI was seeking to conduct voluntary labour compliance audits of its member companies and was keen to benefit from more technical cooperation aimed at raising awareness of labour standards and social dialogue, in view of Myanmar’s growing linkages with global supply chains. He requested information from the Office on the options for transforming the ILO Liaison Office into a country office.
- 150.** Employers in Myanmar had made progress in several areas since the 337th Session of the Governing Body. The social partners had been working with the Government during the pandemic to resolve transportation blockages, provide urgent health education to workers and agree on approaches to social security contributions. Furthermore, referring to social dialogue and tripartism in Myanmar, he said that the strong foundations laid in recent years had held fast during the COVID-19 pandemic. The Government of Myanmar should now continue its efforts to amend the national constitution to comply with Convention No. 29, both in law and in practice, and work with the social partners and the ILO Liaison Office on the implementation of the DWCP. He noted the points raised by the Office with regard to the need to further develop the complaints mechanism and supported the proposed areas in which the Office was encouraging the Government to pursue further dialogue, cooperation and action. He noted that it would be prudent for the Governing Body to assess progress in consideration of the context in which stakeholders were operating.
- 151.** Turning to the draft decision, specifically the amendments to subparagraph (a) proposed by the Workers’ group, he said that his group would prefer to retain the words “progress made” in the first line, instead of replacing them by “steps taken”, given that there was an overwhelming impression that progress was being made. His group would not object to the deletion of the reference to the efforts of the social partners, as the notion of effort was clearly implied. Although the phrase “strongly urged” was perhaps too forceful, given that there had been no suggestion that cooperation would not continue, his group could accept that wording. It could also support the amended wording calling on the Government to “speed up its efforts” to establish a complaints mechanism.
- 152.** With regard to subparagraph (e), his group proposed the deletion of the wording “and, potentially, the implementation of the Better Work programme should it be decided to introduce this initiative in Myanmar”. Although his group strongly supported the Better

Work programme, operations and organizations should be able to opt into the initiative without being forced to do so, since the genuine interest and participation of enterprises would be key to its success. Furthermore, the DWCP did not include a reference to the Better Work programme, so it was perhaps incorrect to refer to the programme in the context of that subparagraph.

153. Various concerns raised in June 2019 in the Conference Committee on the Application of Standards regarding Convention No. 29 were already being addressed through a robust, standalone process and should not detract from other matters for discussion in the present forum.
154. **Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that North Macedonia and Norway aligned themselves with the statement. She thanked the ILO for its continuous efforts to promote labour rights in Myanmar and noted the progress made by the Government of Myanmar on the Decent Work Agenda, in particular its continuing tripartite dialogue in the NTDF, the convening of the first meeting of the National Forced Labour Complaints Mechanism Committee and its expansion of social protection coverage. She welcomed its ratification of Convention No. 138; strongly urged the Government to continue its work to ratify and implement the remaining fundamental Conventions; and reaffirmed her group's commitment to continue supporting the Government in strengthening labour rights in the country.
155. However, it was of deep concern that cases of forced labour by the Tatmadaw and non-state actors were still being reported. The proposed national complaints mechanism must be credible, effective and accessible, even by the most vulnerable individuals in conflict-affected areas, and developed in cooperation with the ILO and in consultation with social partners; until its launch, the ILO should continue to receive complaints and help the Government to process them.
156. She welcomed the progress made by the Tripartite Technical Working Group on Labour Law Reform and urged the Government to align its labour law with international labour standards. It was a matter of concern that the amended Settlement of Labour Disputes Law had not fully taken into account the recommendation of the Direct Contacts Mission concerning non-union collective bargaining in workplaces with existing trade unions. The Peaceful Assembly and Peaceful Procession Law should be revised to safeguard the rights of trade unions to peacefully exercise freedom of association, and the Labour and Employer Organization Law should be revised to incorporate the principles of freedom of association and freedom of assembly.
157. She commended the adoption of the first five-year National Action Plan on the Elimination of Child Labour, but expressed regret that the Government had not fulfilled its commitment to create a plan to eliminate child labour by 2025 in line with SDG target 8.7. The Government should adopt the list of hazardous work prohibited for persons under 18 years of age; strengthen the capacity of labour inspectors to detect hazardous child labour, especially in the informal economy; provide a timeline for the amendment of section 359 of its constitution; immediately grant full, unhindered and safe humanitarian access to all conflict-affected areas; and lift any internet and media restrictions to permit access to critical information on the COVID-19 pandemic. She called on all Member States and entities including private corporations to cooperate with the Independent Investigative Mechanism for Myanmar.
158. Referring to the draft decision, she proposed that the phrase "speed up" in the amendment to subparagraph (a) as proposed by the Workers' group could be changed

to “step up” and expressed her group’s support for the amendment to subparagraph (e) proposed by the Employers’ group.

- 159. Speaking on behalf of Association of Southeast Asian Nations (ASEAN), Australia and Japan,** a Government representative of Thailand acknowledged the recent progress made by the Government of Myanmar on the promotion and protection of labour rights and recognized its ratification of Convention No. 138. It was encouraging that the Tatmadaw had been removed from the list of parties recruiting children into the armed forces. She commended the Government for working closely with the ILO to address key concerns raised at the 338th Session of the Governing Body, especially regarding the elimination of forced labour, and to establish an effective national complaints mechanism. She noted the progress made by the National Forced Labour Complaints Mechanism Committee despite the COVID-19 crisis and welcomed the progress made by tripartite partners since the signing of Myanmar’s DWCP in 2018. She requested the ILO and the international community to support resource mobilization efforts towards the effective implementation of the DWCP and called on the Government of Myanmar to continue to cooperate with the Office and social partners to that end. If the Government continued to make progress with the support of the ILO and the international community, the Governing Body would soon no longer need to request regular progress reports on the matter.
- 160. A Government representative of China** noted the progress made to implement the DWCP, eliminate forced labour, promote social dialogue, improve labour management and advance labour law reform, as well as steps taken to address the COVID-19 pandemic. He expressed the hope that the Office would continue to work with the Government of Myanmar, including by providing technical assistance, and said that the international community had to step up its cooperation to advance decent work and achieve sustainable economic and social development. He supported the Government’s proposal to upgrade the ILO Liaison Office to a country office, which would facilitate wider cooperation. Furthermore, he said that, in light of the efforts made by the Government, the Governing Body should close the case. He supported the draft decision, as amended by the Employer spokesperson.
- 161. A Government representative of the Russian Federation** noted the progress made by the Government of Myanmar towards eliminating forced labour, implementing the DWCP, achieving legislative reform and establishing a national complaints mechanism, and noted the ratification of Convention No. 138, despite the challenges associated with COVID-19. The ILO should continue its close cooperation with the Government in order to overcome the remaining challenges, with the support of the international community. The Government should also reaffirm its long-term commitment to cooperation and progress. He agreed with the Government representative of Myanmar that consideration of the situation in that country no longer needed to be included on the Governing Body agenda.
- 162. A Government representative of the United States** noted that the Government of Myanmar had taken steps to establish a national complaints mechanism to receive forced labour complaints, including child soldier recruitment and the use of children by the military, and urged the Government, in consultation with social and international partners, to ensure access and protection for all victims of forced labour. The Government must hold accountable any military units and ethnic armed groups that continued to compel the forced labour of civilians, including children, for non-combat roles in conflict areas. The Labour and Employer Organization Law needed further reform to protect workers seeking to form a union, and he noted that some workers had

allegedly been dismissed for forming or joining unions. The Settlement of Labour Disputes Law still did not include a collective bargaining framework or a functional labour dispute settlement process. Those reforms should be made as soon as possible.

- 163.** He supported the amendments to the draft decision proposed by the Worker spokesperson. Concerning the proposals by the Employer spokesperson, he suggested using the phrase “progress to date” instead of the word “progress” in subparagraph (a) of the draft decision. While he was sympathetic to the Employer spokesperson’s proposed amendment to subparagraph (e) he recalled that the relevant passage said: “the implementation of the Better Work programme should it be decided to introduce this initiative in Myanmar”. He therefore understood that it was for the authorities to decide whether the initiative would be introduced. However, he would welcome further explanation of whether the draft decision required additional amendment.
- 164. A Government representative of India** noted the commitment of the Government of Myanmar to eliminating forced labour and promoting and protecting labour rights and encouraged the ILO to continue providing technical assistance in that regard. He welcomed the fact that the Government had ratified Convention No. 138. The ILO and the international community should continue to support the Government in its efforts, especially in addressing the challenges of COVID-19 being faced by workers.
- 165. A Government representative of Canada** welcomed the ratification of Convention No. 138 and looked forward to its full implementation without delay. She appreciated the Government of Myanmar’s efforts to respond to the socio-economic impacts of the COVID-19 pandemic. She called on the Government to establish and implement, in consultation with social partners and in cooperation with the ILO, a national complaints mechanism with guaranteed protections and remedies for victims of forced labour, and to redouble its efforts to eliminate forced labour in all its forms, in law and in practice. The travel restrictions faced by ILO staff were a concern; ILO and UN representatives must be able to travel to assess and verify information relating to forced labour complaints. She called on the Government to uphold the rights to freedom of association and freedom of assembly, through the reform of legislation. The work of the Liaison Office in Myanmar was commendable in providing support to the Government and social partners. She supported the draft decision as amended by the Worker spokesperson and said that any amendment to subparagraph (e) should leave open the possibility of a Better Work programme in Myanmar.
- 166. A Government representative of Cuba** reiterated that any instance of forced labour was unacceptable, and welcomed the steps taken by the Government of Myanmar towards its elimination. The Government should continue to strengthen tripartite social dialogue and collective bargaining, as well as cooperation with the ILO. He supported measures and programmes that encouraged technical assistance and enabled Governments to work to implement recommendations and measures in an environment of cooperation and dialogue.
- 167. A Government representative of Switzerland** welcomed the ratification of Convention No. 138 and the notable reduction in child labour in targeted communities. Noting the establishment of the national complaints mechanism and the reduction in the number of complaints of forced labour, she encouraged the Government of Myanmar to implement all the recommendations issued by the ILO’s supervisory bodies to eliminate forced labour. The social partners should be involved in the process of labour law reform, in accordance with Conventions Nos 87 and 98. She expressed concern regarding the conviction of seven trade union leaders under the Peaceful Assembly and Peaceful Procession Law. She encouraged the Government to respect the principles of freedom

of association and eliminate the legislative provisions that had resulted in that verdict. As a donor to the Better Work programme, her Government would welcome the inclusion of Myanmar in the programme in order to improve working conditions and the application of labour law in the textile sector. The programme had proven its effectiveness, particularly in the context of the COVID-19 pandemic. She supported the draft decision in its original form.

- 168. A Government representative of the United Kingdom** noted the progress made to implement the DWCP, ratify Convention No. 138 and pass the Occupational Safety and Health Law. However, she expressed concern regarding continuing reports of forced labour by the Tatmadaw. The Government must establish a credible and effective national complaints mechanism that must be inclusive and provide protection for victims. Representatives of the ILO and other UN organizations must be granted access to all areas of the country in order to independently assess events relating to complaints. She encouraged the Government to review its use of the Peaceful Assembly and Peaceful Procession Law, noting the ongoing restrictions on freedom of association. Progress on eliminating forced labour and the worst forms of child labour risked being reversed as a result of COVID-19. The pandemic had highlighted the essential need for social protection coverage for all. She urged the Government to adopt the Hazardous Child Labour List. She supported the draft decision, as amended by the Worker spokesperson and the representative of the EU.
- 169. The representative of the Director-General** (Deputy Director-General, Management and Reform) said that the Office would provide, in its next report to the Governing Body, responses to the Workers' group's questions on the effectiveness of the self-assessment checklist in the garment industry and how much of the Myanmar Government's COVID-19-related funding had been provided as assistance to workers and loans to employers. In response to the comment made on behalf of the EU, he confirmed that the ILO was still able to receive complaints. As set out in the complaints mechanism procedures, complaints could be submitted through the national complaints mechanism or through the social partners. The ILO's task was to provide technical support to the national complaints mechanism. However, he re-emphasized the Office's reservations about the standard operating procedures and the need for those to be further developed. The Office was continuing to pursue that development with the strong support of the social partners through the NTF and other avenues.
- 170.** In response to comments regarding regular reporting, he said that the General Conference at its 102nd Session had requested the Director-General to submit a report at the March Governing Body sessions until the elimination of forced labour. For reporting patterns to be changed, either the Governing Body must be satisfied that forced labour had been eliminated or the Conference must reconsider the reporting requirements. As the status of the Office as a Liaison Office in Myanmar and the issue of continued reporting both arise from Conference decisions, the Office would provide more detail in its next report.
- 171.** Regarding the Office's proposed wording in the decision point of "progress made", he clarified that the progress referred specifically to that made in the implementation of the DWCP and that the wording was identical to that accepted by the Governing Body at its 337th Session in October–November 2019 when it last considered the subject of Myanmar.
- 172. A Government representative of Myanmar** took note of the concerns expressed by the Worker and Employer spokespersons and thanked them for recognizing the challenges his Government was facing in connection with the COVID-19 pandemic. He

said that his Government's efforts to implement the decisions of the Governing Body from previous sessions had yielded tangible results, including the national complaints mechanism and its committee, which had been deliberating in a more inclusive manner with the social partners. He expressed confidence that, with the Office's support, the mechanism would soon be more effective and credible. He stressed that the Office's support would also be needed to address the challenges facing migrant workers and seafarers during the COVID-19 pandemic.

- 173. The Worker spokesperson** expressed deep concern about the slow rate of progress made. While acknowledgement of some progress made could be included in the draft decision, the wording "strongly urged" should be used in subparagraph (a). "Encouraged" was not sufficiently emphatic. The wording suggested by the EU for the Government of Myanmar to "step up" its efforts was acceptable in subparagraphs (a) and (c). In relation to the Employers' group's amendment to subparagraph (e), she clarified that the Workers' group strongly supported Better Work programmes. It could, however, accept the deletion based on the understanding that it was owing to the fact that the Governing Body was not the governance structure for those programmes. She joined the Government of Myanmar in drawing attention to the challenges facing migrant workers and seafarers, and expressed the hope that the issue would be addressed later in the current session.
- 174. The Employer spokesperson** echoed the Workers' concern regarding seafarers. He reiterated the need to use language in subparagraph (a) that communicated a balance between acknowledging the efforts made by the Government of Myanmar and encouraging further progress at a swifter pace. He suggested the use of "progress to date", as proposed by the United States, but noted that translation of that phrase into other languages may be difficult. On subparagraph (e), he clarified that any decision taken by the Governing Body on the Better Work programme would be premature, as there had as yet been insufficient opportunity to hear the views of constituents in Myanmar. Furthermore, Governing Body decisions should not be contingent on the decision-making of other bodies, which would be the case if the original wording of subparagraph (e) of the draft decision were retained.
- 175. The representative of the Director-General** (Deputy Director-General, Management and Reform) suggested deferring the finalization of the draft decision to later in the session. In the meantime, the Office would prepare texts for consultation and presentation to the Governing Body.

(The Governing Body resumed consideration of the item after the Office circulated a revised draft decision following consultations).

- 176. The Employer spokesperson** thanked the Office for having prepared the revised draft decision, which accurately reflected the pragmatic and fruitful discussions that had been held between the Workers and Employers. He expressed the hope that the Government of Myanmar would continue its efforts to implement the Governing Body's decisions with the help of the Office and the social partners. The quality and strength of relationships in Myanmar and the commitment of the Government and the social partners to change had been severely put to the test during the COVID-19 pandemic. However, they had proven robust and resilient, which boded very well for the future.
- 177. The Worker spokesperson** thanked the Employers for their cooperation in reaching agreement on the revised draft decision and wished the Government of Myanmar and the social partners well in dealing with their outstanding challenges.

- 178. Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that North Macedonia, Montenegro, Albania and Norway aligned themselves with her statement. She thanked the ILO once again for its commitment to promoting labour rights in Myanmar and welcomed the continued dialogue with the Government of Myanmar in that regard, especially in the light of the COVID-19 pandemic. She also welcomed the language of the revised draft decision, which reflected a compromise and underscored the need to step up efforts in a number of important fields. She supported the revised draft decision.
- 179. A Government representative of Myanmar** said that, as requested by the Workers' group earlier in the discussion, he had sent additional information to the Workers' group, Employers' group and the Office regarding Myanmar's response to the COVID-19 crisis. He explained that a general election had been held in Myanmar on 8 November 2020 and that the newly elected government was committed to democratic transition and reform, and would continue the work already under way, including in the area of constitutional, legal and labour law reforms.

Decision

180. The Governing Body:

- (a) **acknowledged that some progress had been made by the Government, and through the efforts of the social partners, since March 2019 in implementing the Decent Work Country Programme (DWCP) and strongly urged the Government to continue to cooperate with the ILO and social partners to step up its efforts to establish a credible and effective national complaints mechanism;**
- (b) **called for further efforts to ensure that the views of social partners are fully taken into account in the process of labour law reform and that any amendments to laws are consistent with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), with special attention given to the protection of labour rights during the COVID-19 pandemic;**
- (c) **urged the Government to step up its efforts with Parliament to amend article 359 of its Constitution in order to bring it into conformity with the Forced Labour Convention, 1930 (No. 29), and to strengthen parliamentary oversight functions relating to forced labour;**
- (d) **expressed concern at the charges made against eight trade unionists under the Peaceful Assembly and Peaceful Procession Law and the use of the Law by the authorities as a means of denying trade unions the right to peacefully exercise their right to freedom of association; and requested the Government to repeal the Disciplines set by the Pyigyitagon Township in Mandalay and those disciplines set by other townships in Mandalay Region which prevent persons living outside the region from staging a peaceful assembly or procession in Mandalay, and to specify the principles of freedom of association and freedom of assembly in the new draft Labour and Employer Organization Law;**
- (e) **called on Member States to support resource mobilization efforts to enable the effective implementation of the DWCP in Myanmar, in particular taking into account the COVID-19 situation and its implications on the elimination of forced labour and the worst forms of child labour, the establishment of a**

credible national complaints mechanism and the strengthening of the labour inspection system to ensure the effective enforcement of labour laws.

(GB.340/INS/12, paragraph 42, as amended by the Governing Body)

13. Reply of the Government of the Bolivarian Republic of Venezuela to the report of the Commission of Inquiry appointed to consider the complaint alleging the non-observance of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) (GB.340/INS/13)

- 181. A Government representative of the Bolivarian Republic of Venezuela** (Minister of Popular Power for the Social Process of Labour) was authorized to speak in accordance with paragraph 1.8.3 of the Standing Orders on a matter concerning his Government. He said that his Government's response to the COVID-19 pandemic had prioritized health and life over private economic interests, despite being hampered by the unlawful, coercive, unilateral measures imposed upon it. His Government's rejection of the Commission of Inquiry's recommendations, whose application would have been unconstitutional, should come as no surprise. It had maintained throughout that the process was politicized and biased against the country from the outset. The Government had too much integrity to simply accept the recommendations and then refuse to comply with them.
- 182.** Nevertheless, his Government had reiterated its respect for broad and inclusive social dialogue and its willingness to improve its compliance with the ILO Conventions that it had ratified, based on constructive suggestions from the ILO supervisory bodies. Indeed, the Government had already adopted a range of measures in the light of the recommendations, including the registration of the Independent Trade Union Alliance (ASI), the request for ILO technical assistance, the pardoning of Rubén González, the submission of reports to the Committee of Experts on the Application of Conventions and Recommendations (CEACR), and the holding of meetings with employers' organizations to develop measures to enhance production.
- 183.** The Venezuelan Government had decided to respect the ILO's specialized competence in the supervisory procedure at hand and trusting that it would, one day, carry out its work with the necessary objectivity. The Government was willing to continue cooperating with the ILO supervisory machinery, particularly in relation to the Commission of Inquiry's recommendations, provided that the ILO acted impartially, transparently, lawfully and without political influence.
- 184.** His Government wholly rejected the politically motivated, aggressive and intimidatory amendment proposed by a group of countries⁵ – which he declined to name out of respect for their populations – seeking to have the International Labour Conference approve measures under article 33 of the ILO Constitution to secure compliance with the recommendations. It likewise rejected the subamendments proposed by the Employers' group and the Government of the United States. The amendments were merely a poor imitation of a past decision taken by the Organization against a sovereign State. Rather

⁵ See [Appendix I](#), section 1.

than submitting amendments that would achieve nothing positive, those governments should heed their own populations' demands for change to their dishonest capitalist policies that were dictated by another government. Furthermore, they, along with the Employers, should instead support his Government's request for technical assistance from the ILO, which was of vital importance in improving compliance with the relevant Conventions and which had yet to receive a response. He urged the Governing Body to adopt the amendment proposed by the Workers, which included a discussion on the establishment of a Special Representative of the Director-General in the country and the submission of a report to the following session of the Governing Body. Such a constructive approach would pave the way for inclusive and broad dialogue and contribute to enhanced compliance with ILO Conventions.

- 185. The Employer spokesperson** said that the Venezuelan Government's reply to the report of the Commission of Inquiry had been disrespectful. That was in line with the Government's contemptuous responses to the reports of the Office of the UN High Commissioner for Human Rights and of the Human Rights Council's Independent International Fact-Finding Mission. The Government's rejection of the recommendations of the Commission of Inquiry was therefore unsurprising. The fact that the Director-General had had to press the Venezuelan Government as to whether it accepted the recommendations and, if not, whether it proposed to refer the matter to the International Court of Justice, the Government's lengthy delay in responding and its ultimate rejection of the recommendations all set extremely unhealthy precedents for the Organization.
- 186.** The Commission of Inquiry's report highlighted the existence of a set of institutions and practices which were in violation of the guarantees and rights set out in the Conventions covered by the complaint and which undermined not only employers' organizations, but also workers' organizations that were not close to the Government. That there was a serious human rights crisis in the country was beyond doubt. The Government's refusal to engage with international institutions did not help to protect Venezuelans' fundamental rights, and its rejection of the recommendations demonstrated contempt, disdain and arrogance, as well as posing a risk to the Organization and its relevance. Urgent concerted efforts were required to encourage the Venezuelan Government to take the correct decisions; history had shown that Governments that embraced the recommendations of Commissions of Inquiry achieved successful and lasting outcomes.
- 187.** Noting that article 33 of the ILO Constitution empowered the Governing Body to recommend to the Conference such action as it may deem wise and expedient to secure compliance with the recommendations of a Commission of Inquiry or the International Court of Justice, he expressed his group's surprise that the draft decision did not include, at a minimum, wording similar to the measures recommended by the Governing Body at its 277th Session (March 2000) in relation to Myanmar's obligations in respect of the Forced Labour Convention, 1930 (No. 29). A reference in the decision to article 33 was absolutely necessary.
- 188.** The Employers' group supported the amendments to the draft decision proposed by the group of countries, but proposed subamendments to reflect the urgency required and to add a subparagraph: "(h) to request the Director-General to give without delay wide visibility to the report of the Commission of Inquiry through a communication campaign including in the ILO web page". The group also supported the proposed amendment of the United States to include a relevant agenda item at the following Governing Body session. The decision must persuade the Venezuelan Government of the benefits of working with the ILO to address all of the recommendations of the Commission of

Inquiry. The Government could not cherry-pick the recommendations with which it agreed, and it was not entitled to endorse the Workers' group's proposed amendment.

- 189.** The case had begun as an Employers' group case but had become an institutional and organizational matter. The Governing Body could not afford to remain silent; members must speak out despite the lobbying by the Venezuelan Government. Most of them understood the gravity of the issues at hand and their institutional implications. It was the responsibility of the Governing Body to protect the Organization and its unique features of tripartism and social dialogue and to defend the supervisory mechanism. He urged the Workers' group and Government members to support the comprehensive proposed amendment. Lastly, he called on the Director-General to demonstrate leadership and determination in order to defend the foundation of the Organization.
- 190. The Worker spokesperson** noted with appreciation the fact that the Commission of Inquiry had examined the issues raised in the complaint from the perspective of both employers' and workers' organizations, and that the Venezuelan Government had taken positive steps in three areas: the registration of the ASI – a long-standing demand from the Workers' group – as well as the presidential pardon of the General Secretary of Sintraferrominera and the request for ILO assistance to determine the representativeness of employers' and workers organizations.
- 191.** However, it was deeply regrettable that the Venezuelan Government had not accepted the Commission's recommendations. While the Government had reiterated its commitment to broad and inclusive social dialogue and its willingness to improve compliance with the relevant ILO Conventions, workers' organizations in the country had reported that there had been no improvements to date, and that the situation of workers and their families was desperate, with alarming rates of poverty and unemployment. Real progress in the area of social dialogue and an enabling environment based on the genuine respect of and commitment to Conventions Nos 87 and 98 were urgently needed. The Venezuelan Government was expected to comply as soon as possible with the remainder of the Commission's recommendations.
- 192.** The Workers' group had proposed an amendment ⁶ to the draft decision whereby the Governing Body requested the Director-General to discuss with the Venezuelan Government an agreement on establishing a Special Representative of the Director-General in the country by March 2021 to ensure effective application of Conventions Nos 26, 87 and 144 in law and in practice. She urged the Government to conclude such an agreement to ensure the effective implementation of *all* of the Commission's recommendations, and to cooperate fully. The amendment also requested the Director-General to report to the 341st Session of the Governing Body on the steps taken in that regard, and to include an item on the agenda of that session on the consideration of all possible measures to secure the Government's compliance with the recommendations.
- 193.** The Workers' group did not see the benefit of accepting the other proposed amendments and subamendments. Regarding the first subparagraph of the amendment proposed by the group of countries, it was not within the competence of the Governing Body to endorse or not endorse reports and recommendations of independent Commissions of Inquiry, and it had already noted the report one year previously. The second and third points of the amendment proposed by the group of countries were similar in substance to subparagraph (b) of the Workers' proposed amendment; the Workers' group recommended its own version. Concerning the fourth

⁶ See [Appendix I](#), section 2.

subparagraph of the proposed amendment, it was completely premature to ask for measures under article 33 to be taken. A full discussion of all possible measures at the next Governing Body session was the most effective way forward. The proposal to discuss establishing a special representative was aimed at ascertaining whether the Government was indeed ready to work with the ILO; the Workers' group expected full cooperation, not just some form of technical cooperation.

- 194. Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that North Macedonia, Montenegro and Albania aligned themselves with his statement. He noted with immense disappointment the Venezuelan Government's replies of December 2019 and August 2020, which signalled an unwillingness to accept the Commission's conclusions and recommendations, and its failure to implement them by 1 September 2020. It was concerning that, despite the Governing Body's repeated calls for social dialogue, employers continued to face acts of intimidation and retaliation. He strongly urged the Venezuelan Government to work with the Office to implement the recommendations, take concrete action, and engage in more robust efforts to encourage and sustain inclusive tripartite social dialogue. He supported the inclusion of the item on the agenda of the 341st Session of the Governing Body, which would consider all possible measures required.
- 195. Speaking on behalf of a group of countries, consisting of Australia, Brazil, Canada, Chile, Colombia, Guatemala, Honduras, Paraguay, Peru and Uruguay**, a Government representative of Peru said that it was deeply regrettable that, more than a year after the issuance of the Commission's report, the illegitimate Maduro regime was allowing the proven labour rights violations in the country to persist. The lack of progress in the implementation of the recommendations showed, once again, that the Maduro regime did not accept the legitimacy of the Commission and assigned little importance to violations of labour rights. It was unacceptable for an ILO Member State to explicitly refuse to comply with article 29 by rejecting the recommendations and not stating whether it wished to refer the complaint to the International Court of Justice. That constituted a dangerous threat to the legitimacy of the ILO's supervisory system and presented a direct challenge to the entire Organization. The ILO as a whole must show its unity in the face of a Government that refused to comply with the ILO Constitution.
- 196.** The group of countries had proposed an amendment ⁷ to the draft decision, in which it requested the application of article 33 of the ILO Constitution to refer the matter to the 109th Session of the International Labour Conference, and proposed a series of measures to ensure compliance with the recommendations. In order for the Governing Body to adopt a consensus-based decision on the matter, the group suggested that informal consultations could be convened and that the discussion could be deferred until later in the session to facilitate constructive dialogue.
- 197. A Government representative of the United States** deplored the Venezuelan Government's rejection of the recommendations of the Commission of Inquiry and the efforts to discredit its work. Rather than working to improve the situation of employers and workers, the Government was fixated on disrupting the Commission's mandate and the report's content. Its statement that it would only implement the recommendations that it considered relevant was unacceptable.
- 198.** While the release of Rubén González and the registration of two trade union confederations were welcome, much more needed to be done to ensure that all workers

⁷ See [Appendix I](#), section 1.

and employers could freely exercise their rights. It was essential for the regime to immediately: cease all acts of violence, threats, persecution, intimidation or any other form of aggression against employers' and workers' organizations; release all workers and employers imprisoned for exercising their fundamental rights to freedom of association; provide full respect for the independence of employers' and workers' organizations, and prevent any interference or favouritism by State authorities; and initiate genuine and inclusive social dialogue for the effective implementation of Conventions Nos 26 and 144. His Government proposed a subamendment to the amendment put forward by the group of countries, which added a new subparagraph after the third subparagraph that would read:

decided to include on the agenda of 341st Session (March 2021) an item entitled "Measures including recommendations under article 33 of the ILO Constitution to secure Venezuelan compliance with the recommendations of the Commission of Inquiry".

- 199. A Government representative of the Russian Federation** disagreed that there had been a lack of progress in the Venezuelan Government's implementation of the Commission's recommendations. He recalled that the Venezuelan Government had opposed the establishment of the Commission of Inquiry, and that other Governing Body members had expressed doubt about the appropriateness of such a measure. Yet, the Venezuelan Government had respected the Governing Body's decision and had shown goodwill in assisting the Commission with its work. It had noted that a number of the recommendations contravened its constitutional principles of equality and separation of powers. The Governing Body should support the Venezuelan Government, given the difficult current circumstances, and give it more time to work with all stakeholders to facilitate social dialogue, with active technical support from the ILO.
- 200.** His Government preferred the original draft decision but would be prepared to consider the amendments proposed by the Workers' group, particularly regarding the next steps to be taken. There was no justification for an application of article 33, which was an exceptional and extreme measure rarely taken in the history of the ILO. The matter of progress made in complying with the recommendations could be discussed at the next session of the Governing Body, as the format of the present session did not allow for a full exchange of opinions and consultations where there were serious disagreements. He stressed the need to take a measured and judicious approach to the issue, and to avoid politicization.
- 201. A Government representative of Brazil** said that she deplored the explicit rejection by the Maduro regime of the idea of accepting and complying with the recommendations of the Commission of Inquiry. That rejection was in itself a very serious matter and showed an attitude that was incompatible with the basic obligations of ILO Member States. The Government had also stated that the Commission's recommendations were an interference in its sovereignty. The situation facing the Governing Body required a firm, clear and urgent response. Failure to act would be tantamount to an admission that the standards supervisory system of the ILO was both ineffective and obsolete, and would threaten the credibility and legitimacy of the ILO. She believed that the conditions existed for full and immediate implementation of article 33 of the ILO Constitution, which was the only way forward. She accordingly urged the Governing Body to adopt the draft decision with the amendments that her country had submitted, together with Canada, Chile, Guatemala, Paraguay and Peru.
- 202. A Government representative of China** said that the Government of the Bolivarian Republic of Venezuela had implemented many of the recommendations of the Commission of Inquiry. The Government had also shown positive will to move forward

with legislative reform. The standards supervisory system of the ILO should actively encourage Member Governments to address the problems encountered in the implementation of international labour standards through constructive dialogue with their social partners and relevant stakeholders. It was to be hoped that the ILO would continue to provide the Government of the Bolivarian Republic of Venezuela with appropriate technical assistance to better implement the Commission's recommendations. He supported the amendment to the draft decision proposed by the Workers' group.

- 203. A Government representative of Cuba** said that the Government of the Bolivarian Republic of Venezuela had provided sufficient information on the case under consideration, and its official position on the recommendations of the Commission of Inquiry was not incompatible with the development of technical cooperation with the ILO or with its political will to continue to comply with its obligations and commitments towards the Organization. He reiterated Cuba's rejection of the manipulation of multilateral organizations for political purposes. He did not support the amendments or subamendments to the draft decision proposed by a number of countries. However, a consensus of opinion seemed to be forming around the amendment proposed by the Workers' group, and he could support that solution.
- 204. A Government representative of the Islamic Republic of Iran** believed that the important measures adopted by the Government in implementing the recommendations of the Commission of Inquiry needed to be duly recognized. They included registering the Venezuelan Workers' Confederation; expressing requests for and receiving technical assistance from the ILO; granting a pardon to Mr Rubén González; and submitting reports on the application of Conventions Nos 26, 87 and 144 to the CEACR. The country was encouraged to work closely with the ILO and the Commission of Inquiry, as well as social partners, to solve the remaining issues. The Islamic Republic of Iran supported the amendments to the draft decision proposed by the Workers' group.
- 205. A Government representative of Myanmar** also welcomed the registration of the Venezuelan Workers' Confederation and the ASI and requested the ILO to provide the necessary technical assistance to enable the country to advance social dialogue, improve consultations and trade union representation, and comply fully with Conventions Nos 26, 87 and 144. Discussions at the Governing Body must address the interests of workers and employers without any politicization.
- 206. A Government representative of Namibia** said that he was cognizant of the fact that a country's compliance with the international labour standards of the ILO was only possible under the constitutional order and without outside political interference. Since the Government was already implementing some of the Commission of Inquiry's recommendations and was also seeking technical assistance from the ILO, it should be offered that opportunity and encouraged to continue implementation of the remaining recommendations. Namibia did not subscribe to invocation of article 33 of the ILO Constitution at that early stage and did not support the proposed amendment to the draft decision as submitted by several Member States. However, Namibia was amenable to going along with the amendments proposed by the Workers' group.
- 207. A Government representative of Turkey** welcomed the fact that the Government of the Bolivarian Republic of Venezuela had repeatedly expressed its willingness to continue engaging in social dialogue with the social partners. The Government had left open the possibility of making further progress based on the recommendations of the Commission of Inquiry. He believed that with the technical assistance of the ILO it would

be able to improve its practices and make advances in social dialogue and consultations, and in trade union representation.

- 208. A Government representative of Iraq** called on the ILO to continue providing support to all countries, at their request or according to the Organization's vision, and to avoid any politicization of technical issues that fell within its powers.
- 209. A Government representative of Barbados** said that historically the ILO was a solution-seeking organization. Barbados accordingly called for continued dialogue between the Bolivarian Republic of Venezuela and the ILO; broad and inclusive social dialogue; a willingness to improve compliance with ILO Conventions, based on constructive suggestions from the ILO supervisory bodies; and technical assistance to be given in matters of social dialogue, consultations, union representation and improvements in practice in every area related to Conventions Nos 26, 87 and 144.
- 210. The Employer spokesperson** condemned the refusal of the Venezuelan Government to accept the recommendations of the Commission of Inquiry and expressed his group's vehement discontent with the interventions made by a number of Governments. It was incomprehensible that constituents could claim that they supported the ILO's supervisory system, including the article 26 procedure, and defended human rights, but were ready to allow a Government member of the ILO to flout its commitments to its citizens. The Workers' group appeared to have been placated by the Government's agreement to approve the registration of the ASI. Furthermore, it was completely contradictory that the Governments of the EU and its Member States had acknowledged the failings of the Venezuelan Government and expressed emphatic support for the outcomes of the Office's work but supported an amendment calling for timid measures rather than the concrete action needed to address human rights violations in the country, namely the opening of an article 33 procedure. The Governing Body would effectively be destroying the article 26 procedure by allowing a Government that had demonstrated its disdain for the ILO's procedures to continue to disrespect decisions adopted by the Organization; failure to take a stand against such flagrant defiance would betray the ILO's role as a defender of human rights.
- 211.** He strongly urged Governments that had called for leniency towards the Venezuelan Government to reconsider their standpoints since human rights should not be cast aside for reasons of political expediency or alliances. Constituents should hold further informal consultations to discuss the desired outcomes of the present discussion; however, history would not look favourably on the Governing Body if it made a decision that would undermine the article 26 procedure. The draft decision must include references to the article 33 procedure to make it clear that the Venezuelan Government had violated human rights and ensure that specific measures would be adopted to remedy those contraventions.
- 212. The Worker spokesperson** stressed that her group would always respect the outcomes of the ILO's supervisory system. Although the logical consequence of an article 26 complaint should normally be a Commission of Inquiry, it was up to the Governing Body to decide whether to take that route or whether another option was more likely to encourage compliance. In fact, only one article 26 complaint that had resulted in the establishment of a Commission of Inquiry had led to an article 33 procedure, and that case had related to a Government failing to implement the recommendations of the Commission rather than refusing to accept them. In previous cases in which Governments had refused to accept the recommendations of a Commission of Inquiry, the Governing Body had decided to put pressure on those Governments using tools

other than the article 33 procedure, which had led to eventual compliance with the standards in question.

- 213.** The report of the Commission of Inquiry must be taken seriously and respected. The ILO was a solution-seeking organization and should keep all options open to ensure that its final decision would take into account the very difficult circumstances and make a difference to Venezuelan employers and workers. The Governing Body should bear that responsibility in mind during the discussion to take place in March 2021 on the measures to be adopted. In drafting its amendment, her group had sought to encourage the ILO to take the outcomes of the Commission of Inquiry seriously without accepting the Venezuelan Government's disregard of its recommendations and call on the Office to work with the Government to translate its commitment into action. The Governing Body should decide on a way forward after discussing a report on the matter to be submitted to the 341st Session of the Governing Body and taking into account any progress made by the Venezuelan Government in its compliance with the Commission's recommendations.
- 214. A Government representative of the Bolivarian Republic of Venezuela** was authorized to speak in accordance with paragraph 1.8.3 of the Standing Orders in response to comments directed at his Government. He accepted the amendment to the draft decision proposed by the Workers' group, thanked the Governments that had supported it and said that his Government would undertake to comply with its provisions.
- 215.** It was shameful that political and individual interests had once again been brought to the discussion since they added nothing positive to the debate. He questioned the morality of those Governments that had submitted an amendment to the draft decision attacking the Venezuelan Government instead of fulfilling their responsibilities with integrity and resolving the problems of their own despondent citizens. His Government could hold its head high, unlike those Governments that had rebuked it despite their inability to solve their problems before or after the emergence of the COVID-19 pandemic. He was therefore unable to accept the proposals submitted by those Governments.
- 216.** The Government of a northern country that had recently suffered an electoral defeat owing to its mismanagement and had unilaterally imposed coercive measures that infringed the Charter of the United Nations with serious consequences for the Bolivarian Republic of Venezuela and its people did not have the right to distort the technical nature of the discussion. Moreover, that Government had not ratified all eight fundamental Conventions of the ILO and had adopted supremacist and discriminatory policies against migrants. The Government of an Andean subregion mired in an ongoing political crisis and whose president had recently been ousted for engaging in corruption could not take the moral high ground when the ILO had highlighted labour rights violations in that country's fishing sector and had called upon that Government to address child labour, trafficking and sexual exploitation. A Government that the ILO had reprimanded for anti-trade union discrimination and requested to reform its legislation to ensure collective bargaining for independent workers and recognize freedom of association for rural workers could not claim moral authority, especially in the light of its misjudgement and mishandling of the COVID-19 pandemic and its subsequent diversion of public funds earmarked for the pandemic response. The Government of a northern country in which freedom of association for agricultural, domestic or independent workers was non-existent had similarly questionable morals given that it had not granted sufficient protection to migrant workers during the COVID-19 crisis, as did the Government in the

Southern Cone that had ordered the repression of peaceful demonstrations and the violation of its citizens' human rights, actions that had echoed the dictatorships of the late twentieth century, and had been requested to amend its legislation to prevent anti-trade union discrimination and permit collective bargaining among public sector workers.

- 217.** The Government whose country was named the largest cocaine producer and exporter in the world under the auspices of its corrupt authorities warranted special mention given the deep concerns raised by trade unions in that country regarding the high number of homicides and anti-trade union violence. He also questioned the morality of the Central American Government with alarming unemployment rates that had been requested by the ILO to reform its legislation to prevent the violation of freedom of association and collective bargaining among public sector workers and to ensure that domestic workers were assured of social security and a minimum wage. Equally dubious were the morals of the Government of another Central American country that had witnessed unpunished acts of anti-trade union violence and murder that had recently been the subject of discussion by the Governing Body and whose trade unionists and workers had been demoralized by the lack of progress concerning the article 26 complaint filed against it. The Government that had not dealt with its own social crisis and whose trade unions had predicted a wave of complaints relating to unfair dismissals and contract suspensions approved by the authorities following the pandemic had no right to criticize the Venezuelan Government in the light of the corruption, impunity, poverty and inequality in its own country, not to mention violations of rights among indigenous peoples and labour discrimination. The ILO had also needed to continuously remind a blundering Government of a second Southern Cone country in an economic crisis, whose administration had received widespread popular disapproval over the previous two years, to prevent the worst forms of child labour, in particular modern slavery.
- 218.** All Governments should look carefully at themselves before criticizing the actions of others and should preserve the dignity of their citizens by refusing to support attempted coups, economic blockades and other measures that harmed good people. He would have preferred to receive constructive criticism or suggestions from the Employers' group, but had been prepared to face the attacks mounted on the basis of that group's interests. He called on constituents to engage in dialogue and work together with the same conciliatory approach that his Government had taken in consultations with the Venezuelan employers' organization affiliated with the IOE. His Government would strengthen that conciliatory mechanism and, with technical support from the Office, would continue to make progress and fully comply with the Conventions indicated in the complaint. The Venezuelan Government would continue to report to the Governing Body.
- 219. The Chairperson** urged constituents to formulate a decision on the merit of the case rather than the political context. As the Governing Body had been unable to reach a consensus on the matter, the discussion would be postponed until later in the week to allow time for informal consultations.
- 220.** Following consultations, the Chairperson reported that despite tremendous efforts to reach consensus, additional time would be required to agree on a draft decision. Pending further discussion on the substance the following day, he invited members involved in the consultations to provide the Governing Body with a status update.
- 221. The Worker spokesperson** objected to the proposal to postpone further discussion on the case, and asked to put questions to the Legal Adviser so as to incorporate his

response in the further deliberations. Moreover, there appeared to have been a link established between the case and that of Guatemala, which were in no way linked.

- 222.** She informed the Governing Body that in addition to the social partners, the informal consultations had involved the group of Governments that had submitted the original amendment and the Government of the United States, which had proposed a subamendment; the EU had also made constructive suggestions. The discussions had not been easy, but had recently started to move forward. However, confusion had arisen regarding the legal implications of using the wording “all possible measures”: whether that would refer to all possible measures that could be part of a package decided at the next session, or to all possible measures available under the ILO Constitution, and whether there was a difference between using general language or explicitly stating what those measures might be. That was particularly relevant to understanding the procedure for taking action under [article 33 of the Constitution](#). Under the Standing Orders of the Governing Body, a matter could be placed on the agenda of the Conference only after a second discussion by the Governing Body. She therefore asked the Legal Adviser to clarify whether the fact that the amendment explicitly mentioned article 33 meant that the Governing Body was currently engaged in its first discussion, even if the amendment was ultimately not adopted, and whether a discussion at the March session would therefore constitute a second discussion.

(The Governing Body resumed consideration of the item after the Office circulated a revised draft decision⁸ following consultations.)

- 223. The Legal Adviser of the ILO**, responding to the questions of the Worker spokesperson, said that paragraph 5.1.1 of the [Standing Orders of the Governing Body](#) provided that: “When a proposal to place an item on the agenda of the Conference is discussed for the first time by the Governing Body, the Governing Body cannot, without the unanimous consent of the members present, take a decision until the following session.” This provision, which had been introduced in 1920, was intended to allow for sufficient time for reflection and consultations before the Governing Body could decide to place an item on the agenda of the Conference. The question as to whether a proposal has been discussed or not is a matter of factual determination. The established facts in the current matter were that: an amendment had been submitted that expressly provided for an item on measures under article 33 to be placed on the agenda of the next session of the Conference; and that another group had submitted an amendment proposing that at its next session the Governing Body should consider all possible measures to secure compliance with the Commission of Inquiry’s recommendations. The Governing Body had discussed extensively the type of action the Organization should take in order to secure compliance with the recommendations of the Commission of Inquiry, and addressed in particular, the advisability of having recourse to article 33. Apart from the drafters of those amendments, different groups and individual governments had expressed views – either in favour or against – the proposed courses of action, including measures under article 33. It was beyond question, therefore, that the Governing Body had discussed at the current 340th Session the proposal of recommending to the Conference measures under article 33 of the ILO Constitution. Accordingly, should the Governing Body decide in March 2021 to place an item on the agenda of the Conference, it would have met the requirements of paragraph 5.1.1 of the Standing Orders of the Governing Body.

⁸ See [Appendix I](#), section 3.

- 224.** Secondly, on the matter of the wording “all possible measures”, the Governing Body enjoyed full discretionary power as to the nature and scope of the measures it decided on or proposed to the Conference with a view to securing compliance. The words “all possible measures” therefore should be understood as covering any type of action, thus including “wise” and “expedient” measures under article 33 of the Constitution. “All” being synonymous to “without exception”, it is very difficult to see how “all possible measures” could be construed differently. Moreover, in presenting her group’s proposed amendment, the Worker Vice-Chairperson had explicitly stated that no possible measures would be excluded. It is clear, therefore, that should the Governing Body undertake a consideration of all possible measures to ensure compliance with the Commission of Inquiry’s recommendations, this consideration could include a broad range of measures, including measures to be recommended to the Conference under article 33 of the ILO Constitution.
- 225. The Chairperson** drew the Governing Body’s attention to a new revised draft decision that had been agreed to by the Workers’ and Employers’ groups and many Governments.
- 226. The Worker spokesperson** said that the proposed text of the amended draft decision currently before the Governing Body struck a fair balance between sending a strong message that improvements must take place before the March sitting and giving the Office a strong role, whereby the Director-General was asked to engage with the Government on the implementation of the recommendations and also on a possible agreement to have a special representative on the ground, which had been an important means of bringing about progress in other cases. It was to be hoped that the Office could help the Government to address the challenges and find the correct way forward to ensure that there could be proper social dialogue. The fact that the Government had accepted the recommendation to request help from the Office to identify the representative workers’ and employers’ organization for the purposes of dialogue was very welcome. The Workers’ group could therefore support the new revised draft decision, pending further discussion in March.
- 227. The Employer spokesperson** said that his group deplored the arrogant tone of the intervention made by the Venezuelan Government, which was unacceptable in the context of social dialogue and tripartism. The report of the Commission of Inquiry contained clear, tangible recommendations for the way forward. He highlighted that the new revised draft decision was far from what the Employers had wanted and expressed frustration at having had to compromise to such an extent. However, the provisions under article 26 of the Constitution must be protected and he expressed the hope that the new revised draft decision would constitute a meaningful foundation for progress for the people of Venezuela. He expected the document prepared by the Office to include all possible measures, including those in the ILO Constitution. The support of the Director-General was key to persuading the Venezuelan Government to work with the ILO and implement the recommendations of the Commission of Inquiry. He thanked the Governments of Peru, Canada, Brazil, the United States, Chile, Colombia, Costa Rica, Guatemala, Honduras and Paraguay for their amendments and subamendments. He clarified that he had misunderstood the position of the EU and, as a result, thanked it for its support in fighting against human rights violations. He supported the new revised draft decision and looked forward to a comprehensive and constructive discussion in March 2021.
- 228. Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that the EU attached great importance to human rights, including freedom of association of workers and employers, and the fundamental significance of tripartite

consultations. He underlined the EU's immense disappointment at the replies of December 2019 and August 2020 from the Venezuelan Government. Both proved the Government's unwillingness to accept the conclusions and recommendations outlined in the Commission of Inquiry report and its failure to implement them by the stipulated deadline of 1 September 2020. He strongly urged the Venezuelan Government to work with the Office to implement those conclusions and recommendations and to engage in greater efforts to encourage and sustain inclusive tripartite social dialogue. He supported the Director-General's efforts towards achieving that, and encouraged him to continue them. It was important to come to a decision by consensus at the present session of the Governing Body. During the next session in March 2021, all possible measures, including those in the ILO Constitution, to ensure compliance with the recommendations of the Commission of Inquiry must be considered. The EU and its Member States supported the new revised draft decision.

- 229. Speaking on behalf of Australia, Brazil, Canada, Chile, Colombia, Costa Rica, Guatemala, Honduras, Paraguay, Uruguay and her own Government,** a Government representative of Peru welcomed the constructive dialogue and remained open with a view to achieving consensus on an issue that would affect the lives of people who suffered daily violation of their rights. The time accorded for informal discussion had facilitated transparent tripartite dialogue. All proposals were discussed in a constructive manner and with the sole aim of achieving a compromise on such an important issue. The result of those discussions could be considered a basis for tripartite understanding. She remained convinced that the most appropriate course of action was to explicitly mention article 33 of the ILO Constitution in the draft decision to refer the case to the International Labour Conference, along with suggestions of several measures to be taken, as it would encourage the implementation of the recommendations of the Commission of Inquiry. She supported the new revised draft decision.
- 230. A Government representative of Barbados** said that social dialogue had not yet been exhausted as a tool for seeking solutions. Furthermore, all options must be explored before abandoning the search for solutions. The matters raised in the report of the Commission of Inquiry were serious and must be addressed urgently. The Office must commit to technical assistance as part of efforts to resolve outstanding issues. He reiterated the call to continue broad, inclusive and meaningful dialogue with all stakeholders, governments, employers, workers and civil society in order to reach agreement. He strongly encouraged all relevant parties to continue constructive engagement.
- 231. A Government representative of the Russian Federation** said that the future measures to address the complaint against the Venezuelan Government would affect substantive actions of the ILO and the functioning of its supervisory mechanisms. Efforts to achieve consensus must be optimized, but without resorting to haste. Referring the matter for consideration at the 2021 session of the International Labour Conference in accordance with article 33 of the ILO Constitution was a very serious step that could have far-reaching implications for the ILO. That approach was unacceptable for his Government. The ILO should continue to work with the Venezuelan Government to assist in the implementation of the recommendations of the Commission of Inquiry. To that end, technical assistance was vital.
- 232.** The revised draft decision contained entirely new elements and significantly changed the meaning of the draft decision as amended by the Workers' group, which his Government had been willing to support in the spirit of compromise. Contrary to the procedure set out in subparagraph 29(f) of the special arrangements for the 340th Session of the

Governing Body,⁹ whereby any revised draft decisions must be circulated at least 48 hours before the discussion of that item resumed, his Government had not had the opportunity to consider the new revised draft decision. If a result that was acceptable to all was not achieved, the only remaining option was to defer consideration of the matter until the March 2021 session of the Governing Body.

- 233. A Government representative of the United States** thanked the Workers and Employers for their willingness to compromise on an important issue that posed difficult challenges. He supported the new revised draft decision and looked forward to its adoption at the present session and to the discussion on all possible measures at the March 2021 session.
- 234. A Government representative of China** expressed the hope that the ILO would continue to provide technical assistance to the Venezuelan Government to support it in implementing the recommendations of the Commission of Inquiry, as the technical assistance provided thus far had already yielded tangible results and the Government had expressed strong willingness to continue to receive that assistance. The Workers' amendment to the draft decision was more appropriate and acceptable than the new revised draft decision. If consensus could not be achieved, the item should be deferred to the March 2021 session of the Governing Body.
- 235. A Government representative of Cuba** rejected the initial amendments and subamendments put forward by some Governments and also the new revised draft decision, which had not been presented in the time allowed by procedure. The most appropriate course of action would be to take note of the reply provided by the Venezuelan Government, as stated in the original draft decision, and to definitively remove the matter from the agenda of the ILO. The amendment presented by the Workers' group was an acceptable solution as it had had the support of the Venezuelan Government. His Government had no concerns about the actions undertaken by the Venezuelan Government. His Government would continue to uphold the ILO's spirit of cooperation, dialogue and respect.
- 236. A Government representative of the Islamic Republic of Iran** said that the timing of the new revised draft decision contravened the procedure in subparagraphs 29(b) and (f) of document GB.340/INS/1(Rev.1). In accordance with subparagraph (g) of the same document, the item should be deferred to the 341st Session (March 2021) of the Governing Body. He encouraged the Venezuelan Government to work closely with the ILO, the Commission of Inquiry and the social partners to resolve outstanding issues, and invited the Office to support that resolution by providing technical assistance.
- 237. A Government representative of Turkey** said that the Venezuelan Government was clearly committed to resolving the issues relating to labour relations and working conditions in the country. The information submitted showed that it had spared no effort in that regard. More time was needed for the results of new labour regulations and measures to become evident. He encouraged the Venezuelan Government to continue to work closely with the ILO, which should provide technical assistance.
- 238. A Government representative of Brazil** said that, in view of the Venezuelan Government's continued attempts to delay ILO action that could protect workers and employers from the systematic violation of their labour rights, the Governing Body must apply the provisions under article 33 of the Constitution to refer the matter to the 2021

⁹ GB.340/INS/1(Rev.1).

session of the International Labour Conference. The Governing Body must take action immediately. If it did not provide a strong and meaningful response to the refusal by the Venezuelan Government to comply with the recommendations of the Commission of Inquiry, the ILO supervisory system would have no moral grounds to assert itself in other cases. He supported the revised draft decision, which reflected the main concerns of the tripartite constituents.

- 239. A Government representative of the Bolivarian Republic of Venezuela** said that his Government deeply regretted what had happened during the sitting the previous day. His Government was not responsible for the fact that one of the groups, in a display of its continued lack of reliability, decided to withdraw its support for the revised draft decision put forward by the Workers' group, which was fleetingly published on the ILO website. That capricious act was the cause of the numerous subsequent proposals. He also deeply regretted that the Chairperson had arbitrarily agreed, without any tripartite consultation, to defer the discussion of the item to the present sitting. During the previous day's sitting, his Government had been arbitrarily denied the right to take the floor and the right to reply, which was an established international right for legitimate self-defence. It was no surprise that his Government had once again, like on so many other occasions, been denied the right to defend itself. However, the Venezuelan Government knew how to react and respond, was aware of its rights, and recognized when actions were taken arbitrarily, without democracy and on the basis of opaque procedure. The appalling argument used to explain why his Government had not been given the right to reply, which it had requested several times, was that no debate was taking place. His Government had been explicitly referred to on innumerable occasions during the discussion, including by the Chairperson and the Workers' and Employers' groups. Paragraph 5.8 of the Standing Orders of the Governing Body stated that any member or group specifically referred to in the discussions may exercise the right to reply. Therefore, under appalling legal advice, the Chairperson had flagrantly denied his Government the right of reply. The tripartite dialogue repeatedly mentioned by various Governments had been missing during that sitting; the dialogue that had taken place was bipartite. By contrast, his Government had respected and carried out broad and inclusive tripartite discussion at the national level. He took due note with interest of the occurrences of the previous day's sitting.
- 240.** He understood as a spectator of the previous day's sitting that consultations had taken place between the constituent groups, negotiating as though they were trading goods or currency, comparing one case with another. His Government found that kind of negotiation mechanism to be outrageous and shameful. He said that, if constituents wished to negotiate in such a manner, they should be aware of the value and weight of the items they were trading.
- 241.** He rejected the revised draft decision, which, having being presented on the same day as it was being discussed, contravened subparagraphs 29(b) and (f) of document GB.340/INS/1(Rev.1). Despite supporting the original draft decision, his Government had also fully supported the Workers' amendment.
- 242.** He deeply regretted being faced with actions that once again demonstrated the need for the poor actions and procedures of the ILO supervisory bodies to be improved. The unacceptable events of the previous day's sitting and the conduct of the entire session had robbed the ILO of its seriousness and credibility. That had confirmed his Government's belief that everything related to the complaint against his Government had been plagued with political interests that were far from the noble interests of the world of work.

- 243.** In view of the withdrawal of the Workers' amendment to the draft decision, his Government accepted and committed to the original draft decision. It did not support and accorded no commitment to any other amendments or subamendments and rejected the untimely revised draft decision, the content of which aligned with the political and economic interests of a group that was against the Venezuelan Government. He appealed to those honest Governments that had supported his thus far and all Governments that recognized the poor procedure implemented during that sitting to reject the revised draft decision. His Government confirmed its willingness to continue to cooperate with the ILO supervisory bodies provided that their actions were objective, impartial, transparent, in line with the law, and far removed from political interests against his Government. With technical assistance from the ILO, his Government would continue to progress towards perfecting its compliance with the ILO Conventions concerned in the complaint. The application of the provisions under article 33 of the Constitution to the complaint against the Government of Venezuela was unlawful. For the sake of honest procedure, in line with the rules of procedure of the Governing Body, and in view of the clear lack of consensus on the matter, he asked for the case to be deferred until March 2021.
- 244. A Government representative of Cuba** supported the concerns raised by the representative of the Bolivarian Republic of Venezuela regarding the mechanisms implemented in relation to the case and reiterated his Government's rejection of the amendments to the draft decision submitted that day, which had been submitted in an untimely manner.
- 245. A representative of the Director-General** (Deputy Director-General, Management and Reform) said that the current discussion was taking place under paragraph 29(g) of the special arrangements for the virtual session of the Governing Body contained in document GB.340/INS/1(Rev.1). The procedures set out therein did not require a notice period, thus enabling the Governing Body to act responsively during urgent and important negotiations such as the case at hand. "Consensus" did not mean "unanimous support". While parties could express opposition to a draft decision, only a declaration that explicitly blocked consensus would prevent it from being adopted. He had not heard any such language in the discussion so far. The same approach would be taken with regard to any decision to put a draft decision to a vote by correspondence.
- 246. A Government representative of Cuba** said that his Government blocked consensus on the revised draft decision submitted that day.
- 247. A Government representative of the Bolivarian Republic of Venezuela** was authorized to speak in accordance with paragraph 1.8.3 of the Standing Orders in response to comments directed at his Government. He said that his delegation had understood the current meeting to be simply a continuation of the previous day's discussions, rather than a resumption under paragraph 29(f) of document GB.340/INS/1(Rev.1). His delegation had repeatedly been denied the right to take the floor the previous day. Consensus as defined by the special arrangements did not exist on the amendments to the draft decision, which had been submitted to further the political and economic interests of a group of governments hostile to his own. His Government would accept only the original draft decision contained in paragraph 7 of document GB.340/INS/13. Given the lack of consensus, the matter should be deferred to the next session of the Governing Body.
- 248. The Chairperson** said that despite the commendable efforts of the Workers' and Employers' groups consensus on the draft decision had not been reached, and the matter would therefore be deferred to the next session of the Governing Body.

- 249. The Employer spokesperson** said that it was his understanding that only the titular members of the Governing Body, which did not include Cuba, could block consensus. The draft decision should be put to a vote by correspondence given that a majority of members had expressed support for that course of action.
- 250. A Government representative of Peru** said that consideration must be given to the Governments' views. She called upon the Governing Body to abide by the special arrangements; they appeared to be poorly understood. Her Government believed that the matter could not be deferred and that a vote by correspondence would be straightforward.
- 251. A Government representative of the Russian Federation** said that insufficient time remained during the current session for further consultations, and the necessary detailed tripartite negotiations could not take place remotely. A vote by correspondence would therefore be inappropriate. Indeed, that procedure applied only to urgent, non-controversial or routine matters; the matter at hand could not be classified as such.
- 252. A Government representative of China** expressed his Government's support for the statement made by the representative of the Russian Federation. Given the limited time available and the complex nature of the case, the discussion should be deferred to the Governing Body's next session.
- 253. The representative of the Director-General** (Deputy Director-General, Management and Reform) said that the decision to put the matter to a vote by correspondence would also require consensus within the Governing Body.
- 254. The Legal Adviser** clarified that, contrary to the view expressed by the representative of the Russian Federation, the Governing Body could decide to submit the matter to a vote by correspondence, as expressly provided for in paragraph 29(g) of document GB.340/INS/1(Rev.1). Referring to the statement of the Employer spokesperson that only regular members could block consensus, he explained that the special arrangements had been designed to simulate, to the extent possible, an in-person meeting, during which the Chairperson before gaveling a decision would ask all Governing Body members present in the room, both regular and deputy, whether there was consensus on that decision. Therefore, the intervention by the representative of the Government of Cuba was valid and effectively blocked consensus. It was only when a matter under consideration was put to a vote that only regular Governing Body members were permitted to vote. The same distinction between, on one hand, determination of consensus where all Governing Body members were invited to take position, and vote, on the other hand, where only regular members were entitled to participate, was also reflected in paragraph 27(a) and (b) of document GB.340/INS/1(Rev.1) with respect to decisions by correspondence.
- 255. The Worker spokesperson** said that the Governing Body must adhere to the special arrangements to maintain its credibility. She asked whether members must also expressly block consensus on the decision to put the draft decision to a vote by correspondence.
- 256. A Government representative of the United States** expressed regret that a compromise on the draft decision could not be reached. Rejection of the recommendations of a Commission of Inquiry was both rare and serious. As such, effective action must be taken to secure compliance. His Government would fully support a vote by correspondence on the draft decision.

257. **The Legal Adviser** said that the same rules surrounding consensus applied to the decision to put the draft decision to a vote by correspondence.
258. **A Government representative of the Russian Federation** reiterated his Government's view that a vote by correspondence was not acceptable; it therefore blocked consensus.
259. **A Government representative of Cuba** said that his Government rejected the proposed vote by correspondence.
260. **A Government representative of the Bolivarian Republic of Venezuela** was authorized to speak in accordance with paragraph 1.8.3 of the Standing Orders in response to comments directed at his Government. He said that given the lack of consensus on the amendments to the draft decision and on the vote by correspondence, the matter should be deferred to the next session of the Governing Body.
261. **A Government representative of Peru** said that her Government strongly disagreed with the deferral of the matter and would block such a decision. She requested a short adjournment.
262. **The Worker spokesperson** echoed the request for a short adjournment so as to consider how best to proceed and examine whether true consensus could be reached. She noted that there was also a lack of consensus on deferring the matter to the next Governing Body session. The matter must be dealt with in strict compliance with the rules. She expressed her disappointment at her group not being given the opportunity to present a new proposal to the Governing Body that, in her view, could have led to 100 per cent consensus.
263. **The Employer spokesperson** said that he had never known the Governing Body not to be able to reach a consensus eventually, even on contentious issues. He thanked the Workers and the Governments for reaffirming their commitment to upholding the values of the Organization in such a serious case. He looked forward to receiving a strong, well-written text from the Office on which the Governing Body could work at its March 2021 session.
264. **The Chairperson** said that under the circumstances he deemed it impossible for consensus to be reached either on the draft decision by pursuing negotiations or on putting of the item to a vote by correspondence and consequently an adjournment would serve no purpose. He decided therefore that the item would be deferred to the 341st Session (March 2021) of the Governing Body, as provided for in paragraph 29(g) of document GB.340/INS/1(Rev.1), and brought the discussion to a close.

14. **Complaint concerning non-observance by Bangladesh of the Labour Inspection Convention, 1947 (No. 81), 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) (GB.340/INS/14(Rev.1))**

265. **A Government representative of Bangladesh** said that his Government remained committed to promoting international labour standards and had made significant strides over the past decade in upholding labour rights. The economy of Bangladesh was one of the fastest growing in the world, and he recognized the contribution that the workers in his country made towards the achievements in that regard. The COVID-19 pandemic had placed an extraordinary strain on the economy, as a result of orders being

cancelled, with long-term consequences for workers. The Government had allocated significant resources to stimulate the economy and to support workers, including returning migrant workers. It had prepared a guide on the prevention and mitigation of COVID-19 in the workplace, and was preparing labour relations guidelines on COVID-19.

- 266.** Since 2017, the Government had: amended the Bangladesh Labour Act, 2006, to ensure better working conditions; adopted the Bangladesh Export Processing Zone (EPZ) Labour Act, 2019, which enabled workers in EPZs to form associations; developed standard operating procedures for trade union registration and for addressing anti-union discrimination and unfair labour practices; introduced a helpline to receive workers' complaints; almost completed work on creating a database for complaints; established a tripartite consultative council in the ready-made garments sector; increased the minimum wage in the ready-made garments sector; strengthened the Department of Inspection for Factories and Establishments and introduced a labour inspection management app to track labour inspections and remediation efforts of factories, alongside the adoption of four related standard operating procedures; implemented the Better Work Bangladesh programme to improve auditing systems and a Mother at Work programme in the ready-made garment sector; upgraded the Directorate of Labour to a Department and established the Workers' Resource Centre to promote social dialogue; and made progress towards ensuring the fire, building and electrical safety of ready-made garment factories, including through the implementation of the Occupational Safety and Health Policy and the Domestic Workers' Protection and Welfare Policy. Those measures had all been introduced following tripartite consultations and in cooperation with the ILO, and he thanked the ILO and other development partners for their contributions to those reforms.
- 267.** In that context, it was therefore unfortunate that an unwarranted complaint had been lodged against his Government, and it was regrettable that the complainants had not consulted national authorities prior to doing so. The complaint contained several inaccuracies. In fact, in the murder case of Mr Aminul Islam, the accused had been convicted in April 2018. Of the ten cases filed against trade union leaders in connection with the Ashulia incident of 2016, eight had been concluded and no charges had been brought against any of the workers. Under Case No. 3203 of the Committee on Freedom of Association, all ten cases had been investigated, eight had been amicably settled and only two were being processed in the courts. The reference made to section 210 of the Bangladesh Labour Act was inaccurate as that provision no longer appeared in the amended law, adopted in October 2018. The process to amend the Bangladesh EPZ Labour Act had included 16 comprehensive and inclusive consultations with all relevant stakeholders, including workers' and employers' representatives. Pursuant to the amended Bangladesh Labour Act, the minimum membership requirement to form a trade union had been reduced to 20 per cent, following consultations with the ILO. However, the Government took note of some of the other issues mentioned in the complaint, and was ready to work with the ILO and other relevant partners to address them.
- 268.** In order to further protect and promote labour rights in Bangladesh, the Government was developing a time-bound work plan on the labour sector of Bangladesh, with the engagement of the EU and the ILO. Under that work plan, the Bangladesh Labour Act would be further amended; new labour courts would be established to eliminate the backlog of cases; the labour inspectorate would be expanded and strengthened and standard operating procedures would be introduced for inspections in EPZs; the National Action Plan to Implement the National Child Labour Elimination Policy would be updated; the hazardous child labour list would be revised through a tripartite committee;

and measures would be taken to combat violence and harassment against workers, ensure an independent conciliation and arbitration system, promote social dialogue and improve the process for trade union registration. The Government was preparing for the possible ratification of the Minimum Age Convention, 1973 (No. 138), and the Protocol of 2014 to the Forced Labour Convention, 1930. However, the COVID-19 pandemic had led to factory closures and a widespread threat of unemployment had emerged, which could fundamentally weaken the rights and privileges enjoyed by workers.

- 269.** As significant legal and administrative reforms had been introduced, the Government should be allowed the time to demonstrate the impact of those reforms before any verdict was reached on their efficacy. The Government remained committed to ensuring labour rights and improving working conditions, and recognized the importance of the social partners. He would welcome constructive, evidence-based criticism, and would appreciate cooperation with and support from development partners. He called on the Governing Body to close the procedure under article 26 and continue to support the Government in its efforts to uphold labour rights.
- 270. The Worker spokesperson** expressed regret that the reply of the Government of Bangladesh to the article 26 complaint did not reflect the serious exploitation, harm and abuse suffered by workers and trade unions in Bangladesh. The Bangladesh Labour Act and the Bangladesh EPZ Act still did not comply with relevant ILO Conventions and the rules for their implementation had not been written. The CEACR planned to review supplementary information regarding the application of Conventions Nos 87 and 98.
- 271.** There were still no collective agreements for EPZs, workers could not form trade unions and there was no established collective bargaining framework. Despite a reduction in minimum membership levels for trade unions, many obstacles still prevented the registration of representative trade unions, including allegations of bribery and collusion. Employer-dominated unions faced no such obstacles, calling into question the effectiveness of the standard operating procedures. Legislation did not comprehensively prohibit actions aimed at dominating trade unions and pressuring workers to join company unions. The Government had failed to take steps to broaden protection against any such interference, as recommended by the Committee of Experts, and anti-union discrimination and dismissals were widespread.
- 272.** Despite a projected workforce of 70 million people in 2020, the labour inspectorate had only 308 inspectors in August 2019 and one legal officer responsible for processing complaints. Moreover, the entry of inspectors into EPZs was subject to the approval of the Executive Chairman of the Bangladesh EPZ Authority, whose priority was to promote foreign investment and not enforce labour law. Labour inspectors must be provided with proper credentials and granted unrestricted access to any workplace liable for inspection, as called for by the Committee of Experts. She highlighted reports of trade union leaders suffering violent attacks by hired criminals, which rarely resulted in police investigation. Management interference with trade unions was very common. Penalties envisaged for unfair labour practices and acts of anti-union discrimination by employers remained insufficiently dissuasive and victims did not have access to remediation. Moreover, security forces had maintained an anti-union bias, leading to the criminalization and repression of trade union protests and strikes. In response to wage protests, thousands of workers had been dismissed, blacklisted or charged with fabricated offences in 2018 and 2019. According to reports, approximately 80 cases were still pending in connection with the Ashulia police station cases, some of which were being investigated by the Committee on Freedom of Association. The Government had failed to take steps to strengthen police accountability for arbitrary deprivation of liberty,

provide training for security forces or institute an independent inquiry into the allegations of death threats, physical abuse and beatings of trade unionists, as recommended by the Committee. The Committee had also highlighted the repeated surveillance and intimidation of trade unionists by the police.

- 273.** The persistent complaints from workers in Bangladesh had been noted in a special paragraph of the report of the Conference Committee on the Application of Standards in 2016. There was a three-year backlog of cases in the country's labour courts, and workers did not have direct access to the judicial system. As such, workers had little confidence in the settlement of labour disputes or handling of grievances. Attempts to file criminal complaints for violence or intimidation were routinely refused and often led to retaliation. Penalties for unfair labour practices and acts of anti-union discrimination were not sufficiently dissuasive.
- 274.** She acknowledged the impact of the COVID-19 pandemic on the economy of Bangladesh and the financial contributions made by the international community, but said that the support provided to workers had been insufficient. She highlighted reports of the dismissal of up to 300,000 workers, especially trade union members and leaders, and high numbers of cases of non-payment of retrenchment compensation. In addition, 165 workers had been dismissed two weeks previously following a demonstration to demand unpaid wages. The recovery from the pandemic in Bangladesh must be based on a strong adherence to international labour standards. It was regrettable that buyers were taking advantage of the pandemic to reduce prices. ITUC would work with partners to ensure an end to corporate immunity from ethical obligations and to promote responsible business conduct in global supply chains. As factories reopened, provision should be made for labour inspections and occupational safety and health.
- 275.** She hoped that the Government would agree to engage with the Office, ACTRAV and ACT/EMP, and to work in consultation with the social partners to develop a time-bound road map with tangible outcomes in order to address the outstanding issues that had given rise to the article 26 complaint. She reiterated that the complaint was not unfounded and said that her group supported the draft decision, which was appropriate and balanced.
- 276. The Employer spokesperson** welcomed the detailed observations provided by the Government of Bangladesh in response to the allegations made in the complaint. He took note of the Government's pledge to further develop the labour sector in line with international standards and welcomed the actions taken in that regard, including: the adoption of legislative amendments in 2013 and 2018 to the Bangladesh Labour Act, on the basis of tripartite consultation; the development of a road map to amend the Bangladesh Labour Rules in consultation with tripartite constituents, the completion of which, he noted, had been delayed by the effects of the pandemic; the identification of clear steps towards simplifying union registration; the adoption of standard operating procedures to address anti-union discrimination; the enactment of the Bangladesh EPZ Labour Act; and the reactivation of child labour monitoring committees. He highly commended the Government for its openness and cooperation with the Office and the social partners to improve and develop labour legislation on the basis of tripartite consultation.
- 277.** The IOE, the ITUC, IndustriALL Global Union, the Bangladesh Employers' Federation and several brands and retailers had been working with the ILO to support Bangladeshi manufacturers in surviving the economic disruption caused by the COVID-19 pandemic and to protect garment workers' income, health and employment. The main objective was to create resilient and sustainable social protection systems that were strengthened

by responsible supply chains whose actors were committed to paying wages that allowed for sustainable employer and employee contributions to social protection systems. The IOE would continue to work closely with the Bangladesh Employers' Federation to further develop and implement that initiative. The Employers' group supported the draft decision.

- 278. Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that North Macedonia, Montenegro, Albania and Norway aligned themselves with the statement. He emphasized the importance of a well-functioning labour inspectorate for the implementation of labour rights and thanked the Office for its engagement in promoting those rights in Bangladesh. He noted the 2018 amendment of the Bangladesh Labour Act, and the adoption of the Bangladesh EPZ Labour Act. However, most issues of concern remained and must be addressed without delay, including severe gaps in alignment with the ILO Conventions. He noted with concern that the already low number of labour inspectors had decreased year on year from 2017 to 2019.
- 279.** The EU and Bangladesh had a long-standing relationship fostering cooperation on labour standards, reinforced by a 2001 cooperation agreement, the framework of the Sustainability Compact and the "Everything but Arms" initiative. He underlined the importance of respect for labour rights to support sustainable and resilient recovery from the COVID-19 crisis and recalled the efforts of Team Europe to help Bangladeshi workers in export-oriented industries affected by COVID-19 through the provision of €113 million. He reaffirmed the EU's strong commitment to cooperating with the Government of Bangladesh, in partnership with the ILO, including through programmes aimed at achieving full compliance with international labour standards.
- 280.** He welcomed the commitment made by the Government in October 2019 to develop a labour rights road map jointly with the EU. He called on the Government to deliver on its commitment by presenting without delay a comprehensive road map for subsequent implementation with the support of the ILO. Strong deliverables were necessary for Bangladesh to continue to benefit from tariff-free exports to the EU.
- 281.** He underscored the EU's concerns regarding the current complaint and urged the Government to take action to address those concerns. He also called on the Government to take all the necessary legal and practical steps in cooperation with workers' and employers' organizations and other relevant stakeholders to promote the development of a sound and sustainable industrial relations system covering all sectors and areas of the country, including EPZs. Urgent action was needed to ensure the elimination of child labour and forced labour. The EU supported the draft decision.
- 282. A Government representative of India** took note with appreciation of the comprehensive response given by the Government of Bangladesh and welcomed the significant legal and administrative reforms to the labour and employment sector. The Government had demonstrated strong commitment to ensuring the rights of workers. The fact that the amendments to the labour legislation had been finalized through intense tripartite consultations and in close cooperation with the ILO was praiseworthy and reflected the seriousness of the Government's attitude to the issue. The Government should be allowed additional time for the benefits of those reforms to be felt, particularly in the context of the pandemic. He urged the ILO and the international community to continue to support the Government in its efforts to strengthen employment and labour market policies, especially in addressing the challenges related to COVID-19. In view of its strong commitment to work closely with the social partners, the Government should

be given sufficient opportunity to resolve all issues through the regular supervisory mechanisms of the ILO.

- 283. A Government representative of the United States** said that, while the report by the Government of Bangladesh described some reforms, serious concerns remained unaddressed, as highlighted by the ILO supervisory bodies. He urged the Government to bring the Bangladesh Labour Act and the Bangladesh Labour Rules into line with Conventions Nos 81, 87 and 98, including through amendments to further alleviate the onerous minimum membership requirements and excessive sanctions against workers engaging in certain activities. The Government should fully implement the changes requested by the Committee of Experts in relation to rights in EPZs. The mass dismissal of workers following their participation in the 2018 minimum wage protests and the arrests of hundreds of protestors raised serious concerns. While the 2018 amendment of the Bangladesh Labour Act explicitly prohibited anti-union activities by employers, fines for such activities were insufficiently dissuasive and there was little evidence of enforcement. The simplification of the trade union registration process had resulted in an increase in the registration rate. However, worker groups continued to report arbitrary denial of applications from disfavoured unions and the routine imposition by Government officials of conditions with no basis in law or regulations. The case merited serious consideration by the Governing Body. He urged the Government of Bangladesh to implement the changes recommended as soon as possible and to avail itself of ILO assistance as needed. His Government supported the draft decision.
- 284. A Government representative of Morocco** said that the communications by the Government of Bangladesh to the Office demonstrated its willingness to resolve the concerns raised in the complaint, which was further proved by the encouraging measures already undertaken by the Government. His Government encouraged the Government of Bangladesh in its continued efforts to address the issues raised in the complaint.
- 285. A Government representative of Canada** recognized the efforts made by the Government of Bangladesh to improve working conditions in recent years and appreciated its commitment to making further improvements. However, her Government was concerned by the ongoing violations of the right to freedom of association and the continued obstacles to the right of workers to organize. The reports of anti-union discrimination, violence, harassment and threats against trade union leaders and activists with apparent impunity for offenders were a matter of concern, as were the reports of arbitrary denial of trade-union registration and the right to collective bargaining. While recognizing the detrimental effect of the COVID-19 pandemic on Bangladesh's economy and its ability to undertake substantive reforms, she said that efforts towards compliance with international labour standards must continue. A time-bound road map with specific actions and tangible outcomes, targets and indicators would facilitate improvements and allow for progress to be measured objectively. She encouraged the Government to continue to work in close cooperation with the Office and the social partners. Constructive social dialogue was essential to advancing decisions. Her Government remained committed to supporting the Government of Bangladesh and all stakeholders in resolving all concerns, and it supported the draft decision.
- 286. A Government representative of Cuba** said that he noted the measures taken by the Government of Bangladesh to improve labour rights, freedom of association and collective bargaining. In view of the information provided by the Government of Bangladesh, no further action would be necessary. He urged the Government to

continue to engage in social dialogue and tripartite consultations and to cooperate with the ILO. His Government was in favour of providing governments with political space to work with other relevant actors under national legislation on meeting their obligations and commitments in relation to ILO instruments.

- 287. A Government representative of Switzerland** thanked the Office for its commitment to promoting the fundamental principles and rights at work in Bangladesh. He took note of the amendments made to Bangladesh's labour legislation in response to the complaint, the measures taken in respect of EPZs and the measures to simplify and increase the transparency of the trade union registration process. He welcomed the progress made in the textile and garment sector, particularly through the Better Work programme, which Switzerland supported financially. However, his Government remained concerned by the incidents and complaints related to non-compliance with the principles of freedom of association and collective bargaining. Urgent action must be taken to ensure compliance with Conventions Nos 87 and 98. His Government was also concerned by the two complaints submitted to the Committee on Freedom of Association and recalled the seriousness and urgency of one of those complaints. His Government supported the draft decision.
- 288. A Government representative of Turkey** commended the positive steps taken by the Government of Bangladesh in response to the complaint and noted that the Government had updated its national laws to bring them into line with the ILO Conventions on the basis of tripartite consultation and with the active involvement of the ILO Country Office. Those efforts demonstrated the Government's commitment to further improve working conditions. He expressed the hope that the legislation would be effectively implemented, that developments would continue to be reported to the ILO and that the Government's efforts to consult the social partners would be taken into consideration. He encouraged the Government to continue working closely with the ILO and to increase its efforts to improve working conditions.
- 289. A Government representative of Iraq** took note of the progress made by the Government of Bangladesh but encouraged it to make further efforts in cooperation with the social partners to improve working conditions.
- 290. The Employer spokesperson** thanked the Governments for their valuable contributions to the discussion.
- 291. The Worker spokesperson** welcomed the support that had been shown for the draft decision and noted with appreciation the commitment expressed by the Government of Bangladesh to work closely with the ILO to address the outstanding issues. The international trade union movement and ACTRAV were committed to working with the Government of Bangladesh to that end.
- 292. A Government representative of Bangladesh** expressed his Government's thanks to the EU for the assistance it had been providing to workers in the ready-made garments and leather sectors in Bangladesh during the COVID-19 pandemic. He had taken due note of the valuable comments made during the discussions. In response to some of the concerns raised, he clarified that requests to form trade unions were not rejected arbitrarily, and the grounds for rejections were communicated by post and published online. Appeals could be lodged with the labour courts within 30 days, and government officials, judges, lawyers and employers were receiving training in that regard, with the assistance of the ILO. Cases of unfair labour practices could be referred to the labour courts. Noting that some of the comments made in respect to labour inspection had been based on outdated information, he said that the Government was ensuring

transparency, accountability and openness at all levels and that labour inspector vacancies would continue to be filled and numbers increased as and when necessary. Labour rights would be further improved by a national tripartite work plan, although efforts in that regard had been hindered by the COVID-19 pandemic. The Government had engaged with the tripartite constituents in its response to the pandemic.

Decision

293. In view of the information communicated by the Government of Bangladesh on the situation of freedom of association in the country and taking due note both of the Government's commitment to continue to further improve the overall situation and to address the outstanding issues before the supervisory bodies, the Governing Body, on the recommendation of its Officers:

- (a) requested the Government to develop, with the support of the Office and of the secretariat of the Workers' and Employers' groups, and in full consultation with the social partners concerned, a time-bound road map of actions with tangible outcomes to address all the outstanding issues mentioned in the complaint submitted under article 26 to the 108th Session of the International Labour Conference (2019);
- (b) requested the Government to report on progress made in that regard to the Governing Body at its next session; and
- (c) deferred the decision on further action in respect of the complaint until its 341st Session (March 2021).

(GB.340/INS/14(Rev.1), paragraph 6)

15. Complaint concerning non-observance by Chile of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Maternity Protection Convention (Revised), 1952 (No. 103), the Workers' Representatives Convention, 1971 (No. 135), and the Labour Relations (Public Service) Convention, 1978(No. 151) (GB.340/INS/15(Rev.1))

294. The Worker spokesperson said that the matters currently pending before the CEACR and the Committee on Freedom of Association were evidence that the application of the Chilean Labour Code in law and practice raised concerns about its compliance with Conventions Nos 87 and 98. While the issues highlighted by the complainants were of importance, they had been receiving the attention of the ILO supervisory bodies, particularly since the adoption of Act No. 20.940 in 2016 in which a number of amendments taking into account the comments of the experts had been approved. The Government of Chile should take measures to ensure full compliance in law and practice with Conventions Nos 87 and 98, based on the comments of the supervisory bodies, and continue to work with the ILO in the framework of its supervisory system to address all outstanding issues. The procedure under article 26 of the ILO Constitution should only be used as a last resort for serious violations and a persistent lack of compliance. She supported the draft decision.

- 295. The Employer spokesperson** welcomed the Government's thorough and detailed response and noted with appreciation its ongoing commitment and willingness to engage with ILO supervisory bodies. The special supervisory procedure under article 26 should indeed only be used as a last resort. His group agreed with the Government of Chile that the allegations were similar to the complaint made in 2016, and did not have the level of seriousness required for the appointment of a Commission of Inquiry. Furthermore, the CEACR had made positive observations on the legislative changes made during the labour reform in Chile in 2017. He trusted that the Chilean Government would continue to fulfil its reporting obligations to allow the CEACR to monitor its implementation of the Conventions concerned in law and practice. He supported the draft decision.
- 296. A Government representative of Chile** summarized his Government's observations regarding the complaint, which were contained in the appendix to the document. A new director had been appointed to the Labour Directorate by means of a public competition organized by the public senior management system, which involved a strict, regulated and transparent selection process. The current situation in Chile did not warrant the appointment of a Commission of Inquiry. The Government had recently initiated a multi-step process by means of social dialogue to draft a new Constitution. The decision had been approved through a public referendum, and the next step would be to appoint members of a Constitutional Commission. The ILO would be notified in due course of the labour-related standards proposed, which would be in line with Chile's international labour obligations. His Government supported the draft decision and pledged to continue to notify the ILO's regular supervisory bodies of the measures adopted to apply the relevant Conventions in law and practice.
- 297. Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that North Macedonia, Montenegro, Albania and Norway aligned themselves with the statement. She noted that the complaint did not explicitly or comprehensively reference violations of ILO Conventions Nos 103, 135 or 151 in the body of the text and covered issues similar to a complaint introduced in 2016 in respect of the other Conventions. The CEACR had acknowledged with satisfaction the advances of Act No. 20.940, in force since 2017, and the labour reform with regard to the application in law and practice of ILO Conventions dealing with labour relations that were the subject of the complaint. She therefore considered that, similarly to 2016, the elements invoked in the complaint did not correspond to allegations whose examination was to be undertaken under article 26 of the ILO Constitution and which should be referred to a Commission of Inquiry. She supported the draft decision.
- 298. Speaking on behalf of a vast majority of countries from Latin America and the Caribbean**, a Government representative of Barbados said that the complaint dealt with issues that had already been debated and resolved by the ILO supervisory system, specifically when rejecting the complaint that had been filed against Chile in 2016. That fact had been highlighted in the report presented to the Governing Body at its 337th Session (October–November 2019).¹⁰ It was very important for the ILO and all its Members to protect the supervisory system. The appointment of a Commission of Inquiry should be resorted to when a Member State was accused of committing persistent and serious violations and had repeatedly refused to address them. The Chilean model of labour relations questioned in the complaint was far from the cases of notorious seriousness for which a Commission of Inquiry had been appointed in the

¹⁰ GB.337/INS/13/2.

past. Every State in the world consistently strove to make the periodic adjustments and improvements required by the world of work, and Chile was no exception. In the current challenging world, it was key that countries collaborated in implementing those improvements. GRULAC accordingly supported the draft decision.

- 299. Government representatives of the United States and the United Kingdom** said that the case should not be referred to a Commission of Inquiry and did not merit further consideration under article 26. Those issues that might require examination should be referred to the regular supervisory system. They supported the draft decision.

Decision

- 300. The Governing Body, on the recommendation of its Officers:**

- (a) **decided not to refer the matter to a Commission of Inquiry and to close the procedure under article 26; and**
- (b) **invited the Government to continue reporting to the ILO regular supervisory system on measures taken to apply in law and practice the Conventions concerned.**

(GB.340/INS/15(Rev.1), paragraph 6)

16. Reports of the Committee on Freedom of Association

392nd Report of the Committee on Freedom of Association (GB.340/INS/16)

Addendum: Presentation of the Committee on Freedom of Association annual report for the year 2019 (GB.340/INS/16(Add.1))

- 301. Speaking on behalf of the Chairperson of the Committee on Freedom of Association**, a Government representative of Switzerland, member of the Committee, said that, like all Governing Body meetings, the Committee on Freedom of Association had met virtually. The Committee had before it 169 cases, 32 of which had been examined on their merits. Of those 32 cases, 23 were definitive reports and therefore did not call for further examination. The Committee was appreciative of Governments' spirit of cooperation and efforts to provide information amid the pandemic, as they had further improved the effectiveness of the Committee's work, allowing it to thoroughly examine the cases in full knowledge of the facts. For its next meeting, the Committee made an urgent appeal to the Governments of Belarus, El Salvador and Madagascar for their observations. The deadline for submission of additional observations by all Governments was 1 February 2021.
- 302.** The Committee had also examined the follow-up given to its recommendations in another 32 cases, of which 14 had been completed and closed. The Committee welcomed the progress made in a number of cases, including in Cases Nos 2708, 2700 and 3035 (Guatemala). In Cases Nos 2096 (Pakistan) and 3283 (Kazakhstan), the Committee forwarded the legislative aspects to the Committee of Experts.
- 303.** The Committee drew the attention of the Governing Body to three cases, owing to the seriousness and urgency of the matters dealt with therein. Case No. 2528 (Philippines) concerned allegations of murder, serious threats, continual harassment, intimidation and other forms of violence against trade union leaders, organizers, supporters and activists. The Committee had noted with regret that very few of those cases of violence

had resulted in convictions and that, despite the time that had elapsed since the murders, not all of the cases had yet been concluded. The Committee had once again urged the Government to make every effort to ensure swift investigation into all unresolved cases of murder of trade union leaders and members to ensure that the perpetrators were brought to justice, and to rapidly resolve all cases of harassment and intimidation.

- 304.** Case No. 3203 (Bangladesh) concerned allegations of systematic violations of freedom of association, including acts of violence against workers and the murder and torture of a trade unionist in 2012, anti-union discrimination and other acts of reprisal against trade unionists in several enterprises, arbitrary denial of trade union registration and lack of law enforcement. The Committee had urged the Government to provide information on all measures taken to investigate the specific and serious allegations of the involvement of the security forces in the ill-treatment and murder of a trade union organizer. The Committee expressed the firm expectation that the allegations of anti-union dismissals would be resolved immediately and that the allegations of physical violence against workers would be adequately addressed through judicial proceedings.
- 305.** Case No. 2508 (Islamic Republic of Iran) was a long-standing case that concerned allegations of acts of repression against the local trade union at a city bus company and the arrest and detention of several trade unionists. The Committee had once again urged the Government to ensure that workers in that company were free to choose the trade union they wished to join. The Committee had expressed the firm expectation that, with technical assistance from the ILO and in consultation with workers' and employers' representatives, Iranian legislation would be brought quickly into line with the principles of freedom of association, in particular by allowing trade union pluralism. The Committee had requested the Government to provide information on the outcome of the ongoing proceedings against 17 people in relation to a truck drivers' strike. The Committee had urged the Government to take all measures necessary to ensure no one was imprisoned for simply having organized or participated peacefully in a strike, and to continue its efforts to ensure that peaceful and legitimate trade union activities were not cause for criminal proceedings or sanctions and that any related prosecutions were re-examined immediately.
- 306.** Finally, she expressed the hope that the third annual report of the Committee on Freedom of Association for the year 2019 would support understanding of the functioning of the Committee and the challenges to freedom of association in the world of work.
- 307. The Employer Vice-Chairperson of the Committee** said that the Committee had met virtually due to the pressing need to give continuity to the functioning of the supervisory body after two of its meetings, in March and June 2020, had been cancelled. He underscored the substantial progress made by the Committee during its meeting, but emphasized that the virtual format had made progress slower and more difficult than usual, as it did not provide the opportunity for more in-depth discussion or the physical space for dialogue and negotiation that some cases required.
- 308.** He highlighted the significant number of cases before the Committee, which would be difficult to address efficiently if the Committee's next meeting were also held virtually. The high number of cases was partially due to the fact that some should not have been put before the Committee in the first place, either because they could have been resolved at the national level or because they went beyond the mandate of the Committee. Cases Nos 3344 (Brazil), 3216 (Colombia) 3292 (Costa Rica), 3215, 3318 and 3321 (El Salvador) and 3353 (Ireland) were examples of such cases. The Committee had

not addressed its working methods owing to the unusual format of its meeting. However, some methods, specifically admissibility criteria and the identification of areas of opportunity for improving the quality of reports, merited assessment at the Committee's next meeting in March 2021. The goal of the Employers' group was to ensure that the workings of the Committee were as efficient as possible.

- 309.** Finally, he thanked the Workers' group and the Governments for their openness and constructive dialogue. He trusted that the Committee's pending decisions could be taken at its next meeting in March 2021.
- 310. A Worker member of the Committee** expressed her thanks to those involved in the Committee's virtual session, although she noted that remote working was not conducive to the best discussions. The most troubling cases examined by the Committee over the previous year had related to restrictions on the personal freedom of trade unionists, and even threats to their lives. The relationship between human rights, civil liberties and workers' rights was fundamental to the work of the Organization.
- 311.** She drew attention to several of the most serious and urgent cases considered by the Committee, all of which raised concerns regarding the situation of the individuals concerned. Case No. 3203 related to alleged serious violations of the right to freedom of association in Bangladesh. An independent inquiry into the events related to the garment workers' strike in Ashulia in 2016 was required, along with regular comprehensive training for police and government officials. Case No. 2508 related to the Islamic Republic of Iran, including complaints of repression, violent attacks on workers' meetings and the denial of due process. The Committee urged the Government to lift any criminal charges and sanctions imposed on those engaging in peaceful and legitimate trade union activities.
- 312.** Case No. 2528 concerned unresolved cases of murder and violence against trade unionists in the Philippines. The Committee had previously urged the Government to investigate and prosecute those murders, abductions and enforced disappearances, but information on the progress made had not been forthcoming. Case No. 3184 related to large numbers of paralegals and workers' advisers who remained missing in China, and Case No. 3339 involved alleged rights violations in Zimbabwe following trade union protests against the rising cost of living. Legitimate trade union activity was not restricted to working conditions; rather, freedom of association applied to all actions relating to economic and social policy matters of direct concern to workers.
- 313.** She recommended that the Governing Body examine closely the Committee's report and drew attention to its annual report for the year 2019, which revealed an overall reduction in complaints over the previous five years.
- 314. Speaking on behalf of the Government group of the Committee**, which consisted of members appointed by the Governments of Japan, Lesotho, Iraq, Nigeria, Panama and Switzerland, a Government member from Nigeria said that Workers', Employers' and Government representatives had participated actively in the Committee's most recent session, which had been the first to be held virtually. All participants had demonstrated commitment to the session's fruitful discussions, which had taken place in an atmosphere of understanding and consensus. The success of the session had proved that the ILO supervisory system was fully functional and that difficult negotiations were possible, even virtually. The success of the session should encourage other tripartite meetings to be held remotely, rather than postponed.

Decisions

315. The Governing Body took note of the introduction to the Report of the Committee, contained in paragraphs 1–177, and adopted the recommendations made in paragraphs: 216 (Case No. 3210: Algeria); 234 (Case No. 3294: Argentina); 251 (Case No. 3302: Argentina); 265 (Case No. 3203: Bangladesh); 287 (Case No. 3263: Bangladesh); 298 (Case No. 3344: Brazil); 308 (Case No. 3183: Burundi); 405 (Case No. 3348: Canada); 445 (Case No. 3362: Canada); 495 (Case No. 3184: China); 511 (Case No. 3216: Colombia); 518 (Case No. 3230: Colombia); 544 (Case No. 3211: Costa Rica); 577 (Case No. 3292: Costa Rica); 591 (Case No. 3215: El Salvador); 607 (Case No. 3318: El Salvador); 620 (Case No. 3321: El Salvador); 633 (Case No. 2869: Guatemala); 654 (Case No. 3303: Guatemala); 677 (Case No. 2508: Islamic Republic of Iran); 727 (Case No. 3353: Ireland); 736 (Case No. 3081: Liberia); 772 (Case No. 3291: Mexico); 788 (Case No. 3357: Montenegro); 821 (Case No. 3343: Myanmar); 861 (Case No. 3372: Norway); 877 (Case No. 3200: Peru); 889 (Case No. 3224: Peru); 909 (Case No. 3239: Peru); 924 (Case No. 3345: Poland); 967 (Case No. 3341: Ukraine); 1022 (Case No. 3339: Zimbabwe), and adopted the 392nd Report of its Committee on Freedom of Association as a whole.

(GB.340/INS/16)

316. The Governing Body took note of the third annual report which covered the year 2019.

(GB.340/INS/16(Add.1)_paragraph 4)

17. Report of the 83rd Session of the Board of the International Training Centre of the ILO (Turin Centre) (GB.340/INS/17)

317. The Employer spokesperson noted with appreciation the timely preparation of the report of the Board of the International Training Centre of the ILO (Turin Centre). Regarding the three scenarios that had been put forward by the Office to inform the Board's discussion on the operational model to be applied by the Turin Centre, he reiterated that a new "Scenario X", which combined components of the proposed scenarios, took into account inputs from the groups, and addressed concerns and challenges, would be ideal. The Centre's Management should consider and formally address all the questions posed by the constituents. He welcomed the Office's readiness to facilitate the consultative process in preparation for the extraordinary meeting of the Board, to be held in April 2021 with a view to developing the Strategic Plan for 2022–25 to be submitted for approval by the Board in October 2021. His group agreed on the importance of doing the "heavy lifting" straight after the current Governing Body session. Furthermore, it was ready to take on the challenge of ensuring the sustainability of the Centre and its relevance to the constituents' needs. Emphasizing the importance of working together, he said that his group would develop concrete proposals in the following weeks for the consideration of the Officers of the Board and the Office. He commended the efforts made by the Management and staff of the Centre to adapt to a very difficult situation that directly affected the traditional face-to-face training model.

318. The Worker spokesperson praised the Management and staff of the Turin Centre for their quick response to the challenges posed by the pandemic, thanked the Italian Government for its continuous and sustained support of the Centre, and invited other governments to engage in ensuring the financial sustainability of the Centre. She noted with satisfaction that the critical financial situation presented to the Officers in May 2020 had been overcome, thanks to the work and commitment of the Management and staff.

She also noted that the Centre had adapted its service portfolio during the pandemic, taking into account the ILO Institutional Capacity Development Strategy. Regarding the future of the Centre, she reiterated her group's commitment to engage in constructive and consensual discussions in order to set an adequate timeline for the rearrangement of the Centre and recalled the need to ensure the participation of the Staff Union of the Centre in the process. Recalling that the process to rearrange the Centre should have the needs of the constituents and the ILO agenda at its heart, she said that it was important to ensure that the nature and role of the Centre remained intact in its implementation.

- 319. Speaking on behalf of the Government group**, a Government representative of Paraguay noted with satisfaction that the Turin Centre had shown resilience and flexibility during the pandemic and that the critical financial situation of the Centre had improved dramatically. He reiterated that the second scenario seemed the most reasonable and could be developed into several alternative configurations. Although distance learning activities offered many benefits, the value of human exchanges and the collective nature of face-to-face learning were an important aspect of traditional onsite training that should be taken into consideration. The campus of the Centre was one of its most precious assets, and should continue to play a vital role in the years to come. The Centre should adapt to the current situation through the retraining of its staff, the improvement of its financial model and the expansion of its financial donor base. The issue of reform clearly required extensive consultations among ILO constituents, and his group was willing to engage in as many consultations as necessary to take a decision on the matter in October 2021. The Strategic Plan for 2022–25 and Programme and Budget for 2022–23 should reflect real tripartite consensus.
- 320. Speaking on behalf of ASPAG**, a Government representative of China acknowledged the crucial role of the Turin Centre in the implementation of the Centenary Declaration and the 2030 Agenda. The Centre's robust performance and remarkable results in its three performance pillars were commendable. His group noted with satisfaction that the Centre had strengthened its position as a globally competitive provider of IT-supported training and learning services, and encouraged it to continue to fulfil its important mandate. His group appreciated the Centre's effective measures in response to the pandemic and in particular the shift in its portfolio of capacity development services. A reform process should be undertaken to enable the Centre to adapt to the new circumstances, based on extensive consultations. However, given the Centre's important role, its vision and mission should remain unchanged, and any modification or adjustment of the business model should be based on a stable and sustainable development of the Centre. ASPAG was committed to engaging constructively in future discussions on that issue and called on all parties concerned to make joint efforts and take concrete measures to help the Centre remain fit for purpose, effective, transparent and accountable.
- 321. Speaking on behalf of IMEC**, a Government representative of Italy congratulated the Turin Centre for its central role in facilitating future of work transitions and in promoting decent work, in line with the Centenary Declaration and the 2030 Agenda. He commended the excellent results achieved by the Turin Centre during the biennium 2018–19 in terms of both the increased number of participants, through distance learning courses, and gender representation, since almost half of trainees had been women. The high rate of participants' satisfaction with the learning services of the Turin Centre was also welcomed. Noting that one third of all participants belonged to the ILO tripartite constituency, he encouraged the Management of the Centre to continue working to increase that proportion. On the financial side, he praised the budget surplus

of over €3 million and the introduction of cost-saving measures, as well as the increased revenues from online training. While a balanced budget had been achieved by the end of 2020, further measures needed to be taken in order to ensure the long-term financial stability of the Centre. He welcomed the External Auditor's opinion on both the 2018 and the 2019 financial statements, which confirmed the Centre's compliance with International Public Sector Accounting Standards, and he encouraged the Centre to act on the recommendations made in that regard in order to reinforce its accountability and transparency. He also welcomed the presentation of the external audit plan for 2020.

- 322.** With regard to the report on the future direction of the Centre, IMEC firmly believed that the COVID-19 pandemic had made the process of reforming the Centre necessary and not deferrable. The Centre's business model would need to adjust to a world that had already changed. However, that would have to occur without affecting the Centre's footprint in Turin. IMEC considered that the second of the three scenarios presented in the report was the most reasonable one, since it could be developed in different directions with due respect for all the legitimate concerns of the constituents. The reform process would also have to give due consideration to expanding the donor base beyond the current situation. He looked forward to taking a decision on that subject before the 109th Session (2021) of the International Labour Conference.
- 323. Speaking on behalf of the Africa group,** a Government representative of Rwanda commended the Board's initiative to engage with the constituents in discussions on the future direction of the Turin Centre. He noted that the Centre had improved its rate of product innovation: 14 new learning products had contributed to diversified learning modalities and had increased outreach. The Africa group was pleased to hear that the Centre had introduced cost-saving measures and had increased revenues from its online training services, and that it would achieve a balanced and reduced budget by year-end. Looking towards the Strategic Plan for 2022–25, the Africa group encouraged the Centre to make more use of technology and provide more training online, while stressing that the current circumstances of the COVID-19 pandemic should not divert the Centre from its core mission. The Centre should explore all possible means to remain financially viable.
- 324. Speaking on behalf of the EU and its Member States,** a Government representative of Germany said that North Macedonia, Montenegro, Serbia, Albania, Norway, and Georgia aligned themselves with the statement. She reiterated the statement made by the Government representative of Italy on behalf of IMEC.
- 325. A representative of the Director-General** (Director, Turin Centre) took note of the comments made and assured the Governing Body that the Turin Centre would follow the guidance of its Board and work together with all the parties concerned. He thanked the Board members for the constructive comments and important guidance provided during the session of the Board, and the Government of Italy for its long-term support of the Centre. He also thanked the Office for the support it had provided during the pandemic.

Decision

- 326. The Governing Body took note of the report of the 83rd Session of the Board of the International Training Centre of the ILO (Turin Centre) (27 October 2020).**

(GB.340/INS/17)

18. Report of the Director-General (GB.340/INS/18(Rev.1))

327. The Chairperson presented the document and proposed the Governing Body observe a minute of silence in memory of the former Governing Body members whose obituaries were included in the document. He then invited Governing Body members wishing to pay tribute to the memory of the deceased to do so in writing.

Decision

328. The Governing Body:

- (a) **took note of the information contained in documents GB.338/INS/15 and GB.340/INS/18(Rev.1) concerning progress in international labour legislation, internal administration, and publications and documents;**
- (b) **paid tribute to the memory of Ms Noemí Rial and noted that the Director-General had conveyed its condolences to the family of Ms Rial and to the Government of Argentina;**
- (c) **paid tribute to the memory of Mr Yoshikazu Tanaka and noted that the Director-General had conveyed its condolences to the family of Mr Tanaka and to the Japanese Trade Union Confederation and the International Trade Union Confederation (ITUC);**
- (d) **paid tribute to the memory of Mr Bryan Noakes and noted that the Director-General had conveyed its condolences to the family of Mr Noakes and to the Australian Chamber of Commerce and Industry and the International Organisation of Employers;**
- (e) **paid tribute to the memory of Mr Jan Sithole and invited the Director-General to convey its condolences to the family of Mr Sithole and to the Swaziland Federation of Trade Unions and the ITUC; and**
- (f) **paid tribute to the memory of Mr Qiyang Li and invited the Director-General to convey its condolences to the family of Mr Li and to the Government of China.**

(GB.340/INS/18(Rev.1), paragraph 15)

Summary of written statements concerning obituaries ¹¹

Ms Noemí Rial

329. The Argentine General Confederation of Labour (CGT Argentina) paid tribute to Ms Noemí Rial, one of the most brilliant minds of labour relations at the national and international levels. As an educator in Labour Law and Social Security at the Law Faculty of the University of Buenos Aires, she left an indelible mark on students and colleagues alike. In the mid-1990s, she became the first woman lawyer of the Argentine General Confederation of Labour, and was a Worker representative at the ILO between 1995 and 2002.

330. She continued to represent Argentina at the ILO from 2003 until the end of her mandate in 2015 as Labour Secretary of the Ministry of Labour, Employment and Social Security. During that time, she was appointed Chairperson of the Committee on the Application of Standards on three occasions. At the ILO, she quickly gained widespread admiration

¹¹ The complete text of each statement in the original language has been published on the [Governing Body's website](#).

for her work ethic, her untiring search for consensus among the actors of the world of work and for her unwavering defence of the international instruments governing labour relations.

- 331.** Noemí was not only a driving force behind the expansion of the rights of working women and men in Argentina, but was also held in high esteem by employers' representatives, who always respected her level-headed search for agreement and consensus, her transparency and her good faith.

Mr Yoshikazu Tanaka

- 332. The Japanese Trade Union Confederation** paid tribute to Mr Yoshikazu Tanaka, a Worker member of the Governing Body for nine years from 1978. He was Vice-Chairperson at the International Labour Conference when the world was facing political crisis and the threat of war, which had led to a tense atmosphere at the Conference. In those difficult circumstances, as Vice-Chairperson, his excellent leadership prevented political confrontation from surfacing in the meeting. Mr Tanaka's contribution to protecting and developing fundamental workers' rights shall long be remembered.
- 333. The Government of Japan** expressed its profound sorrow over the passing of Mr Yoshikazu Tanaka. Mr Tanaka had led trade union organization activities in Japan, and in 1978 began a nine-year period as a Worker member of the Governing Body. During the economic recession resulting from the oil crisis, with high unemployment and increased poverty worldwide, he advocated the effectiveness of social policies which remain relevant to this day.
- 334.** In 1982, at a time of conflict on the world stage, Mr Tanaka was appointed Worker Vice-President of the International Labour Conference, and resolutely ensured the smooth conduct of the proceedings, earning him the nickname "Mr Samurai". In addition, he twice held the role of Vice-Chairperson of the Asian Regional Meeting. The Japanese Government expressed grateful appreciation for the numerous achievements of Mr Tanaka during his lifetime, and expressed deepest regret over his passing.

Mr Bryan Noakes

- 335. The Australian Chamber of Commerce and Industry (ACCI)** paid tribute to Bryan Noakes, Order of Australia (AO). Following work early in his career on the nation-building Snowy Hydroelectric project, Bryan led national advocacy, strategy and negotiations for Australian employers for 40 years, firstly with the Australian Council of Employer Federations, through the formation of the Confederation of Australian Industry in 1977, and then as part of the ACCI network from 1992.
- 336.** Amid major reforms in Australian industrial relations in the 1980s and 1990s following economic and industrial tumult in the 1970s, Bryan developed close relationships with prime ministers and industrial relations ministers on both sides of politics, and with the leaders of the Australian trade union movement. He was a proud and passionate member of the ILO Governing Body and led Australian employer delegations to numerous sessions of the International Labour Conference. He was recognized for his significant work protecting the fundamental rights of both employers and trade unionists throughout the world through the Committee on Freedom of Association. Bryan was also instrumental in the creation of an employer voice for the Asia and the Pacific region, through the Confederation of Asia-Pacific Employers.
- 337.** In recognition of his domestic and international service to industrial relations, Bryan was awarded the AO in 2003. Bryan was a significant, respected and widely liked figure

across the political and industrial divide in Australia, who worked tirelessly for decades to represent the business community and the national interest. Throughout his life Bryan remained a profound thinker and analyst on Australian and global industrial relations, and was an important source of counsel, mentorship, support and friendship to those who came after him at the ACCI and throughout the Australian employer movement.

Mr Jan Sithole

- 338. The Trade Union Congress of Swaziland (TUCOSWA)** paid tribute to Jan Jabulani ("JJ") S. Sithole. He began his career at the Usutu Pulp Company in Eswatini, where after successfully defending himself in a labour issue, he began representing colleagues. He went on to represent all workers within the agricultural belt and later all workers in the country. In the late 1970s, he, together with other leaders, was tasked with establishing trade unions in various sectors.
- 339.** JJ was one of the pioneers who advocated for the enactment of the Employment Act 1980. Following the changes in South Africa in the mid-1990s, as General Secretary of the Swaziland Federation of Trade Unions (SFTU), he relentlessly fought for the rights of workers, resulting in major industrial action, a list of 27 demands and the formalization of the May Workers' Day holiday. He later formed the Swazi Democratic Party (SWADEPA) and was elected as a Member of Parliament. Among other things, he was instrumental in bringing about the amendment of the notorious Suppression of Terrorism Act.
- 340.** Throughout his life, JJ was a bold, unrelenting fighter for justice for all humanity, even when he was met with violence and imprisonment. He believed in dialogue and used it to great effect, and he achieved many milestones for workers, the union movement and politics.

Mr Qiyang Li

- 341. The All-China Federation of Trade Unions (ACFTU)** paid tribute to the memory of Mr Qiyang Li, former Government member of the Governing Body and Vice-Minister of Labour and Social Security of China. Mr Li had been committed to promoting China's employment and social security policies, enhancing tripartite cooperation and social dialogue, and strengthening communication with social partners including the ACFTU. He had worked very hard with social partners to promote the well-being of workers.
- 342.** The ACFTU also paid tribute to the memory of Mr Yoshikazu Tanaka, former Worker Member of the Governing Body and Vice-President of the Japanese Trade Union Confederation and of Mr. Jan Sithole, former Worker member of the Governing Body and General Secretary of the Swaziland Federation of Trade Unions (SFTU) for their contributions to improving the welfare of workers.

18.1. First Supplementary Report: Update on the status of ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO and follow-up to paragraph 3 of the resolution on the ILO Centenary Declaration for the Future of Work (GB.340/INS/18/1)

- 343.** Following consultations in September and October 2020, the Screening Group agreed to put the item forward for a decision by correspondence on 22 October 2020.
- 344.** The decision was approved by consensus and announced to all Governing Body members by a communication of 30 October 2020.

Decision

345. The Governing Body decided by correspondence that:

- (a) the tripartite working group on full, equal and democratic participation in the ILO's tripartite governance shall be mandated to discuss, develop and present proposals to the Governing Body on the full, equal and democratic participation of the ILO's constituents in the Organization's tripartite governance by ensuring a fair representation of all regions and establishing the principle of equality among Member States;
- (b) the tripartite working group shall be composed of 14 Government members from each of the four regions and the Employers' and Workers' group secretariats, while all interested governments may attend and participate in the discussions;
- (c) the Government members of the tripartite working group shall nominate one of them as Chairperson of the working group and, in case of no agreement on a single Chairperson, two Government members shall be nominated to co-chair the working group; and
- (d) the tripartite working group shall hold two meetings prior to its 341st Session (March 2021) and submit its first report to that session.

(GB.340/INS/18/1, paragraph 19)

Summary of written comments received during the consideration of the item by correspondence ¹²

- 346. The Workers' group** supported ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO (1986 Amendment), which would ensure democracy in the work and composition of the Organization's governing bodies. Noting the need for 125 Member States to ratify or accept the 1986 Amendment for it to enter into force, the group welcomed the ratifications by Albania, Djibouti and Portugal and the steps taken by Peru, Spain and Yemen. The group called on the Members of chief industrial importance, and Member States that had begun the process, to ratify the 1986 Amendment. The Office should address the concerns of the Government of Bulgaria regarding the reference to "socialist States of Eastern Europe". Expressing regret that only four Member States had responded to the Director-General's letter, the group reiterated its call to governments to provide the Office with the explanations requested to allow it to identify and remedy any obstacles to ratification.
- 347.** The Workers' group had taken note of the consultations held with governments at the 337th Session of the Governing Body on the composition of the tripartite working group. Although workers would not oppose the decision to appoint 14 governments from each region, with other governments attending and taking part in the discussions, it expressed hope that the size of the governmental representation would not slow down the making of decisions aiming at the fulfilment of the commitments undertaken in the ILO Centenary Declaration for the Future of Work and the related resolution.
- 348.** Recalling its support for the Office's definition of the working group's mandate proposed at the 337th Session, the Workers' group also expressed support for the proposed

¹² The complete text of each comment in the original language is available on the [Governing Body's web page](#), together with the decision.

addition contained in paragraph 12, but reiterated that the top priority should be the prompt ratification of the 1986 Amendment, to honour the commitments made in the Centenary Declaration. The group also supported the proposals contained in paragraphs 14 and 15 on the duration of the mandate and the nomination of the Chairperson of the working group.

- 349. The Africa group** noted that three new ratifications had been registered, increasing the number to 113. It encouraged countries that had initiated ratification to complete the process and urged those yet to ratify to do so in order to democratize the functioning and composition of the Governing Body in line with the call of the Centenary Conference. It regretted that only four Member States had replied to the Director-General's letter.
- 350.** The group was encouraged by the decision to establish a tripartite working group to serve as a platform for focused dialogue and to develop proposals on full, equal and democratic participation in the ILO's tripartite governance. It looked forward to the active participation of social partners and Members yet to ratify, and was confident that the commitment of Members of chief industrial importance would be decisive in realizing the equitable representation of States in the Governing Body.
- 351.** The Africa group thanked the Office for its sustained promotion of the ratification of the 1986 Amendment and requested it to redouble its efforts in that regard.

18.2. Second Supplementary Report: Report of the Technical Meeting on Achieving Decent Work in Global Supply Chains (Geneva, 25–28 February 2020) (GB.340/INS/18/2)

(The document under this item was submitted for information only.)

18.3. Third Supplementary Report: Follow-up to Governing Body decisions (GB.340/INS/18/3)

Decision

- 352.** The Governing Body, by correspondence, requested the **Office to prepare, for its 343rd Session (October–November 2021), a Supplementary Report on the follow-up to the decisions adopted since November 2019.**

(GB.340/INS/18/3, paragraph 5)

18.4. Fourth Supplementary Report: Documents submitted for information only (GB.340/INS/18/4)

Decision

- 353. The Governing Body took note, by correspondence, of the information contained in the following documents:**

- **Report of the Committee of Experts on the Application of Conventions and Recommendations (Geneva, 20 November–7 December 2019) (GB.338/INS/INF/1)**
- **Approved symposia, seminars, workshops and similar meetings (GB.338/INS/INF/2)**

- **Report on the status of pending representations submitted under article 24 of the ILO Constitution** ([GB.338/INS/INF/3](#))
 - **Programme and Budget for 2020–21: Collection of contributions from 1 January 2020 to date** ([GB.338/PFA/INF/1](#))
 - **Progress report on the implementation of the Information Technology Strategy 2018–21** ([GB.338/PFA/INF/2](#))
 - **External audit plan** ([GB.338/PFA/INF/3](#))
 - **Follow-up to the report of the Chief Internal Auditor for the year ended 31 December 2018** ([GB.338/PFA/INF/4](#))
 - **Composition and structure of the ILO staff** ([GB.338/PFA/INF/5](#))
 - **Decisions of the United Nations General Assembly on the report of the International Civil Service Commission for 2019** ([GB.338/PFA/INF/6](#))
 - **Decisions of the United Nations General Assembly on the report of the 66th Session of the United Nations Joint Staff Pension Board (2019)** ([GB.338/PFA/INF/7](#))
 - **Follow-up to the resolution on the ILO Centenary Declaration for the Future of Work: Proposals for including safe and healthy working conditions in the ILO's framework of fundamental principles and rights at work** ([GB.340/INS/4](#))
 - **Update on the United Nations reform** ([GB.340/INS/6](#))
 - **Report of the Director-General – Second Supplementary Report: Report of the Technical Meeting on Achieving Decent Work in Global Supply Chains (Geneva, 25–28 February 2020)** ([GB.340/INS/18/2](#))
 - **Decent work and productivity** ([GB.340/POL/3](#))
 - **Update on the Human Resources Strategy 2018–21** ([GB.340/PFA/12](#))
 - **Approved symposia, seminars, workshops and similar meetings** ([GB.340/INS/INF/1](#))
 - **Evaluation of the plan of action to give effect to the conclusions concerning the second recurrent discussion on fundamental principles and rights at work, adopted by the International Labour Conference in June 2017** ([GB.340/INS/INF/2](#))
 - **Report on the status of pending representations submitted under article 24 of the ILO Constitution** ([GB.340/INS/INF/3](#))
 - **Programme and Budget for 2020–21: Regular budget account and Working Capital Fund** ([GB.340/PFA/INF/1](#))
 - **Overview of ILO accommodation** ([GB.340/PFA/INF/2](#))
- ([GB.340/INS/18/4](#), paragraph 4)

18.5. Fifth Supplementary Report: Inclusion of the Philippines in the list to be established under Article 5, paragraph 6 of the Seafarers' Identity Documents Convention (Revised), 2003, as amended (No. 185) (GB.340/INS/18/5)

Decision

354. Noting the positive conclusions of the independent evaluation report submitted by the Philippines in accordance with Article 5, paragraph 4, of the Seafarers' Identity Documents Convention (Revised), 2003, as amended (No. 185), of the Office's assessment and of the report of the Review Group established under arrangements adopted in accordance with Article 5, paragraph 6, of the Convention, the Governing Body approved by correspondence the inclusion of the Philippines as the first ratifying Member to be listed as fully meeting the minimum requirements referred to in Article 5, paragraph 1, of the Convention, as amended in 2016.

(GB.340/INS/18/5, paragraph 6)

Summary of the statement received during the consideration of the item by correspondence¹³

355. Bulgaria informed the Office that it was abstaining from voting because it was not a State party to Convention No. 185.

18.6. Sixth Supplementary Report: The response of the International Labour Office to the COVID-19 pandemic (GB.340/INS/18/6)

356. The Worker spokesperson said that the ILO Global Summit on COVID-19 and the World of Work, the ILO Monitor and the COVID-19 Information Hub all highlighted the key role that the ILO had to play at a time when the world of work had been hit extremely hard by the pandemic. It was no coincidence that the Centenary Declaration called on the Organization to include occupational safety and health (OSH) in its framework of fundamental rights. Regulation gaps had become more visible than ever. The COVID-19 crisis had made the essential role of proper protection of workers against occupational health and safety risks clear, including COVID-19 related hazards. At its next session, in March 2021, the Governing Body would have the opportunity and the obligation to take the necessary decisions towards recognizing OSH as a fundamental right. It should then also give effect to the recommendations of the Standards Review Mechanism and place protection against biological hazards as soon as possible on the agenda of the International Labour Conference. Better protection should also be afforded to platform workers, a need that had been identified in the Centenary Declaration.

357. The Workers' group commended those governments that had taken extraordinary social protection measures to support workers, those that had declared COVID-19 an occupational disease, and those that had taken steps to regulate telework, even in the midst of the pandemic. She welcomed the support provided by the Office for bipartite discussions, for example in the garment sector, and thanked the experts of the Sectoral Policies Department for providing a large number of useful briefs and tools in a very short time.

¹³ The complete text of the comment in the original language is webposted on the same [web page](#) as the decision.

- 358.** She took note of the Director-General's initiative of focusing on four areas of work for tackling the economic and social impact of the pandemic. Many of the actions under those four pillars included work with other UN agencies and international financial institutions. It was regrettable that in some cases, fundamental rights and a rights-based approach had been diluted; they should be explicitly highlighted in all the tools and exchanges with other agencies. A "build back better" initiative could only lead to a better future of work if it was based on human and labour rights.
- 359.** The continued work of the CEACR, the Committee on Freedom of Association and article 24 ad hoc committees through virtual meetings was welcomed. Unfortunately, violations of labour rights did not stop with the pandemic, and the proper functioning of the ILO's normative and supervisory system was therefore as crucial as ever.
- 360.** The efforts made by ACTRAV and other departments through the digitalization of training events, exchanges and webinars had been crucial to maintain contact and communication, but experience showed that face-to-face exchanges were also indispensable. While technology allowed some business continuity, many other aspects (such as transfer of technology, access to energy and connectivity, and data protection) should also be taken into consideration. More work needed to be done on the social and solidarity economy.
- 361.** She thanked those Member States who had ratified Conventions despite the disruptions caused by the pandemic, with the result that Convention No. 190 would enter into force on 25 June 2021 while universal ratification of the Worst Forms of Child Labour Convention, 1999 (No. 182) had been achieved. She also thanked the Office for having put the need for universal social protection at the heart of its messages and in its communication with other UN agencies.
- 362.** Lastly, it was regrettable that the rights-based dimension, the precarious nature of jobs, and macroeconomic policies aimed at placing decent work at the centre of economic policies were not addressed in the Framework for Action between United Nations Development Programme (UNDP) and the ILO for 2020 and beyond. It was also unclear as to how the seven key areas of collaboration in that Framework would interact at the country-level with the priorities identified in the programme and budget, whose purpose was to ensure alignment with the Centenary Declaration. On the other hand, she welcomed the proposal to bring the budget implications of the measures taken in relation to COVID-19 to the attention of the Governing Body in March 2021. The Centenary Declaration also provided enough guidance on where potential savings could be reallocated. Her group supported the draft decision.
- 363. The Employer spokesperson** said that the COVID-19 pandemic posed the greatest challenge to the world since the Second World War and represented the ILO's first major test in its second century given the catastrophic consequences for the world of work. He commended the Office on its rapid response and management since the global outbreak of COVID-19 in March 2020. He highlighted in particular the ILO Global Summit on COVID-19 and the World of Work, at which the ILO had demonstrated that it could play a key role in the sustainable response to the crisis, and the ILO Monitor, a publication that had been cited by major international stakeholders. However, later issues of the ILO Monitor had not provided the valuable information on the impact of the pandemic on businesses that had been present in its second and third editions, and should also have contained the assessments of the impact of country policy on business resilience that had been published on the COVID-19 Information Hub as the crisis worsened. Data on the pandemic's impact was crucial to the targeting of interventions to the sectors that

most needed support. The devastating impact of COVID-19 on the private sector should be faced head-on and the detail of policies should be scrutinized.

- 364.** He recognized the crucial activities that the Office had undertaken to provide immediate support to employers' organizations during the crisis through ACT/EMP and the collaborative efforts carried out by the Office and social partners. The outcomes of the global survey jointly conducted by the IOE and ACT/EMP on the impact of the pandemic on employer and business membership organizations would help to assess the challenges faced by those organizations, and the COVID-19: Action in the Global Garment Industry call to action was helping to mobilize funds to ensure business continuity and income for workers and laying the foundations for sustainable social protection schemes.
- 365.** The Governing Body had not endorsed the four-pillar ILO policy framework for tackling the economic and social impact of the COVID-19 pandemic, which blurred the boundaries set by the four strategic objectives of the Decent Work Agenda, and constituents had not been consulted during its development. The ILO's work, including its pandemic response, should continue to be guided by the letter and spirit of the ILO Centenary Declaration. The Office should prioritize quality over quantity in its pandemic response activities and provide practical, useful support that could be adapted easily by constituents. Good governance should not be bypassed in favour of rapid action. The effectiveness and coherence of critical policy actions hinged on the due consideration of constituent views.
- 366.** Although the Office had provided a wide range of activities, documents and support, the Employers' group had not been consulted by the Sectoral Policies Department in the formulation of the 17 sectoral briefs in spite of the Office's obligation to consult the IOE before involving sectoral employer organizations. The Office should also promptly provide constituents with documents on the production of knowledge products on business continuity and employment retention; the prevention of the expansion of the informal economy; the restoration and building of resilient, enabling business environments after the crisis; and the promotion and development of sustainable enterprises, productivity and innovation.
- 367.** The Office should create dedicated knowledge products to address constituents' urgent priorities and needs, proposing short-, medium- and long-term actions to respond to the different phases of the crisis. The Office had an important role to play in promoting worker protection and OSH measures to restrict workplace transmission during the crisis, and should play a bigger role in COVID-19 health and safety workplace policies by reinforcing messages from public health authorities, raising awareness of the coronavirus and anticipating preventive measures.
- 368.** Many ILO activities would have benefited from enhanced cooperation with other international organizations such as the World Trade Organization (WTO), the International Monetary Fund (IMF) and the World Bank. The Office should also ensure that resources were used efficiently by avoiding duplication and maintaining a coordinated, coherent approach across ILO departments and work done at headquarters and in the field. All ILO support should respect national realities. The Employers' group supported the draft decision.
- 369. Speaking on behalf of the Government group,** a Government representative of Panama welcomed the report and expressed his appreciation for the Office's pandemic response efforts and for the leadership assumed by the Director-General and his staff during the crisis. Noting that Workers' and Employers' groups had raised some very valid

points, he invited the Director-General to apply the lessons learned from the first phase of the pandemic throughout the rest of the crisis and to continue to play a leading role during the recovery phase. The Office could count on the support of the Government group, which would work with the Employers' and Workers' groups to build a better world after the crisis.

- 370. Speaking on behalf of the Africa group**, a Government representative of Morocco noted the various activities carried out by the Office in response to COVID-19. The pandemic had confirmed the importance of the ILO's tripartite mandate within the UN system. The Office had strengthened relationships with constituents and provided a platform for dialogue and consultation, while maintaining best governance practice. His group welcomed the regular publication of data and statistics; the number of hours of work lost was an important reference for constituents and other international organizations when developing recovery strategies. The implementation of the policy framework was also of note.
- 371.** Commending steps taken in responding to COVID-19, he said that the pandemic also provided an opportunity to review existing approaches to policy, legislation and production. He encouraged the Office to redouble its efforts to complete the many technical cooperation programmes under way in his region and asked whether the pandemic would affect the delivery of those programmes. The pandemic would have an impact on national economies and governments' ability to implement the response measures set out in the policy framework. The ILO should safeguard the rights of workers experiencing new ways of working, such as teleworking.
- 372.** The ILO should continue to support the States worst affected by the pandemic in implementing new social protection systems and carrying out labour inspections to ensure occupational safety and health. The Africa group supported the draft decision.
- 373. Speaking on behalf of GRULAC**, a Government representative of Barbados said that, in the face of challenges to combat high levels of unemployment and provide safe and decent work, the ILO's response to mitigate the socio-economic impact of the pandemic was commendable.
- 374.** GRULAC welcomed the publication of the ILO Monitor, which facilitated assessment and guided preparedness. The Global Summit had facilitated knowledge sharing, particularly concerning workforce retooling to ensure job sustainability. Policies and measures must be responsive and ensure opportunities for all in the world of work.
- 375.** GRULAC welcomed the structure of the policy framework, designed on the foundation of international labour standards, and the support provided by the Office for its implementation at the country and regional levels. The Office should ensure that the policy framework was effectively mainstreamed into the ILO's Strategic Plan for 2022–25 and the Programme and Budget for 2022–23. GRULAC supported the draft decision.
- 376. Speaking on behalf of ASPAG**, a Government representative of Australia acknowledged the swift response of the ILO and its constituents and the agility of the ILO to continue providing assistance and support in the face of the socio-economic impacts of the COVID-19 pandemic, which would disproportionately affect population groups most vulnerable to adverse labour market outcomes.
- 377.** ASPAG acknowledged the creation of a knowledge exchange network to share lessons learned, best practice and expertise, and said that the policy framework would help Member States to formulate policies to build back better. The COVID-19 response should be informed by international labour standards, the ILO Declaration on Fundamental

Principles and Rights at Work, and a culture of workplace cooperation and social dialogue, at all levels. The Office should strengthen its partnerships with specialized agencies and multilateral organizations, and develop new ones, to protect workers and support enterprises.

- 378.** Recognizing that the pandemic had had an impact on the delivery of ILO programmes, ASPAG asked the Office to provide details in that regard, and any budgetary implications, to the 341st Session of the Governing Body. The ILO must continue to learn from its current responses to inform the future, and maintain its central role in COVID-19 response. ASPAG supported the draft decision.
- 379. Speaking on behalf of IMEC,** a Government representative of Switzerland said that international cooperation was essential to address the COVID-19 pandemic and its socio-economic consequences. The report was a testament to the ILO's rapid response, but should also form the basis for reflection and learning. The pandemic had proven the importance of knowledge exchange mechanisms and the ILO's role therein. The sectoral briefs had supported impact assessment and provided information on policy responses and good practices. The policy framework helped constituents to understand challenges and possible interventions, and develop targeted and coherent measures. While international labour standards served as a foundation to all four pillars of the framework, the fundamental principles and rights at work were particularly relevant to Pillar 3.
- 380.** IMEC welcomed the support given to constituents to mitigate the impact of COVID-19. The ILO must find practical, human-centred approaches to social protection in the informal economy. Noting the increased use of technology to deliver services, IMEC asked how such experiences could inform best practices and increase the effectiveness of future service delivery. It acknowledged the ILO's collaboration with its partners; future strategic approaches should reflect the importance of cross-sectoral connections for achieving comprehensive, effective and efficient responses.
- 381.** The Office should prepare an overview of the impact of the pandemic on the policy outcomes of the Programme and Budget for 2020–21 and incorporate the comments made during the current session into the Programme and Budget proposals for 2022–23. It should share its lessons learned from the pandemic, particularly regarding trends affecting the future of work. IMEC supported the draft decision.
- 382. Speaking on behalf of the EU and its Member States,** a Government representative of Germany said that North Macedonia, Montenegro, Serbia, Albania, Norway, the Republic of Moldova, and Armenia aligned themselves with her statement. She aligned her group with the statement made on behalf of IMEC.
- 383.** She welcomed the overview of the ILO's response to the unprecedented challenges facing the world of work, and the Office's ongoing work to support its members in COVID-19 response and recovery. She welcomed the knowledge products provided by the Office, and the focus on those hit hardest by the pandemic. However, there was a need for measures to mitigate the damage wrought on the whole global community, not just the most vulnerable groups. The ILO's work had saved jobs and livelihoods, but also sought to design a fair and inclusive recovery, addressing the green and digital transitions.
- 384.** Despite dire consequences, the pandemic had accelerated innovation and stimulated cooperation between the ILO and various partner organizations. The Office should reflect on the lessons it had learned and continue its innovative approach. The EU supported the draft decision.

- 385. Speaking on behalf of ASEAN**, a Government representative of Thailand said that reliable information was a key factor in COVID-19 response, and welcomed the ILO Monitor and sectoral briefs. He noted the Global Summit at which Member States had shared challenges and best practices in mitigating the impact of the pandemic on workers and their families and communities. That summit had demonstrated the essential nature of international cooperation.
- 386.** He outlined response measures taken in his region, including the adoption of the Declaration of the Special ASEAN Summit on Coronavirus Disease 2019, the Special Meeting of ASEAN Labour Ministers on Response to the Impact of COVID-19 on Labour and Employment, and the development of a regional comprehensive recovery framework. Those measures would support livelihoods, safeguard labour rights and facilitate access to essential healthcare services for workers infected with COVID-19. ASEAN reaffirmed its commitment in that regard.
- 387. A Government representative of the United Kingdom** noted the examples of active country-level support indicated in the report. She commended the ILO Monitor, highlighting the need for a high-level, authoritative and employment-focused assessment of the impact of the pandemic. She encouraged the Office to continue producing those assessments quarterly. She asked how the ILO was working with the World Bank and the IMF to leverage funding, as lending and grants from those organizations had been a critical component of the international community's response. The ILO should provide technical support to improve data collection in developing countries to facilitate the design of effective evidence-based employment policies.
- 388. A Government representative of Bangladesh** said that the impact of the pandemic on the labour market was a global concern. He welcomed the ILO's timely initiatives to provide impact assessments and develop tools and response strategies, and the Global Summit, which had facilitated a useful discussion on the future of work. The policy framework would contribute to tackling the socio-economic impacts of the pandemic, but the ILO must support low- and middle-income countries to ensure that policy responses were inclusive and sustainable.
- 389.** In Bangladesh, having identified the challenges facing the financial sector and the labour market, the Government had allocated a stimulus package to support export industries and had provided working capital for small- and medium-sized enterprises, regeneration loans, interest relief, refinancing schemes, insurance for healthcare workers, and support for migrant workers who had to return home.
- 390.** Recognizing the ILO's response to COVID-19 so far, he said that it must continue to roll out projects for low- and middle-income countries, including in partnership with the UN COVID-19 Response and Recovery Fund. More attention should be paid to migrant workers, irrespective of their status, to ensure they kept their jobs. The ILO should help States to address youth unemployment, including through skills development and training. It should also complement Member States' efforts to address the constraints faced by small- and medium-sized enterprises and thus create jobs. It should continue to promote ethical and responsible business behaviour. Cooperation with other relevant organizations would facilitate resilient and sustainable social and economic recovery.
- 391. A representative of the Director-General** (Deputy Director-General for Policy (DDG/P)) thanked constituents for their positive comments. In response to questions about the policy framework, she assured constituents that the Office, drawing on previous experience, had reacted quickly to the pandemic by proposing specific areas for immediate policy responses focused on protecting workers and their families from the

pandemic and alleviating massive losses in jobs, income and enterprises. Up-to-date international labour standards and social dialogue provided the foundation for inclusive and sustainable policy responses under the four pillars presented in document GB.340/INS/18/6. The framework had greatly enhanced the visibility of the ILO and had contributed to placing decent work at the centre of the response to the pandemic. It had also been a solid basis for organizing and coordinating the Office's work, particularly responses to requests for technical assistance. She underscored that the framework had been subject to constant review and improvement in line with the Office's priority of tackling the evolving situation of the pandemic.

- 392.** Based on the lessons learned thus far, the Office's position was that: policy interventions must be maintained at the necessary scale and made increasingly effective and efficient; the stimulus gap must be bridged in emerging and developing countries, which required greater international solidarity and more effective stimulus measures; tailored support measures for vulnerable and hard-hit groups, including women, young people and informal workers, must be a priority policy; and social dialogue must continue to be utilized as an effective policy response to the crisis. She noted a particular instance of the Office's innovative and nimble approach, whereby the statistical and research teams used non-traditional sources of data to track the effects of the pandemic when official sources were unavailable.
- 393.** In response to the Workers' request for clarification on the UNDP-ILO global Framework for Action, she said that the overall objective of the new framework was to bring together the comparative advantages of the UNDP and the ILO in the context of COVID-19. The Office's approach and contribution would be based on the core mandate and activities of the ILO, international labour standards, social dialogue and tripartism, and would be particularly evident in priority area 4 on social dialogue. In response to the points made regarding the precarious nature of jobs and having stronger macroeconomic policies to promote decent work, she said that those issues would be covered under priority area 2. Cooperation with international financial institutions in the consideration of macroeconomic policies would be critical. Work on the framework would be an integral part of the current planning and programming processes and would not lead to any programming or reporting burdens. Finally, she said that ACT/EMP and ACTRAV had been consulted on all online knowledge products related to COVID-19, including all sectoral briefs.
- 394. A representative of the Director-General** (Regional Director for Africa) said that the work being done to respond to COVID-19 in Africa was based on the Implementation Plan of the Abidjan Declaration – Advancing Social Justice: Shaping the future of work in Africa; which was developed in collaboration with the tripartite constituents to also address the impacts of COVID-19. The Regional Office had collaborated with the African Union to organize a forum for representatives of African Governments for discussions alongside the social partners on effective responses to COVID-19 anchored in the framework. The programmes developed helped the Office to identify where targeted interventions were needed. Partnerships with international financial institutions were considered crucial. As part of its partnerships, the Regional Office had agreed with the World Bank to foster policy coherence through joint programmes, joint messaging and advocacy as well as joint knowledge products. They had also agreed to work together on areas like social protection in a way that will foster collaboration between their respective partners. The Regional Office was working with the World Bank and other UN partners to help promote the development, humanitarian and peace nexus, specifically to support Member States to use cash transfers in addressing short-term concerns, while also strengthening sustainable, long-term social protection systems. The Regional Office was

also working with the UNDP to develop knowledge products that helped to identify where targeted responses were required and to access joint UN funding initiatives. Many countries in Africa were benefiting from the Multi-Partner Trust Fund, particularly in the area of social protection. The Regional Office had been able to nimbly make the necessary adjustments to ongoing programmes and mobilize additional resources to support Member States. She appreciated the willingness of development partners to engage on priority issues such as social protection and for their flexibility in helping the region to address the impacts of the COVID-19 pandemic in an agile manner.

- 395. The Director-General** thanked constituents for their comments, advice and guidance, which would be taken into account by the Office. He expressed particular appreciation for the recognition of the Office's swift and agile response to the needs of its constituents in the context of the COVID-19 pandemic. The ILO Monitor: COVID-19 and the world of work had been a great success through its major contribution to analysis of the impact of the pandemic and its role as a platform for visibility and advocacy. He welcomed the positive response to the policy framework.
- 396.** In response to the Employers' comment, he recognized that the framework had not been adopted by any ILO decision-making body, but recalled that no decision-making body had been able to convene and that the framework had been necessary, as pointed out by several constituents. He emphasized that the Office had been intensively pursuing and deepening all its partnerships. The engagement and interest of its partners demonstrated that the ILO was playing an important role in the COVID-19 pandemic response. He noted that the notion of better cooperation, coherence and partnership across the UN system must be an inherent part of discussions on the human-centred response policy initiative (GB.340/HL/2). He reassured constituents that the implications for the delivery of the Programme and Budget for 2020–21 would be examined in March 2021.
- 397. The Worker spokesperson** emphasized that the Workers' group strongly supported the work the ILO had done during the COVID-19 pandemic and complimented the Office and its staff members. The Workers' group thanked the Office for providing clarification on the group's query.
- 398. The Employer spokesperson** emphasized that the discussions held during the ILO Global Summit on COVID-19 and the World of Work, as constructive as they had been, had not been intended to constitute a launchpad for changing governance at the ILO. The Officers of the Governing Body had never been notified that any framework other than that of the Centenary Declaration had been contemplated and, if that had been the case, the Officers should have been consulted. The IOE must also be consulted on all issues.

Decision

- 399. The Governing Body took note of the information provided in document GB.340/INS/18/6 and requested the Director-General to:**
- (a) take into account the guidance provided in steering the Office actions and response to the ongoing COVID-19 crisis; and**
 - (b) communicate further details regarding the implications of COVID-19 for delivery of the Programme and Budget for 2020–21 at its 341st Session (March 2021).**

(GB.340/INS/18/6, paragraph 77)

18.7. Seventh Supplementary Report: Appointment of a Deputy Director-General and an Assistant Director-General (GB.340/INS/18/7)

- 400. The spokesperson of the Government group** expressed his group's deep gratitude and appreciation for the work of the former Deputy Director-General for Policy, Ms Deborah Greenfield, who over the last three years had worked tirelessly to advocate for the ILO within the UN system and chart a clear course for the ILO on challenging issues related to the world of work. Her thoughtful and innovative solutions allowed the Governing Body to find consensus on difficult topics. Furthermore, her contribution to the ILO Centenary and her work in the Conference committee on violence and harassment would be remembered. Lastly, the contribution that her appointment had made towards gender parity among ILO senior staff was not to be overlooked. The speaker then welcomed the new Deputy Director-General, Ms Martha Newton, whose reputation as the Head of Delegation for the United States to the ILO preceded her. He referred to her expertise on international labour policy, extensive experience, impartial and even-handed character, and her negotiation skills as some of her many qualities.
- 401. Speaking on behalf of ASPAG**, the Government representative of Japan congratulated the new Regional Director for Asia and the Pacific. He referred to the crucial role she had previously played within the Japanese Government, in particular on gender-issues, international labour affairs and as a government representative at the ILO's Governing Body. The Asia-Pacific region expected her to have a leading role towards building back better after the COVID-19 crisis and looked forward to working with her at the next Asia and the Pacific regional meeting, where the group hoped to discuss issues affecting employment and the future of work in the region, including the need for the ILO's office in Bangkok to provide countries with technical assistance on occupational safety and health. In closing, he thanked the previous Regional Director, Ms Tomoko Nishimoto, and thanked her for her dedication and diligence, which had been greatly beneficial to the region.
- 402. The Employer Vice-Chairperson** welcomed the new Deputy Director-General for Policy and the new Regional Director for Asia and the Pacific and pledged his group's full cooperation with them within the confines of tripartism.
- 403. The Worker Vice-Chairperson** thanked the outgoing Deputy Director-General for Policy, who had worked tirelessly to maintain the ILO's important role as a fortress for social justice.

Decision

- 404. The Governing Body took note of the appointments made by the Director-General after having duly consulted the Officers of the Governing Body, and invited Ms Martha Newton and Ms Chihoko Asada-Miyakawa to make and sign the prescribed declaration of loyalty as provided under article 1.4(b) of the ILO Staff Regulations.**

(GB.340/INS/18/7, paragraph 4)

18.8. Eighth Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by Lesotho of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26) (GB.340/INS/18/8)

(The Governing Body considered this report in its private sitting.)

Decision

405. In the light of the conclusions set out in paragraphs 19, 23 and 24 of document GB.340/INS/18/8 with regard to the matters raised in the representation, and taking into consideration the recommendations of the Committee, the Governing Body decided to:

- (a) approve the report contained in document GB.340/INS/18/8;
- (b) invite the parties to avail themselves of ILO technical assistance over the next 12 months, building on the assistance provided in the late 1990s and more recently in 2012–13, with a view to further supporting the participation of the social partners in, and the effective functioning of, the minimum wage-fixing machinery in the country;
- (c) invite the Government to send in its next report to the Committee of Experts on the Application of Conventions and Recommendations information related to its conclusions; and
- (d) make the report of the Committee publicly available and close the procedure initiated by the representation.

(GB.340/INS/18/8, paragraph 25)

19. Reports of the Officers of the Governing Body

19.1. First report: Representation alleging non-observance by Chile of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), and the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37) (GB.340/INS/19/1)

(The Governing Body considered this report in its private sitting.)

Decision

406. In the light of the information contained in document GB.340/INS/19/1, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.

(GB.340/INS/19/1, paragraph 5)

19.2. Second report: Representation alleging non-observance by Cameroon of the Right of Association (Agriculture) Convention, 1921 (No. 11), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Termination of Employment Convention, 1982 (No. 158) (GB.340/INS/19/2)

(The Governing Body considered this report in its private sitting.)

Decision

407. In the light of the information contained in document GB.340/INS/19/2, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was not receivable.

(GB.340/INS/19/2, paragraph 5)

19.3. Third report: Representation alleging non-observance by Tunisia of the Labour Inspection Convention, 1947 (No. 81) (GB.340/INS/19/3)

(The Governing Body considered this report in its private sitting.)

Decision

408. In the light of the information contained in document GB.340/INS/19/3, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.

(GB.340/INS/19/3, paragraph 5)

19.4. Fourth report: Representation alleging non-observance by Argentina of the Occupational Safety and Health Convention, 1981 (No. 155) and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) (GB.340/INS/19/4)

(The Governing Body considered this report in its private sitting.)

Decision

409. In the light of the information contained in document GB.340/INS/19/4, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.

(GB.340/INS/19/4, paragraph 5)

19.5. Fifth report: Representation alleging non-observance by Peru of the Hours of Work (Industry) Convention, 1919 (No. 1) (GB.340/INS/19/5)

(The Governing Body considered this report in its private sitting.)

Decision

410. In the light of the information contained in document GB.340/INS/19/5, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.

(GB.340/INS/19/5, paragraph 5)

19.6. Sixth report: Representation alleging non-observance by Mexico of the Social Security (Minimum Standards) Convention, 1952 (No. 102) (GB.340/INS/19/6)

(The Governing Body considered this report in its private sitting.)

Decision

411. In the light of the information contained in document GB.340/INS/19/6, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.

(GB.340/INS/19/6, paragraph 5)

19.7. Seventh report: Representation alleging non-observance by Peru of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Workers with Family Responsibilities Convention, 1981 (No. 156) and the Safety and Health in Mines Convention, 1995 (No. 176) (GB.340/INS/19/7)

(The Governing Body considered this report in its private sitting.)

Decision

412. In the light of the information contained in document GB.340/INS/19/7, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.

(GB.340/INS/19/7, paragraph 5)

19.8. Eighth report: Representation alleging non-observance by Portugal of the Labour Inspection Convention, 1947 (No. 81), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Occupational Safety and Health Convention, 1981 (No. 155) (GB.340/INS/19/8)

(The Governing Body considered this report in its private sitting.)

Decision

- 413. In the light of the information contained in document GB.340/INS/19/8, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.**

(GB.340/INS/19/8, paragraph 5)

19.9. Ninth report: Follow-up to the representation alleging non-observance by Chile of the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) (GB.340/INS/19/9)

(The Governing Body considered this report in its private sitting.)

Decision

- 414. In light of the information provided in document GB.340/INS/19/9 and on the recommendation of its Officers, the Governing Body decided to:**

- (a) postpone once again the appointment of the committee charged with examining the new representation pending further examination by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) at its 91st Session (November–December 2020) of the follow-up given to the recommendations previously adopted by the Governing Body; and**
- (b) consider the appointment of a tripartite committee at its 341st Session (March 2021).**

(GB.340/INS/19/9, paragraph 9)

19.10. Tenth report: Representation alleging non-observance by Portugal of the Nursing Personnel Convention, 1977 (No. 149) (GB.340/INS/19/10)

(The Governing Body considered this report in its private sitting.)

Decision

- 415. In the light of the information contained in document GB.340/INS/19/10, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.**

(GB.340/INS/19/10, paragraph 5)

20. Procedure for the appointment of members of the Committee of Experts on the Application of Conventions and Recommendations

(The consideration of this item is deferred to the 341st Session (March 2021).)

21. Composition, agenda and programme of standing bodies and meetings (GB.340/INS/21)

Decision

416. The Governing Body decided by correspondence:

- (a) to approve the programme of official meetings listed in the first part of the appendix to document GB.340/INS/21; and
- (b) to request the Office to keep the situation under regular review in consultation with the tripartite constituents so as to implement the programme of official meetings according to the evolving circumstances.

(GB.340/INS/21, paragraph 8)

Summary of written comments received during the consideration of the item by correspondence ¹⁴

- 417. The Employers' group** wished to clarify that the decision as to whether to hold the additional sectoral meetings listed in the appendix to GB.340/POL/4(Rev.1), had not yet been taken. As stated in subparagraph (d) of the decision concerning sectoral meetings (GB.340/POL/4(Rev.1)), the decision to include a ninth meeting in the programme of sectoral work should be considered by tripartite constituents in the framework of the consultations outlined in document GB.340/INS/21.
- 418. IMEC** thanked the Office for preparing the documents and engaging in consultations regarding that agenda item, which was now more significant than ever since, due to the COVID-19 pandemic, it was impossible to hold meetings as previously planned. Further consideration should be given to how meetings were arranged, while keeping in mind the purpose of each meeting.
- 419.** In general, IMEC supported the Office's proposal to hold meetings related to the Governing Body and supervisory mechanisms fully or partially by virtual means, where it was essential to do so due to the prevailing circumstances. That was important and necessary from the perspective of the continuity of the ILO's work. In the context of COVID-19, the role of the ILO had become all the more important, and the ILO must ensure that its work continued to contribute to the global recovery from the COVID-19 crisis.
- 420.** Virtual meetings were rapidly becoming part of the "new normal" in the ILO and worldwide. As that new custom became common practice, participation in meetings for all constituents should be ensured on an equal footing and working methods specific to virtual meetings continually improved to be more efficient and effective.

¹⁴ The complete text of each comment in the original language is available on the [Governing Body's web page](#), together with the decision.

421. The 340th Session of the Governing Body would be the first experience for the ILO to have substantive discussions in a virtual meeting. Based on that experience, measures to improve the efficiency of virtual meetings should be taken towards improving the experience for the 341st Session and other future meetings.
422. When consideration would be given to resuming face-to-face meetings, hopefully in the not too distant future, all groups should be involved, since national circumstances might be different for each country in terms of travel, health and safety conditions. From that perspective, and considering the fact that there were many meetings for which dates and format were still to be determined, as described in the second part of the Appendix, IMEC supported the Office's proposal to convene tripartite consultations regarding that item, as described in paragraphs 6 and 8(b).
423. The 109th Session of the International Labour Conference could not be deferred again, in order to ensure the continuity of the ILO's work and the fact that the programme and budget had to be adopted on that occasion. The group sincerely hoped that it would be possible to hold it face-to-face, but it was uncertain whether the situation would permit it. IMEC was therefore strongly of the view that the discussion concerning the arrangements for the Conference session should start early and the possibility of holding it virtually not excluded, especially considering the time-bound nature of some of the issues. When considering holding a virtual session of the Conference, more details would need to be discussed, such as how to set a programme and order of business that was efficient and acceptable for different time zones, how to hold elections, and how to ensure strict time management. Such a discussion should start well in advance, based on the experience of the 340th Session of the Governing Body.
424. The Sixth Meeting of the Standards Review Mechanism Tripartite Working Group (Standards Review Mechanism (SRM) Tripartite Working Group (TWG)) was of critical importance to the world of work in order to ensure that ILO standards were up-to-date, robust and relevant. By postponing the meeting to September 2021, the Governing Body would miss one year of SRM TWG recommendations and follow-up by the Office and constituents. IMEC urged the Office to ensure that a year was not lost for the SRM process by proceeding with its work, and urged all SRM TWG constituents to be innovative and flexible in their approaches going forward so as to ensure that the TWG continued its very important work.

Other business

Resolution concerning maritime labour issues and the COVID-19 pandemic

425. **The Worker spokesperson** presented a draft resolution in accordance with article 5.7 of the Standing Orders of the Governing Body concerning maritime labour issues and coronavirus disease (COVID-19), which was based on negotiations between the International Chamber of Shipping and the International Transport Workers' Federation. She offered her apologies to the Government group for the very short notice. The Workers' group had hoped to present it earlier in the session jointly with the Employers' group as a successful example of social dialogue on an important issue that affected workers and employers worldwide. However, as the Employers' group had not yet completed their consultations, the Workers' group was presenting it alone. She regretted that due to the late submission the Governing Body would not be able to adopt the resolution during the session.

- 426.** The issue was important and pressing, as the border and travel restrictions imposed by governments to contain the spread of COVID-19 had resulted in approximately 400,000 seafarers being trapped working on board ships. The measures had impeded the industry's ability to perform the necessary crew change cycles on which the safety of maritime transportation and the resilience of global supply chains depended. In addition, for every seafarer who could not be repatriated, there was another waiting, unemployed, to board the ship, bringing the number of affected seafarers to 800,000. Estimates indicated that up to 1 million seafarers could be affected by March 2021 if concerted action was not taken to alleviate the crisis. As the shipping industry transported around 90 per cent of the world's goods, there was also a significant potential impact on the global economy. The seafarers awaiting repatriation had completed their original tour of duty and some had been on board for more than 17 consecutive months, often without access to shore-based leave or medical treatment. Cases of total desperation and even suicide had been reported. As the situation stood, seafarers' rights at work were being adversely affected and the provisions on decent work and living conditions under the Maritime Labour Convention, 2006, as amended, (MLC, 2006) were not being upheld. Furthermore, seafarer fatigue presented immense risks not only to the physical and mental health of individual seafarers, but also increased the risk of maritime incidents and environmental disasters. While governments were facing difficulties and had to protect public health in their populations, too little progress had been made to diffuse the situation. Flag, port and labour-supply States had interrelated duties to seafarers to work together to arrange, facilitate or finance their repatriation. She expressed the hope that all groups of the Governing Body would support the resolution to send a strong, unified message on the issue.
- 427. The Employer spokesperson** said that dialogue should always involve sensitivity to each other's unique circumstances, respect and reciprocity. Despite having had three meetings, the Officers of the Governing Body had not been made aware of the matter before receiving the draft resolution. It was crucial to respect proper governance, even on urgent matters. Nevertheless, the Employers' group was not disputing the substance of the draft resolution and had made special efforts to prioritize its discussion. Having been briefed by the International Chamber of Shipping, the group had suggested minor adjustments to the draft resolution so that it could be considered as a joint proposal of the Employers' and Workers' groups. The Employers looked forward to consultations to define a process for adopting the draft resolution on an urgent basis after the session, given the importance of the issue at stake.
- 428. The Chairperson of the Government group** said that his group sympathized with the challenges faced by seafarers in the context of the global pandemic, fully understood the importance and urgency of the issue and would participate constructively in any discussions. However, having received the draft resolution only two days before the end of the session, the Governments would need more time to reflect on the measures they were being called on to take, and to consult with the relevant ministries and government authorities. While the Government group was therefore not in a position to approve the resolution during the session, it was committed to reviewing the matter as quickly as possible. He suggested that the Screening Group should define the next steps in considering the draft resolution, which could involve tripartite discussions followed by some form of approval by correspondence.
- 429. The Worker spokesperson** said that her group fully agreed that governments must have the necessary time to undertake the proper consultations. The Workers' group had been working closely with the social partners in the shipping industry and the issue was of equal interest to shipowners and businesses as it was to workers. Shipowners had

been awaiting the Employers' group's agreement so as to demonstrate strong commitment from both social partners within the Governing Body. In order to expedite the process in the unprecedented circumstances, workers would exceptionally agree to it being discussed by the Screening Group, with the additional participation of industry experts and members of the Special Tripartite Committee of the Maritime Labour Convention 2006, as amended (STCMLC). The unanimous commitment of the Government group was a promising sign that it would indeed be possible to develop a strong, unified message from the ILO, which would also feed into discussions at other UN agencies and elsewhere around the world. Recalling the urgency of the matter, she appealed to the meeting of the Screening Group and members of the STCMLC to take place before the end of November 2020 to allow time for the vote by correspondence and to ensure that the resolution was published by the beginning of December, before the General Assembly of the United Nations would be adopting a resolution on the impact of the pandemic in the maritime sector.

- 430. A representative of the Director-General** (Deputy Director-General, Management and Reform) said that under paragraph 29(g) of the special arrangements for the 340th Session,¹⁵ the Governing Body could decide to put an item to a decision by correspondence after the session in consultation with the Screening Group. Governing Body members had expressed the desire to extend the consultations beyond the members of the Screening Group to include Government, Employer and Worker experts from the shipping industry. Subject to consensus in the Governing Body, the ballot by correspondence would seem to be the most practical way to proceed.
- 431. The Employer spokesperson** said that as the IOE was the sole secretariat of the Employers at the ILO, any matters dealt with by the Office should be communicated to it, rather than directly to business organizations. The issue concerned an emergency that had begun before the current session, therefore the Governing Body should have been notified in advance. Nevertheless, it was to be hoped that the adoption of the resolution could be expedited in order to lend the necessary assistance to those affected.
- 432. The Government representative of Panama**, also speaking on behalf of the Government of the Philippines, said that as the countries with the world's largest maritime registry and greatest number of seafarers, respectively, they would like to thank the countries that had worked with them to repatriate seafarers. He called on other countries to work together to establish mechanisms to facilitate the repatriation of seafarers who had become stranded owing to the COVID-19 pandemic. When road and air transport had been closed down, all goods had been transported by sea. The ports had also remained open in order to ensure that humanitarian aid could continue to be provided to those countries most in need in the region.
- 433. The Director-General** said that it was apparent that the constituents agreed that the matter was of great importance and urgency. If the draft resolution was indeed unlikely to create significant differences of opinion among the groups, it could therefore be dealt with by correspondence if the Governing Body agreed.
- 434. The Employer spokesperson** said that the secretariats were already in discussions, and agreed with the Director-General's proposed procedure.
- 435. The Chairperson of the Government group** reiterated that his group would be able to participate swiftly and constructively in the tripartite consultations with a view to

¹⁵ GB.340/INS/1(Rev.1).

agreeing on the text and content of the resolution. The vote by correspondence was however the last stage in the adoption process.

Decisions

- 436.** Having received a draft resolution submitted jointly by the Workers' and the Employers' groups concerning maritime labour issues and coronavirus disease (COVID-19), the Governing Body, in light of the importance of the matter, decided to refer it to the Screening Group for consideration as a matter of urgency in consultation with the Officers of the Special Tripartite Committee of the Maritime Labour Convention, with a view to adopting a resolution on these issues by correspondence, if so agreed by the Screening Group.
- 437.** Following consultations, the Governing Body adopted by correspondence on 8 December 2020 a revised version of the draft resolution (GB.340/Resolution (Rev.2)) proposed by the Screening Group.

Summary of statements received during the consideration of the item by correspondence ¹⁶

- 438.** In a statement on behalf of **the EU and its Member States**, it was noted that Turkey, North Macedonia, Montenegro, Albania, Republic of Moldova, Armenia and Georgia aligned themselves with the statement. They supported the adoption of the draft ILO resolution.
- 439.** In March 2020, the EU had issued guidance recommending that workers involved in the supply of goods, maritime and inland navigation workers and fishers should be classified as essential, and in October 2020, EU Member States had adopted a recommendation on a coordinated approach in response to the pandemic, facilitating the free movement of essential workers, including seafarers.
- 440.** As international cooperation was essential due to the global nature of maritime transport and fishing activities, the EU and its Member States welcomed initiatives taken by the Office, the Officers of the STCMLC, international social partners, the International Maritime Organization and other UN agencies and programmes to address the situation. Furthermore, they thanked the Government of Indonesia for taking the initiative to pursue the matter at the UN General Assembly, and welcomed the subsequent adoption by consensus of the General Assembly resolution of 1 December 2020 entitled "International cooperation to address challenges faced by seafarers as a result of the COVID-19 pandemic to support global supply chains". They also fully supported the draft ILO resolution, as the actions it called for were essential to ensuring the health of hundreds of thousands of seafarers and fishers, preventing accidents and securing the functioning of global supply chains.
- 441. Morocco** noted that it had no objections to or comments on the revised text of the resolution. The Government had taken action to facilitate the work of seafarers and prevent infection, including extending expired Standards of Training, Certification and Watchkeeping (STCW) certificates; issuing a note to shipowners on recording people's movements via an app; and decentralizing, outsourcing and digitizing the issuance of STCW certificates. The central seafarers' service was operating a rapid response email service to authorize crew changes for both Moroccan and foreign seafarers and to

¹⁶ The complete text of each statement in the original language is webposted on the same [web page](#) as the decision.

handle seafarers' requests to access onshore medical care in ports throughout the country.

- 442. The United Kingdom** noted that collective international efforts had rightly prioritized the continued functioning of global supply chains to ensure the resilience of national economies. A key element of the draft ILO resolution was the ability for seafarers to access on-shore medical care. While recognizing that governments wanted to protect their domestic population, the Government of the United Kingdom urged States to take immediate action for the sake of seafarers' physical and mental welfare, their families, the protection of the marine environment and the protection of the global economy and supply chains. Whether a net importer or exporter, every State relied on seafarers for the delivery of vital goods and services. The Government welcomed the adoption of the UN General Assembly resolution of 1 December 2020, and expressed the hope that the Governing Body would adopt the draft ILO resolution.
- 443. The United States** joined the consensus on the draft resolution. The Government had strongly advocated that States should take decisive action to facilitate crew rotations and had supported similar resolutions in the International Maritime Organization and the UN General Assembly. The Government had recognized the importance of seafarers by designating them as key workers early in the pandemic; had successfully facilitated numerous crew changes and repatriations of seafarers; and had fulfilled its international obligations to ensure access to emergency medical care to address the serious impacts of COVID-19 on the seafarer community, while taking into account the health concerns of coastal States.
- 444.** The Government of the United States interpreted the term "multinational and national enterprises" to have the same scope as "business enterprises" in the UN Guiding Principles on Business and Human Rights. The non-binding resolution did not impose legal obligations on States and, as such, did not impute obligations from the MLC, 2006, to States that had not ratified it. It was to be hoped that in drawing the world's attention to the plight of seafarers, the resolution could stimulate efforts to assist them.

Trade union rights in the Sudan

- 445. The Worker spokesperson** expressed her group's strong concerns about the violation of trade union rights in the Sudan. On 14 December 2019, the Sudan's Sovereign Council had reportedly issued a decree dissolving all trade unions and professional associations in the Sudan, including the Sudanese Workers' Trade Union Federation (SWTUF). As a result, officials and members of the SWTUF and its affiliates were prohibited from engaging in trade union activities and, on 25 March 2020, the Sovereign Council seized SWTUF property and assets. Two union leaders, Mr Abbas Mohammed Ahmed Habib Allah and Mr Tarek Mahmoud, President and General Secretary respectively of the National Education Union, had been arrested and detained for two days and released on bail for refusing to hand over the union's property and assets to the designated government worker committee.
- 446.** Hundreds of public sector workers, including trade unionists, had since been summarily dismissed by the Sudanese Government, which had closed the doors to social dialogue, refusing to cooperate with the SWTUF and its affiliates. Workers had been seriously affected by the dissolution and ban on the activities of the SWTUF and its affiliates, including a deterioration in their working and living conditions.
- 447.** The Workers' group therefore called on the Government of the Sudan to: immediately reverse the decision to dissolve the SWTUF; refrain from imposing caretaker committees

to take charge of the administration and management of trade unions and professional associations; immediately withdraw the police from all trade union premises; order the restitution of all SWTUF assets; and stop the dismissal, prosecution, intimidation and harassment of trade union officials and members. It also called on the Government to respect the right of workers to establish organizations of their own choosing without interference from the public authorities, and to engage in genuine social dialogue with the SWTUF and its affiliates.

Closure of the session

- 448. The Director-General** thanked everyone who had made it possible to conduct the 340th Session of the Governing Body in a virtual form, motivated by the understanding that it was absolutely crucial for the institutional life of the Organization for the Governing Body session to take place, after the interruptions of recent months, and for important business to be conducted in satisfactory conditions. That had been achieved, owing to the extraordinary commitment and participation of members of the Governing Body. He also thanked those who had chaired the different sittings, guiding members in such unusual conditions with extraordinary skill, and his colleagues in the Office, who had managed the technology and put in place complex procedural mechanisms to enable the business to be conducted so successfully.
- 449. The Worker spokesperson** thanked everyone for their work and commitment during the session. Despite good procedural arrangements, a virtual meeting had its limitations, including the lack of an informal negotiating space for consultations. She agreed with the Director-General on the importance of holding the session, not least to show that the ILO was functioning, that it was very much needed and that it could also deliver, but expressed the hope that the Governing Body could hold a physical meeting in March 2021, or soon thereafter.
- 450. An Employer member from Colombia**, noting that two sittings had been chaired by a substitute Chairperson, sought clarification from the Legal Adviser on chairing duties. In accordance with paragraph 2.2.5 of the Standing Orders of the Governing Body and paragraph 19 of the [special arrangements for the 340th Session](#), the Chairperson should normally preside at all sittings and, in the absence of the Chairperson, only a regular or deputy member could be assigned chairing duties. As the Governing Body had elected the Secretary of Labour and Employment of India as Chairperson, he questioned the validity of another representative of the Government of India who was not a member of the Governing Body being assigned chairing duties rather than one of the Vice-Chairpersons or a member from another country.
- 451. The Legal Adviser** recalled that, under paragraph 2.2.5 of the Standing Orders of the Governing Body, the Chairperson was entitled to assign a regular or deputy member the functions necessary for chairing a particular segment and added that under paragraph 19 of the special arrangements for the 340th Session, the Chairperson was afforded broader discretion insofar as he could assign to a representative of a regular or deputy member chairing functions also for a specific sitting or agenda item. Recalling that India was a regular member of the Governing Body, he said that nothing prevented the elected Chairperson of the Governing Body from assigning to the Permanent Representative of his own country the functions necessary for chairing the sitting, as he had announced the day prior to the sitting, in accordance with paragraph 2.2.5 of the Standing Orders and paragraph 19 of the special arrangements.
- 452. The Employer spokesperson** agreed that virtual meetings did complicate proceedings and noted that some sittings had been better than others; indeed, it was regrettable that

more time had not been allowed for consultations with a view to reaching consensus on a decision relating to the Bolivarian Republic of Venezuela. Lessons could be learned, however, to help improve matters at future meetings. In spite of the difficult conditions and discussions, the Governing Body session had gone quite well overall and some important decisions had been made in the quest to ensure that the ILO was relevant going forward and helped the world as the only organization that respected social dialogue and tripartism. Although he preferred physical meetings, he recognized that one of the advantages of a virtual session was that it had encouraged participants to be concise and focused. He thanked those who had chaired the different sittings and commended the Office's determination to adapt to the new ways of working.

- 453. Speaking on behalf of IMEC**, a Government representative of Canada thanked all those who had contributed to the organization and smooth functioning of the Governing Body's first-ever virtual session, despite the challenging logistical context, and the social partners and other governments for their constructive efforts towards reaching consensus. While members of her group missed the in-person interactions, they appreciated the spirit in which participants had engaged in the virtual forum to ensure the important governance work of the Organization could proceed. Together, members of the Governing Body had been successful in advancing the ILO's work.
- 454. Speaking on behalf of ASPAG**, a Government representative of Japan applauded the efforts of those involved in organizing and conducting the Governing Body session. He expressed his group's appreciation for the efforts of the other groups to engage constructively in the discussions and for the robust tripartite consultations that had helped build consensus, and which had led to many outcomes. He looked forward to further collaboration at the Governing Body's 341st Session.
- 455. A Government representative of Brazil** echoed the gratitude expressed by previous speakers to all those who had worked hard to make the virtual session possible. However, he could not share the optimism of the Director-General and others in the assessment of the first virtual session of the Governing Body, owing to his Government's disappointment at what had happened during the discussions relating to the Bolivarian Republic of Venezuela. Brazil had supported the holding of a virtual session of the Governing Body, with special arrangements and rules of procedure, to allow urgent and necessary decisions to be taken that would have a bearing on the world of work. The Governing Body had failed in that regard. Brazil had not supported the special arrangements and rules of procedure only for them to be misused and objected to the notion of hiding behind procedures to avoid being held accountable for serious violations of labour rights. Options had been available for a decision-making process for difficult and urgent matters. Members should carefully reflect on the lessons learned and return in March ready to take the decisions that were long overdue.
- 456. A Government representative of the United States** acknowledged that it had been a difficult Governing Body session to conduct, and he appreciated the hard work of those who had made it possible. Agreeing with the Director-General on the importance of holding the meeting, and despite the major problem that had occurred during the discussions relating to the Bolivarian Republic of Venezuela, his Government was glad it had taken place. He expressed regret that the Employers and the Workers had not been given the opportunity to speak as they had so requested during the discussions on the Bolivarian Republic of Venezuela. It was doubly regrettable as one of the groups had actually come up with a potential solution that might have met with consensus and settled the matter in the interest of all the parties involved.

457. Operating virtually, it had been the goal of the Office to replicate as much as possible the attributes of a physical meeting, but unfortunately some of the rules and outcomes had not been as they would have been in a physical meeting. The situation had arisen in which there were rules that had allowed not only one country to be able to block consensus, but also one country to block a vote; that seemed inconsistent with the democratic mandate of the Organization. He firmly hoped that the rules would be reviewed or changed should the Governing Body need to hold a virtual session in the future.
458. **The Chairperson** thanked the members of the Governing Body, the Director-General and his team and the members of the Office who had assisted and guided the Chairperson throughout the session. The work of the Governing Body had been conducted under very challenging circumstances, and the experience gained during the session would prove invaluable should it be necessary for the Governing Body to hold a virtual session in the future.

► Policy Development Section

Employment and Social Protection Segment

1. The role of the ILO in addressing climate change and a just transition for all (GB.340/POL/1)

459. **The Employer spokesperson** said that the Office must focus its efforts on how labour markets would be affected both by climate change itself and by the transitions made to minimize and mitigate climate change. Changes to economies, labour markets and to the mix of industries and ways of working would create real challenges for millions of working people and their communities, and positive labour market outcomes relied on sound, employment-sensitive approaches.
460. The successful reduction of carbon emissions would depend strongly on coherent industrial policy frameworks and technological research and development. The creation of national frameworks for more skilled and flexible working populations would be crucial to the transition to sustainable economies. For enterprises to make the transition to a lower-carbon economy, stable and affordable energy prices, clear and supportive regulatory frameworks and suitable incentives to foster competitiveness, innovation and productivity were necessary.
461. The Employers' group welcomed the focus in the Office document on the role to be played by the social partners in the transition and also the alignment with the key focus areas of the ILO Centenary Declaration for the Future of Work of economic growth, job creation, productivity, an enabling environment for enterprises, and skills. Action should be prioritized over discussion, as existing frameworks and guidelines were already a sound normative base for action. There was no need to create additional standards, and doing so would delay urgently required action. The Office must take into account the importance of small and medium-sized enterprises (SMEs), which often required support in areas such as access to finance, capacity-building and simplified bureaucratic frameworks and conditions. The Employers urged the Office to recognize that there were both threats and opportunities for jobs in the transition, which were not limited to multinational enterprises. The informal economy also had to be addressed, as workers and employers often lacked access to social protection, training and skills development,

and support and incentives to adapt business models. The ILO must concentrate its efforts on employment and livelihoods in order to avoid overlap or conflict with existing multilateral measures on climate change.

- 462.** The group would like additional information on the ILO's work in the area, and therefore proposed that systematic monitoring of progress and outcomes and reporting back to the Governing Body should be included in the decision and that more detail should be provided on upcoming activities and research projects. The group also asked the Office to outline how the current discussion would interact with existing work on climate change, such as the Climate Action for Jobs Initiative.
- 463.** Noting that the Asia and Pacific group (ASPAG) had submitted in writing a proposed amendment to the draft decision, the Employers' group proposed the following subamendments: In subparagraph (a), "research" should replace "discussion" to place a stronger onus on outcomes and deliverables; however, the need to add "focusing in all specific sectors", as proposed by ASPAG, was questionable. In subparagraph (c), the following should be included: after "the ILO", "its constituents", because the Office should promote the role of employers' and workers' organizations to its partners where appropriate; before "addressing", "that are", for clarity; and "rising sea levels" at the request of the Pacific States. The Employers endorsed ASPAG's proposal to include a reference to the Sustainable Development Goals Summit outcomes in regard to the Decade of Action. The group proposed a new subparagraph (d), "report back to the Governing Body on the outcomes and effectiveness of ILO work on the labour dimensions of climate change and associated mitigation and transition measures, and in the new subparagraph (e), "initiate" should be replaced with "continue to pursue", to reflect the progress outlined in paragraphs 54 to 57 of the Office document.
- 464. The Worker spokesperson** called on governments to build, implement and finance plans for a just transition to low-carbon economies in the same spirit in which they had led during the COVID-19 pandemic, and in line with national development priorities and national commitments. A just transition was the way for developing countries to achieve environmental sustainability alongside social and economic objectives.
- 465.** The Office should integrate the issue of a just transition into all policy outcomes for the 2020–21 and 2022–23 biennia and create a post in each region specifically to address a just transition and foster tripartite consultations on the issue. On advancing knowledge and understanding of the impacts of climate change on employment, the Office must take into account food security and sovereignty when drafting and implementing its policies. In addition to the sectors proposed, more research should be carried out on the transition away from fossil fuels and on the construction sector. The Workers' group reiterated the request it made at the 337th Session of the Governing Body regarding the Office's research strategy.¹⁷ Furthermore, the Office should generate knowledge on the effects of trade and investment agreements on the creation of green jobs, as they, alongside the World Trade Organization (WTO) regulations and the Energy Charter Treaty could create barriers to transition. With around 80 countries having signed the Just Transition Declaration and the Climate Action for Jobs Initiative, the ILO must ensure that decent work and a fair transition were key elements of a green transition, the circular economy and the bioeconomy. The Office must work with its constituents to ensure that governments negotiated with workers' and employers' organizations when developing new climate-related plans. Such plans must include long-term strategies and

¹⁷ GB.337/INS/PV, paras 254–261.

measures to adapt to and mitigate the effects of climate change that were fully in line with the ILO *Guidelines for a just transition towards environmentally sustainable economies and societies for all*. They must also promote training and capacity-building incorporating a gender perspective to give women access to jobs requiring skills or previous training.

- 466.** The Workers' group welcomed the Climate Action for Jobs Initiative and insisted that tripartite consultations must be held on all of the Initiative's activities. In its efforts to support initiatives by ILO constituents, the Office should promote the ratification, implementation and supervision of relevant international labour standards, including the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), and the Indigenous and Tribal Peoples Convention, 1989 (No. 169). The Workers' group also welcomed the European Green Deal. In line with the principle of common but differentiated responsibilities, the Office should convene discussions to ensure that any supply chains in which European countries were involved outside the continent were sustainable. Capacity-building of constituents should focus on training of trainers and should disseminate knowledge and policies to all levels of governance. Partnering with the Global Labour University to create a course on a just transition would be very helpful for workers. The Office should also continue to collaborate with its strategic partners within the UN.
- 467.** The Workers' group expressed concern regarding the conflict of interest generated by the increasing participation of corporate actors in environmental negotiations, and asked the Office to be aware of and avoid any such conflicts. The Office should consider options to reduce its own carbon emissions. The COVID-19 crisis would presumably result in more environmentally sustainable travel practices and increased use of technology, but the Office should also encourage staff members to use public transport or bicycles with a view to reducing emissions. The Workers' group agreed with the draft decision.
- 468. Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC),** a Government representative of Barbados noted that the measures implemented during the pandemic to curb the rate of infection had led to a notable reduction in greenhouse gas emissions worldwide. The crisis also offered an opportunity to rebuild the economy based on sustainable consumption and production mechanisms. Continuous participation by all actors in the world of work was necessary to achieve a just transition for all. The group noted with appreciation the Director-General's Green Initiative and the Office's participation in the 2019 Climate Action Summit, and underscored the relevance of the Office's efforts to promote knowledge and understanding of the effects of climate change on employment and to support the application of its guidelines for a just transition for all. The group supported the draft decision.
- 469. Speaking on behalf of the Africa group,** a Government representative of Senegal said that the increasing impact of climate change on the world of work, particularly on the most vulnerable people, meant that the ILO's crucial role in combating the phenomenon and ensuring a just transition for all must be strengthened. All constituents must consider environmental issues and their effects when defining national policies.
- 470.** Notwithstanding the economic damage caused by the COVID-19 pandemic, one positive effect had been the reduction, albeit temporary, in greenhouse gas emissions and improvement in air quality. The recovery from the pandemic must involve sustainable environmental policies for all States, and enterprises must have the resources to adapt to a just transition and develop the skills that would be demanded in the green economy.

Social dialogue was a vital tool in reaching a strong consensus on a sustainable economic recovery conducive to decent work and to resilient and sustainable enterprises.

- 471.** All Member States must implement measures to increase resilience in the face of the alarming figures set out in the document. The Abidjan Declaration represented a solid basis for promoting decent work and social justice during the transition. The Africa group called on all countries to strengthen their work with technical and financial partners in order to mobilize sufficient resources.
- 472.** While his group agreed broadly with the subamendments proposed by the Employers' group, it did not agree that the reference to specific sectors should be removed from subparagraph (a). Subparagraph (c) should end after the phrase "international institutions", and the words "and effectiveness" should be deleted from the new subparagraph (d) proposed by the Employers' group.
- 473. Speaking on behalf of ASPAG,** a Government representative of Indonesia said that her group encouraged the ILO to continue its research into the green transition with a particular focus on sectors such as agriculture and food systems, biodiversity, tourism and transport. The ILO should provide support for Member States in drafting environmental policies, in particular by enhancing knowledge-sharing among the constituents and improving research and analysis on the impact of climate change on labour.
- 474.** The ILO's work to address climate change and formulate policies that promoted decent work and social justice must be tailored to the specific circumstances of each country under the Decent Work Country Programme (DWCP). Special attention should be paid to developing economies, and policies and investment should create jobs in countries with different socio-economic development, for men and women in different sectors and at all skill levels. Her group supported the Climate Action for Jobs Initiative to enable ambitious climate action that delivered decent jobs and advanced social justice.
- 475.** ASPAG called on the Office to enhance its engagement with relevant institutions, global processes and strategic partners in its climate change activities. The group supported the ILO's active role in the United Nations (UN) system-wide approach to climate action and encouraged it to continue its work under the Decade of Action to achieve the Sustainable Development Goals (SDGs), particularly Goals 8 and 13. The ILO should increase its capacity-building for constituents and staff in green and low-emission technology and job skills, in collaboration with the International Training Centre of the ILO. ASPAG supported the Organization's efforts to become carbon-neutral, and asked when that target would be met and what measures would be implemented to that end.
- 476.** ASPAG had submitted amendments to the draft decision proposing that: at the end of subparagraph (a), the words "focusing on all relevant sectors" should be added; in subparagraph (c), "in" should be inserted between the words "institutions" and "addressing"; before "desertification", "deforestation" should be added to the list of environmental issues; and before "with a view", "and reducing emissions as well as implementing the Decade of Action towards achieving the 2030 Agenda for Sustainable Development" should be inserted.
- 477. Speaking on behalf of the European Union (EU) and its Member States,** a Government representative of Germany said that North Macedonia, Montenegro, Serbia, Albania, Iceland, Norway and Armenia aligned themselves with her statement. She emphasized that the post-pandemic economic recovery should pave the way for sustainable and socially inclusive production and consumption. Just transition mechanisms should address the economic effects of the transition, focusing on the most

vulnerable regions, industries and workers. Social dialogue and international cooperation were vital to ensuring public support for climate measures. Her group therefore welcomed the Organization's engagement with the social partners.

- 478.** Occupational safety and health, social protection and skills programmes with environmental objectives should be a priority for the ILO in the coming years. The ILO must step up its efforts in promoting stronger links between environmental regulation and labour policies and legislation, and take into account environmental aspects when drafting or rewriting standards. Climate change should also form an integral part of capacity-building for ILO officials and constituents.
- 479.** The *Guidelines for a just transition towards environmentally sustainable economies and societies for all* represented an appropriate framework for action. Constituents should promote the inclusion of environmental policies in international framework agreements and collective agreements, and develop environmental, social and governance policies within enterprises. The Organization should continue to take the lead in integrating decent work and a just transition in international environmental policies. The Office's reduction in carbon emissions was welcome. Her group favoured reducing emissions, but could also support the purchase of Adaptation Fund Certified Emission Reduction credits if the target of climate neutrality by 2020 could not otherwise be met. Her group could support either the original draft decision or the version as amended by ASPAG.
- 480. A Government representative of Bangladesh** said that the inherent links between climate change and employment, as recognized in global environmental agreements, meant that the ILO's actions to address the phenomenon's effects on the world of work were critical. Its active role at various climate summits was welcome, as was its involvement in developing guidelines for ecosystem-based approaches to climate change adaptation and disaster risk reduction.
- 481.** The ILO should advocate for green jobs and conduct more research into the challenges, gaps and opportunities for the world of work brought about by the green transition. It should support Member States in developing coherent strategies for sustainable production and consumption and in equipping workers with the skills that would be required as part of the transition. It should also address income inequality between developed and developing countries, particularly the most vulnerable ones, build strategic partnerships with forums such as the Climate Vulnerable Forum and assist in channelling resources to vulnerable developing countries.
- 482. A Government representative of the United States of America** said that the ILO's work on the replacement of workers by technology in the energy sector should be expanded to other sectors affected by such changes. The Organization should prioritize restoring growth and employment for those affected by the COVID-19 pandemic. The Office's action on climate change must be aligned with the ILO's mission and expertise. He asked how the issues of desertification and biodiversity loss, referenced in subparagraph (c) of the draft decision, related to the ILO's mandate.
- 483. A Government representative of India** said that countries' differing development levels necessitated region-specific quantitative research by the ILO on the impact of the transition to a low-carbon economy. The transition would likely have an adverse effect on low-skilled workers, women and indigenous peoples, and policies must therefore be targeted and inclusive. Workers must be equipped with the skills to capitalize on emerging employment opportunities, and there must be coordination between labour, skills and environment policies. The ILO must foster social dialogue to build a sustainable future of work in the aftermath of the COVID-19 pandemic. Financial, technological and

capacity-building support was required to meet the national determined contribution commitments and to adapt to climate change. Moreover, the response to climate change should be international and based on the principles of equity and common but differentiated responsibility and respective capabilities.

- 484. A Government representative of the United Kingdom of Great Britain and Northern Ireland** encouraged all countries to come forward with ambitious 2030 climate plans and long-term strategies to achieve zero carbon emissions as soon as possible, and commended the ILO on its carbon neutrality plans. The ILO's engagement on the energy proposals, its agreement to participate in the 2021 United Nations Climate Change Conference (COP26) Energy Transition Council, and its work to support its constituents in promoting recovery through investment in low-carbon sectors, green jobs and a just transition, were welcome. Her Government supported the draft decision as amended by ASPAG and was open to further work to achieve consensus.
- 485. A Government representative of Canada** said that it was essential to ensure that the perspectives of women and girls were taken into consideration and that they actively participated in climate action. Providing women and girls with the necessary skills and resources to play a meaningful role in the transition could be a unique opportunity to reduce the gender wage gap. The Office should therefore guarantee gender-responsive and inclusive climate responses in all related policies. Environmental committees at the enterprise or sectoral levels could be a useful mechanism for dialogue on the environmental dimensions of the recovery. Her Government supported the Office's work relating to the creation of green jobs, digital transformation and a just transition in global supply chains, which needed to be made more resilient in the fallout from the pandemic. The ILO should continue to focus its efforts on knowledge sharing, enhanced policy advice, capacity-building for constituents and strategic partnerships. She endorsed the original draft decision, but expressed interest in hearing the views of others on the proposed amendments.
- 486. A Government representative of Peru** said that it was important to follow up on the Climate Action for Jobs Initiative and the commitments arising from it. Peru, together with Spain, had co-chaired the Coalition for Social and Political Drivers of Climate Action which, in the framework of the Climate Action Summit in September 2019, promoted an initiative focused on achieving a just transition for all with the support of the ILO. The participation of governments, the private sector and workers was necessary to achieve low-carbon growth, by fostering the creation of decent work and green jobs, and ensuring the inclusion of all groups, particularly the youngest and most vulnerable workers. The Office should pursue its efforts to promote knowledge and studies on the effects of climate change on employment. He encouraged Member States to support the application of the ILO *Guidelines for a just transition towards environmentally sustainable economies and societies for all*.
- 487. A Government representative of Ecuador** agreed that, in order to address the serious impacts of climate change, coherent and consistent efforts had to be made through strategic partnerships that enabled a just transition towards an environmentally sustainable future of work. In view of the negative impacts of the pandemic, robust policies for the recovery, sufficient cooperation for climate change mitigation and adaptation, technology transfer, and capacity-building were needed more than ever. The Director-General should continue to drive an agenda focused on knowledge and understanding of the impacts of climate change on employment, and support for the different country initiatives on the issue.

- 488. A Government representative of Barbados** said that the climate-related challenges faced by small island developing States with coastal economies were mentioned in only a very cursory way in the document. The impact of hurricanes should be considered in terms of frequency and intensity as well as a percentage of gross domestic product (GDP) loss caused by even individual storm systems. The ILO should work closely with other institutions in the multilateral system to address the issue of GDP per capita which should not be the only criterion for a country to be able to access critical resources. As marine resources were highly susceptible to the impact of climate change, more emphasis should be placed on the promotion of sustainable development in the blue economies of small island developing States. The connection between green and blue economies should be made very clear. Research assistance was required to help small island developing States and less developed countries identify skills gaps and potential future jobs in their specific context. He welcomed the focus on the circular economy model and proposed including the word “reduction” in the “reuse, recycling, remanufacture and repair of goods” paradigm referred to in the document. The specific circumstances of small island developing States, particularly those that were tourist-dependent, should be taken into account in the ILO’s discussions to ensure a just transition for workers there.
- 489. A Government representative of Panama** said that the Office should consider amending subparagraph (c) of the draft decision to include food production and hydro-economics in the issues to be addressed through collaboration between the ILO and relevant international institutions.
- 490. A representative of the Director-General** (Deputy Director-General for Policy) noted the comments made regarding the need for additional research strategies on the impact of green jobs. She recognized the importance of supporting bold solutions for a just transition towards a sustainable future, and of facilitating an inclusive and sustainable recovery from the COVID-19 crisis. Regarding its policy work in the area of green jobs, the ILO would continue to advance its knowledge base and policy-informed action through social dialogue and implement measures to ensure the achievement of decent work and a just transition for all.
- 491. Another representative of the Director-General** (Director, Enterprises Department) recognized the importance of addressing informality and productivity in relation to SMEs. The Green Jobs Unit was well placed within the Enterprises Department, as the Department interacted with the Small and Medium Enterprises Unit, which dealt with the issue of informality. Progress had been made in the areas of innovation and productivity, which would be evidenced by an information paper submitted for the current Governing Body session. Discussions had recently been held on innovative ways of encouraging the informal sector to become more formalized, and the ILO, together with other UN agencies, was looking at specific initiatives with a climate action component. The ILO would ensure that components on women and indigenous peoples were incorporated into all future activities.
- 492.** Regarding procurement, the ILO was already exploring ways to integrate sustainability dimensions into development cooperation projects. Work was also being carried out to promote an update of ILO standards in the common UN approaches to sustainable procurement. He acknowledged that the Green Jobs Initiative should be linked to other components and said that the ILO’s outstanding amount of greenhouse gas emissions was low. The ILO recognized the importance of the capacity-building of its constituents and had been providing an input for the European Green Deal through the European Commission and the European Parliament. The ILO had signed a memorandum of

understanding with the UN Convention to Combat Desertification to enhance cooperation on the issue. The blue economy was a matter of importance and a regional strategy had already been developed for Africa, which would then be expanded to other regions.

493. The Employer spokesperson emphasized the importance of engagement with business, and recognized the support for a longer version of subparagraph (c) of the draft decision. He reiterated his group's proposal to include a reference to rising sea levels.

494. The Worker spokesperson said that it was a challenge to word a draft decision on which there could be general consensus. Further work therefore needed to be done before a definitive result could be produced.

(The Governing Body resumed consideration of the item after the Office circulated a revised draft decision following consultations.)

495. The Employer spokesperson supported the amended draft decision.

496. The Worker spokesperson supported the amended draft decision and emphasized the importance of reaching a consensus on climate change and a just transition towards environmentally sustainable economies and societies for all when addressing the unprecedented challenge of climate change. That should go hand in hand with efforts to promote human and labour rights and social justice to ensure that the transition to an economic model with zero emissions would be attained without leaving anyone behind.

497. Speaking on behalf of the Africa group, a Government representative of Senegal supported the amended draft decision.

498. Speaking on behalf of the EU and its Member States, a Government representative of Germany said that North Macedonia, Albania and Norway aligned themselves with her statement. She welcomed the tripartite agreement to ensure that the ILO could contribute to a just transition for all, and the compromise reached in subparagraph (c) to incorporate all four pillars of the Decent Work Agenda. She supported the amended draft decision.

Decision

499. The Governing Body took note of the information and update provided by the Office in document GB.340/POL/1 and requested the Director-General to:

- (a) **promote further discussion, research, knowledge and understanding of the implications of climate change for the world of work, focusing on all relevant sectors;**
- (b) **advance the application of the ILO Guidelines for a just transition towards environmentally sustainable economies and societies for all, with a focus on assisting governments, workers' organizations and employers' organizations in the development of policies through social dialogue to implement their climate change commitments, including through the Climate Action for Jobs Initiative;**
- (c) **promote collaboration between the ILO, its constituents and relevant international institutions addressing climate change and related key environmental issues, such as deforestation, desertification, rising sea levels and biodiversity loss, adaptation and reduction of emissions as well as implementing the Decade of Action towards achieving the 2030 Agenda for**

Sustainable Development, in particular Sustainable Development Goal 8, with a view to advancing a just transition for all;

- (d) continue to pursue carbon neutrality at the ILO, in line with the United Nations target to reach carbon neutrality by 2020; and**
- (e) report back to the Governing Body on the implementation of the above-mentioned points.**

(GB.340/POL/1, paragraph 58, as amended by the Governing Body)

500. A Government representative of Brazil said that the decision just adopted requested the Director-General to promote collaboration between the ILO, its constituents and relevant international institutions addressing climate change and related key environmental issues. It went further by providing a list of those key environmental issues purportedly related to climate change: deforestation, desertification, rising sea levels and biodiversity loss, adaptation and reduction of emissions. He expressed the expectation that the Office would abide by its mandate, core mission and comparative advantage, instead of duplicating efforts and spreading scarce resources too thinly. Brazil had expressed its belief during the consultations that specifying a list of key environmental issues and relating them to climate change was not an appropriate approach in the ILO context. Firstly, establishing such a relationship exceeded the competence of the Governing Body and also went beyond the ILO's mandate. Secondly, a multitude of more relevant issues could be mentioned, meaning that the list would be excessively long or insufficiently comprehensive. The list in the adopted decision was not only insufficient but also misleading, as according to the Intergovernmental Panel on Climate Change, 73 per cent of global carbon emissions originated from fossil fuels, making them by far the main cause of climate change. However, fossil fuels had not been included in the list, only issues that accounted for a minority of emissions. It was regrettable that the Governing Body had ultimately adopted a decision that deviated from addressing the core issues where action by the ILO would have a real impact in terms of a just transition.

2. Renewing commitment to youth employment by endorsing a follow-up plan of action on youth employment for the period 2020–30 (GB.340/POL/2)

- 501. The Worker spokesperson** said that young people faced high unemployment rates and, when employed, many were engaged in poor-quality and low-wage jobs or worked in the informal economy with significant decent work deficits. Young women workers faced greater difficulties than their male counterparts, owing to persisting gender inequalities. COVID-19 had sadly exacerbated all those challenges and created new ones. While platform-mediated work had resulted in job opportunities for young people, those jobs remained by and large of a precarious nature and with low wages. During lockdowns, telework created particular challenges for young women, who alarmingly sometimes faced domestic violence while endeavouring to strike a balance between professional and family life. For many people, telework might not be an option if appropriate measures were not taken to address the digital divide.
- 502.** The Workers' group strongly supported the ILO's leadership in promoting decent work for young people as part of measures aimed at recovering from the COVID-19 pandemic and building resilience. It endorsed the objectives of ensuring full, productive and freely chosen employment and decent work for all young people and of achieving gender

equality, and welcomed the reference to doing so in accordance with the relevant Conventions and Recommendations. They welcomed the Office's attempt to balance demand- and supply-side measures in the action plan and stressed the need to address the quantity and quality dimension of jobs.

- 503.** In the Global Initiative on Decent Jobs for Youth, the majority of resources were devoted to various supply-side measures. The Initiative needed a greater focus on rights and decent work. It was important that the ILO took into account the recommendations of the high-level independent evaluation carried out in 2018 and placed greater emphasis on demand-side measures. It should strengthen its macroeconomic policy expertise, research, data collection, and employment and labour market analysis. The Office should link macroeconomic frameworks with the promotion and implementation of the relevant international labour standards, and especially the Employment Policy Convention (No. 122) and Recommendation (No. 122), 1964, and the Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169). Action on macroeconomics should not only be limited to the cluster on knowledge development and dissemination but should be expanded to include the cluster on technical support and capacity-building and the cluster on advocacy and partnerships that includes resource mobilization.
- 504.** Another important priority for the Workers' group was formalization of the informal economy and increasing the quality of jobs for young people. The proposed plan of action must also address precarious jobs and various forms of triangular and disguised employment, which had a negative effect on aggregate demand in the economy and slowed down growth and development. Priority should also be given to young people facing multiple barriers in the labour market due to discrimination and structural inequality. The Office and governments must take action to develop an intersectional approach to address inequalities not only concerning gender, but also on issues such as LGBT, racial discrimination, issues concerning people with disabilities, indigenous and migrant youth, promote secure employment, direct employment relationships and collective bargaining, and ensure universal access to social protection for all, including young workers.
- 505.** The Global Apprenticeships Network was a business-led public-private partnership; the Office should also engage with trade unions on the issue of apprenticeships. In the fourth proposed element of the plan of action, on promoting sustainable economic growth, full and productive employment and decent work, the Bureau for Workers' Activities (ACTRAV) should be included as one of the actors or collaborating entities for cluster B.
- 506.** The Workers' group endorsed the draft decision with the amendment proposed by GRULAC.
- 507.** **The Employer spokesperson** said that the disproportionate impact of the COVID-19 pandemic on certain groups of the population, particularly young people, had confirmed that there was a need for a more strategic and focused policy approach based on both supply-side and demand-side measures. Experience had shown that the major policy challenge lay in ensuring coordination between the various relevant government agencies and systematic participation by the social partners.
- 508.** Certain aspects of the ILO's recommendations and guidance needed to be strengthened, particularly with regard to demand-side interventions, policy coordination, strengthening implementation capacity at national level, promoting the support of all parties involved, and reforms that would better align educational systems with the needs of the labour market. Above all, youth employment policies needed to be adopted in a

holistic manner, because the level of employment was closely linked to an enabling environment for business, which meant access to finance including for SMEs, access to appropriate infrastructure, good skills development strategies and a stable political and economic environment where laws and rules were consistent and predictable. If the environment was conducive to business development, businesses would be able to create more jobs for all, not only for young people. The overall aim was to improve the prospects for everybody of being able to work full-time in a productive and decent job. Economic policy must also encourage recovery of the labour market and economic resilience, not only during the pandemic but also following it.

- 509.** The decisive role played by education and vocational training in the fight against youth unemployment should be strengthened. Educational establishments needed to promote a flexible approach and set up partnerships and relationships with other parties, and more evidence-based research should be conducted. The social partners, particularly employers, must be closely involved in the development and implementation of educational and vocational training programmes. Cooperation on apprenticeships with the United Nations Educational, Scientific and Cultural Organization (UNESCO) as part of the Global Initiative on Decent Jobs for Youth and partnerships with the Global Apprenticeship Network should be strengthened.
- 510.** A more targeted and nuanced approach should be adopted, with the ILO assisting Member States in setting the correct priorities to help young people. That meant focusing on young people who were not in employment, education or training (NEET). Instead of advocating an approach based on the rights of young people, the Employers' group would prefer an approach based on principles. That meant establishing the principles that guided regulations, sharing good practices, promoting social dialogue and encouraging positive civic attitudes.
- 511.** With regard to productivity, the lack of skills sought by businesses stifled both the employability and the productivity of young people. Even when young people did have certain skills, they often worked in sectors or businesses that were not productive. The Employers' group therefore supported simultaneous action on both the demand and supply sides. There was a need to encourage young people to develop digital skills and skills in the use of new technologies, because that would make them more easily employable and help businesses in general to increase productivity.
- 512.** The Employers' group supported approval of the follow-up plan of action and the amended draft decision as proposed by GRULAC.
- 513. Speaking on behalf of the Africa group,** a Government representative of Uganda said that the current situation was critical in Africa, where the ILO estimated that over 64 per cent of young workers lived in poverty, youth unemployment was 10.8 per cent and 95 per cent of young workers were in the informal sector. It was clear that the COVID-19 pandemic and its ripple effects had exacerbated that fragile situation. Africa was keen to make decent work a reality for its young people by transforming the informal and rural economies, as articulated in the African Union's Agenda 2063 and the Abidjan Declaration – Advancing Social Justice: Shaping the future of work in Africa.
- 514.** The independent evaluation of the ILO's strategy and actions for improved youth employment prospects, 2012–17, had concluded that the impact and sustainability of the ILO's projects had been unsatisfactory, and that few projects had achieved a good balance between growing new jobs and improving the employability of young jobseekers, and that there was disproportionate focus on entrepreneurship training which puts much responsibility for job creation on young people and not on

governments to pursue pro-employment policies. Aware that employment creation had both micro and macro dimensions, the Africa group advised the Office to ensure that a balance was struck between supply- and demand-side interventions. The group wished to know what concrete measures were in place to address the weaknesses identified by the independent panel of evaluators, and what impacts the follow-up plan for the period 2012–19 had had on youth employment.

- 515.** Noting that the paper under consideration acknowledged that different challenges were being faced across regions, he asked whether there was a special plan to address the unique challenges for Africa, and what indicators would be used to measure its performance. The financing of the plan of action was premised on extrabudgetary fund mobilization; did the Office have any existing funds and if so, how much was available? Lastly, he wondered whether the Office had considered including a specific stand-alone output under policy outcome 3 of the Programme and Budget proposals for 2022–23, in order to allocate an appropriate budget.
- 516. Speaking on behalf of GRULAC,** a Government representative of Barbados said that young people were around three times more likely to be unemployed compared with adults aged 25 and above. Since early 2020, a substantial and rapid increase in youth unemployment had been recorded, owing to the impact of the COVID-19 pandemic. GRULAC therefore welcomed the proposal to renew the ILO’s commitment to youth employment, through a follow-up plan of action for the coming decade. The plan of action should respond to the Centenary Declaration call to address the challenges and opportunities of the digital transformation of work, including platform work, technological and demographic shifts, as well as climate change. Moreover, the plan should include concrete actions, with a cross-cutting gender perspective in order to ensure the access of young women to labour markets and decent work.
- 517.** GRULAC looked forward to the development cooperation strategy that the Office would produce in support of the implementation of the plan of action and stressed the need for a strong regional approach, in order to adapt the cooperation strategy to the particular realities and needs of Member States. The group supported the clusters identified in the plan of action and their link to COVID-19 recovery, and in particular cluster B related to technical assistance and capacity-building. The Office should provide more information about the indicators for measuring progress.
- 518.** GRULAC proposed that the draft decision should be amended to read:
- The Governing Body:
- (a) endorsed the renewal of the follow-up plan of action on youth employment for the period 2020–30 as outlined in document GB.340/POL/2; and
 - (b) requested the Director-General to take full account of the suggested strategy and operational elements and the guidance provided in its discussion when allocating resources for the Office’s work on youth employment as may be available during the current biennium and in future biennia, and to facilitate the mobilization of extrabudgetary resources for the implementation of the follow-up plan of action on youth employment for 2020–30.
- 519. Speaking on behalf of ASPAG,** a Government representative of Saudi Arabia said that ASPAG supported measures to tackle the social consequences of the youth employment crisis while ensuring financial sustainability, and called for ongoing technical assistance to promote the implementation of international labour standards. The youth employment crisis could be tackled by addressing the changes in young people’s behaviours with innovative thinking; for example, the desire among many young people to start their own businesses should be considered in policy and programme

development. Knowledge development and dissemination would be essential to that end.

- 520.** ASPAG supported the Office's proposals on technical assistance and capacity-building, which should be bolstered by action-oriented partnerships at the country level, and called for constituents – including young women – to be involved in the design and implementation of youth employment policies. Youth entrepreneurship and apprenticeship programmes had proven effective and should be further promoted; to that end, the Office should strengthen its cooperation with the Entrepreneurship Research Center on G20 Economies to facilitate the sharing of experiences on the topic.
- 521.** The Office should promote the ILO as a global leader in the field and continue to advocate for youth employment as a development priority in international forums. It should also boost youth engagement in the ILO and incorporate the perspectives of young people into policy and programme development. The plan of action should be aligned with the Strategic Plan for 2018–21, the Programme and Budget for the biennium 2020–21 and the ILO Development Cooperation Strategy for 2020–25 to secure the financial resources for its implementation and the Office should regularly report on its progress to the Governing Body. ASPAG supported the draft decision as set out in the document.
- 522. Speaking on behalf of the EU and its Member States,** a Government representative of Germany said that North Macedonia, Montenegro, Serbia, Albania, Iceland, Norway, the Republic of Moldova and Romania aligned themselves with the statement. The creation of decent work opportunities and productive employment for young people was integral to the achievement of SDG 8, and the implementation of the Global Jobs Pact would be vital in that regard, especially in the light of the COVID-19 pandemic. She recalled the guiding principle in the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), to pay special attention to young people rendered particularly vulnerable as a result of a crisis.
- 523.** The Global Initiative on Decent Jobs for Youth was a powerful means to achieve the youth employment targets of the 2030 Agenda and to build partnerships and international policy coherence. The ILO's work in knowledge creation through the production of flagship reports such as *Global Employment Trends for Youth 2020* was welcome.
- 524.** The plan of action should be an ambitious, comprehensive tool that would build on the lessons learned, specifically address the COVID-19 pandemic and take into account the challenges and opportunities arising from the changing world of work. It should contain targeted and enhanced action under each of the three clusters of the action plan, in particular through addressing the mismatch between job supply and demand by encouraging skills development and training, and focus specific efforts on NEETs where programmes such as the Youth Guarantee in the EU have had positive impact.
- 525.** She welcomed the proposal to hold a tripartite global youth forum in 2025 to assess progress, encouraged the Office to coordinate efforts with UN system stakeholders in regional and global partnerships on youth employment and called for enhanced implementation of the United Nations Youth Strategy. She urged the Office to develop and implement results-oriented indicators at the outcome level in the plan of action, but emphasized the importance of effective resource allocation and accountability in its implementation. The plan of action should also give more consideration to work–life balance and gender equality. She supported the draft decision and could accept the amendment proposed by GRULAC.

- 526. Speaking on behalf of the Eastern European group (EEG)**, a Government representative of Bulgaria described the obstacles to decent work for young people in many Eastern European and Central Asian countries, including scarce job opportunities, skills mismatches and the over-representation of young people in the informal economy and precarious work. Although governments in the region had taken targeted action to support youth employment, more efforts were needed to reduce NEET rates, especially given the impact of the COVID-19 pandemic.
- 527.** The Global Initiative on Decent Jobs for Youth was a powerful accelerator for the achievement of the SDGs, and the ILO should continue its work to strengthen international policy coherence and partnerships. He welcomed the proposed plan of action, but would welcome a more innovative and targeted regional approach. He supported the draft decision and could accept the amendment proposed by GRULAC.
- 528. Speaking on behalf of ASEAN**, a Government representative of Thailand supported the emphasis in the plan of action on knowledge development and dissemination and on technical assistance and capacity-building. At the 36th ASEAN Summit in June 2020, ASEAN leaders had adopted the ASEAN Declaration on Human Resources Development for the Changing World of Work to outline a joint strategic direction for education reform and had agreed to develop a road map prioritizing digital skills, literacy, vocational training and higher education to fulfil the Declaration. He encouraged the Office to continue to provide Member States with guidance on preparing for the future of work to ensure that young people would be able to contribute actively to sustainable development and efforts to rebuild after the COVID-19 pandemic. The Office and the international community should strengthen their cooperation and help Member States to foster a culture of lifelong learning and raise awareness among young people, employers and workers of the importance of skills development to adapt to the changing world of work.
- 529. A Government representative of India**, expressing concern at the high rate of poverty among young workers, said that she supported the focus on knowledge development and dissemination. The ILO should broaden the scope of its research to informal labour market conditions, causes of informality and ways to increase formal employment. She highlighted the need to focus on new forms of work carried out by young people, in particular in the gig economy, and to ensure that those workers were covered by adequate social protection measures, describing steps taken by her Government to that end. The ILO should promote institutional training and skills development in developing countries to help those economies recover from the impact of the pandemic. Assessments of youth employment interventions should take into account the national economic situation. The ILO could encourage social security partnerships and agreements between countries to promote the international migration of skilled workers as a way to boost income equality and decent work. She supported the Office's proposal to build partnerships on youth employment and connect to high-impact global and regional forums, and called on the Office to incorporate input from those partnerships into its policy and programme design.
- 530. A Government representative of the United Kingdom** welcomed the steps taken by the ILO to renew its commitment to tackling youth unemployment and called on the Office and constituents to redouble their efforts in that area. The plan of action should contain a greater focus on how to improve the transition to work among young people, especially in developing countries. It would be useful to identify ways to share lessons learned and the ILO should continue to work on data collection and analysis. Her Government had implemented initiatives to encourage skills development and job

creation for young people and endorsed the G20 Youth Roadmap 2025. While the inclusion of a gender dimension was welcome, she encouraged the Office to consider including other dimensions such as ethnicity, disability and mental health to remove barriers to participation in education and employment among disadvantaged and under-represented groups. The Office should also consider involving young people to a greater extent in youth employment programme design.

- 531. A Government representative of Mexico** said that, in Mexico, the closure of non-essential businesses as a result of the COVID-19 pandemic had mostly affected the jobs of young people; his Government had therefore offered grants and established programmes to encourage young people into education, employment and training. He invited countries and regions to share experiences in order to develop policies to promote youth employment.
- 532. A Government representative of Bangladesh** said that crisis recovery and response measures should be centred on young people and that support for vulnerable young people, particularly those living in poverty, should be prioritized to ensure that recovery would be inclusive. Noting the importance of investment in digital skills, he called on the Office to provide technical assistance towards skills development among young people to increase their access to decent jobs. The Office should also help constituents to scale up management training and establish systems to support SMEs to include them in the fight against unemployment. Young people should also be covered by social safety nets such as job retention schemes.
- 533. A Government representative of Barbados** said that the global data presented in the document, suggesting that the increase in youth unemployment since February 2020 affected young women more than young men, did not fully reflect the situation in Barbados. However, in the domestic context, women were more negatively impacted during the pandemic with issues of violence and harassment. The term “apprenticeships” was not attractive to many young people, and he drew attention to the National First Jobs Initiative that could be presented as an alternative model. He agreed that entrepreneurship was crucial to addressing youth unemployment, and that young entrepreneurs needed financial and fiscal sustainability, which must be provided through relevant frameworks and structures. The ILO should continue to support efforts to move businesses to the formal economy. Noting the importance of soft skills, which should more accurately be referred to as core skills, he thanked the ILO for supporting the Employability Project in his country, which had provided training on core skills and entrepreneurship.
- 534.** He recognized that States had to ensure access to the internet and devices if young people were to leverage key digital skills; but said that GDP should not be the only measure of a State’s ability to bridge that digital divide, particularly in small island developing States. The civil society sector could provide young people with employment as well as channelling their passion for service. His Government had implemented legislation to prevent discrimination in the workplace and was working with the UN to develop a related awareness-raising programme. Finally, he encouraged Member States to facilitate access to education up to the tertiary level.
- 535. A Government representative of Ethiopia**, noting the continuity with the follow-up plan for 2012–19 as the three clusters remained the same, welcomed the linkages with the Centenary Declaration and with areas of COVID-19 response. She highlighted the particular youth employment challenges in Ethiopia and the policies being applied in her country to overcome them. The plan of action would contribute to such national initiatives. However, the appendix did not clearly show the intended outcomes, and did

not contain defined outputs, target indicators and timelines. She asked how the plan of action should be aligned with national initiatives on youth employment to ensure constituents' active participation and ownership.

- 536. A Government representative of Peru** welcomed the human-centred plan of action, which would promote full and decent work for all young people, particularly given the severe consequences of the COVID-19 pandemic on youth employment. Thus, he expressed support for the draft decision, as amended by the representative of GRULAC.
- 537. A Government representative of Ecuador** emphasized the need for strategies and policies to ensure access to decent work for young people, especially those without previous work experience or those whose ability to train had been limited by the pandemic, and to facilitate the transition from education and training to work. Such strategies and policies should be aligned with the SDGs, especially target 8.6. Interventions should also consider the future of work, anticipate future labour needs, and take into account technological advances, climate change and globalization. The plan of action should include a gender perspective, including to address the gender pay gap and inequalities in access to formal employment. He expressed support for the draft decision, as amended by the representative of GRULAC.
- 538. A representative of the Director-General** (Deputy Director-General for Policy) welcomed the guidance provided by the Governing Body, which would be taken into account by the Office. She confirmed that ILO research had shown that there had been a substantial and rapid increase in youth unemployment in 2020 in the wake of the COVID-19 pandemic and that, at a global level, young women were affected more than young men. She also confirmed that the plan of action had been developed after extensive consultations with the social partners and with young people and gave her assurances that the Office would continue to seek youth engagement in the development and implementation of the plan of action.
- 539.** Concerning the budget for activities under the plan of action, the Office was not yet in a position to provide specific figures for resource mobilization, but recognized that the scale of the disruptions in jobs and training was much larger as a result of the COVID-19 pandemic than in any previous crisis. That perhaps meant that more resources would be needed than in the past. However, in recent years, the Office had been relentlessly mobilizing internal and external resources to tackle the youth employment challenge and remained committed to ensuring the efficient and strategic use of resources, including those gained through global partnerships. The proposed action plan showed that the Office continued to commit to working together to make the best use of existing resources. Also, the Office was mobilizing external resources with the donor communities and through global partnerships, such as the Global Initiative on Decent Jobs for Youth. The Governing Body's endorsement of the plan of action would be a clear signal of the ILO's commitment to youth employment and would strengthen the Office's position regarding resource mobilization. Concerning the inclusion of ACTRAV as a collaborating entity in the proposed elements of the plan of action, she reassured the Governing Body that ACTRAV had been consulted in the preparation of the plan, and that the document would be reviewed to ensure that its input was duly reflected, particularly under cluster B. Lastly, she confirmed that the Office had no objection to the amendment to the draft decision proposed by the representative of GRULAC.
- 540. Another representative of the Director-General** (Director, Employment Policy Department) thanked members for sharing suggestions and policy initiatives that would advance and guide the work of the Office, particularly in ensuring that measures were appropriate to the regional and national contexts. He reiterated that the crucial element

of the plan of action was its actions to impact both labour supply and demand. The Office had made important organizational and resource adjustments to strengthen efforts to promote macroeconomic policies and related policy areas, which had yielded positive results in response to the COVID-19 pandemic.

- 541.** He welcomed the advice provided on the need to focus on vulnerable or at-risk groups, in particular young women, and said that Office-wide coordination would continue in that regard. Furthermore, the Office would continue to work with, as well as for, young people. It would continue to strengthen its collaboration with UNESCO, the United Nations Children's Fund (UNICEF) and other entities to strengthen initiatives, which would also require greater coordination between national ministries, in particular between employment, education and finance.
- 542.** He recognized the unique challenges being faced in Africa, and said that the Office would continue its existing work to address the rural economy and barriers to formalization, and how to facilitate structural transformation to create more and better jobs for young people. Region-specific strategies would remain important. Finally, he said that measurable performance indicators would be developed in order to report progress on the implementation of the plan of action, as it was set out in its appendix.
- 543. Speaking on behalf of the Africa group,** a Government representative of Uganda said that his group would need more time in order to consider the proposed amendment in the light of the responses provided by the Office. He therefore requested the Chairperson to defer discussion of the draft decision to a later sitting.
- 544. Speaking on behalf of ASPAG,** a Government representative of Japan, recognizing that the proposed amendment did not change the substance of the draft decision, said that his group would have liked clarification regarding whether it reflected good governance practice. However, as the representative of the Director-General had indicated that the Office accepted the proposed amendment, ASPAG was also prepared to do so.

(The Governing Body resumed consideration of the item after the Office circulated a revised draft decision following consultations.)

- 545. The representative of the Director-General** (Deputy Director-General for Policy) confirmed that human and financial resources had been allocated to youth employment, as reflected in outcomes 3 and 5, including specific outputs, of the Programme and Budget for 2020–21 and the proposals for 2022–23. However, given the scale of the current crisis and its impact on young people, extrabudgetary resources would also be required to complement existing resources to fully implement the plan of action.
- 546. The Employer spokesperson** thanked the Office for the explanation and supported the amended draft decision.
- 547. The Worker spokesperson** supported the amended draft decision.
- 548. Speaking on behalf of the Africa group,** a Government representative of Uganda expressed his group's appreciation to the social partners and the other regional groups for their flexibility and spirit of consensus, particularly in addressing the concerns raised by the Africa group. He reiterated that the Office should ensure that the gaps identified by the independent panel of evaluators were addressed during the implementation of the plan of action. The Africa group supported the amended draft decision.
- 549. Speaking on behalf of the EU and its Member States,** a Government representative of Germany said that North Macedonia, Montenegro, Albania and Norway aligned themselves with her statement. The EU and its Member States considered it critical to support young people through the provision of opportunities for employment,

education or training. She called on the Office to undertake timely and targeted actions in that respect, particularly in the context of the crisis, which posed further challenges to youth employment. Welcoming the compromise reached in the wording, she supported the amended draft decision.

Decision

550. The Governing Body:

- (a) **endorsed the renewal of the follow-up plan of action on youth employment for the period 2020–30 as outlined in document GB.340/POL/2 and requested the Office to start implementing the plan using existing resources; and**
- (b) **requested the Director-General to take full account of the suggested strategy and operational elements and the guidance provided in its discussion, when allocating resources for the Office's work on youth employment during the current biennium and in future biennia, and to facilitate the mobilization of extrabudgetary resources for the implementation of the follow-up plan of action on youth employment for 2020–30.**

(GB.340/POL/2, paragraph 34, as amended by the Governing Body)

3. Decent work and productivity

(The document under this item was submitted for information only.)

Social Dialogue Segment

4. Sectoral meetings held in 2020 and proposals for sectoral work in 2021 (GB.340/POL/4(Rev.1))

- 551. In preparation for the adoption of a decision by correspondence, the Office held a briefing session for Governing Body members on this item on 23 October 2020.
- 552. The Screening Group agreed to put the item forward for a decision by correspondence on the understanding that the Office would publish a revised version of the document.
- 553. The decision contained in document GB.340/POL/4(Rev.1) was adopted by consensus and announced to all Governing Body members by a communication of 11 November 2020.

Decision

554. The Governing Body, by correspondence:

- (a) **took note of the report of the Global Dialogue Forum on Decent Work in the World of Sport and authorized the Director-General to publish the final report;**
- (b) **requested the Director-General to bear in mind, when drawing up proposals for future work, the recommendations for future action by the ILO made by the Forum;**
- (c) **took note of the series of tools on sectoral impact and responses to the COVID-19 pandemic and requested the Director-General to continue to support sectors in responding to the pandemic and building back better; and**

- (d) decided that, should it be agreed to include an additional meeting in the programme of global sectoral meetings for the biennium 2020–21, the resources kept in reserve be used for a technical meeting or meeting of experts on either the protection of whistle-blowers (or independence and protection in the public service – fight against corruption) or another sectoral issue.

(GB.340/POL/4(Rev.1), paragraph 18)

Summary of written comments received during the consideration of the item by correspondence ¹⁸

- 555. The Employers' group** supported the new terminology used in subparagraph (c) as it ensured a coherent and coordinated approach. SECTOR's work should be aligned with and reflect the ILO's overall Strategic Plan and consequently the Employers would not support the development of a myriad of strategies. The group asked that SECTOR's ongoing programme be made known to the sectoral advisory bodies to enable constituents to provide input. Subparagraph (d) reflected the fact that it had not yet been decided whether to include an additional meeting in the 2020–21 programme. The tripartite constituents should consider that decision during the consultations outlined in GB.340/INS/21. The Office was requested to prepare a detailed document outlining how virtual and hybrid sectoral meetings could take place in practice, also containing information on the consequences of postponing meetings to 2022 and the consequences for the 2022–23 biennium, to enable constituents to take an informed decision during the consultations.
- 556. The Workers' group** noted that the conclusions of the Global Dialogue Forum on Decent Work in the World of Sport would promote the Decent Work Agenda for career athletes. Regarding upcoming meetings, travel restrictions had greatly reduced the ILO's ability to organize most of the sectoral meetings planned for 2020–21. Given the devastating effects of the COVID-19 pandemic on the sectors, the group welcomed the Office's adjustment of its sectoral work and development of tools to support severely affected sectors. It noted the proposal to hold tripartite consultations to decide the dates and formats of cancelled meetings. Regarding including an additional meeting on the programme of sectoral meetings in 2020–21, it reiterated that the subject of the protection of whistle-blowers was sufficiently mature for examination by a meeting of experts. The Workers welcomed the Office's work to provide sectoral responses to the COVID-19 crisis, grounded in international labour standards. Welcoming the bipartite and government initiatives in the various sectors, the group warned that rights violations continued during the crisis, sometimes even worsening. It was imperative to continue sectoral work to ensure that the way out of the crisis improved working conditions, strengthened collective bargaining and put in place occupational safety and health measures to secure the rights and health of all workers. The ILO's collaboration with other UN agencies was exceedingly important, and its 100 years of standards-related expertise in labour relations were invaluable in that regard.
- 557. The group of industrialized market economy countries (IMEC)** noted that sport was a key enabler for achieving the 2030 Agenda and welcomed the consensus that the Office, governments, employers' and workers' organizations, and other relevant

¹⁸ The complete text of each comment in the original language is available on the [Governing Body's web page](#), together with the decision.

stakeholders should create an enabling environment to promote decent work in sport. The working conditions of athletes varied across regions and sport disciplines, between team and individual sports, and within a wide spectrum, and consequently an innovative approach to policy development was needed.

- 558.** Given the travel limitations and postponement of the programme of sectoral meetings for 2020–21 owing to the COVID-19 pandemic, IMEC welcomed the proposal to hold tripartite consultations on how to address the meeting backlog. An additional sectoral meeting requiring a lighter than usual preparatory stage could still be organized in the 2020–21 biennium, on either the protection of whistle-blowers or another sectoral issue. IMEC supported subparagraph (d) of the draft decision.
- 559.** IMEC also welcomed the refocus of the Office’s sectoral work to supporting constituents’ efforts to respond to the pandemic, and the ILO’s proactive engagement and leadership in addressing the pandemic through its partnerships with other UN agencies and across the wider multilateral system.
- 560.** In the statement made on behalf of **the EU and its Member States**, it was noted that Montenegro, Albania, Norway and Armenia aligned themselves with the statement. It was also noted that the EU and its Member States supported the IMEC statement. In respect of subparagraph (d) of the draft decision, interest was indicated in having a future sectoral meeting on the impact of COVID-19 on the tourism sector. The tourism ecosystem had been severely impacted across the globe. Specific support measures had been taken in the EU for recovery in the sector, which represented on average 12 per cent of its employment. A tripartite discussion on addressing the challenges posed and using the crisis as an opportunity to improve the sustainability and resilience of tourism, in particular through upskilling and reskilling employees, would be very timely. While a meeting on the protection of whistle-blowers was relevant, a discussion on the tourism sector should be given priority; the work of the Office in response to the COVID-19 pandemic could serve as a solid basis for its preparation. Should it not be possible to include a sectoral meeting on the subject in the current biennium, the matter should be discussed at the sectoral advisory bodies meeting in January 2021, to ensure its inclusion in the programme of meetings for 2022–23.

Development Cooperation Segment

5. Enhanced programme of development cooperation for the occupied Arab territories (GB.340/POL/5)

- 561.** In preparation for the adoption of a decision by correspondence, the Office held a briefing session for Governing Body members on this item on 23 October 2020.
- 562.** The Screening Group agreed to put the item forward for a decision by correspondence. The decision was adopted by consensus and announced to all Governing Body members by a communication of 11 November 2020.

Decision

- 563. The Governing Body took note by correspondence of the information provided in GB.340/POL/5.**

(GB.340/POL/5, paragraph 41)

Summary of written comments received during the consideration of the item by correspondence ¹⁹

- 564. The Employers' group** noted that the document had outlined the struggles smaller enterprises faced, and asked how the ILO could help to ensure business continuity, beyond the fund for income support. The group requested more information in the next report on how the ILO could provide guidance on developing an enabling environment for business to grow, and asked whether the ILO's Jobs for Peace and Resilience flagship programme could give guidance on a strategic approach for more peaceful and resilient societies through employment, decent work and social dialogue.
- 565.** Despite substantial ILO support on consultative processes, reviews and studies, uptake at the political and decision-making level had been limited, therefore the ILO should instead focus its interventions on employment. The increased work in coordination with other international agencies was welcome, in particular the project proposal to support micro, small and medium-sized enterprises in addressing and recovering from the effects of the pandemic through the UN COVID-19 Response and Recovery Multi-Partner Trust Fund. The Employers' group could provide relevant technical support for the project, if needed, and requested regular status updates; there would also be added value in sharing information with UN resident coordinators, to strengthen the ILO's role as the lead agency on labour and social issues. The group also called on the ILO to provide more capacity-building for the social partners; for employers, there should be more training on upskilling, on digitization to help tap into international markets and on harnessing entrepreneurial and core skills.
- 566. The Workers' group** expressed deep concern at the fact that the Palestinian economy had been particularly negatively impacted by the COVID-19 pandemic and its repercussions. Public welfare, employment and livelihoods were under threat and existing inequalities were at risk of further exacerbation. The group welcomed the social dialogue process, which had played a critical role in identifying solutions to protect workers and provide a lifeline to enterprises. A tripartite agreement adopted in March 2020 by the Minister of Labour and the social partners, in which the Palestinian General Federation of Trade Unions had played a key role, had allowed employers to pay half of the wages they were due in March and April and the other half at the end of the crisis. The group welcomed the ILO's series of capacity-building workshops for workers and employers on collective bargaining and negotiation skills, and the fact that the ILO planned to organize trade union literacy trainings on a broad range of topics.
- 567.** The Workers' group requested the Governing Body to take note of the urgent need for expanded and diversified development assistance to Palestinian workers, and the Palestinian labour market more broadly. Extending support to include skills development, employability and active labour market programmes, as well as continued assistance to social protection initiatives, would be instrumental in addressing the evolving labour market challenges, particularly during COVID-19.
- 568. The Government of Bahrain**, on behalf of Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen, stated that the collapse of the Palestinian labour market was caused by the policies of the occupying authority imposing restrictions on people and goods, which constituted

¹⁹ The complete text of each comment in the original language is available on the [Governing Body's web page](#), together with the decision.

an obstacle to growth, sustainable development and reducing unemployment rates, and obstructed Palestinian workers' access to decent work. It therefore called on the ILO and other relevant international organizations to protect workers' rights and eliminate the injustice they experienced.

- 569.** The Appendix to the Report of the Director-General, on the situation of workers in the occupied Arab territories, should be discussed in a plenary session of the International Labour Conference and then translated into specific steps and programmes with the aim of improving workers' conditions. The group reiterated its call to the Director-General, the Governing Body and donor States to provide financial support to revive and activate the Palestinian Fund for Employment and Social Protection, and to continue to make efforts in coordination with international agencies, donor countries and the Arab Labour Organization to raise the financial support necessary to support the development needs in responding to the impact of COVID-19. It also called on the Governing Body to make efforts to provide financial resources to support the fund to help Palestinian workers overcome the COVID-19 pandemic and alleviate their suffering. The ILO must intervene effectively to restore Palestinian workers' rights, and to ensure that Palestinian workers were paid in accordance with international labour standards and the ILO Declaration on Fundamental Principles and Rights at Work, in the light of the difficult financial circumstances faced by the Palestinian National Authority. The group requested the Director-General to report to the Governing Body on the ILO's efforts in that regard at the March 2021 session.
- 570. The Government of Indonesia** endorsed the strategic priorities of the second Palestinian Decent Work Programme and expressed its strong support for the continuation of the ILO's efforts to implement it and align it with the broader frameworks of the UN system and the UN country team. It emphasized its support for the efforts to overcome the impacts of the COVID-19 pandemic on the world of work in the Occupied Palestinian Territory, as well as the ILO's commitment to the attainment of the National Policy Agenda 2017–2022 and the 2030 Agenda, in particular target 8.5 to realize decent work for all. It encouraged the ILO to focus its efforts on countering possible exploitation and increasing the protection of the rights of Palestinian workers in Israel and the occupied territory, while also ensuring decent working conditions for them. It also supported the efforts to expand and diversify development assistance to Palestinian workers, including to extend support to include skills development, employability and active labour market programmes, as well as continued assistance to social protection initiatives.
- 571.** Indonesia noted with particular concern the worsening hardship faced by Palestinians due to the COVID-19 pandemic. The Government of Indonesia had announced an increased contribution to Palestine and to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) during the Extraordinary Ministerial Pledging Conference for UNRWA that year. However, enhancing the Decent Work Agenda and realizing social justice for Palestinian people required an end to the instability in the territory, therefore a credible multilateral peace process must be started to find a comprehensive, just and sustainable solution.
- 572. The Palestinian Minister of Labour**²⁰ noted that Palestinians had been facing the same huge challenges that had been caused by COVID-19 everywhere. In addition, the

²⁰ The publication of this statement does not affect in any form or manner the legal status of Palestine in the International Labour Organization.

occupation, the expansion of settlements and the economic and financial blockade had exacerbated the impact of the pandemic on the most vulnerable and had increased poverty. At the same time, the Palestinian Authority's capacity to support its social partners was diminishing, which would eventually jeopardize the outcomes already achieved under the Decent Work Programme signed with the ILO.

- 573.** More than 100,000 Palestinian workers in Israel had lost their jobs and incomes, as they were not allowed access to their workplaces. Palestinian workers continued to experience humiliation and discrimination at border crossings, withholding of their wages and a lack of adequate occupational safety and health. In addition, the continued blockade on Gaza prevented thousands of workers from accessing their workplaces in the occupied West Bank and Jerusalem, and in Israel. According to international reports, including the annual Report of the ILO Director-General to the International Labour Conference, Gaza had become a large prison for more than 2 million Palestinians.
- 574.** The Palestinian Authority, in collaboration with its social partners and using ILO technical support, had been easing the impact of the pandemic through a contingency plan which included, among other elements: the signature of a tripartite agreement on wage protection, in the early months of the crisis, and the establishment of an unemployment support fund; provision of low-interest finance to SMEs by the Palestinian Fund for Employment and Social Protection; and continued implementation of the Decent Work Programme signed with the ILO, which faced a risk of delays and obstacles for the duration of the COVID-19 pandemic. Under that programme, the first ever Palestinian National Employment Policy represented one of the most important achievements of the ILO's technical cooperation, and it was hoped that it would strengthen the Palestinian labour market by enhancing its capacity to create decent jobs. One of the priorities ahead with the support of the ILO was social security coverage, for which momentum had been restored at the national level.
- 575.** All progress achieved was attributable to collaboration with the social partners, Palestinians' resilience in coping with the Israeli occupation and its discriminatory practices, the upholding of responsibilities to protect Palestinian workers, and a commitment to social dialogue as a means of addressing crises. The Palestinian Authority thanked the Office, donor countries and partners for their technical and financial support for the implementation of the Decent Work Programme, and requested the Governing Body to: maintain and enhance the technical and financial resources for the ILO's programmes and activities for the remaining two years of the Decent Work Programme; prepare a resource mobilization strategy linked to the National Employment Policy with a view to enhancing the capacity of the Palestinian economy to create decent jobs; support the ILO Director-General in assuming a mediating role with Israel with a view to recovering the Palestinian social security dues held by Israel since 1970; place an item on the agenda of the next Governing Body session for the consideration of the conclusions of the Director-General's annual Report on the situation of workers in the occupied Arab territories; and provide urgent assistance to the Palestinian fund in support of wages.
- 576. The Government of Israel,** exercising its right of reply, indicated its regret at the misuse of the forum by some delegations to promote a political agenda. Israel supported the ILO's technical assistance and development programmes, including in the Palestinian territory. It had always cooperated with the ILO and facilitated its activities in the territory, including the annual mission. However, the data presented under the item did not reflect the reality on the ground in an accurate and balanced manner and the report had methodological and factual deficiencies.

- 577.** The goal of the ILO's assistance and programmes in the territory should be to improve the lives and livelihoods of the Palestinian people. However, the report did not provide information on or an analysis of the working conditions of Palestinians in areas that were under the Palestinian Authority's control. Furthermore, it referred only superficially, if at all, to many elements that affected the situation, such as the informal economy, the inter-Palestinian divide, the control exerted by Hamas on the world of work, discrimination against women, the minimum wage and gender pay gaps. It would have benefited from a more extensive analysis of actions taken on topics such as employment creation, vocational training, cooperatives and social entrepreneurship, supporting entrepreneurship and tackling youth unemployment, which were central to the ILO's work.
- 578.** There was a lack of clarity regarding the sources of the data used in the report. For the report to be relevant in terms of understanding and improving the situation on the ground, it was necessary to build a solid methodology to guide the work of the mission and data collection, which should include setting high standards with regard to the use of external sources and reports. Israel urged the ILO to maintain its credibility and professional standards and to work on accomplishing its global mandate.

6. ILO Development Cooperation Strategy 2020–25 (GB.340/POL/6)

- 579. The Worker spokesperson** said that the core challenge was to ensure a long-term strategy that strengthened the normative and tripartite mandate of the ILO against the backdrop of UN reform. Although the COVID-19 pandemic was posing major challenges for the achievement of the SDGs and decent work, that should not be used to justify shirking the commitments made to overcome the challenges with a rights-based approach. Reform of the UN system meant that work in the field was gaining prominence. Resident coordinators should therefore engage with the social partners to evaluate development challenges and identify priorities for UN partnerships. The 2020 Global Rights Index of the International Trade Union Confederation (ITUC) showed that labour rights violations were endemic, therefore the ILO must strengthen the capacities and work of the social partners at the national level so that they were invited to participate in dialogue, their priorities were considered and the Organization's normative mandate was reflected in national priorities. When identifying priorities, resident coordinators must be made aware of the results and comments of the ILO supervisory system. Appropriate information and statistics on SDG 8 and its indicators could make an important contribution to Common Country Assessments, and the ILO should also assist governments in providing timely information on all relevant SDG indicators. An effective development cooperation strategy must have labour rights and standards at its core. If labour rights were not respected, the Organization's engagement with the reformed UN system and the achievement of decent work would be at risk.
- 580.** The Strategy's first area of focus, services to constituents, was clearly the most important and was linked to the ILO's standard-setting mandate. As to how ILO development cooperation would support such services, it was vital to respond to the comments made by the ILO supervisory system. The Workers' group supported the proposals to improve the integration of the DWCPs, capacity-building, research and statistics, and South-South and triangular cooperation. The group strongly encouraged the ILO to provide technical assistance in the areas of social protection and fiscal space analysis. It was regrettable that the Governing Body had not been able to discuss the ILO's strategy on coherence within the multilateral system, given the potential major contribution to

development that would be made by a global debate on progressive fiscal reform, combating tax evasion and debt relief mechanisms.

- 581.** As to partnerships for policy coherence, the Workers' group agreed that policy, programmatic and budgetary coherence were key. It was crucial for the ILO to assess the risks and opportunities of innovative financing mechanisms and to promote the mainstreaming of international labour standards, social dialogue and appropriate public service provision guarantees, and protection of beneficiaries into any such mechanisms. The ILO played a crucial role in involving the social partners and the Decent Work Agenda in Common Country Assessments and United Nations Sustainable Development Cooperation Frameworks, particularly in countries where grave labour rights violations occurred. Beneficiary countries and workers must also participate in those discussions, which should be guided by the Decent Work Agenda. The Workers' group attached great value to the ILO's role in promoting rights-based policy coherence with international financial institutions, which had imposed conditions that had proven disastrous for decent work, pensions and social protection.
- 582.** Concerning private sector engagement and partnerships for funding, the Strategy made no reference to the Governing Body's guidance of innovative financing mechanisms pending analysis of the related risks and opportunities. However, there were indications throughout the document that the ILO would indeed engage with such mechanisms; his group objected to such action without a clear assessment of the risks and opportunities and transaction costs. Engagement with the private sector must be based on monitoring of enterprises' actions, particularly with regard to labour rights, and should not be used primarily for corporate marketing purposes.
- 583.** With regard to voluntary financing from donor countries, the main source of the ILO's financing, the Workers' group called on governments to increase official development assistance to meet or exceed the 0.7 per cent objective. The group welcomed the alignment with the programme and budget, resident coordinators and the UN Funding Compact. The ILO should evaluate the transaction cost of smaller-scale projects, to which donors often attached their own objectives. South-South cooperation should serve to encourage donor countries to improve respect for labour rights. The Workers' group welcomed the ILO's aim to increase its share of funding from UN channels and encouraged it to systematically apply the guiding principles for public-private partnerships when working with other UN agencies. The group requested clarification on how those guiding principles would interact with the UN Common Approach to Due Diligence.
- 584.** The Workers' group welcomed the proposals under "efficiency, decent work results and transparency". The spokesperson asked how impact assessments would be integrated into the programme and budget, given that most ILO work on labour rights produced long-term results, which made it difficult to evaluate development cooperation over a single biennium. The Workers' group did not endorse the proposed amendments to the draft decision submitted in writing by the Employers' group.
- 585. The Employer spokesperson** said that development cooperation provided sufficient resources to enable the Organization to act on the ground in cooperation with its development partners. In the context of economic recovery and UN reform, it was important to leverage the ILO's comparative advantage, its tripartism. However, it was unclear from the Strategy what specifically the ILO planned to do differently from other UN agencies, how it would deliver added value to constituents and how development cooperation could enhance tripartism and social dialogue. Concrete action was required to ensure that all projects strengthened social dialogue, tripartism and the participation

of social partners in setting decent work priorities, mobilizing resources and strengthening social dialogue as a means of ensuring that projects and programmes responded to constituents' needs and reduced supply-driven activities, which had been identified as a shortcoming in a number of independent and high-level evaluations. In addition to being demand-driven, development cooperation projects needed to address the root causes of problems at the national level, most importantly informality, which was not mentioned in the Strategy.

- 586.** The Strategy lacked clear provisions to evaluate its effectiveness and its contribution to the implementation of the Strategic Plan for 2022–25. Measurement and reporting would be difficult, as the enabling outcomes to which reporting was linked encompassed only funding and partnerships. It was important to measure the effectiveness of DWCPs to engage with constituents and support their priorities on the ground. The Employers' group had therefore submitted a proposed amendment to the draft decision to include a request to the Office "to develop an accompanying implementation plan as well as to set up an internal task force to monitor progress" (which should include the Bureau for Employers' Activities (ACT/EMP) and ACTRAV) and "to submit a mid-term review of the Strategy in 2023".
- 587.** She expressed surprise that the "One ILO" approach, based on full tripartite engagement and reflected in the DWCPs, had not been made a key element of the Strategy. The statement that the ILO would be "more proactive when articulating the needs of DWCPs" should be replaced with a statement that embraced the "One ILO" approach. The Strategy must also include a commitment to making DWCPs fully consultative, given that their success depended largely on the quality of engagement with constituents on the ground.
- 588.** The Strategy did not clarify how the ILO would adapt to the challenges posed by the COVID-19 pandemic and UN system reform. Deliberate, targeted action was required to enable constituents' participation in the UN system at the country level, with particular focus on the social partners. In challenging economic times, the Strategy could not assume that traditional financial sources such as official development assistance would be available. The document lacked an analysis of potential funding mechanisms and possible contingency plans. It was disappointing that the Strategy did not include a specific commitment to increasing resource mobilization for underfunded outcomes linked to tripartism and capacity-building for the social partners; that commitment should be included in the implementation plan.
- 589.** The Employers' group welcomed the emphasis on greater policy, programmatic and budgetary coherence in partnerships for policy coherence. However, as the key element of SDG 17 was strengthening the means of implementation, including domestic resource mobilization, the corresponding section of the Strategy should include a direct reference to that element, and also the creation of an enabling environment for enterprises. In addition, the Strategy should articulate how the Office would implement the vision set out in the ILO's Strategic Plan for 2022–25. The Employers' group could endorse the Strategy, subject to the adoption of its proposed amendments to the draft decision.
- 590. Speaking on behalf of the Africa group,** a Government representative of Côte d'Ivoire welcomed the inclusion in the Strategy of the component on combating the COVID-19 crisis. With reference to the area of focus on services to constituents, the national development programmes, DWCPs and Common Country Assessments were appropriate means of guiding work at the national level. It was also important to promote national development cooperation at an institutional level. The Office should accelerate the production of research, impact assessments and statistics with a view to

an exhaustive evaluation by 2030. There was a need for synergies between the first area of focus and the second, partnerships for policy coherence. The group welcomed the proposed risk assessment of resource mobilization and would like to see timely results. With regard to the third area of focus, partnerships for funding, encouraging increased voluntary contributions would be welcome, with the aim of strengthening partnerships and obtaining supplementary funding for sustainable development. The Office should provide constituents with regular updates on the use of the extrabudgetary account for the implementation of the Strategy. In addition to the Centenary Declaration, the Africa group encouraged the Office to take into account the Abidjan Declaration and its implementation plan in connection with the Strategy. The group supported the draft decision, but was prepared to consider any amendments submitted.

591. Speaking on behalf of GRULAC, a Government representative of Barbados welcomed the fact that the Strategy took into account other initiatives and programmes both within and outside the ILO, as it was fundamental to optimize resources, to promote coherence and effectiveness and to avoid duplication of work. In the context of UN reform, the engagement of the resident coordinators with the social partners should include governments, as governments of developing countries were entitled to set the priorities for partnerships with UN agencies. Priority should be given to the preparation of cooperation plans that took into account not only the interests of donors but also those of recipient countries. Further details on regional differences should be incorporated into the Strategy. It was important for South–South and triangular cooperation to remain a priority and to be promoted effectively at the international, regional and subregional levels by headquarters and regional offices. The Strategy should seek to harness the potential of such cooperation to meet the demands of partner countries and to promote decent work and productive employment. While the consideration of innovative funding, including from the private sector, was welcome, such alternatives complemented rather than substituted official development assistance. The Strategy should be flexible enough to respond to internal and external changes, not only within the ILO, but also in relation to UN reform, and to constantly adapt to the fluctuating situation arising from the COVID-19 crisis. GRULAC supported the draft decision.

592. Speaking on behalf of ASPAG, a Government representative of China said that the Strategy should serve as a vehicle to operationalize the ILO's vision. It was also key to ensure a better, faster and sustainable recovery from the COVID-19 crisis, and demonstrate the unique value of the ILO in the process to reform the UN development system. The Office should use the Strategy to meet Member States' decent work needs, taking into account national circumstances. Further information on the assessment of risks and opportunities presented by the different finance mechanisms would be welcome. Adequate and predictable funding was crucial for the success of the Strategy, particularly as governments and potential donors were now faced with a more constrained budget. The Office should therefore step up its efforts to further expand its funding partnerships through the four innovative approaches proposed in the Strategy. It was important that the Office should leverage its potential to mobilize lightly earmarked and unearmarked contributions in addition to earmarked contributions and also explore the possibility of expanding the use of the Regular Budget Supplementary Account when doing so. The group requested the Office to conduct an analysis of funding gaps, taking into account the decent work needs of the national constituents, to ensure the effective and efficient investment of resources. The Office should allocate the necessary financial and human resources to ensure the implementation of the Strategy. The International Training Centre of the ILO should play a proactive role in the process of capacity-building and dissemination of knowledge and good practices, and it was

imperative to invest in the Centre's information and communications technology infrastructure and the digital skills of its staff.

- 593.** The Strategy should be a critical component of the ILO's overarching strategic framework in the coming years. However, it should also be accompanied by specific details on how the ILO intended to implement the Strategy and achieve the objectives, otherwise it would be difficult to measure its success, discuss lessons learned and ensure that it remained responsive to constituents' needs. The group requested the Office to provide the Governing Body with a mid-term implementation report of the Strategy in 2023 and a final report in 2025. ASPAG endorsed the proposed amendment concerning a mid-term review.
- 594. Speaking on behalf of IMEC,** a Government representative of Ireland said that the ILO's commitment to work as "One UN" was vital to ensure that the Member States and the social partners are effectively supported in achieving the SDGs. The Strategy should give a clearer outline of the results that it was expected to deliver by 2025 and should incorporate a mechanism for a mid-term review to ensure that it remained relevant and appropriate. This would align well with the two-year programme and budget cycle to operationalize the objectives. The ILO should strategize beyond its existing partnerships to further advance its mandate within development cooperation. The Strategy should move towards the adoption of a programmatic, results-oriented and systemic approach, and should include measures for more efficient, evidence-based and cost-effective use of ILO resources. The Strategy was predominantly focused on funding and process, with little emphasis on what and how the ILO intended to contribute to advancing the strategic objectives of the Decent Work Agenda and poverty reduction. The commitment to integrating cross-cutting issues such as social dialogue, gender equality and environmental sustainability should be more prominent. The Strategy should take into account the lessons learned, including from the pandemic response activities. Innovative practices and concrete steps towards increased relevance, flexibility and agility should be identified. The Strategy should elaborate further on how the ILO would improve its development cooperation, demonstrating real-world results for outcomes and impacts. IMEC urged the Office to update and resubmit the Strategy on the basis of the Governing Body's guidance. The group could not yet endorse the Strategy or the amendment proposed by the Employers' group, although it was in favour of a mid-term review.
- 595. Speaking on behalf of the EU and its Member States,** a Government representative of Germany said that North Macedonia, Montenegro, Albania and Armenia aligned themselves with the statement. The document required further review to ensure closer alignment with the guiding principles for future ILO development cooperation established in the conclusions adopted by the 107th Session (2018) of the International Labour Conference. It should also include a strong vision, and a rationale in terms of objectives and results, and include references to how the Decent Work Agenda would be promoted to contribute to the reduction of poverty and inequalities and ensuring no one was left behind. The ILO should be more innovative and clearly outline what it could and needed to do differently to respond more effectively to changing circumstances. The linkage of the Strategy with the ILO Strategic Plan 2022–25 and the programme and budget merited further strengthening. The Strategy should also look beyond the established process and seek to outline a path forward that was focused on priorities and results and indicate a clear timeline until 2025. The ILO should also include lessons learned from previous experience, and ensure that they were reflected in new programmes and partnerships. The EU and its Member States proposed suspending the discussions on the Strategy until later in the session, in order for the Office to consider the guidance provided by the Governing Body and prepare a detailed response. They

supported the mid-term review element of the Employers' group's proposed amendment.

- 596. A Government representative of Mexico** said that his country welcomed the Strategy, which was aimed at channelling resources and efforts so that no person, State or nation was left behind. Mexico was introducing a new labour model that was modern, fair and equitable. The first step had been the adoption of the historic labour reform on 1 May 2019, to ensure trade union democracy and freedom, as well as genuine collective bargaining and ongoing dialogue between organizations of employers and workers at all levels. The country was aiming to transition to a new system of labour justice that was independent, impartial and efficient. Mexico was grateful to the ILO for its ongoing support and would continue to foster mechanisms and projects for cooperation to make the new labour model a reality.
- 597. A Government representative of Brazil** welcomed the Strategy's aim of promoting and expanding South-South and trilateral cooperation, in line with the outcome document of the Second High-Level United Nations Conference on South-South Cooperation (BAPA+40). His country was convinced of the importance of trilateral cooperation for building capacity development, peer-to-peer exchange and local expertise. In that regard, he encouraged the Office to continue to support South-South and trilateral cooperation initiatives between developing countries. He emphasized, however, that any such initiatives, and the identification and implementation of new formats of cooperation, should always be undertaken in consultation with the governments of the developing countries involved. Brazil had been able to mobilize financial contributions to specific South-South cooperation projects, with the ILO's participation, but innovative ways of financing, such as partnerships with the private sector, were needed. The Office could adopt eligibility criteria for projects financed through those partnerships, in order to best harness their potential to meet nationally defined priorities and needs. Brazil supported the draft decision.
- 598. A representative of the Director-General** (Deputy Director-General for Field Operations and Partnerships) thanked members of the Governing Body for their comments and guidance. As they had emphasized, the ILO's development cooperation must be embedded in the normative framework of the Organization, fully respect the principles of tripartism and social dialogue, and meet national priorities as expressed in DWCPs. Due note had been taken of the emphasis to be placed on the role of development cooperation in enabling the ILO to address the COVID-19 crisis and contribute to giving effect to the central tenet of the SDGs, to leave no one behind. The ILO would accordingly engage, proactively and at various levels, in partnerships and UN reform processes. The ILO Development Cooperation Strategy for 2020–25, together with the new Strategic Plan and the programme and budget, constituted a set of measures for tackling the devastating socio-economic effects of the COVID-19 pandemic.
- 599. Another representative of the Director-General** (Director, Partnerships and Field Support Department) recalled that the Governing Body at its 335th Session (March 2019) had given the Office very clear guidance on innovative financing. The UN already engaged very strongly at the national level in discussions on financing strategies, and UN country teams were developing joint proposals for submission to the UN Joint SDG Fund, drawing on ILO expertise. The Office was also following other UN initiatives related to the financing of the SDGs. Recalling that, at its 335th Session, the Governing Body had called on the Office to develop the capacity of constituents to further build their awareness of innovative finance mechanisms as a basis for their potential engagement in financing mechanisms, she said that the Office, in cooperation with the International

Training Centre of the ILO, had recently concluded an online capacity development and knowledge-sharing course, using a comprehensive South–South cooperation approach, on financing decent work, attended by 60 participants representing the tripartite constituents.

- 600.** The Office continued to apply existing procedures governing public–private partnerships, while taking account of the recommendations of the high-level evaluation of the ILO’s public–private partnerships, 2008–18. At the country level, the reference for a UN resident coordinator was the UN common approach to due diligence, which not only incorporated international labour standards but also referred to the importance of consulting with workers’ and employers’ organizations. The ILO would always ensure that the constituents were included in engagement with the private sector. Regarding impact assessments, she mentioned they were a particular form of evaluation that took place at various levels, and in particular at the level of development cooperation projects. She recalled that development cooperation activities were defined in time subject to the funding available and national priorities. Impact assessments at the country level were often related to existing results frameworks and were a source of data to demonstrate how project activities and interventions could be scaled up for sustainable impact.
- 601. The Employer spokesperson** said that her group wished to maintain its proposed amendment to the draft decision. She believed there was a need for further consultation to see if consensus could be reached.
- 602. The Worker spokesperson** suggested that the Governing Body should postpone taking a decision on the item.
- 603. The Chairperson** suspended consideration of the agenda item to allow for informal consultations.

(The Governing Body resumed consideration of the item after the Office circulated a revised draft decision following consultations.)

- 604. The Worker spokesperson** supported the revised draft decision.
- 605. The Employer spokesperson** reiterated her group’s position that there were several elements missing from the draft Development Cooperation Strategy and urged the Office to bear the group’s concerns in mind when proceeding with the next steps. The Employers’ group would use all of the elements outlined in its initial statement to judge the success of the Strategy. Lack of ownership and consultation regarding development cooperation projects in some areas would weaken the ILO’s overall impact and relevance as a tripartite organization, and the limited treatment of social dialogue and tripartism as a comparative advantage remained a concern. It was disappointing that the reference to an internal task force had been removed from the amended draft decision, but it was assumed that the development of an implementation plan would involve all relevant departments in the Office, in order to place support for tripartism, social dialogue, constituents’ needs and ownership at the forefront, in addition to resource mobilization. She looked forward to the submission of a clear implementation plan in March 2021. The Employers’ group could support the revised draft decision.
- 606. Speaking on behalf of the Africa group**, a Government representative of Côte d’Ivoire welcomed the consensus reached on the revised draft decision, which addressed all of the concerns and approaches of the different groups. It was appropriate to have a strategy that included a comprehensive implementation plan and review. The Africa group called on the Office to use the Centenary Declaration and the Abidjan Declaration

to guide the implementation of the Strategy. The Africa group supported the revised draft decision.

- 607. Speaking on behalf of ASPAG**, a Government representative of China reiterated that the Strategy should be implemented in line with the guidance given under not only the present agenda item but also other strategic items, concerning the Strategic Plan for 2022–25, the Programme and Budget proposals for 2022–23 and the response to the COVID-19 pandemic. ASPAG welcomed the inclusion of a mid-term review and implementation plan to be discussed at the 341st Session (March 2021) of the Governing Body. The group asked the Office to include clear and tangible outcomes in the implementation plan that were based on close examination of existing and future budgetary resources, while ensuring consistency and coherence between the plan's targets and the indicators of the results framework for the programme and budget. The Office should communicate the Strategy to all departments and regional and field offices in a timely manner to allow for proper guidance to be given. ASPAG supported the revised draft decision.
- 608. Speaking on behalf of IMEC**, a Government representative of Ireland welcomed the inclusion in the draft decision of an implementation plan and mid-term review, which addressed some of the group's questions. The implementation plan should present a clear vision of how the ILO intended to implement the Strategy and give effect to the conclusions concerning effective ILO development cooperation in support of the SDGs adopted at the 107th Session (2018) of the International Labour Conference. In addition, it should clearly align with the programme and budget cycle, operationalize its objectives and more clearly outline the development cooperation results to be achieved by 2025. One of IMEC's major concerns was the lack of objectives and measurable milestones and targets. The ILO must articulate its theory of change and results framework to guide programmes and actions and link up to its results-based management system in order to measure its contributions to the achievement of the SDGs. IMEC looked forward to consultations with constituents to address those shortcomings and to contributing constructively to the implementation plan. IMEC supported the revised draft decision.
- 609. Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that North Macedonia, Montenegro and Albania aligned themselves with her statement. She thanked the Office for proactively taking on board the guidance provided by the Governing Body during the discussion. Noting that the emphasis of the draft Strategy was primarily on funding and processes, she welcomed the Office's proposal to develop an implementation plan to be presented to the Governing Body at its next session and its commitment to providing the requested clarity on actions and indicators in the four areas of focus. She endorsed the proposed mid-term review of the Strategy and the implementation plan, which would guarantee continued relevance and a focus on the delivery of the key objectives. She welcomed the Office's commitment to engaging in meaningful consultation with all constituents between sessions of the Governing Body and supported the revised draft decision.
- 610. The representative of the Director-General** (Deputy Director-General for Field Operations and Partnerships) said that the Office would take all comments into consideration when implementing the Strategy. All groups had supported the four areas of focus proposed in the Strategy. There was also consensus on certain key principles underpinning it, namely that: development cooperation must be guided by the ILO strategic framework and play a key role in helping associated programmes to achieve their objectives; it was important to take a participatory approach involving the ILO and

other UN agencies with respect to the changes in the UN system; and development cooperation must respond to national priorities, as defined in the DWCPs.

- 611.** He welcomed the clear recommendation to include, as part of the reformed UN development system, measures to allow the ILO to exercise its comparative advantage of tripartism and social dialogue, including in the collective UN response to the pandemic. To that end, the Strategy highlighted the fact that the tripartite constituents must be effectively involved throughout relevant processes with the UN system that were intended to ensure policy coherence. The Governing Body had called on the Office to do more to maintain, diversify and extend its partners for funding and the mobilization of voluntary contributions, and to increase the quantity and quality of funding as suggested in the UN Funding Compact. In terms of the support for the Office's commitment to South-South and triangular cooperation, it would enter into and expand partnerships with countries of the South, in accordance with the outcome document of the Second High-level United Nations Conference on South-South Cooperation, and would ensure that all social partners interested in being involved in this form of development cooperation were able to do so.
- 612.** The Strategic Plan for 2022–25 and the programme and budget proposals defined and prioritized what the ILO had to do to ensure human-centred progress in accordance with the Centenary Declaration. It was therefore very important to align the timeline of the ILO Development Cooperation Strategy 2020–25 with the programming cycles. In adopting the Strategy, the Governing Body would enable the Office to immediately operationalize the guidance given in the resolution adopted at the 107th Session (2018) of the International Labour Conference. Development cooperation was an essential means of implementing the lessons learned from the pandemic: to be agile and to work more closely with UN country teams to develop a coherent approach in supporting post-pandemic recovery. Thanks to the ILO's constructive work with its funding partners, it had been able to reorient some development cooperation projects in response to the pandemic.
- 613.** The Office had taken note of the recommendation to supplement the Strategy with an implementation plan detailing the specific actions to be undertaken by the ILO, which would be submitted to the Governing Body at its next session and would form the basis for a mid-term review. The Office would continue to rely on guidance from the Governing Body and would hold consultations with all groups on the development of the implementation plan.

Decision

614. The Governing Body:

- (a) endorsed the proposed Development Cooperation Strategy for the period 2020–25;**
- (b) requested the Director-General to consider its guidance in implementing the Strategy; and**
- (c) requested the Office to submit for discussion and adoption an accompanying implementation plan to the Governing Body at its 341st Session (March 2021) and a mid-term review of the Strategy and the implementation plan in 2023.**

(GB.340/POL/6, paragraph 52, as amended by the Governing Body)

7. Update on preparations for the V Global Conference on Child Labour (GB.340/POL/7(Rev.1))

- 615.** In preparation for the adoption of a decision by correspondence, the Office held a briefing session for Governing Body members on this item on 23 October 2020.
- 616.** The Screening Group agreed to put the item forward for a decision by correspondence on the understanding that the Office would publish a revised version of the document in which the draft decision would include a reference to the fact that the Office would be organizing a tripartite consultation in Geneva prior to the 341st Session (March 2021) of the Governing Body.
- 617.** The decision contained in document GB.340/POL/7(Rev.1) was adopted by consensus and announced to all Governing Body members by a communication of 11 November 2020.

Decision

618. The Governing Body, by correspondence, requested the Office to:

- (a) undertake consultations with the Government of South Africa, as the host country, on preparations to hold the V Global Conference on Child Labour in 2022, including the perspectives of the different regions;**
- (b) organize a tripartite consultation in Geneva prior to the 341st Session (March 2021) of the Governing Body to discuss the way forward; and**
- (c) inform the Governing Body on the progress of those consultations at its 341st Session (March 2021).**

(GB.340/POL/7(Rev.1), paragraph 14)

Summary of written comments received during the consideration of the item by correspondence ²¹

- 619. The Workers' group** thanked the Office for the document and took note of the developments highlighted therein. In particular, it welcomed the fact that the Worst Forms of Child Labour Convention, 1999 (No. 182), had achieved universal ratification. Much remained to be done to ensure that commitments were transformed into action, however, and the ILO and its tripartite constituents had a crucial role to play in that regard. The Workers also welcomed the ratification of the Minimum Age Convention, 1973 (No. 138), by Myanmar in June 2020 and called for a strong campaign for the universal ratification of that Convention in the context of the UN International Year for the Elimination of Child Labour, 2021, and the V Global Conference.
- 620.** Emphasizing the importance of political commitment to end child labour, the Workers welcomed the revised country-level activities under the International Programme on the Elimination of Child Labour and Forced Labour (IPEC+) flagship programme and supported the Office's call for sustained and additional funding.
- 621.** The Workers would welcome information on the follow up to the 96 pledges that had been made at the IV Global Conference, in Buenos Aires, including details on how implementation was being evaluated and what was being done to increase the number

²¹ The complete text of each comment in the original language is available on the [Governing Body's web page](#), together with the decision.

of pledges. Consistency with international labour standards, an integrated rights-based approach based on decent work and long-term sustainability, should be the basis of any review. The Workers would also welcome further information about the road map being prepared by the Office in the context of the International Year for the Elimination of Child Labour, particularly on the involvement of social partners.

- 622.** Concerned that the impact of the COVID-19 pandemic could lead to an increase in child labour, the Workers supported the call for Member States to redouble their efforts to keep up with achievement of SDG target 8.7 by 2025.
- 623.** Commending the Government of South Africa's commitment to host the V Global Conference, the Workers requested further clarification on the consultation processes presented in paragraphs 10 and 11 of the document and agreed that a tripartite meeting should be convened to discuss the way forward. They also requested further clarification on the availability of funding for the V Global Conference.
- 624.** IMEC thanked the Office for the systematic review of country-level activities under the IPEC+ flagship programme and welcomed the progress made by Alliance 8.7 in pathfinder countries. It noted with satisfaction the universal ratification of Convention No. 182 and called for the effective implementation of that Convention. It was important to keep the issue of child labour high on the agenda given that, due to COVID-19, the progress made in recent years in the fight against forced labour, human trafficking and child labour could be reversed. In that context, IMEC looked forward to the launch of the road map being prepared by the Office for the International Year for the Elimination of Child Labour.
- 625.** IMEC thanked the Government of South Africa for its offer to host the V Global Conference. In view of the current circumstances, it understood and supported the Government's request to postpone the Global Conference to 2022, but encouraged the Government to organize it at the beginning of 2022, to mark a way forward after the International Year for the Elimination of Child Labour.
- 626.** The approach proposed by the Office to hold consultations with the Government of South Africa on preparations to hold the V Global Conference in 2022, including the perspectives of the different regions, and to hold a tripartite consultation in Geneva prior to the 341st Session (March 2021) of the Governing Body to discuss the way forward, was fully supported by IMEC, which would actively participate in those meetings. IMEC urged the Office to pursue its actions on child labour expeditiously after the 340th Session of the Governing Body in order to ensure momentum in organizing the V Global Conference, in whatever form possible, taking into account the COVID-19 situation. Ending child labour and promoting decent work for all was more important than ever. IMEC supported the draft decision.
- 627.** In the statement made on behalf of **the EU and its Member States**, it was noted that North Macedonia, Montenegro, Albania and Norway aligned themselves with the statement. It was also noted that the EU and its Member States aligned themselves with the IMEC statement. The Government of South Africa's offer to host the V Global Conference was appreciated and it was understood that the Conference had to be postponed to 2022. The universal ratification of Convention No. 182 was a welcome development. However, there was a need for enhanced implementation of both that Convention and Convention No. 138.
- 628.** The EU would continue to cooperate with the ILO to defend the rights of every child in line with the UN Convention on the Rights of the Child and its Optional Protocols. The EU Action Plan on Human Rights and Democracy 2020–2024 highlighted that addressing

child labour was a priority in actions to reinforce labour rights. The *EU Guidelines for the Promotion and Protection of the Rights of the Child* and those on *Children and Armed Conflict* also continued to guide the EU's actions in that regard. A zero tolerance of child labour was also expressed in EU trade policy.

- 629.** Given the challenges that had arisen as a result of the COVID-19 pandemic, it was vital to prevent a reversal or a standstill in the progress already achieved and to accelerate progress by all means possible in the fight against child labour and forced labour. In that regard, the actions of the IPEC+ flagship programme to address the impact of the pandemic on the most vulnerable were welcome. The Office was encouraged to make an overview of the pledges made in Buenos Aires.
- 630. The United Kingdom** aligned itself with the statement by IMEC and thanked the Office for the update. It congratulated the ILO on achieving the universal ratification of Convention No. 182. The United Kingdom agreed with the proposed next steps set out in the document and looked forward to participating in the discussions leading up to the V Global Conference, which it agreed should be postponed to 2022.
- 631.** The United Kingdom had made good progress in respect of the pledges made at the IV Global Conference, including through the roll-out of Independent Child Trafficking Guardians across England and Wales. It welcomed the Office's efforts to drive forward work to tackle child labour, not least given the significant impacts of the pandemic. The United Kingdom looked forward to continued dialogue with the Office with a view to achieving SDG target 8.7 by 2025. It also looked forward to taking part in the tripartite consultation prior to the 341st Session (March 2021) to discuss the way forward.

▶ Programme, Financial and Administrative Section

Programme, Financial and Administrative Segment

1. The ILO's Strategic Plan for 2022–25 (GB.340/PFA/1(Rev.1))

- 632. The Chairperson** opened the discussion on the Strategic Plan. He shared progress of his country, India, to protect the interests of gig and platform workers during the COVID-19 crisis and invited the Governing Body to consider including that dimension in the Strategic Plan if deemed appropriate.
- 633. The Worker spokesperson** said that the pandemic had exposed how ill-guided austerity measures, cuts in public spending on healthcare and the privatization of public services had undermined countries' ability to tackle such a crisis. Inequality had been exacerbated and many workers, particularly workers in vulnerable situations were hardly hit. Gaps in social protection coverage left many workers without healthcare or income protection. Trade union rights violations had also increased. The ILO's role in the recovery was more important than ever by supporting constituents and building resilience, and her group fully endorsed the Strategic Plan's focus on applying the provisions of the ILO Centenary Declaration for the Future of Work for a human-centred recovery. However, the Workers did not agree that the pandemic had triggered a fundamental reconsideration of the organization of the world of work; rather, it had exacerbated existing flaws in the economic model. Therefore, priority should be given to addressing inequalities and promoting fair and sustainable growth with decent work at its centre. Efforts to achieve Sustainable Development Goal (SDG) 8 would be key in that regard.

- 634.** The increase in teleworking in response to the pandemic had brought about challenges in working time and occupational safety and health (OSH) risks and had largely benefited those in highly skilled occupations in areas with good internet connectivity. The vast majority of workers, particularly those in the informal economy and those with insufficient social protection, had continued to work outside their homes, despite the risk to their health and that of their families. The pandemic should not be used to excuse greater precarity under the guise of flexibility.
- 635.** Paragraph 21 noted the need to make global supply chains more secure, resilient and socially just but failed to say what the ILO would do to achieve this. The ILO's role was to promote social justice and rights for all workers including by preventing workers from becoming disadvantaged, for example by means of collective bargaining; the ILO should step up its work to promote that core right. While her group agreed with the priorities set out in paragraph 24 of the Strategic Plan, gender equality should also focus on the concept of equal pay for work of equal value and emphasize all aspects related to harassment and violence at work. Rights and universal social protection must be included under protecting and empowering disadvantaged groups, and lifelong learning and quality education for all should be included under skills development.
- 636.** Particular emphasis should be placed on ensuring decent work in the digital economy, starting with workers' access to freedom of association and collective bargaining in light of the precarious nature of jobs in that sector. Her group welcomed the Strategic Plan's focus on strengthening protection for workers in diverse working arrangements; a key priority in that regard was the recognition of the employment relationship as a means to provide certainty and legal protection for workers, as called for by the Centenary Declaration.
- 637.** The Workers' group agreed on the importance of accelerating progress towards universal social protection coverage through permanent, rights-based arrangements that were organized publicly and grounded in law, in line with ILO standards, rather than ad hoc responses. However, not all international organizations adopted that approach, and the ILO must therefore take the lead to ensure policy coherence in that respect. Efforts to mobilize significant international resources that would be required to extend social protection should not lead to the privatization of social security.
- 638.** The effects of the pandemic had rendered OSH more pertinent than ever; it was therefore regrettable that the proposal to declare it a fundamental principle and right at work as called for by the Centenary Declaration would not be discussed at the current session of the Governing Body. It was hoped that a decision on the matter would be taken by the Conference in 2021. The protection of workers' safety and health based on ILO OSH standards was a key priority.
- 639.** The ILO's work on the recovery from the pandemic in paragraph 29 should focus on lifelong learning, quality education for all and enhancing workers' ability to capitalize on opportunities for decent work. The collective learning approach to face-to-face training should continue. Bridging the digital divide would be essential to ensuring equity. The group supported work on pro-employment macroeconomic, trade, sectoral and industrial policies that should also cover global supply chains.
- 640.** The Workers' group urged the Office to integrate workers' rights in its work relating to the enabling environment for sustainable enterprises and entrepreneurship. The transition towards a green economy must not be limited to enterprises, but form part of a wider agenda for a just transition towards green and decent jobs.

- 641.** The Organization must place its standards and tripartism at the heart of its work in order to leverage them effectively. They should therefore be included in the Plan's policy priorities, rather than in the section on organizational performance. The rate of ratification of up-to-date standards must be increased, and new standards drawn up when gaps were identified. The Strategic Plan should place greater emphasis on the protection of workers' rights, including fundamental rights, and state more clearly the need for an enabling legal environment and political will to respect freedom of association and collective bargaining as prerequisites for effective tripartism and social dialogue.
- 642.** Much work remained to be done to mainstream international labour standards and the comments of the supervisory system in the country-level work of the UN system and to ensure that the priorities of workers' organizations were reflected adequately in country programmes. To that end, resident coordinators must take into account the ILO's comparative advantages when deciding on country priorities.
- 643.** The Workers' group fully supported the Strategic Plan's aim to improve knowledge capacities, and requested that specific emphasis be placed on the Organization's statistical work. Lastly, concerning partnerships, the Organization should ensure that sufficient weight was given to the views of the social partners.
- 644. The Employer spokesperson** noted that the Strategic Plan for 2022–25 did not reflect the following key issues raised by the Employers during the two consultations held by the Office: (1) recognizing the need for productive employment to go hand in hand with decent work as a vehicle to build back better; (2) the critical need to address growing informality as well as the contraction of the formal economy as a result of COVID-19, from the perspectives of both enterprises and workers in the informal economy; (3) essential efforts required to enhance business continuity and resilience, and the need to harness a conducive environment for sustainable enterprises during the recovery; (4) the doubling of efforts necessary to enhance the institutional capacity and resilience of social partner organizations, and the need to capitalize on the frontline role the social partners played during the crisis to provide quick and effective policy responses to protect enterprises, jobs and income; (5) the need to promote, ratify and implement relevant and up-to-date international labour standards that take into account the changing patterns of the world of work; and (6) other issues such as efforts required to rebuild with a skilled workforce, ensure universal access to sustainable social protection, strengthen labour market governance, and innovatively address informality.
- 645.** The section of the Strategic Plan on addressing the impact of the COVID-19 pandemic did not recognize the devastating effects of the measures to contain the pandemic on enterprises, especially small and medium-sized enterprises (SMEs), many of which had been forced to close or downsize. Nor did it provide an agenda to support productivity in the wake of the crisis. There was also no mention of the difficulties that constituents' organizations had faced. Employers' and business membership organizations were dealing with shrinking income and membership, government restrictions that had equated to a suspension in social dialogue institutions, an absence of consultation and other restrictions on freedoms. The ILO must make concerted efforts during the recovery period to rebuild constituent organizations' institutional capacity. Moreover, the Office document did not mention the opportunities brought about by the pandemic, such as innovation and accelerated use of digital means, and drawing on untapped skills and repurposing talent. Social dialogue had worked, leading to rapidly designed policy responses. Such important lessons should be highlighted in the Strategic Plan for 2022–25.

- 646.** The section on the ILO's responsibilities did not set out any responsibilities that the Organization should assume. The Employer spokesperson asked the Office to explain the rationale behind the four pillars to address COVID-19 listed in paragraph 13 of the Strategic Plan. Those pillars had not been formally endorsed by any ILO governance body and blurred the boundaries of the four strategic objectives of the Decent Work Agenda. The framework lacked both the promotion of fundamental principles and rights at work and the guidance provided by international labour standards.
- 647.** The section on policy did not reflect the structure provided by the ILO Centenary Declaration, which stated the need for capacity-building of the tripartite constituents and a clear, robust, up-to-date body of international labour standards. Tripartism and standards were currently situated under the section on organizational performance at the same level as other means of action to improve the impact of the Organization. However, they provided the foundation of all ILO action and were essential for making progress on all other outcomes. They must be supported, promoted and developed for application to the new world of work.
- 648.** As to addressing change in the world of work, the Strategic Plan appeared to reprioritize the drivers highlighted in the Centenary Declaration, to omit globalization and to reduce the impact of technological changes to the advancement of information technology. The notion of rethinking global production systems to render supply chains more socially just overstretched the provisions of the Centenary Declaration. While enterprises did have a responsibility to respect human rights, it was the duty of the State to provide emergency response measures to support workers' livelihoods, either directly to them or to businesses employing them, and to provide social protection. As for the need to leave no one behind, the pandemic had shown that enterprises were also at risk; huge numbers of businesses had collapsed, particularly those considered non-essential. The Strategic Plan for 2022–25 failed to recognize the extremely difficult situation for enterprises and the need for the ILO and its Member States to invest heavily in revitalizing the private sector, the principal source of economic growth and job creation. Further, the Strategic Plan did not adequately address the sustainability of social protection schemes, and omitted the words "comprehensive and sustainable" social protection included in the Centenary Declaration. Despite claiming to be high-level and visionary, the measures proposed under the Strategic Plan were short-term and unsustainable. Consideration of the whole labour market during recovery would help to build a sustainable future and better address informality. Far more innovation to find solutions was required, alongside more resources, political will, proper implementation, global policy coordination and national capacity-building. Regarding safety and health at work, the focus of the ILO's approach should not be to "upgrade its own activities", but to better assist constituents in pursuing the highest standard of physical and mental health at work, with particular focus on effective preventive measures for the new reality after the COVID-19 pandemic. The clear definition of rights, responsibilities and duties and the strengthening of safety and health services infrastructure were key to a quick recovery, as was social dialogue.
- 649.** The Employers' group supported the three areas of particular emphasis set out under the section on addressing global recovery from the COVID-19 crisis. However, those areas were only loosely related to the preceding text in the Strategic Plan. The drafting of a parallel plan, set out in document GB.340/HL/2, for the ILO to take the lead in a UN global initiative for a human-centred recovery was a source of concern, as it risked diverting resources and expertise and rendering the ILO ineffectual. Rather than embarking upon a new global initiative, the ILO needed to deliver better on its existing

mandate, work more efficiently with other UN organizations, and contribute to a system-wide response.

- 650.** In its analysis of the policy environment, the Strategic Plan for 2022–25 did not adequately address the reform of the UN development system or the outstanding challenges for improving policy coordination and coherence to support the achievement of the SDGs and the strengthening of ILO constituents' engagement in setting national development policies, plans and priorities.
- 651.** In sum, the Strategic Plan for 2022–25 was disconnected from the informal consultations held with the Office, insufficiently recognized the challenges faced by the private sector during the COVID-19 pandemic and neglected to include the needs of enterprises for recovery. It undermined the importance of standards and tripartism and the urgent need to rebuild the institutions of work. It stretched the interpretation of the Centenary Declaration and undermined the role of existing governance and institutional documents of the ILO.
- 652.** The Employers' group therefore asked that the decision on the item be postponed until the interconnected items, PFA/2 and HL/2, had been discussed, at which point the Employers' group would be in a position to consider submitting an amendment to the draft decision for the current item.
- 653. Speaking on behalf of the Africa group,** a Government representative of Nigeria said that his group welcomed the linkages of the Strategic Plan with previous strategic plans and with the Centenary Declaration, the quadrennial comprehensive policy review and the 2030 Agenda for Sustainable Development (2030 Agenda). It also welcomed the fact that the global impact of COVID-19 had been taken into account. The Strategic Plan should be reviewed prior to its implementation in view of the uncertainty generated by the pandemic. The five policy challenges identified should be further discussed with a view to aligning policy outcomes with the principles of the Centenary Declaration and achieving a broader consensus on measurable indicators.
- 654.** Labour market transitions in Africa had been adversely affected by the pandemic and needed to be reshaped in order to recover the losses experienced. It was important to consider the technology deficit in Africa – which accounted for the fact that some Member States from the region were unable to follow the 340th Session of the Governing Body online – and ensure that no one was left behind. There should also be a focus on the divide between economies and on gender inequality and marginalization, particularly in respect of the care economy. The Strategic Plan should be mainstreamed in all programmes, and an innovative policy toolbox should be provided for Member States and constituents as was the case for the 2008 crisis. The Africa group supported the designation of occupational safety and health as a fundamental principle and right at work and endorsed the three areas of emphasis outlined in paragraph 29 of the report, reaffirming its commitment to support the Centenary Declaration and the human-centred approach to the future of work. It supported the full political engagement of Member States in priority-setting, decision-making and oversight of the Organization and the full democratization of the functioning and composition of the governing bodies. His group supported the draft decision.
- 655. Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC),** a Government representative of Barbados noted with satisfaction that the Strategic Plan reflected the quadrennial comprehensive policy review and expressed his group's support for the Plan's overarching objective to apply the provisions of the Centenary Declaration for a human-centred recovery from the impact of the COVID-19

pandemic. Transitions in the world of work had accelerated in the context of the pandemic, and the ILO should address the new dynamics generated by remote work and by work on digital platforms. In addition, it should pay special attention to skills development, education and labour transition policies, without losing sight of the other priorities of the Centenary Declaration. Supporting a sustainable business environment, including for micro, small and medium-sized enterprises, was fundamental to the recovery from the pandemic.

- 656.** As the Governing Body would most likely need to continue to adapt its decision-making procedures, it was essential to redouble efforts to ensure adequate, effective and transparent communication and consultation tools. Guaranteeing the continuity of the ILO's substantive work should be a top priority. The Decent Work Country Programmes (DWCPs) were valuable tools in the context of the UN reform to ensure that ILO cooperation efforts responded to the needs and priorities of each Member State.
- 657. Speaking on behalf of the Asia and Pacific group (ASPAG),** a Government representative of Australia commended the Office for acknowledging that, in such unprecedented times, the ILO would need to make conscious and strategic efforts to help the world of work build back better, with an emphasis on decent work. The ILO's rapid response at the beginning of the pandemic, including the creation of a database and other forms of assistance for Member States, was also commendable and confirmed that the ILO was a global leader in world-of-work matters. Its normative function and tripartite membership put the Organization in a unique position. The ILO must lead the way, in lockstep with other UN agencies, in fulfilling the reaffirmed 2030 Agenda in dramatically different circumstances. It should remain open to the possibility of adjusting the emphasis of the Strategic Plan as necessary, in the light of the global uncertainty in the months ahead. Vulnerable informal workers, the youngest and oldest workers, women, migrants and workers with disabilities were groups for which a greater focus may be needed. Skills development and productivity would become more important than ever.
- 658.** ASPAG was pleased to note that the Strategic Plan acknowledged the need for ongoing internal reform, and strongly supported the Office's proposal to optimize resource-sharing and develop innovative approaches to teamwork. Given that meetings were now being held online, greater flexibility and agility were necessary to ensure the continuity of the ILO's work. The proposed mid-term review of the Strategic Plan was crucial to ensure that it remained relevant, accurate, responsive and comprehensive. As the Strategic Plan was closely linked to other agenda items that had yet to be discussed, ASPAG suggested postponing its finalization until later in the session.
- 659. Speaking on behalf of the group of industrialized market economy countries (IMEC),** a Government representative of the United Kingdom of Great Britain and Northern Ireland said that IMEC strongly endorsed the general thrust of the Strategic Plan and urged the ILO to follow closely the ongoing work on the quadrennial comprehensive policy review. The Strategic Plan set well the impact of the pandemic on the world of work; the Office should also reflect on how the ILO may be affected in achieving its own vision and priorities and what lessons had been learned from its efforts to mitigate the social and economic impact of the crisis.
- 660.** Concerning policy, the full implementation of the UN Disability Inclusion Strategy was instrumental in ensuring that no one was left behind. The Strategic Plan should endeavour to address other priorities relating to the pandemic, such as the lack of social protection in informal employment. As an international organization responsible for employment and social protection, the ILO had the responsibility to provide leadership

in the multilateral space; IMEC agreed with the Plan's priorities but was open to other priorities. The Plan should provide information on where the ILO wished to be in four years' time and on the progress that it strived to achieve in the world of work by 2025. A specific results-based strategy and clear objectives were needed to ensure that such issues were followed up in the programme and budget.

- 661.** IMEC wished to see a greater focus on the ILO's role in helping countries transition from support measures to building better and more resilient labour markets. Clarification should be provided on the ILO's leadership role in the promotion of decent work in global supply chains with a view to achieving a sustainable recovery from the pandemic. A stronger emphasis should be placed on the adaptation of work environments affected by climate change and a just transition. Regarding the improvement of organizational performance, the Organization must give high priority to maintaining a strong and up-to-date body of labour standards. The ILO's outreach to non-UN partners should go beyond resource mobilization. The mid-term review should inform the next strategic plan. IMEC agreed that the Strategic Plan should be finalized after the discussion of other relevant agenda items.
- 662. Speaking on behalf of the European Union (EU) and its Member States,** a Government representative of Germany said that North Macedonia, Montenegro, Serbia, Albania, Norway, Republic of Moldova and Armenia aligned themselves with the statement. As the ILO's planning cycle was now aligned with that of the UN, the Strategic Plan could contribute to and benefit from the work of the UN system, particularly with regard to the 2030 Agenda. She noted with satisfaction that the Strategic Plan took into account the Centenary Declaration and the challenges caused by the COVID-19 pandemic. During the pandemic, the implementation of labour standards appeared to be a growing challenge; the proper functioning of the ILO supervisory mechanism and the Committee on Freedom of Association was thus more important than ever. The ILO should also show leadership in giving priority to decent work in secure, resilient and socially just global supply chains, and in promoting the transition from the informal to the formal economy.
- 663.** Gender equality was a priority for the EU and its Member States. Decent work must be ensured in female-dominated care work and services, and gender stereotypes must be rejected. The Strategic Plan needed to be strengthened with regard to promoting non-discrimination and protecting against violence and harassment at work. Young people and other persons in vulnerable situations must have access to the labour market. Skills development and active labour market policy measures were appropriate tools to help groups subject to inequalities and facing particular challenges. The COVID-19 crisis had clearly demonstrated the need for comprehensive social protection for all workers. The EU and its Member States welcomed proposals with regard to strengthening labour legislation, occupational safety and health, collective bargaining and social protection, and called on the ILO to identify regulation gaps due to digital transformation and expanded teleworking.
- 664.** The EU and its Member States appreciated that the Strategic Plan focused on occupational safety and health, considering that a clear pathway was needed towards the recognition of safe and healthy working conditions as a core labour standard, and called for a specific objective in that regard. It was regrettable, however, that no reference was made to the role of the Organization in addressing climate change. It should be a priority for the ILO to ensure a just transition to a future of work that contributed to sustainable development in its economic, social and environmental

dimensions. Together with other UN agencies, the ILO had to analyse progress towards the SDGs.

- 665.** Ensuring decent work, including fundamental principles and rights at work for all, demanded much more work from all relevant actors. The ILO had to be able to fulfil its mandate also during crises; for that reason, the EU and its Member States welcomed the planned reinforcement of risk management and business continuity.

(The Governing Body resumed consideration of the item at a later sitting.)

- 666. The Director-General** provided a response to the discussion on the proposed strategic plan. He said that the package of proposals before the Governing Body, namely the Strategic Plan for 2022–25, the Preview of the Programme and Budget proposals for 2022–23, the response to COVID-19 and the world of work and the Development Cooperation Strategy for 2020–25, were of critical importance for the future strategic direction of the ILO and were closely interlinked. The ILO's strong leadership was needed more than ever in the light of the current crisis in the world of work; it would therefore be crucial for tripartite constituents to achieve consensus on the way forward, facilitated by the Office.
- 667.** The Strategic Plan for 2022–25 presented a high-level vision of the ILO for 2025 and aimed to ensure the effective implementation of the Centenary Declaration. That in turn would consolidate the ILO's leading role in the delivery of the 2030 Agenda and the urgently needed human-centred recovery from the crisis in the world of work resulting from the COVID-19 pandemic. The strategic plan would be operationalized through the outcomes, outputs and targets of the programme and budget. The Office's proposals on its response to COVID-19 and the development cooperation strategy had been designed not as a parallel agenda to the strategic plan and the programme and budget, but rather to complement their implementation.
- 668.** Some Governing Body members had expressed strong misgivings that, despite constituting the ILO's permanent comparative advantage, international labour standards and tripartism were considered mere components of the Office's efforts to improve organizational performance. The Office had therefore produced a revised version of the plan ²² and moved the relevant paragraphs under the policy section of the strategic plan. The Governing Body had also called on the Office to focus on certain policy priorities, in particular productivity and global supply chains. The Office was aware of the importance attached to those matters by different groups, and discussions of both issues were pending. However, those and other policy areas were already covered by the overarching commitment to the implementation of the Centenary Declaration. Addressing certain specific issues in greater detail would place the Office in a difficult situation: either it would create the expectation that all other policy components of the strategic plan should receive greater attention, which would be unmanageable, or it would compel the Office to select a certain number of issues for closer consideration, risking the dissatisfaction of constituents whose preferred topics had not been selected. Moreover, since the implementation of the strategic plan would be contingent on the Governing Body's approval of the programme and budget proposals, it would have the opportunity to discuss the proposals in further detail during the discussion of the proposed Programme and Budget for 2022–23 in March 2021.

²² GB.340/PFA/1(Rev.1).

- 669.** The proposed strategic plan had highlighted a limited number of substantive challenges, either because they had fundamental strategic significance across specific policy concerns, notably addressing changes in the world of work and leaving nobody behind, or because they had been starkly highlighted by the pandemic, in particular the global social protection deficit, OSH and the global recovery from the crisis. Although it was true that the tripartite constituents had not formally endorsed the ILO's four-pillar COVID-19 reponse framework, it had been widely welcomed and its inclusion in the proposed strategic plan was an opportunity to formalize tripartite support for it.
- 670.** The Governing Body had made clear its expectation that the Office should continue to improve its leadership and governance, knowledge capacities, cooperation and partnerships, and use of ILO resources. Although those areas had been and would remain constant priorities for ILO management during the Director-General's tenure, the Office was also aware of the need for continuous improvement as articulated in the strategic plan. As to the ILO's handling of the concept and the application of innovation, the Office was in favour of innovation, a subject that had also received much attention in the wider UN system, and was aware of its complexity and importance. The Office was currently developing an internal innovation strategy and would submit a document on its progress to the Governing Body at the appropriate time.
- 671.** The Office had amended the strategic plan in response to the Governing Body's advice. The revised document concluded with a section that succinctly set out the Office's strategic vision of the ILO by 2025 if the strategic plan was successfully implemented. The elements of that vision would provide benchmarks for the mid-term review to be held in 2024 and a basis for evaluation after 2025. He therefore commended the strategic plan as amended for the approval of the Governing Body.
- 672. The Worker spokesperson,** thanking the Director-General for his response to the discussion on the Strategic Plan, noted with appreciation that the Office had now included standards and tripartism in the policy section. The additional section on the strategic vision of the ILO for 2025 was welcome. Regarding subparagraph (c) of that section, it was also important to measure success based on the continued need for the Organization to adopt new standards and increase the ratification rates of up-to-date Conventions. Her group would only agree with the amendment to the draft decision proposed by the Employers' group on the condition that the Office and the Employers provided assurance that the new text would not be used in the next Governing Body session to exclude some priorities from the programme and budget, such as the promotion of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration), and that the programme and budget would incorporate issues that go beyond the Centenary Declaration. Despite her group's efforts, it had not been possible to include a reference to the MNE Declaration in the Centenary Declaration due to the Employers' opposition.
- 673. The Employer spokesperson** said that his group considered that productivity was not one of the pending decisions for which there were strong misgivings, as had been indicated by the Director-General. The Centenary Declaration was clear, and the call for the ILO to anchor in its genes a holistic productivity approach was not a demand by the Employers; it was a fundamental ILO decision endorsed by the tripartite constituents at the International Labour Conference, and was the critical pillar missing in the Strategic Plan. The Employers' group would provide concrete and specific proposals on how the productivity agenda could be integrated in the programme. For the ILO to have a strong influence and leadership in its relations with other UN agencies and financial institutions, it needed to be able to prove its relevance in areas where it had not been leading. His

group had submitted an amendment to the draft decision requesting a clear alignment with the Centenary Declaration, which had received wide support in the screening group.

- 674. Speaking on behalf of the Africa group**, a Government representative of Nigeria said that the policy priorities listed under the responsibility of the ILO were not exhaustive, yet it might be difficult to accommodate more within the duration of the ILO's Strategic Plan for 2022–25; however, the Office was urged to be flexible. The Africa group looked forward to speedy completion of the work of the Standards Review Mechanism.
- 675.** The ILO's responsibility for successful implementation of the Strategic Plan should be translated into human-centred recovery for Member States and constituents. In implementing the Strategic Plan, the ILO should give due consideration to regions worst affected by the COVID-19 pandemic. Stimulating economies for employment generation should include guidelines on platform work in the informal sector and protection of health and safety. The challenges of digital transformation and telework were complicated by the health and safety demands of stay-at-home orders. The ILO should address that form of work in Member States where the technological infrastructure and internet connectivity were weak or insufficient. Attention should also be paid to the need for skills adaptation.
- 676.** If the ILO was to further improve its organizational performance, the full political engagement of its Member States in priority-setting, decision-making and oversight was imperative. African countries pledged their preparedness to work with the Office on the democratization of the functioning and composition of the Governing Body. In view of the unpredictable duration of the pandemic, the inclusion of a mid-term review of the Strategic Plan was necessary to inform future plans, as well as to provide guidance and direction to the Office. The Africa group endorsed the amended draft decision.
- 677. Speaking on behalf of ASPAG**, a Government representative of Australia said that her group had considered it important to hear constituents' views not only on the Strategic Plan but also on the other key items before the Governing Body. She thanked the Office for responding to those views by making updates to the Strategic Plan over the previous week. ASPAG supported the revised draft decision, including the amendment proposed by the Employers' group.
- 678. Speaking on behalf of IMEC**, a Government representative of the United Kingdom of Great Britain and Northern Ireland said that the additional information contained in paragraph 49 of the revised Strategic Plan provided more detail on where the ILO wished to be in 2025. Work towards achieving that vision should be fully aligned with, and take due account of, the ILO Action Plan for Gender Equality 2018–21 and the ILO disability inclusion policy and strategy as reviewed and adopted by the Governing Body. IMEC looked forward to seeing clear objectives on promoting decent work in global supply chains and on a just transition towards environmentally sustainable economies and societies, as well as other key issues, in the ILO's programme and budget. IMEC supported the revised draft decision as amended by the Employers' group.
- 679. Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that North Macedonia, Montenegro, Albania and Norway aligned themselves with the statement. She regretted that the new version of the Strategic Plan still did not include clear language on global supply chains, occupational safety and health as a fundamental right, or climate change. However, the EU and its Member States believed that it was essential to adopt the Strategic Plan at the current session. She therefore supported the revised draft decision as amended by the Employers' group.

680. The Director-General said that the Workers' group had sought reassurance that the amendment to the draft decision submitted by the Employers' group would not exclude other important areas of work, such as those covered by the MNE Declaration. The Employer spokesperson had given that reassurance, and the Office did not understand that amendment as implying any such exclusion. The strong misgivings expressed by the Governing Body that he had referred to in his previous response related to the way in which the first draft of the Strategic Plan had dealt with international labour standards and tripartism; that had been corrected in the revised version of the Strategic Plan.

Decision

681. The Governing Body approved the ILO's Strategic Plan for 2022–25 and requested the Director-General to take account of the guidance provided by the Governing Body in the implementation of the Strategic Plan and the development of the Programme and Budget proposals for 2022–23, requesting in particular a clear alignment with the Centenary Declaration.

(GB.340/PFA/1(Rev.1), paragraph 52, as amended by the Governing Body)

2. Preview of the Programme and Budget proposals for 2022–23 (GB.340/PFA/2)

General comments

682. The Employer spokesperson said that her group had seven points that the Office should address when further developing the Programme and Budget proposals for 2022–23 for presentation to the Governing Body at its March 2021 session.

683. First, the programme and budget should be the only institutional document to set out the Organization's policy priorities and the enabling conditions for 2022–23. While the ILO's Strategic Plan for 2022–25 (GB.340/PFA/1) provided the medium-term strategy, no other documents should divert attention and resources away from what was deliberated in the programme and budget. The latter should be the document that implemented the priorities laid out by the Centenary Declaration and distributed resources accordingly. There should be no parallel initiatives, such as the one proposed for COVID-19 and the world of work (GB.340/HL/2).

684. Second, there was a need for the ILO to respond better to the fundamental changes in the world of work as reflected in the Centenary Declaration. The Preview did not reflect yet a comprehensive, coherent and systemic strategy for productivity growth that the ILO had been requested to design. While skills were properly addressed in the document (outcome 5), far more efforts and coherence needed to be brought to other agreed priorities of the Centenary Declaration, and those priorities should be adequately resourced.

685. Third, transparent budgets were required not only at the outcome but also at the output level. The disclosure of such information was particularly important as the policy outcomes were aggregated to such an extent that the Governing Body was unable to appreciate the adequacy of the proposed budgets for each policy area. Similarly, the operational budget by output must be made available for the Governing Body to consider in March 2021.

686. Fourth, there was a need for a stand-alone outcome for social partner organizations. Employers' and workers' organizations required technical support that responded to the

challenges they faced so that their governance systems were enhanced, services were developed to meet the changing needs of their members, and advocacy was made with sound evidence. The expanded outcome 1 not only diluted the importance of social partners but also narrowed the institutional existence of social partner organizations to social dialogue and risked making budgetary information more opaque.

- 687.** Fifth, the Employers' group was of the firm view that there was no clear rationale for including a new output (2.4) aimed at strengthening the capacity of Member States to apply sectoral standards, guidelines and codes of practice. Employers were strongly against the development of sectoral strategies, as that would lead to multiple strategies that did not speak to each other, made coordination even more challenging and stretched resources thinly.
- 688.** Sixth, the Office should define "innovation", "culture of innovation" and "policy innovation" and set out how innovations would benefit constituents. The Employers' group sought clarification on how the Office was determining policy issues that required innovation facilities and further inquired about the objectives and working methods of the facilities, as well as the resources invested to run and maintain them.
- 689.** Lastly, the ILO needed to strengthen its leadership and credibility, in line with the Centenary Declaration resolution, and apply that principled leadership to its staff itself, capitalizing on diverse and qualified people who had skills and experience relevant to the three constituent groups.
- 690. The Worker spokesperson** said that the Workers' group endorsed the objectives of the Programme and Budget proposals for 2022–23, namely to implement the Centenary Declaration and accelerate progress towards the achievement of the 2030 Agenda as part of the recovery from the COVID-19 pandemic and the urgent need to address inequalities in the world of work that predated the pandemic. She supported the proposal that all outcomes should include a stronger sectoral approach and welcomed the new output 2.4 under outcome 2. The Workers' group also fully supported the inclusion of a gender-responsive and inclusive approach in policy outcome proposals.
- 691.** While the Workers' group endorsed an output focused on the digitalization of skill development systems, it was necessary to find the right balance between digital and face-to-face training and bridge the digital divide. Outcomes 1 and 2 constituted cornerstones to ensure a human-centred approach to recovery. Tripartism, social dialogue and international labour standards should be reflected across all policy outcomes and relevant indicators. The issue of a just transition to environmental sustainability should be mainstreamed in all policy outcomes, in light of the challenges posed by climate change and environmental degradation to jobs and livelihoods. The Workers' group would welcome clarification from the Office concerning the inclusion of an overview of regional contexts in the Programme and Budget proposals for 2022–23.
- 692. Speaking on behalf of ASPAG**, a Government representative of China recognized that the Programme and Budget proposals for 2022–23 maintained alignment with the Centenary Declaration, the SDGs and the ILO's Strategic Plan for 2022–25, while promoting a focus on a human-centred recovery to build back better from the COVID-19 pandemic. Noting that COVID-19 responses were incorporated into each outcome, ASPAG encouraged the Office to include similar responses at the output level. The involvement of the International Training Centre of the ILO was welcome.
- 693.** The Office should provide a crosswalk document demonstrating financial allocations by policy outcome for the 2020–21 and 2022–23 biennia. In view of regional circumstances, the Office should allocate resources among regions in the programme and budget.

Despite constituting 61 per cent of the global workforce, in 2020–21 Asia and the Pacific had been allocated only 27.5 per cent of resources under the Field Operations and Partnerships Portfolio, and was the only region with a reduction in staff in 2019 according to information in the updated HR strategy. ASPAG called on the Office to consider a proportionate allocation of financial and human resources.

- 694.** ASPAG supported further reallocation of resources from back-office to front-line functions. More information was required on how the ILO would leverage its participation in the Resident Coordinator system and coordinate development cooperation projects as part of the UN reform objectives. The Office must continue to maximize efficiencies, ensure value for money and harness collaboration to drive outcomes and deliver tangible results, particularly in light of the challenges resulting from the COVID-19 pandemic.
- 695. Speaking on behalf of IMEC,** a Government representative of the United Kingdom of Great Britain and Northern Ireland agreed that the ILO should base its programme of work on the Centenary Declaration, while providing effective solutions to the labour-related aspects of the COVID-19 pandemic building on lessons learned thus far. The Organization's COVID-19 response should be discussed at the International Labour Conference in 2021, in order to develop actions that ILO constituents, the Office and the international community can draw on to promote recovery. This must focus on the four pillars of the Decent Work Agenda and fit within the Programme and Budget for 2022–23. IMEC welcomed the linkages with the 2030 Agenda for Sustainable Development and the ILO's contribution to the relevant SDGs. The ILO should adequately resource the programming and implementation of coordinated development cooperation projects, including in countries where it is a non-resident agency. In the context of United Nations (UN) reform, IMEC requested more detailed information on the consequences of efficiency and effectiveness gains.
- 696. Speaking on behalf of the EU and its Member States,** a Government representative of Germany said that North Macedonia, Montenegro, Serbia, Albania, Norway, Armenia and Georgia aligned themselves with her statement. Her group supported the IMEC statement. While the Preview reflected the ILO's priorities, which mirrored many of those of the EU, it was hoped that the Governing Body would provide necessary tripartite guidance on effective solutions in the context of the COVID-19 pandemic. The tripartite compromise on the priority to consider proposals to include safe and healthy working conditions in the framework of the fundamental principles and rights at work should be reflected in the document. Furthermore, the ILO should lead international work on global supply chains, which were not sufficiently referenced in the document.
- 697.** The EU welcomed the alignment of the outcomes with the Centenary Declaration, emphasizing the importance of transition to the formal economy, inclusive labour markets, the sustainable future of work, and social protection for all, particularly in the context of increased digitalization. The EU supported the special attention given to social groups and economic sectors affected by the pandemic and to the care economy. The focus on the protection of workers in diverse work arrangements was welcome, and the protection of workers' personal data and working time rights when teleworking should be addressed under outcomes 4 and 8.
- 698.** The Office should enhance efforts to support the social partners and governments towards jobs and wealth creation in the green economy under outcome 3. Reskilling and upskilling should be linked to the transition to environmental sustainability; the International Training Centre of the ILO played a key role in that regard. Finally, the EU

looked forward to receiving more detailed information regarding a more innovative, targeted and results-based management strategy.

- 699. A Government representative of the Russian Federation** welcomed the Preview, its response to the COVID-19 and its new format. However, there was insufficient financial information for an adequate analysis of the budget. He requested that the next version of the document included detailed information on strengthening interaction with the UN system, particularly regarding optimizing operational and administrative costs. The Office should also provide consolidated financial information on key expenditure items: staffing, contract and consultant costs; operating costs; travel expenses; equipment procurement; and planned inflation, as well as any expected savings. A comparison should be provided with the current budget in order to identify the ILO's expenditure trends.
- 700.** Information was needed regarding the planned removal, creation or reclassification of posts within the Office. As the ILO had doubled its contribution to the Resident Coordinator system, he asked what benefits had been, or would be, received by the ILO. Finally, he requested more information on the redistribution of resources from back-office to front-line functions, and on the regional allocation of funding.
- 701. Speaking on behalf of the Africa group,** a Government representative of Eswatini said that, given that the Programme and Budget for 2020–21 had been beset by the COVID-19 pandemic, the Programme and Budget proposals for 2022–23 must focus on assisting those most vulnerable to the pandemic's effects and on supporting national economic recovery plans, while accelerating progress towards the 2030 Agenda. Those recovery plans would provide vital support to enterprises that had survived the pandemic, but which would nevertheless be vulnerable. Particular attention must be paid to developing countries, most notably in Africa, which were significantly less able than industrialized countries to respond to the pandemic.

Comments on the policy outcomes and enabling outcomes

- 702. The Worker spokesperson** said that the increase in trade union rights violations and the lack of participation by trade unions in decision-making processes during the COVID-19 crisis was unacceptable; there should have been more social dialogue, not less. It was crucial for the ILO to allocate sufficient resources to step up its work under outcome 1. In paragraph 14, specific mention should be made of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and Right to Organise and Collective Bargaining Convention, 1949 (No. 98), as enablers of the conditions for social dialogue. The end of paragraph 21 should be reformulated to clarify that the workers' organizations did not lack the political will to engage in social dialogue, but rather were hampered by an absence of an enabling environment. Collective bargaining must not be equated to workplace cooperation in paragraph 28 and this distinction should be maintained in the indicators. The flagship report referred to in paragraph 29 must be both prepared and published by 2023, not simply prepared as currently suggested in the proposals. The topics listed throughout paragraph 29 must be changed to reflect those agreed in the Plan of Action on Social Dialogue and Tripartism for 2019–23.
- 703.** The Workers' group welcomed the proposal in outcome 2 to follow up on the recommendations of the Standards Review Mechanism, but efforts must be increased to raise the number of decent work results that make a contribution to international labour standards. Tripartite constituents must be involved in any process of technical assistance

under output 2.2. Efforts must intensify under output 2.3 to ensure that international labour standards were fully integrated into DWCPs and UN Cooperation Frameworks.

- 704.** Output 3.2 should have more of a rights-based approach and include the ratification of relevant standards as called for in the Conclusions on promoting rural employment for poverty reduction adopted by the International Labour Conference in 2008. The Workers' group welcomed the focus on the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205), in output 3.4. "Standards" and "social dialogue" should be added to the first bullet point under paragraph 63. The need for strong technical and vocational education and training institutions should be reflected in paragraph 66, and paragraph 69 should refer to the development not only of skills but also human capabilities.
- 705.** Outcome 4 should take into account the recommendations of the high-level evaluation in GB.340/PFA/7. The focus should be on the importance of enterprises generating decent work, productive employment and improved living standards, and also on cooperatives and the social economy. Greater reference should be made to collective bargaining as a key tool for improving working conditions. In paragraph 73, the Decent Work Agenda should be a driver for productivity improvements in both the short and the longer term. The Workers' group fully supported the statement in paragraph 77 that workers must gain a fair share of the benefits of increased productivity. As part of sustainable production, the ILO should address waste minimization and the wider question of whether everything produced was really needed. It was important to strengthen action to support the follow-up to the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration), particularly tripartite national focal points and company-union dialogue.
- 706.** Outcome 5 should focus more on lifelong learning and contain references to collective bargaining for skills development. Business partners were mentioned far more than trade union partners; the balance should be corrected. The ILO must take into account that quality learning relationships also depended on human relationships and, in its digital delivery, must use an equity-based approach in order to extend the benefits of new technologies to all. Education unions should be included in the proposed Global Programme on Skills and Lifelong Learning. Mention should be made of the development of productive and human capabilities in the fourth bullet point of paragraph 93. When addressing skills mismatch, the ILO must consider workers' needs, including personal development and citizenship skills development. The growth of online, non-formal and informal learning pathways required stronger recognition of prior learning and continuous recognition of skills. That recognition must always be accorded by education professionals.
- 707.** The group welcomed the proposed focus of outcome 6 but emphasized that equity must be promoted alongside equality. The revised document should include greater focus on racial discrimination. The new methods for disability inclusion in paragraph 120 must take into account rights in addition to skills and employment.
- 708.** The group welcomed the focus on preventing the informalization of jobs and addressing regulatory gaps in digital platform work in outcome 7, and also the focus on the ratification of Conventions Nos 87 and 98 under output 7.1. Ensuring respect of these rights in the digital economy was a key priority. It supported output 7.2, but reference to the ratification of the Conventions on occupational safety and health should be included. The group welcomed outputs 7.4 and 7.5.

- 709.** Under outcome 8, reference to “innovative” in paragraph 145 should be removed as innovative social protection policy responses often had negative effects on benefits adequacy and coverage. Paragraph 146 should refer to “public investments in social protection” to highlight the State’s role in financing social protection. A bullet point should be added under paragraph 151 on the need for the ILO to promote social dialogue on social protection and to enhance social partners’ capacities for involvement in negotiations on social protection reforms. The Workers’ group welcomed the guidance in paragraph 155 on covering workers on digital platforms and requested that a similar tool be developed for informal workers.
- 710.** Finally, under outcome C, the term “flexible human resources policies” used in paragraph 184 was unfortunate in the light of the work of the Chief Executives Board Task Force on the Future of the United Nations System Workforce. The ILO must ensure the granting of permanent contracts to a certain number of staff members and decent working conditions for those on short-term contracts in order to preserve the independence of international civil servants.
- 711. The Employer spokesperson** said that the resource allocations for workers’ activities and employers’ activities should be displayed separately in the strategic and operational budget to further enhance transparency. The promotion of social dialogue processes and the social partners’ involvement in policymaking should be a cross-cutting objective across all outcomes. Actions to encourage policymakers to consult and involve the social partners in line with the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), should be included.
- 712.** The title of outcome 2 should accurately reflect the language used in the ILO Centenary Declaration, and therefore read “Clear, robust, up-to-date body of international labour standards and authoritative and effective supervision”; the preparation or updating of guidelines and codes of practice should be mentioned in the introductory text. The General Survey mentioned in paragraph 35 should be a thorough examination of law and practice related to selected ILO standards, not a report on a particular subject addressed in those standards. The Employers’ group was strongly against the development of sectoral strategies and requested that output 2.4 be deleted and its elements that were not already covered elsewhere be integrated in other relevant outcomes and outputs.
- 713.** Under outcome 3, the term “employment ecosystems” was unclear. The Office should instead refer to creating an enabling business environment that permitted businesses to create more employment opportunities. In paragraph 54, the role of the private sector as an engine for job creation must be made explicit and activities to bolster the private sector should be outlined. Paragraph 61 should include the need for an enterprise-friendly business environment to support changes in line with the SDGs.
- 714.** Some outputs in outcome 4 overlapped, while issues such as corporate debt sustainability and the economic dimensions of the transition to a green economy could be added. The critical role of supply chains was not stated clearly. With regard to output 4.2, while the Employers’ group had requested support from the Office to improve constituents’ productivity growth, the request was not made in the context of supply chains. What was needed was an integrated approach across the entire economy; it should not be focused on domestic and global supply chains only. The group also asked the Office to clarify the meaning of a “conceptual framework for productivity and entrepreneurship ecosystems”. Existing enterprise products did not provide a coherent approach to productivity. An interdisciplinary approach that included ACT/EMP must be taken. The Office must examine the root cause of informality and develop an evidence-

based plan to support the transition to the formal economy. Owing to its problematic language, which deviated from the Centenary Declaration and the MNE Declaration, output 4.4 should be deleted.

- 715.** The Employers' group welcomed the proposals in outcome 5 and indicated that the ILO should become a global leader in skills development, considering in particular skills gaps and skill mismatches in the labour markets.
- 716.** While appreciating the general approach of outcome 6, the Employers' group questioned the idea of "consistently incorporat[ing] a men and masculinities perspective", which could be perceived as divisive. She also asked for clarification on "innovative data collection methods".
- 717.** Output 7.3 appeared to restrict the freedom of the parties and undermine their decisions by stating that wages should arise from collective bargaining, establishing the criteria for bargaining and directing the results of the bargaining. Research on platform work, mentioned in paragraph 137, should take into consideration both workers and entrepreneurs and should analyse existing challenges to identify where protection must be strengthened
- 718.** The Employers' group welcomed the proposals under outcome 8, but asked that the "ILO focus in 2022–23" section more clearly reflect the outcome title. Sustainability should be emphasized throughout the outcome. Finally, the group requested clarification on the Office's definition of "innovation", "culture of innovation" and "policy innovation" and on how such innovation benefited constituents. It also requested clarification on the methods used by the Office to determine policy issues that required an innovation facility, the objectives and working methods of such facilities, and the resources required to operate and maintain such facilities.
- 719. Speaking on behalf of the Africa group,** a Government representative of Eswatini commended the continuity given to the Programme and Budget for 2020–21 in the proposals for 2022–23. All policy outcomes should provide sustainable responses and recovery mechanisms in the wake of the COVID-19 pandemic. In relation to outputs 1.1 and 1.2, the ILO should support employers and workers in organizing in the informal economy. His group supported outputs 1.3 and 1.4, including with regard to strengthening the institutional capacity and resilience of labour administration systems. The support provided under output 2.2 should consist primarily of measures that demonstrated the practical application of ratified international labour standards. Output 3.2 should encompass the structural transformation process set out in the African Union's Comprehensive Africa Agriculture Development Programme.
- 720.** The ILO's interventions, including under output 4.1, should help to widen the scope of the assistance offered to enterprises to include, inter alia, access to credit and global markets. His group encouraged the Office to identify all possible national and regional partners for the delivery of outcome 5. The results framework should include indicators, baseline information, quantitative targets and a measurement of the ILO's expected contribution to the SDGs. Any improvements to the framework based on the lessons learned from the 2020–21 biennium should be highlighted.
- 721. Speaking on behalf of GRULAC,** a Government representative of Barbados said that his group welcomed the integration of the Centenary Declaration into the programme and budget proposals. All policy outcomes should reflect the people-centred approach of the Centenary Declaration and the 2030 Agenda. Outcome 1 was of the utmost importance for GRULAC as it contributed to strengthening all constituents. With regard to outcome 2, his group supported the work of the Standards Review Mechanism Tripartite Working

Group (SRM TWG), the continuity of which must be ensured by means of innovative solutions. With regard to output 2.2, it was important to ensure that the recommendations made by the ILO supervisory bodies were relevant to Member States. Output 3.1 should prioritize the creation of decent jobs for young people, women and workers in the informal economy.

- 722.** Turning to outcome 4, he noted that a favourable environment for sustainable enterprises would be fundamental to the post-pandemic economic recovery. There was a particular need to support cooperatives and the social and solidarity economy. Furthermore, the digital transformation brought about by the pandemic meant that support under outcome 5 for skills and lifelong learning was more pertinent than ever, as was the focus under outcome 6 on gender equality, given the disproportionate impact of the pandemic on women. With regard to outcome 8, the ILO must seek realistic solutions to ensure the broadest possible social protection for all.
- 723.** The enabling outcomes adequately reflected the priorities of the Strategic Plan for 2022–25 regarding the proper functioning of the Organization. Solutions must be inclusive and transparent, and ensure in particular the balanced participation of all constituents in decision-making. He requested information on financing for the preliminary proposals, including whether the programme for 2022–23 could be implemented with the same budgetary resources as the current programme, and whether the Office envisaged a specific strategy to raise the necessary resources through voluntary contributions.
- 724. Speaking on behalf of ASPAG,** a Government representative of China welcomed the balance in the proposals between the COVID-19 response and the continuity of the current programme and budget. With regard to outcome 2, the Office should explore more effective measures to streamline governments' reporting obligations. The capacity of Member States to formulate national employment policies in response to the pandemic and policies for a just transition, as stated in outputs 3.1 and 3.3, must be increased, and the programme and budget must consider the impact of new business models and technologies on the economic recovery. Output 4.2 must include assistance for enterprises in adapting to the new context.
- 725.** ASPAG strongly supported outcome 5 on skills and lifelong learning, particularly output 5.4 on promoting digital skills, and drew attention to the importance of addressing the digital divide. His group welcomed the proposed efforts under outcome 6 on gender equality and supporting the COVID-19 recovery. Gender equality must be promoted at all levels of the Organization. The ILO should strengthen its efforts and take the lead in ensuring adequate protection at work and comprehensive and sustainable social protection for all, as outlined in outcomes 7 and 8.
- 726.** The enabling outcomes must facilitate coordination among all departments at headquarters and field offices, as well as increase organizational agility. Member States' needs should drive research and knowledge sharing, and the Office should improve its delivery and governance capacities through strengthened oversight, evaluation and risk management. The Office should develop concrete measures and indicators relating to geographical diversity, and informal consultations on the programme and budget proposals should take place prior to the next session of the Governing Body. The Governing Body's discussions on the ILO's Strategic Plan for 2022–25 and COVID-19 and the world of work should further inform the programme and budget proposals. On the understanding that its comments would be taken into consideration, his group supported the draft decision.

- 727. Speaking on behalf of IMEC**, a Government representative of the United Kingdom of Great Britain and Northern Ireland said that outcome 2 should be reinforced and given priority, while outcome 3 was very broad and should focus on specific objectives that reflected the ILO's mandate and comparative advantages. Although the social and economic effect of the pandemic on global supply chains was touched upon under outcome 4, this issue warranted greater efforts, a broader scope and the ILO's leadership in order to address effectively the impact of the pandemic and achieve a sustainable recovery. IMEC supported the increased attention to sectoral issues and lifelong learning and agreed that there was a need for a gender responsive and inclusive approach. The focus of outcome 7 on adequate labour protection for workers in diverse work arrangements was particularly welcome, as was the ILO's work to advance occupational safety and health; the ILO should be a leader on that issue. The revised enabling outcomes with enhanced emphasis on strengthening leadership, influence, governance and operational management were welcome. Greater cooperation at both the international and the country levels was indeed required for the ILO's work ahead. There was a growing need for relevant partnerships across the multilateral system in order to foster coherence. IMEC looked forward to seeing a complete results framework with indicators at all levels, baseline information, qualitative and quantitative targets and a mapping of the ILO's expected contribution to the SDGs.
- 728.** The distribution of the regular budget among the various policy outcomes should adequately reflect the level of prioritization and the potential to generate additional voluntary funding for each outcome. Estimates should be included of anticipated financing from ILO participation in UN system-wide and country-pooled funding, alongside the anticipated regular budget from the Regular Budget Supplementary Account and voluntary earmarked contributions specified by policy outcome. The Office should also provide a "crosswalk" document at the next Governing Body session, showing the financial allocations for 2020–21 and 2022–23 for each policy outcome.
- 729. The Worker spokesperson** expressed disagreement with the Employers' proposal to remove output 2.4, as a greater focus on sector-specific work was necessary, given the impact of the pandemic on sectoral work. The Office should provide further information on the aspects that could be addressed.
- 730. The Employer spokesperson** reiterated that sectoral developments were highly interconnected, and it therefore made no sense to adopt an approach with separate discussions on specific sectors. Instead, a sectoral perspective should be integrated into the relevant policy outcomes, by topic. She recalled the need to be guided by the Centenary Declaration and to ensure that its implementation took into account real needs. The role of private enterprises in generating employment and decent work should be highlighted and acknowledged as a basis for developing sound policies that improved livelihoods.

Office response

- 731. The Director-General** said that the present discussion was the first step in the process that would lead to the final adoption of the Programme and Budget for 2022–23 at the 109th Session of the International Labour Conference. The next step would be the discussion of the fully fledged proposals, including resource allocations for each area of work, which would be submitted to the March 2021 session of the Governing Body.
- 732.** The Office had taken careful note of the guidance provided by the Governing Body. There was strong consensus that the programme and budget proposals should focus on the implementation of all aspects of the Centenary Declaration, the delivery of which should

effectively address the COVID-19 crisis in the world of work and fulfil the ILO's commitments under the 2030 Agenda. That consensus had underpinned and justified the strong current of continuity contained in the Office's preview, particularly with respect to the choice of policy outcomes, as well as the incorporation of a COVID-19 response component into each of them.

- 733.** The Governing Body had also sent a strong message that the ILO should do its utmost to build the strongest sense of common purpose in its work over the coming years to enable it to address the enormous challenges posed by the crisis and to respond to the demands on the Organization's leadership and services. The turbulence and hardship encountered by many during the pandemic had emphasized the need to seize the opportunities for a better future of work by building back better. To that end, it would be important to overcome any differences in the months ahead to ensure that the programme and budget proposals would be adopted with the agreement of all tripartite constituents. The difficulties lay primarily in the question of a standalone outcome for employers' and workers' activities and the appropriate degree of emphasis for productivity and the role of the private sector. Furthermore, since resources were limited, there would necessarily be competing interests on issues such as global supply chains, a just transition and OSH. The Office would continue to consult with constituents to address those differences of opinion, on the understanding that the shared objective was to operationalize the Centenary Declaration in a balanced and comprehensive manner.
- 734.** In relation to the level of the budget, the Office would engage in the customary informal consultations on financial contributions from Member States after the session. While the Office recognized that the crisis had put pressure on public finances, the needs of the world of work had never been greater in the Organization's recent history, and the ILO would require the material means to take on the leadership role called for by the Governing Body.
- 735. A representative of the Director-General** (Director, Strategic Programming and Management Department), responded to the request of the Workers' group to mainstream social dialogue and international labour standards across all outcomes, and the suggestion made by several Governments to enhance work on a just transition to environmental sustainability. He recalled that the four cross-cutting policy drivers in the ILO Strategic Plan 2018–21 – gender equality and non-discrimination, social dialogue, international labour standards and a just transition towards environmental sustainability – had been fully embedded in the policy outcomes of the Programme of Work for 2020–21 and reflected in the outcome strategies and outputs to be delivered, with clear indicators to chart progress more effectively. That approach would continue in 2022–23. Promoting a just transition to environmental sustainability was the focus of output 3.3, and was also a part of the strategy for enterprise development, lifelong learning, equal opportunities and social protection.
- 736.** As to the Employers' group's request for strategic budgeting presented not only at the outcome but also the output level, the Office had already come a long way in moving from operational departmental budgeting to outcome-based strategic budgeting. That required the Office to present the budget at the outcome level, focusing on the measurement of results and impact. Strategic budgeting at the outcome level was also the prevailing practice in the UN system and was recognized as good governance. Moreover, it provided additional flexibility to accommodate necessary adjustments during implementation, and contributed to integrated use of resources and increased synergies, as many Governing Body members had requested of the Office. In their

comments on the ILO Programme Implementation report for 2018–19, IMEC and the social partners had called for improved programme reporting focusing on decent work trends, impact and results rather than on outputs, activities and deliverables, which showed that the Office had to continue to develop this approach. To that end, the Office would welcome any advice for further improvement and was ready to learn from good practices in Member States and other international organizations.

- 737.** Turning to comments on specific outcomes and outputs, under outcome 1 he noted the request of the Workers' group to publish the second flagship report on the strategic objective of social dialogue and tripartism in 2023. The current wording did not exclude that, but it would be premature to commit to a 2023 publication date, as the first report would be published in the second half of 2021 and some time would be needed to take stock of experiences in order to design an impactful and relevant second report.
- 738.** The Office noted the consensus on the importance of a sectoral approach to achieving outcome 2, as well as the positions of the employers' and workers' groups, respectively, on this matter. The rationale for including output 2.4 on increasing the capacity of Member States to apply sectoral international labour standards, codes of practice and guidelines was based on the substantive efforts the ILO had dedicated to that work and also the relevance of sectoral instruments in a post-COVID-19 recovery phase for those sectors hit hardest. Its inclusion would increase the visibility of the ILO leadership in supporting recovery efforts, building on the provisions of sectoral instruments, and therefore providing more targeted support to social partners and government institutions to address sector-specific decent work challenges. Care would be taken to ensure that there was no overlap between this output and the others, and that its application would not lead to the development of sectoral strategies, which would hamper coordination and coherence.
- 739.** The employment ecosystem (outcome 3) and the productivity and entrepreneurship ecosystem (output 4.2) referred to an integrated and holistic intervention approach, anchored in social dialogue, to address the drivers of employment, productivity and entrepreneurship by considering the diverse range of participating actors, institutions, organizations, laws, regulations and supporting services, as well as the interaction between them.
- 740.** Output 4.4 had been formulated in response to the reference in the Centenary Declaration calling for policies and incentives that promoted the alignment of business practices with the objectives of that Declaration. Constituents had clearly indicated that it was necessary for the Office to promote the MNE Declaration. This was confirmed during the meeting that led to a revision of the MNE Declaration in 2017 and was also reflected in the IOE Centenary Manifesto released in June 2020. It was therefore critical to include the MNE Declaration as an output under outcome 4, for the purposes of implementation and monitoring. The Office would continue consultations and consider revising the wording to address constituents' concerns.
- 741.** The innovation facilities on a just transition (output 3.3) and skills (output 5.2) were virtual, flexible cooperation platforms to identify, enhance, test and disseminate innovative solutions to specific decent work challenges. They were also designed to help ILO constituents to enhance their capacity to use and apply methodologies for designing innovative programmes and policies. The financial implications of the platforms were minimized as they were virtual, and they would primarily be funded by development partners in the context of extrabudgetary projects.

- 742.** The innovative data collection methods mentioned under output 6.3 referred to the alternative data collection methods that were needed to create a safe space for survey respondents in relation to sensitive questions to capture data on violence and harassment. The ILO would provide practical guidance on authoritative data collection and the necessary methodologies and protocols.
- 743.** The Programme and Budget proposals for 2022–23 to be submitted to the Governing Body at the March 2021 session would indeed include references to differing regional contexts. They would also include a complete results framework with specific indicators at the level of impact, outcomes and outputs, and complete budgetary information, including a comparison of budget allocations by outcome for the 2020–21 and 2022–23 biennia. Information about the efficiency gains and advantages derived from UN reform and the resident coordinator system would be provided to the Governing Body in other documents, such as the update on the UN reform or the Programme Implementation Report 2020–21. The Office would also organize information sessions and consultations with constituents in the preparation of the programme and budget to be submitted to the March 2021 session of the Governing Body.
- 744. The Worker spokesperson** thanked the Director-General for his response to the preview of the Programme and Budget for 2022–23, and the Director of the Strategic Programming and Management Department for the additional information provided. With respect to standards, the policy outcomes and indicators at the next Governing Body session should include ratification targets of the relevant ILO Conventions. The Office should endeavour to publish a flagship report on social dialogue in 2023 and to include clearer text in that regard in the document for the next Governing Body session. Even if the first report on collective bargaining were published in 2021, two years would be sufficient to take stock of experience and publish a second report. The inclusion in output 2.4 to strengthen the capacity of constituents and Member States to apply sectoral standards, guidelines and codes of practice built through tripartite consensus was welcome. In the light of the increasing relevance of sectoral standards and related activities due to the COVID-19 crisis, it was timely to invest in a coherent and effective sectoral policy that could play an important role in the ILO's agenda and actions to ensure a human-centred recovery. The confirmation that the programme and budget proposals would include a section on regional context was welcome. A discussion on decent work and productivity to be held at the next Governing Body session needed to ensure that productivity and decent work were mutually reinforcing. The Office should consult with its constituents on the matter prior to the session.
- 745. The Employer spokesperson** said that the programme and budget required significant improvements, and there was a need for a specific outcome for the Employers and the Workers. Strengthening the capacities of the social partners should not be mixed with support to public institutions and social dialogue processes, as the very nature, mandate and mission of social partner organizations would be diluted and limited to social dialogue, and budgets for social partner organizations would become opaque. For the next Governing Body session, the Employers' group and many Governments were expecting an operational budget which provided real transparency at both the outcome and output levels. The uniqueness of the ILO, as the only UN tripartite agency and the only Organization that supported employers' and workers' organizations, should be reflected in the programme and budget. He reiterated the importance for the programme and budget to emphasize: the urgent need to enhance business continuity and resilience and to ensure a conducive environment for sustainable enterprises as countries recovered from the crisis; the critical need to design and implement a comprehensive, coherent and systemic strategy on productivity under all the relevant

outcomes; and the need for transparent budgets, not just at the outcome level but also at the output level, allowing the Governing Body to assess how the Office used its limited resources and offered technical support to constituents. A proportionate budget was required for output 1.1 on employers' activities, output 4.1 on sustainable enterprises, 4.2 on productivity, 4.3 on informality, and outcome 5 on skills.

- 746. Speaking on behalf of the Africa group**, a Government representative of Eswatini said that his group wished to place emphasis on providing financial support to the follow-up plan of action on youth employment for the period 2020–30 and would have preferred a stand-alone output for that purpose. Nonetheless, the Africa group supported the draft decision.
- 747. Speaking on behalf of ASPAG**, a Government representative of Japan said that the ILO's Strategic Plan for 2022–25, the preview of the Programme and Budget proposals for 2022–23, the ILO Development Cooperation Strategy 2020–25 and the initiative on COVID-19 and the world of work were regarded as a strategic package that instructed the Office on how to move forward on short-term responses, medium-term recovery and a decade of actions to achieve the Sustainable Development Goals (SDGs). ASPAG therefore looked forward to seeing concrete proposals for the Programme and Budget for 2022–23 that took into account the guidance provided by the Governing Body at the current session. ASPAG supported the draft decision.
- 748. Speaking on behalf of IMEC**, a Government representative of the United States of America said that her group welcomed the explanation of how the Office foresaw operationalizing the Centenary Declaration, within the programme and budget, to address the impacts of COVID-19 on the world of work. Under policy outcome 1, IMEC strongly supported retaining an output focused on increased institutional capacity and resilience of labour administrations. Recognizing that the ILO's standards-related work was at its heart, IMEC underscored once again the particular importance of policy outcome 2. Her group also welcomed the focus on the care economy under policy outcome 6. IMEC reiterated the call for an integrated results framework with indicators at the impact and outcome levels, baseline information and quantitative and qualitative targets, and a detailed mapping of the ILO's expected contribution to the SDGs. She understood that that framework would include targets and indicators related to the ILO Development Cooperation Strategy 2020–25. The framework should cover both regular and extrabudgetary resources. IMEC supported the draft decision.
- 749. Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that North Macedonia, Montenegro, Albania and Norway aligned themselves with the statement. The EU and its Member States wished to recall that the group's priorities were the promotion of decent work in global supply chains, occupational safety and health as a fundamental right, social protection for all, gender equality, and a just transition towards green economies. The EU and its Member States supported the draft decision.

Decision

- 750. The Governing Body requested the Director-General to take into account the guidance provided during the discussion when preparing the Programme and Budget proposals for 2022–23 to be submitted to the 341st Session (March 2021) of the Governing Body.**

(GB.340/PFA/2, paragraph 187)

3. Update on building questions: Headquarters building renovation project and ILO-owned premises in Abidjan (GB.340/PFA/3)

751. In preparation for the adoption of a decision by correspondence, the Office held a briefing session for Governing Body members on this item on 21 October 2020. At that session, the Office provided clarifications and additional information in response to questions raised by members, as summarized below.
752. With regard to the impact of COVID-19 on the headquarters building renovation project, **a representative of the Director-General** (Deputy Director-General for Management and Reform) said that the restrictions placed on the construction industry during the lockdown and the closure of the headquarters building had caused certain delays in the implementation of the project; further delays could occur if another lockdown was imposed in the future. The teleworking arrangements currently in place were not anticipated to have an impact on the project.
753. The security plan had originally been focused on the creation of a security perimeter – in other words, a fence around the property – at an estimated cost of US\$25 million, but the Office had started to explore other, more comprehensive, options – involving certain structural alterations to the building – which would be fully integrated into phase 2. The costing of the security plan had not yet been included in the estimated cost of phase 2, but was foreseen to be less than the US\$25 million previously indicated. The plan would be presented to the Governing Body at its 341st Session (March 2021) as part of the proposal on the final scope and estimated budget of phase 2 and would be incorporated into the bidding process and the main contract for that phase. The funds previously approved by the Governing Body were being used to address more immediate issues such as the improvement of security around the entrances of the building and the replacement of the closed circuit television system, actions that would be included in the overall security plan, with additional funding from the Building and Accommodation Fund. The Office would continue its discussions with the host Government about any financial support it could provide.
754. The other tenants referred to in paragraph 18 of the document included some small entities who paid rent to the Office, such as the International Social Security Association and the UBS bank. There was no further space available and the Office had no intention of accommodating any additional tenants in the building.
755. As for the additional costs of conference facilities during phase 2, the Office was currently exploring the possibility of installing a temporary building, which would involve the purchase and fitting-out of audiovisual and other equipment and furniture, the cost of which could be partially recovered at the end of the period of usage. Any such costs that fell outside the provision of the regular budget would be covered by the renovation project and included in the figures to be presented to the Governing Body in March 2021. Considering the pressure on meeting room availability in Geneva due to several renovation projects currently being undertaken by other United Nations (UN) agencies, the proposed temporary structure was considered to be the best option, as it would provide the Office with permanent conferencing capacity over the next three to four years, would allow phase 2 to be implemented in two stages rather than three as originally envisaged, and would generate time and cost savings.
756. As a result of the review of phase 2, the final cost could be either above or below the current estimate of CHF128–131 million. A margin of error of 15 per cent had been foreseen, and the experience with phase 1 had proven that the scope of the project could be adjusted based on the evolving situation of the budget. The Office would ensure that

the scope of work fitted in with the budget that the Governing Body would approve from the Building and Accommodation Fund.

- 757.** The Office had been involved in the discussions with other UN agencies, the Resident Coordinator and the Government of Côte d'Ivoire with regard to the UN common premises in Abidjan. The final decision on the proposal to build an additional two floors would depend on other developments in Abidjan. The Governing Body was being asked to approve the use of the Building and Accommodation Fund to finance the redevelopment at a cost of up to US\$7.2 million, with the final option to be determined after the necessary project work had been carried out and specifications established. If the additional two floors were to be built, the Office's intention would be to accommodate tenants from among the UN agencies, both for security reasons and for "One UN" considerations. Although the land owned by the ILO was well positioned and could potentially be redeveloped with a larger footprint into a UN House, there was no collective funding plan for such a major project at the current stage. Of the various options, the proposal involving demolition and renovation was considered the most advantageous and least costly. The decision to include the updates on the headquarters and Abidjan buildings in one document had been taken by the Screening Group. The current ILO buildings in Abidjan were not in a usable state and the rental accommodation was being renewed on a year-to-year basis with the African Development Bank, which itself was in the process of constructing its own office building, a development that could lead to the termination of the sublease arrangement with the ILO. There was therefore some urgency from the local environment point of view for the proposal to be approved by the Governing Body and for the renovation project to get started.
- 758. A representative of the Director-General** (Treasurer and Financial Comptroller) said that the balance of the Building and Accommodation Fund as of the closure of the last financial period was US\$10 million, in addition to the proceeds of the sale of land which had come through in 2020.
- 759.** The Screening Group agreed to put the item forward for a decision by correspondence and the decision was approved by consensus and announced to all Governing Body members by a communication of 30 October 2020.

Decision

760. The Governing Body, by correspondence:

- (a) **with regard to the headquarters building renovation project:**
- (i) **requested the Director-General to present to it, at its 341st Session (March 2021), the proposed final scope and estimated budget of phase 2 of the project; and**
 - (ii) **authorized the Director-General to use up to CHF2.7 million from the Building and Accommodation Fund towards the repayment of the Swiss Government's loan for the renovation of the ILO headquarters building, with reimbursement of this amount to the Fund from future rental income.**
- (b) **with regard to the ILO premises in Abidjan:**
- (i) **authorized the use of the Building and Accommodation Fund to finance the redevelopment of the ILO premises in Abidjan, at an estimated cost of US\$7.2 million, on the understanding that this amount will be re-credited**

to the Fund using future savings on the cost of renting ILO accommodation in Abidjan and income from the rental of any surplus space; and

- (ii) requested the Director-General to continue to engage with the Government of Côte d'Ivoire regarding a potential financial contribution to the project.

(GB.340/PFA/3, paragraph 30)

Summary of written comments received during the consideration of the item by correspondence ²³

- 761. The Employers' group** noted with satisfaction that additional renovation work at headquarters had been done under phase 1 of the project within the endorsed financial plan and using the reported savings, and that any additional savings would supplement the financing of phase 2. In that regard, the group welcomed the proposal to integrate the upgrading of the security environment into the scope of phase 2. Due to renovation work in the conference area, other conference facilities might be required from July 2021 to March 2024.
- 762.** In view of the shortfall arising from the delayed occupancy and rental payments by the United Nations Children's Fund (UNICEF), the group agreed that the Building and Accommodation Fund could be used to cover the first repayment of the loan provided by the host country, which was due in December 2020, on the understanding that the proposed arrangement would have no long-term impact.
- 763.** Regarding the redevelopment of the ILO-owned premises in Abidjan, the Employers' group appreciated the progress made and the proposal to build two additional floors for rental purposes. As the amount allocated for the work was to be re-credited using the income from renting the new space, it would be advisable for the Office to foresee an alternative in case the rental plan was not realized as anticipated.
- 764. The Workers' group** welcomed the savings made during phase 1 of the project and the sale of plot 4057. It was regrettable that funds had not been secured early enough to ensure continuity between phases 1 and 2, which had increased the cost of phase 2. The inclusion in phase 2 of a number of elements that had previously been removed from its scope was welcome; further information should be provided in that regard at the 341st Session (March 2021) of the Governing Body.
- 765.** The Workers' group supported the proposal to integrate the upgrading of the security environment into the scope of phase 2. It noted with satisfaction that, as reported by the Office at the briefing session, the plan to build a fence had been abandoned. Information on the alternatives envisaged should be provided to the Governing Body at its 341st Session. Further details on the final scope and estimated budget of phase 2 would also be appreciated. The plan to build a temporary conference facility, which would make it possible to renovate the ILO conference facilities in two stages instead of three, was welcome. The group agreed with the proposal to use the Building and Accommodation Fund to cover the delayed occupancy payments from UNICEF, noting that the amount would be reimbursed to the Fund using future rental income.

²³ The complete text of each comment in the original language is available on the [Governing Body's web page](#), together with the decision.

- 766.** The group supported the Office's proposal to redevelop the ILO premises in Abidjan, but called on the Office to keep the Governing Body informed of developments in the establishment of a UN House in Abidjan, which might affect the possibility for the ILO to rent the two additional floors to UN staff. The administrative support and construction permit provided by the Government of Côte d'Ivoire were welcome. The Office should increase its efforts to obtain financial support from the Government of Côte d'Ivoire and any other African government for the building project. The Workers' group agreed that the project should be pre-financed using the Building and Accommodation Fund, with the amounts repaid using rental savings and income. As ILO staff would have to remain in spaces leased by the African Development Bank for several more years, it was important for the Office to consult with the local staff union to ensure the adequacy of the workplace. Access to the building was reportedly difficult, and needed to be improved. The administrative procedures for social partners were discouraging and complicated work relations, particularly with trade unions.
- 767.** **ASPAG** congratulated the Office on completing phase 1 of the renovation project on time and within budget and on achieving an excellent price for the sale of plot 4057, the proceeds of which were in the Building and Accommodation Fund ready to finance phase 2. It would be useful to know how UN security requirements would be met without a perimeter fence. The remainder from the land sale could be used to build such a fence or for other appropriate security options. The proposal to establish common premises for UN agencies in Abidjan should be pursued.
- 768.** **IMEC** noted with satisfaction that the stage 4 works of phase 1 were expected to be completed on time, and that savings had been made in stages 1–3. Regarding the sale of plot 4057, if the permitted building density on the perimeter was to be changed, the selling price could potentially increase further. The current estimated cost of phase 2 should be fully financed by the sale of the land and the funds currently available in the Building and Accommodation Fund. IMEC looked forward to receiving a comprehensive security plan, including options for the security perimeter and other priority areas, at the 341st Session of the Governing Body. The use of the Building and Accommodation Fund to remedy the shortfall for the loan repayment was appropriate.
- 769.** The Abidjan premises were not currently fit for purpose, and the proposal for a new UN building had not progressed to a significant stage. Noting the importance of establishing UN common premises, which was one of the goals of the UN reform, IMEC encouraged the Office to pursue the option of creating a "One UN" building, where possible, and change its plans accordingly if more suitable or most cost-efficient options became available. An update on the status of planning and engagement with the rest of the UN Country Team in Abidjan should be provided at the 341st Session.

4. Programme and Budget for 2018–19: Financial report and audited consolidated financial statements for the year ended 31 December 2019

(The consideration of this item is deferred to the 341st Session (March 2021)).

5. ILO programme implementation 2018–19 (GB.340/PFA/5)

- 770.** In preparation for the adoption of a decision by correspondence, the Office held a briefing session for Governing Body members on this item on 21 October 2020. At that session, the Office provided clarifications and additional information in response to questions raised by members, as summarized below.

- 771. A representative of the Director-General** (Director, Strategic Programming and Management Department) said that information on results in the regions had been included in the report under the different policy outcomes, with some analysis provided of results that were above or below target in each region. Efforts would continue to enhance the presentation of results globally, by region and by policy outcome in the future. The requests made previously by the Employers' group had been taken into account in designing the structure and the content of the report, as reflected in its organization by policy outcome, rather than by strategic objective, as had been the case for the implementation report for 2016–17. Efforts had also been made to include information on impact in Part I of the report. The Office would look further into any discrepancies between figure 7 and the Decent Work Results Dashboard. The Office's analysis of outcome 10 resources showed that regular budget expenditure for employers and workers, respectively, stood at almost the same level as estimated in the programme and budget, with lower expenditure levels recorded, however, for extrabudgetary resources. In 2020–21, regular budget technical cooperation resources and the Regular Budget Supplementary Account (RBSA) had been used strategically to resource outcomes less endowed with extrabudgetary resources. Those efforts would continue in 2022–23, as would efforts to attract donors' interest in those outcomes.
- 772.** The Screening Group agreed to put the item forward for a decision by correspondence and the decision was approved by consensus and announced to all Governing Body members by a communication of 30 October 2020.

Decision

- 773. The Governing Body took note by correspondence of the report and of the observations made.**

(GB.340/PFA/5, paragraph 180)

Summary of the written comments received during the consideration of the item by correspondence ²⁴

- 774. The Employers' group** called on the Office to pursue its efforts to address the requests it had made at the 332nd Session of the Governing Body during the discussion on ILO programme implementation 2016–17, and noted that further enhancements were needed with regard to financial data and information on expenditure. The expenditure summaries in the report again did not distinguish between funds allocated under outcome 10 to employers and workers. Nonetheless, it was apparent that the operational budget and the regular budget technical cooperation envelope for workers had been twice that for employers. That breakdown also needed to be given for extrabudgetary funding for technical cooperation.
- 775.** The report on ILO programme implementation 2020–21 should not give an aggregate figure for outcome 1, as that outcome currently covered not only employers' and workers' activities but also labour administration and social dialogue. Such aggregation would make it even more challenging to assess whether adequate levels of resources had been provided for social partners' institutional capacity development.

²⁴ The complete text of each comment in the original language is available on the [Governing Body's web page](#), together with the decision.

- 776.** There was a stark imbalance between expenditure on extrabudgetary development cooperation for outcome 1 (US\$154.4 million) and that for other issues, such as outcome 6 (US\$3.7 million) and outcome 10 (US\$6.1 million). Moreover, the RBSA should be used where funding was most needed and to support areas that did not attract voluntary contributions. The Office should make efforts to support resource mobilization for underfunded policy outcomes, specifically outcomes 6 and 10. In addition, the Office should be narrowing the gap between donors' interests and constituents' needs.
- 777.** With regard to organizational performance, the results did not appear to be closely correlated with the level of resources allocated. Those trends appeared to contradict the principles of results-based management. Only a somewhat limited number of decent work results made a principal contribution to the cross-cutting policy drivers. Further improvements should be made in the current biennium, in particular for the policy driver on social dialogue.
- 778.** On lessons learned, it was imperative to tap into the knowledge of constituents when generating research and knowledge. The Employers fully supported the statement that resources were "more impactful when aligned with the priorities of the tripartite constituents". It was an absolute precondition for the Office to conduct consultations with constituents, through ACT/EMP and ACTRAV, when designing new programmes and projects. Finally, the Employers further stressed the imperative of raising and channelling resources for the institutional capacity development of social partner organizations.
- 779. The Workers' group** noted that challenges in strengthening the normative function of the ILO should be more effectively addressed. Despite increased ratifications compared to previous years, the ILO Centenary Ratification Campaign had not achieved its targets. Results were uneven across regions. Further ratifications of Conventions particularly relevant to addressing the COVID-19 pandemic, with emphasis on occupational safety and health and universal ratification of the core Conventions, were therefore needed.
- 780.** The results on the cross-cutting policy drivers showed that more resources were needed to contribute to the advancement of international labour standards, with a greater commitment to integrate such standards into all outcomes. Similarly, improvements were needed in the area of social dialogue and the advancement of gender equality and non-discrimination. With regard to a just transition to environmental sustainability, it was clear that, in order to ensure a sustainable recovery, consideration must be given to having a separate outcome for that area of work and mainstreaming it in other outcomes.
- 781.** The Workers' group welcomed the increased allocations of voluntary contributions, but regretted that the allocations had been uneven across outcomes. The RBSA should also be allocated more evenly. Outcome 2 should receive more resources in the future. The group supported greater resource mobilization efforts for outcomes promoting social dialogue, international labour standards and gender equality. Concerning extrabudgetary resources, the group agreed that greater efforts were needed to move towards broader programmes, to enable the Office to provide assistance in a more integrated, coherent and strategic manner. The Office should also improve cross-departmental work on outcomes.
- 782.** The report on ILO programme implementation 2020–21 should look at how different results under each outcome were linked. In addition, it would be useful to reintroduce the reporting of achievements under the four strategic objectives. A report should also

be added on decent work results on the four strategic objectives for each region, highlighting those countries and situations where challenges remained.

- 783.** IMEC noted that most, if not all, of the results presented in the report seemed to be at the output level. Under outcome 1, for example, the results presented were plans, strategies, policies, programmes and measures. Important as they might be, the real results should be measured at outcome level by how many 'more and better jobs' and 'improved youth employment prospects' resulted from the outputs. In that respect, IMEC appreciated that work to improve the Organization's results-based management continued and looked forward to seeing the fruits of that labour in the next biennia.
- 784.** Regarding the cross-cutting policy drivers, IMEC noted with concern that almost half of the decent work results had made only a limited contribution to gender equality and non-discrimination, and with even more concern that 93 per cent of the results had made a limited or no contribution to environmental sustainability. That area of serious concern should receive careful attention by the Office.
- 785.** IMEC welcomed the recognition that the ILO's development cooperation portfolio should be better aligned with the planned outcomes of the programme and budget and that voluntary funding needed to be better integrated with the regular budget, and agreed that resource mobilization efforts needed to be stepped up. It wished to know if the data in the report included any "One UN" funding or resources obtained through competitive bidding. It noted quite substantial underperformance, for example in outcome 5, and asked what lessons were to be learned from that underperformance and what measures were being taken to improve results.
- 786.** Recognizing the importance of the ILO's role in the response to the COVID-19 crisis, IMEC called for much greater institutional cooperation between the international financial institutions and the ILO. In addition, the ILO should continue and enhance its cooperation with other UN, international and regional entities.

Audit and Oversight Segment

6. Annual Evaluation Report 2019–20 (GB.340/PFA/6)

- 787. The Employer spokesperson** said that evaluation was a very high priority for his group. With regard to Part I of the report, implementation of the ILO's evaluation strategy, under outcome 1 there had been a positive trend in the completion of independent evaluations. However, there was room to improve the completion rate for internal evaluations, which remained far from the target of 75 per cent. While the digitalization of the Evaluation Manager Certification Programme was welcome, the Office should further analyse the gaps in internal evaluation to understand where efforts could be increased, such as in a specific country, region or policy area. Concerning the selection of high-level evaluation topics, he endorsed the rolling work plan and asked the Office whether the request for a high-level evaluation of the ILO's participation in UN reform could be accommodated in 2021 or 2022.
- 788.** As to the low uptake of constituents' evaluation training in the context of the 2030 Agenda by representatives of employers' organizations, he noted that such training was a considerable time investment and should be aligned with the needs and capacity of constituents; that was unlikely to change in the next year due to the effects of the pandemic on employers.

- 789.** On outcome 2, the group supported the efforts related to clustered evaluations, which could improve learning for a specific issue or country, and also contribute to a more strategic and comprehensive validation of the ILO's performance. The group inquired as to the composition of the Evaluation Advisory Committee; it was important that the Bureau for Employers' Activities (ACT/EMP) and the Bureau for Workers' Activities (ACTRAV) should participate, as they could provide valuable input as to how the update of evaluation recommendations was affecting the way in which the Office worked with constituents. Concerning management responses to evaluation recommendations, under outcome 3, they should be provided by managers who had not only administrative but also technical responsibilities. The increased use of high-level evaluations and synthesis reviews was a welcome trend, as these could serve as bases for programming new frameworks, strategies and interventions.
- 790.** On Part II of the report, despite the pandemic, the effectiveness, sustainability and impact of ILO projects had shown positive developments in 2020, such as increased tripartite engagement. It was important for such positive trends to continue during the recovery period, and for the needs of constituents to underpin project design and interventions. The Office should establish a sustainability plan for all projects. Lessons could be learned from the COVID-19 crisis with regard to the implementation and efficiency of management and resources of ILO projects. The continued low ratings in monitoring and reporting mechanisms were concerning. Results-based management principles must be cross-cutting across all ILO projects and programmes. The Office should identify gaps in monitoring and reporting, and improve the alignment of a project's activities with its goals.
- 791.** It was unclear why the ILO's COVID-19 policy framework should be used for evaluation purposes, as it had never been approved by the Governing Body. It would be useful to know how the proposed evaluation framework would take into account the Programme and Budget for 2022–23. Regarding evaluation questions, he asked the Office to inquire about how the Office would manage outreach to constituents to understand their needs, and whether its support to constituents during the immediate emergency and recovery phases of the pandemic had been sufficient. Further information on who the relevant stakeholders mentioned in recommendation 2 were would be welcome. The Employers' group supported the draft decision.
- 792. The Worker spokesperson** noted with satisfaction that 15 out of 19 biennial milestones as identified in the Evaluation Strategy (2018–21) had been met or were on track. Nonetheless, in the face of the challenges posed by decentralization of the evaluation function and by capacity limitations, especially in the regions, the right balance needed to be maintained between servicing constituents and evaluating that work. With reference to sub-outcome 1.3, on constituents' evaluation training, it would be useful to know why the participation of representatives of employers' organizations was so much lower than that of governments and workers' organizations.
- 793.** The Workers' group supported the topics chosen for high-level evaluations in 2021 and 2022, including the postponement to 2022 of the independent evaluation of the ILO's evaluation function.
- 794.** It was important to make greater use of clustered evaluations to better capture the ILO's specific normative and tripartite mandate and to reduce the burden on constituents. To ensure that the milestone in sub-outcome 2.3 concerning the quality and credibility of impact evaluations, including ex-post quality appraisals, was reached, guidelines and recommendations should be appropriately implemented. The Office was encouraged to pursue the integration of tripartism, social dialogue, international labour standards and

gender and non-discrimination considerations into evaluation approaches and methods and to include environmental and disability issues.

- 795.** With regard to Part II of the report, on assessing the ILO's effectiveness, the Office should redress the low scores achieved on gender-responsiveness and poverty reduction, as well as the lack of direct measures to address inequalities. It was especially worrying that only half of the projects assessed had met their immediate objectives and had underperformed in relation to policy-influencing activities and the promotion of international labour standards, social dialogue and tripartism. The Office should also improve how it addressed disability and ensured the sustainability of projects.
- 796.** It was necessary to evaluate in a more comprehensive manner the Office's response to the ongoing COVID-19 crisis. In doing so, particular attention should be paid to promotion of the normative framework, social dialogue and tripartism, as well as to appropriate consultation with ILO constituents. The Office should clarify who the relevant stakeholders mentioned in recommendation 2 were and indicate where constituents fitted in that context. It was important that the views of constituents were not diluted as part of wider consultations with stakeholders.
- 797. Speaking on behalf of IMEC,** a Government representative of Finland highlighted the importance of sound evaluations of ILO activities as a tool for helping the ILO to address new challenges effectively in the aftermath of the pandemic. IMEC said that, while evaluation activities had generally been conducted in a timely fashion and in accordance with evaluation policy requirements, the ILO must increase the submission rates for internal project evaluations. Similar efforts were needed for an increased certification of evaluation managers and incentives to strengthen the decentralized evaluation function. The new methodological guidelines were welcome, as they helped in improving responsiveness to the ILO's normative mandate and fostered better integration of gender equality and non-discrimination (including disability), the SDGs and environmental concerns. IMEC supported efforts to revise the evaluability diagnostic instrument to better reflect the responsiveness of DWCPs with regard to their alignment with the UN Sustainable Development Cooperation Frameworks.
- 798.** While welcoming the ongoing review of clustered evaluations, IMEC would be interested in knowing why only 6 per cent of planned mandatory evaluations were currently identified as clustered. On the quality of evaluations, it was noteworthy that no internal decentralized or centralized evaluation had been found to be highly satisfactory, which left room for further improvement. The group also wished to know how the Office would encourage better use of the Impact Evaluation Review Facility, and whether the 1,471 users of i-eval Discovery in the reporting year were ILO staff or external visitors to the site.
- 799.** Regarding Part II, in terms of strategic relevance and alignment, projects often lacked measures to address poverty reduction and gender strategies. Low performance ratings for the effectiveness, sustainability and impact of interventions were most concerning. Only one third of projects had prospects of maintaining, advancing or scaling up existing operations. Missed opportunities were also observed with regard to the incorporation or strengthening of social dialogue and tripartism. It was most important that the Office made sure that these shortcomings were addressed. The COVID-19 crisis called for greater organizational agility, coherent action and effectiveness to ensure improved relevance, efficiency, results and sustainability of ILO interventions, and efforts to promote the ILO's core values of equality, inclusion, standards, dialogue and tripartism should be strengthened. Independent evaluations would be important for assessing impact and improving delivery.

- 800.** IMEC endorsed the topics for the high-level evaluations for the coming two years and the postponement to 2022 of the five-year independent evaluation of the evaluation function (recommendation 1). The group also agreed to develop an evaluative framework for the ILO strategic response to mitigate the impact of the COVID-19 pandemic on the world of work, together with relevant stakeholders (recommendation 2). Sharing the framework for wider consultations with key stakeholders within and outside the ILO and the UN system was welcome.
- 801. A representative of the Director-General** (Director, Evaluation Office) said that, despite the pandemic the Evaluation Office managed to keep its work on track and strategic transformations in its approach continued. EVAL achieved 15 of the 19 milestones, many of which influenced policy changes. Clustering of evaluations instead of project piecemeal evaluation approaches took hold. While only 6 per cent of evaluations had been clustered, 10 of the 20 largest donors to the ILO had participated in such evaluations, which showed that many donors were convinced of their utility. Progress had been made on better integrating the ILO's specific mandate in evaluations through new guidance on social dialogue and standards and efficiency had been increased by making more use of national consultants. Internal evaluations continued to be problematic. While the Evaluation Office focused on independent evaluations as its primary responsibility, every effort was being made to work with managers and help them carry out self-evaluations. All departments and regions faced the same problems in terms of conducting internal evaluations as planned.
- 802.** There were indeed some weaknesses with decentralized evaluations. The Evaluation Office relies on volunteers, and they need to be trained and certified. The COVID-19 pandemic had made it necessary to transform the training programme into an online course that would be available shortly. The pandemic also had an impact on the training courses for constituents which were always conducted on a demand basis not to overburden them. That training was focused on the SDGs, to ensure the participation of constituents not just in the ILO's evaluation work but also within the context of the whole UN. On the question about the quality of evaluations since 2015; while there had been consistent improvement and none had been considered of low quality, it was true that not many evaluations were in the category of highly satisfactory. It was hoped that clustering would reduce the high number of evaluations the Evaluation Office had to carry out each year so as to make them more strategic, focused and of higher quality. The Evaluation Office would like to carry out more impact and ex-post evaluations, but funding for evaluation was limited to project budgets. The Evaluation Office therefore encouraged the pooling of funding through a trust fund in order to conduct ex-post and impact evaluations after a project ends. There had been a slow improvement in evaluations that captured the ILO's work on promoting gender, which the Evaluation Office hoped to accelerate. With regard to the assessment of operational effectiveness, it was noteworthy that the ILO Risk Officer had indicated that the lessons learned from the Evaluation Office's reports on performance should be taken into account in the Organization's risk register and that PARDEV was also using the reports to inform project designers.
- 803.** The Evaluation Office had issued guidance as early as March 2020 on how to carry out evaluations during the COVID-19 pandemic, being among the first evaluation offices in the UN to do so. The challenges posed by the COVID-19 pandemic had further amplified the need to use evaluative evidence optimally. EVAL was proactively trying to elaborate a COVID-19 evaluation framework that would entail a scoping exercise, involving discussions with key stakeholders, the ILO's constituents. But there was also a need to engage with the whole UN community in the fight against COVID-19, which was why

stakeholders in that context might include UN bodies and some research institutions. The key partners were therefore the constituents, but stakeholders had accordingly been indicated in recommendation 2. He concluded by confirming that the evaluation of UN reform was scheduled for 2023 and that, while he might not have addressed all questions, the guidance provided during this session would be fully taken into account in the continued implementation of the evaluation strategy.

- 804. The Worker spokesperson** said that, following those explanations, her group could agree with recommendation 2 in paragraph 64.

Decision

- 805. The Governing Body endorsed the recommendations of the Annual Evaluation Report 2019–20 (paragraphs 8 and 64 of document GB.340/PFA/6) for implementation by the ILO.**

(GB.340/PFA/6, paragraph 65)

7. High-level evaluations of strategies and Decent Work Country Programmes (GB.340/PFA/7)

- 806.** In preparation for the adoption of a decision by correspondence, the Office held a briefing session for Governing Body members on this item on 19 October 2020. The Office provided the following clarifications and additional information in response to the questions raised during the briefing session.

- 807. A representative of the Director-General** (Director of the Enterprises Department) noted that the fact that the Office had reached the targets had led to the need to double the targets in the next biennium, which required a budget increase that had not yet been granted in the context of the budgetary time frame and limitations. On the review of the Enabling Environment for Sustainable Enterprises programme (ESEE), the department had engaged with the field and interested donors to assist in its delivery. The Office had been able to increase its engagement with the field on the ESEE assessments and broaden the process. On the innovation strategy, different parts of the Office had been considered. The Enterprise Innovation Facility had started at the end of the previous biennium. For the enterprise component, innovation was focused on what the ILO could do to improve sustainable enterprises. In the context of the COVID-19 pandemic, it would focus on reactivating the recovery of enterprises as key providers of employment. The Office would look at good practices on assisting enterprises in the informal economy to become formal and looking at innovative ways, with other key players such as the United Nations Conference on Trade and Development (UNCTAD) of improving on formalization. The Office was also looking at innovative ways to improve on digital wage payments where no internet was available and how the ILO could support enterprises in recovery and in building more sustainable enterprises.

- 808.** On Part II, **the Director of the Evaluation Office** explained that the evaluation report had found a need for a safe learning environment because a number of respondents had asked not to be identified, which was unusual compared to other similar evaluations. The finding had led to a recommendation on creating a learning environment in which people felt safe to express their views without repercussions and to make mistakes as part of the learning process. The finding on the use of products of ILO research and knowledge management strategies and approaches and the differences in such use between employers and workers was based on constituents' surveys and a range of direct interviews with them. The reason for the difference was unclear, but the report

recommended that the Office look into targeted delivery of research and knowledge management products that met the needs of both workers and employers. Questions on the Global Technical Teams and enabling outcome could be best addressed through written comments by the Office. Concerning the request of the Workers' group for information about the diversity among the countries reviewed as part of the evaluation of DWCPs in the Andean subregion in Part III, the full report, which was available on the website, provided detailed analysis, some of it more at the country level. In addition, the Evaluation Office could provide Governing Body members with unpublished country case studies on request. With regard to the methodologies and processes, the measures the Evaluation Office had taken to mitigate the effects of the pandemic by using multiple sources of evidence ensured the quality and credibility of the evaluations undertaken.

- 809. Another representative of the Director-General** (Regional Director for Latin America and the Caribbean) noted that the high-level evaluation report would be used as a baseline to improve on the ILO's work in the Andean subregion. The most important area for improvement was securing tripartite agreements on a programme of work in the unstable political situations of countries in the subregion, such as Colombia and the Plurinational State of Bolivia.
- 810.** The Screening Group agreed to put the item forward for a decision by correspondence. The decision was adopted by consensus and announced to all Governing Body members by a communication of 30 October 2020.

Decision

- 811. The Governing Body, by correspondence, requested the Director-General to take into consideration the recommendations of the three high-level independent evaluations presented in GB.340/PFA/7 (paragraphs 26–34, 72–78 and 123–129) and to ensure their appropriate implementation.**

(GB.340/PFA/7, paragraph 139)

Summary of written comments received during the consideration of the item by correspondence ²⁵

- 812.** Concerning the evaluation of the ILO's strategy and actions for promoting sustainable enterprises 2014–19, **the Employers' group** underscored the importance of the work of the Enterprises Department to support businesses and business organizations. However, the Office must enhance its efforts beyond its traditional activities to promote the development of the private sector. To ensure its relevance, there should be a shift in the work of the Office towards building constituents' capacity to influence the development of enabling policies for business growth, particularly in the context of COVID-19. As the programme implementation results for the adoption of reforms of the business environment (indicator 4.1 of the Programme and Budget for 2018–19) were significantly below target, the group welcomed recommendation 2 to establish a more effective mechanism between the Enterprises Department and ACT/EMP to ensure that all programmes and tools developed were relevant and fit for purpose. The Employers' group requested that the Office should transform its activities to supporting constituents in shaping a conducive business environment rather than focusing on products and tools for individual enterprises. Regarding recommendation 1 on the coherence of activities,

²⁵ The complete text of each comment in the original language is available on the [Governing Body's web page](#), together with the decision.

constituents should be consulted on any new strategic framework concerning the promotion of sustainable enterprises. However, it was not the responsibility of either the evaluation or the proposed framework to address the ILO's approach to global supply chains. The strategic framework should also clarify that support for enterprises in creating and maintaining decent work should be provided through constituents, and not directly to enterprises.

- 813.** More data was required on the programmes and tools used by the Enterprises Department to measure the effectiveness of ILO activities. Supporting governments in evaluating the business environment and designing national policies would have a greater impact than implementing existing programmes whose effects were insignificant in a country or region. The Office should recognize the importance of measuring the longer-term impacts of interventions and of building constituents' capacities locally. In view of the imbalance in programme expenditure, the Office must reconsider budget allocations to support policy-specific work on the enabling business environment. Furthermore, data should be routinely available on resource allocation in order to calculate investment and returns. Concerning recommendation 8 on encouraging and supporting innovation, the group asked why the Office had begun implementing an innovation strategy that had not yet been adopted by the Governing Body and why it had already established the related Enterprise Innovation Facility.
- 814.** Regarding the ILO's research and knowledge management, strategies and approaches 2010–19, the Employers reiterated the continued need for the Office to consult constituents when conducting its research, to adequately reflect all three constituencies' priorities and perspectives, and to ensure the independence and integrity of that research.
- 815.** The group expressed reservations in relation to some of the recommendations on the ILO's research and knowledge management strategies and approaches. Strong leadership was needed to foster a constituent-oriented, transparent and inclusive research and knowledge management culture as part of recommendation 2; the ILO Policy Portfolio was already well-positioned to coordinate all relevant departments and units with its existing financial and human resources. For recommendation 4, a thorough review should be conducted on the effectiveness and impact of the Global Technical Teams. Under recommendation 5, the Office must properly address shortcomings by developing a knowledge-sharing culture that recognized and rewarded interdisciplinary and collective efforts. The Office should understand how management could generate a collaborative culture, and include incentives to improve knowledge-sharing and team collaboration in relation to recommendation 3. As to recommendation 7, the group emphasized the need for the entire Office to integrate employers' needs, priorities and challenges into appropriate research and knowledge management responses and processes.
- 816.** The group questioned the inclusion of work done during the COVID-19 pandemic in the good practices, noting that it did not fall within the evaluation period and that the relevance, impact and effectiveness of research and knowledge management should be determined by constituents, in a comprehensive manner. The Office should provide information on how it had meaningfully consulted constituents on research and knowledge management related to COVID-19. Furthermore, the COVID-19 portal required improved navigation to allow users to find relevant information quickly.
- 817.** Concerning the independent high-level evaluation of the ILO's Decent Work Programme in the Andean countries, the Employers' group emphasized that constituents should be consulted in order to ensure ownership of programming frameworks. ILO programmes

and projects should better support policy priorities set out in the Panama Declaration and previous regional declarations, with particular regard to promoting an enabling environment for the creation and development of enterprises. Given the complex nature of social dialogue in parts of the Americas, the social partners should participate more actively in the design of activity plans for the region. Policy departments and field offices should consult ACT/EMP from the earliest stages of programme and project design to enable it to convey the priorities and challenges faced by employers in the region.

- 818.** The Office should provide further guidance on efforts to align DWCPs with UN Sustainable Development Cooperation Frameworks (UNSDCFs) and national development plans. Additionally, DWCPs should be designed to be more agile, taking current priorities into account. Project offices could have an impact beyond the implementation of a specific project. Moreover, the Office should transform its mode of operation to ensure that all projects were driven by constituents and not donors, ensuring greater synergies between projects and the Office's wider goals. The Employers acknowledged the substantial support provided in the Bolivarian Republic of Venezuela, but would have appreciated more information in the evaluation regarding the support offered by ACT/EMP to the Federation of Chambers and Associations of Commerce and Production of Venezuela (FEDECAMARAS). In relation to recommendation 7, the Office should prioritize work to strengthen social protection systems and active employment policies, which would require resources that could only come from a vibrant, profitable and sustainable business sector.
- 819. The Workers' group** noted that sustainable enterprises and decent work were two sides of the same coin. For enterprises to be sustainable, workers must have the right to organize, bargain collectively, and engage in real social dialogue rather than a box-ticking exercise. The Office's new strategy must provide strengthened support for the delivery of decent work by sustainable enterprises, in particular by improving consultation with the social partners and addressing workers' concerns. In 2015, the International Labour Conference had called for a review of the EESE programme, but the Office report did not consider the programme's 17 components and could therefore not be considered an adequate basis for the review. The Office's increased engagement in EESE assessments, despite the Conference's statement that the programme should be expanded only after the review, was also cause for concern, as it was an issue of governance that needed to be addressed urgently. As to the Sustaining Competitive and Responsible Enterprises (SCORE) programme, the fact that most companies only completed the mandatory first module meant that the business model should be reviewed in the next phase of the programme.
- 820.** The Workers' group requested more detailed information from the Office on how the evaluation's recommendations would be implemented and how it would build a strategic framework for sustainable enterprises to create and maintain decent work, taking into consideration the views of the social partners. The group supported the call for strategic goals for the Organization's global supply chain activities, which should include the promotion and implementation of the MNE Declaration.
- 821.** Turning to the ILO's research and knowledge management strategies, the group welcomed the use of individual research and knowledge products by constituents, particularly workers' representatives and in international debates. However, findings of a lack of strategic coordination and governance structures, the absence of a long-term vision, underfunding and a failure to harness the expertise of the Research Department in other areas of the Organization were concerning. Recommendations 1 and 2 on a long-term vision and governance structure were of particular importance. When

implementing the recommendations, the Office should take into account the Governing Body's comments during the discussion of the Research Strategy at the 337th Session of the Governing Body on the need to base research priorities primarily on documents agreed upon on a tripartite basis.

- 822.** With regard to the independent high-level evaluation of the ILO's Decent Work Programme in the Andean countries, it was regrettable that the report had not contained disaggregated information from each country, given the differences in national contexts; in particular, the Plurinational State of Bolivia had undergone a coup d'état, the Bolivarian Republic of Venezuela was subject to economic blockages, and episodes of violence against trade unionists in Colombia had hindered social dialogue. Given the differences in national contexts, the Office should provide separate responses for each country.
- 823.** The evaluation's conclusions revealed a contradiction between the favourable assessment of ILO support and a perceived lack of national ownership of the programming frameworks among constituents because they had not been involved in their formulation. Increased efforts were required to strengthen tripartite structures, social dialogue and response to constituents' needs. The group requested clarification on the continuation of the DWCPs and sources of funding, as the implementation of the DWCPs appeared to be contingent on earmarked funds.
- 824.** The Workers' group disagreed with the Office's response to recommendation 5. The ILO should set its own priorities to avoid its efforts being diluted within the UN framework, particularly because the ILO was a non-resident agency in most of the countries involved. Consultation with social partners to establish a proper agenda to promote social dialogue and decent work should be at the core of ILO work in the Andean region and should be promoted with the UN resident coordinator. On the evaluations as a whole, further clarification was needed on how the Office would respond to the recommendations, particularly in terms of the budget and strategic framework.
- 825.** IMEC expressed appreciation for the Office's efforts to continue its evaluation work, in particular on the DWCPs, despite the limitations imposed by the COVID-19 pandemic. The Office should now consider how best to assess the effectiveness of programme implementation during the pandemic and make improvements on the basis of lessons learned.
- 826.** IMEC strongly agreed that sustainable enterprises were key to the achievement of the Decent Work Agenda and on the need for the ILO to make an effective contribution in that area. The group welcomed recommendations 1 and 3 in particular, since the development of a framework to align the ILO's work on sustainable enterprises, including in global supply chains, with its broader activities would encourage a strategic and coherent policy approach, especially in the context of the pandemic. An enhanced focus on monitoring and evaluation would allow constituents a better understanding of the longer-term impact, viability and effectiveness of projects. IMEC noted the Office's commitment to implementing the recommendations, which would align with work already under way on the Green Jobs Programme and the Enterprise Innovation Facility.
- 827.** IMEC recognized the importance of research and knowledge management for overall organizational effectiveness and strategic planning, and the value of continuously assessing them to ensure that the Office was incorporating best practices in its work and delivering high-quality, evidence-based policy advice within its mandate. That would be increasingly critical in contributing to the global response to COVID-19. The group noted the importance of internal collaboration and coordination in the Office's practical

responses to the recommendations, and looked forward to seeing improvement across all indicators through the implementation of the recommendations in the Programme and Budget for 2020–21 and the development of the ILO's Strategic Plan for 2022–25.

- 828.** IMEC welcomed the findings of the independent high-level evaluation of the DWCPs in the Andean countries, which were still rated highly by constituents despite challenges in the region. The group supported refining the DWCPs in ways that would strengthen tripartite structures and enhance the operating environment and relationships to ensure success in future work in the region. The group noted that DWCPs should be implemented in line with UN reform and integrated with the UNSDCFs. The Office should also continue making progress on gender equality, focus further on the inclusion of persons with disabilities and persons from other vulnerable groups, and find new ways to conduct evaluations during the pandemic, given the unique insights and learning opportunities they offered and their contribution to a results-based management approach.

8. Report of the Independent Oversight Advisory Committee (GB.340/PFA/8(Rev.1))

- 829.** In preparation for the adoption of a decision by correspondence, the Office held a briefing session for Governing Body members on this item on 9 October 2020.
- 830.** The Screening Group agreed to put the item forward for a decision by correspondence on the understanding that the Office would publish a revised version of the document in which the Governing Body would be invited to defer to a future session the consideration of the Committee's revised terms of reference.
- 831.** The decision contained in document GB.340/PFA/8(Rev.1) was adopted by consensus and announced to all Governing Body members by a communication of 22 October 2020.

Decision

- 832.** **The Governing Body took note, by correspondence, of the annual report of the Independent Oversight Advisory Committee contained in document GB.340/PFA/8(Rev.1) and deferred to a future session the consideration of the revised terms of reference of the Committee.**

(GB.340/PFA/8(Rev.1), paragraph 5)

Summary of written comments received during the consideration of the item by correspondence ²⁶

- 833.** Overall, **the Employers' group** supported the proposed amendments to the terms of reference of the Independent Oversight Advisory Committee (IOAC) so as to reflect current best practices within the UN system identified by the Joint Inspection Unit (JIU). In relation to recommendation 1 (2020), it was relevant that the IOAC's competence should be officially recognized to coordinate with other oversight functions, including ethics, evaluation and investigations.
- 834.** The amendment on the performance, appointment and/or termination of the Ethics Officer required clarification. Prior to the IOAC being consulted on the HR-related

²⁶ The complete text of each comment in the original language is available on the [Governing Body's web page](#), together with the decision.

matters, the position would need to become full-time and be equipped with the necessary resources to empower the Ethics Office.

- 835.** The fact that the Office risk management function considered itself responsible also for ensuring the value of the processes it was about to implement was appreciated. The group inquired how business continuity management was implemented during the COVID-19 crisis; it should be an Office-wide effort which included both headquarters and the field.
- 836.** With regard to the internal audit and investigations, the IOAC's insistence that management should ensure a continuous follow-up of recommendations until their completion was welcome, as was the encouragement that management should ensure adequate staffing and resourcing to address the investigation backlog. It was to be hoped that the real increase of some 12 per cent in the Programme and Budget 2020–21 could be used to address the backlog.
- 837.** Lastly, with regard to the follow-up on the 2019 recommendations, efficient management of technology was key, and the group fully agreed that improved consistency and control of financial and human resources in that area were needed.
- 838.** IMEC continued to advocate the inclusion of several additional amendments that it had proposed previously: In the last sentence of paragraph 3(d), advice provided by the IOAC to the Governing Body on allegations of fraud should be changed from "fraud" to "misconduct" and also include misconduct by staff in the Internal Audit Unit. In paragraph 15(b) and (e), the time period should be changed from three to five years, as recommended by the JIU and by the representatives of internal audit services of UN organizations. In paragraphs 37 and 38, "periodically" should be changed to "annually", based on recommendations from the recent JIU review of audit and oversight committees in the UN system. In addition, IMEC proposed to add, at the end of paragraph 37, the following wording: "... and carry out an independent performance evaluation every three years. The IOAC will report to the Governing Body the results of this independent performance evaluation." However, as any amendment to the terms of reference of the IOAC had to be discussed with the IOAC first, IMEC accepted that consideration could be deferred until the next session.
- 839.** IMEC welcomed work on improving the consistency and efficiency of the Staff Health Insurance Fund (SHIF) and supported the management's position of zero tolerance of fraud within the SHIF and of addressing the investigation backlog.
- 840.** IMEC agreed with the IOAC's views and proposals on effective and efficient management of information technology. As well-functioning and secure information technology (IT) infrastructure was a necessity and a means to increase effectiveness in times of increased teleworking, the ILO should adjust its governance and working methods.
- 841.** The significant number of allegations still to be investigated was concerning; for staff to continue to maintain faith in the system, allegations must be investigated in a timely manner.
- 842.** In relation to the future work, the IOAC should take into account the need for the ILO to adapt its activities to the new situation created by the COVID-19 pandemic. IMEC could accept the revised draft decision.

9. Report of the Chief Internal Auditor for the year ended 31 December 2019 (GB.340/PFA/9(Rev.1))

- 843.** In preparation for the adoption of a decision by correspondence, the Office held a briefing session for Governing Body members on this item on 9 October 2020.
- 844.** The Screening Group agreed to put the item forward for a decision by correspondence. The decision was adopted by consensus and announced to all Governing Body members by a communication of 22 October 2020.

Decision

- 845. The Governing Body took note, by correspondence, of the report of the Chief Internal Auditor for the year ended 31 December 2019.**

(GB.340/PFA/9(Rev.1), paragraph 4)

Summary of written comments received during the consideration of the item by correspondence ²⁷

- 846. The Employers' group** welcomed the clarification of the mandate of the Office of Internal Audit and Oversight (IAO) to include investigating alleged sexual exploitation and abuse and retaliation against whistle-blowers, as it encouraged a culture where wrongdoing could be addressed quickly and potentially before any regulatory action or damage to the ILO's reputation. The lack of material weaknesses identified in the 2019 internal audit was welcome, as was the fact that the Office had put in place actions to address the majority of control issues. Areas still requiring efforts included ensuring that internal controls continued to remain robust in offices with large increases in development cooperation project allocations, and improving timely implementation and reporting on internal audit recommendations.
- 847.** The evaluation of the SCORE programme was positive, but the ongoing high-level evaluation of outcome 4 should enable a better view of its possible strengths and weaknesses and possible ways for improvement.
- 848.** The field audit recommendations confirmed that more needed to be done to improve the accountability and governance framework and financial matters. As field audits covered countries with substantial donor funding, responding to the IAO's recommendation was critical to prevent the misuse and mismanagement of resources. Of particular concern were the risks associated with expanding development cooperation projects, including the heightened risks of projects being hastily designed, without adequate consultation with constituents, and not being aligned with the ILO's institutional framework. The Employers also supported the recommendation that the relevant regional offices should assess impact as part of a formal risk assessment before accepting any new projects. The delivery rate of projects had to be monitored closely, with improved management of units or programmes that failed to deliver. The IAO could serve an important function in ensuring that development cooperation projects were not implemented at the expense of the ILO's reputation and mandate.
- 849.** Capacity permitting, anti-fraud awareness training sessions should be mandatory for all staff, or at least for units or programmes with substantial resources, as that would

²⁷ The complete text of each comment in the original language is available on the [Governing Body's web page](#), together with the decision.

ultimately protect the Organization. The Employers supported the need to draw on the lessons learned from the investigations carried out in 2019 which identified a number of recurring key issues of fraud or misconduct, such as the need for improved diligent control before payments; awareness-raising on staff obligations regarding possible conflict of interest; and due diligence work on the capacity of implementing partners. The IAO could consider providing a short anonymous summary of the substantiated cases to raise awareness among staff and others of wrongdoing.

- 850. The Workers' group** welcomed the inclusion in the IAO's mandate of the authority to investigate alleged sexual exploitation and abuse and alleged retaliation against whistle-blowers, and also the recommendations on IT, particularly those related to: reviewing and updating the information security management system; strengthening IT security through encryption of devices and ensuring timely completion of the online IT security awareness training course for all ILO officials; and providing further access to IRIS to development cooperation projects. The group fully supported the recommendation on the update of IT security policies, particularly in the current environment with most staff working from home and most activities carried out online. IT security policies should include the protection of personal staff information at headquarters and in the field as well as ILO work information.
- 851.** The Workers' group fully supported both the recommendation aimed at ensuring that external collaborators had the same security protection as other ILO staff members when travelling and the recommendation on the use of an abstract bank guarantee in the future, which would better protect the ILO. The information concerning the recruitment of two individuals to help clear the backlog of investigations of allegations was welcome. The Workers agreed with the draft decision.
- 852. IMEC** welcomed the expansion of the IAO's mandate to include investigations into allegations of sexual exploitation and abuse and of retaliation against whistle-blowers; timely and transparent investigations of such allegations were crucial. More broadly, it was concerning that a number of investigations were still to be resolved; management should ensure adequate staffing and resourcing to reduce the backlog further.
- 853.** Strengthening and further integrating risk management into each manager's strategy and planning was essential. The strategic risk register was a practical tool for assessing the risks the Organization faced in its operations. Risk assessments at the early stages of project formulation would help to inform decisions on project design and follow-up of the implementation. IMEC encouraged the Office to review a recent JIU report ²⁸ and consider its recommendations, as appropriate.
- 854.** IMEC welcomed the focus on IT security, both in the field and at headquarters, and urged the Office to implement fully the recommendations of the IAO without delay. It also supported the recommendation on the type of bank guarantees provided by contractors for future building renovation projects and the recommendations concerning risk assessment for development cooperation projects.
- 855.** The group looked forward to learning more about the findings of the audit on contracting of external collaborators at the next available opportunity, as the practice represented a considerable expenditure for the Office and played a large role Office-wide in the delivery of services. IMEC supported the draft decision.

²⁸ *Enterprise Risk Management: Approaches and Uses in United Nations System Organizations.*

Personnel Segment

10. Statement by the Chairperson of the Staff Union

The statement by the staff representative is reproduced in [Appendix II](#).

11. Amendments to Staff Regulations

(No amendments were submitted to the Governing Body at this session.)

12. Update on the Human Resources Strategy 2018–21 (GB.340/PFA/12)

(The document under this item was submitted for information only.)

13. Matters relating to the Administrative Tribunal of the ILO:

13.1. Proposed amendments to the Statute of the Tribunal

(The consideration of this item is deferred to the 341st Session (March 2021).)

13.2. Recognition of the Tribunal's jurisdiction by the Pacific Community (GB.340/PFA/13/2)

856. In preparation for the adoption of a decision by correspondence, the Office held a briefing session for Governing Body members on this item on 21 October 2020.

857. The Screening Group agreed to put the item forward for a decision by correspondence and the decision was approved by consensus and announced to all Governing Body members by a communication of 30 October 2020.

Decision

858. The Governing Body approved by correspondence the recognition of the Tribunal's jurisdiction by the Pacific Community (SPC) with effect from 30 October 2020.

(GB.340/PFA/13/2, paragraph 8)

Summary of the written comment received during the consideration of the item by correspondence ²⁹

859. The Workers' group welcomed the request of the Pacific Community (SPC) to recognize the jurisdiction of the Administrative Tribunal of the ILO, noting that the SPC fulfilled the requirements of article II(5) of the Tribunal's Statute. The group was pleased to see that the Tribunal – the mandate of which was of unique importance in the multilateral system – continued to attract new international organizations, which was surely due to its reputation, independence and impartiality.

²⁹ The complete text of each comment in the original language is available on the [Governing Body's web page](#), together with the decision.

▶ High-Level Section

Working Party on the Social Dimension of Globalization

1. Proposals aimed at promoting greater coherence within the multilateral system

(The consideration of this item is deferred to the 341st Session (March 2021).)

Strategic Policy Segment

2. COVID-19 and the world of work (GB.340/HL/2)

- 860. The Director-General** urged the Governing Body to agree to launch a major initiative for human-centred recovery from the COVID-19 crisis, which would include the adoption of an outcome document by the 109th Session (2021) of the International Labour Conference. The world was calling on the ILO to act in response to the devastating economic and social impact of the pandemic and the appalling hardship in the world of work, and the ILO Centenary Declaration for the Future of Work was a valuable instrument on which to base its action. The proposed initiative for human-centred recovery would give the Organization the means to accelerate and scale up its action. It would be a unifying, rallying idea to catalyse action, mobilize resources and political will, promote cooperation, increase the visibility of the key issues identified, and enable the tripartite constituency to play its role effectively. With the overall direction of the substantive work already set, the next step was to proceed with strategic implementation, at scale, with urgency and on the basis of the platform already established. The UN General Assembly had decided the previous day to convene a COVID-19 Response Summit in early December, and it was to be hoped that the ILO could report to the Secretary-General that it had decided on an initiative to play its unique role in bringing employers' and workers' organizations together alongside governments to ensure that international labour standards were central to the process.
- 861.** The Governing Body had decided by correspondence on the agenda for the 109th Session of the International Labour Conference, and the Report of the Director-General would be devoted to the impact of the crisis. That Report would provide one option for submitting a draft outcome document to the Conference. Further consideration would need to be given to those arrangements and, in line with the draft decision proposed to the Governing Body, to the alternative options. The Office would organize consultations on the substance as well as the process of the outcome document in advance of the next session of the Governing Body in order to achieve as much convergence as possible on what would be submitted to the Conference.
- 862. The Chairperson** proposed to suspend the provision of the Standing Orders under which Governments that were not members of the Governing Body could not take the floor, to which the Governing Body agreed.
- 863. The Employer spokesperson** said that there was general agreement that the world was dealing with a crisis of enormous proportions with far-reaching consequences, regardless of borders, levels of development, race or gender. However, the disruption brought an opportunity for the ILO and its tripartite constituents to bring some certainty, to demonstrate the value of tripartism and multilateralism, and to consolidate the ILO as the multilateral leader in the COVID-19 response on labour and social issues. It was

more urgent than ever to work together to minimize the health, economic, social and employment impacts of the crisis. The effectiveness of the response would largely depend on coherence between the plans and the actions implemented, and the coordination among the constituents and within the Office itself. Every plan must be guided by the Centenary Declaration and be coherent with the strategic plan of the ILO, the Conference discussions and the programme and budget. Effective public-private partnerships had never been more necessary, as companies, governments and civil society could not afford to work in silos. Cooperation and coordination among international organizations, multilateral actors and the business community remained vital.

- 864.** Building back stronger required a focus on five pillars derived from the Centenary Declaration. However, the proposals in the Office document did not take fully into account the urgent need to foster productive employment through efficient policies. It was unclear what was meant by “establish a limited number of platforms that combine the various tools in the ILO toolbox”; that was insufficient for the ILO to remain relevant, and coherence should already exist. Furthermore, the ILO did not need to position itself as the leader in labour policy guidance, as it already had that role. The contribution of the tripartite constituents in implementing such policies should also not be overlooked. The ILO had to identify critical action on the basis of the real needs of constituents at the local level. It would be useful to know how the ILO regional offices could provide better, localized support at the country level and how the UN reform and the role of the UN resident coordinators could be leveraged in a coherent manner with ILO activities.
- 865.** The Employers’ group supported the statement that the ILO should discuss and identify action to assure financial sustainability of social protection systems. The ILO should adopt a rigorous approach based on practical experience and precise demographic and financial projections, which integrated relevant work of other national and international institutions. The role of development banks and central banks had been crucial for sustainability during the pandemic. In the context of a human-centred approach to the multilateral system, the ILO had to effectively communicate its added value and position itself better.
- 866.** The Employers’ group expressed disappointment that the document did not add anything on skills development, in line with outcome 5 of the programme and budget preview, as it was critical to employability, productivity, adaptation to labour market demands and lifting people out of poverty. There was also little mention of productivity, which was at odds with the message in the information document on decent work and productivity.³⁰ The ILO urgently required a proper strategy to enhance productivity growth. It should also strive to harness the full potential of technological progress and embrace the future in the framework of fundamental principles and rights at work. Greater importance should be attached to addressing the growing informality resulting from the COVID-19 crisis, and the corresponding lack of social protection. That required the development of a deeper and more practical understanding of informality, the adoption of intelligent policies to prevent enterprises from turning to the informal economy, further efforts to boost the creation and expansion of business in the formal economy, and the adoption of innovative policy approaches to progressively provide social protection coverage.

³⁰ GB.340/POL/3.

- 867.** The ILO should foster the development of comprehensive, efficient and flexible policies for job creation. As sustained economic recovery would be largely led by the private sector, it was vital for governments to support business resilience, sustainability, entrepreneurship and employability. Inclusive access to labour markets, the internet, entrepreneurship and financing remained key to enhancing economic growth. A human-centred response required a focus on investing in young people and women, entrepreneurship, building back greener, protecting occupational health and safety, and promoting social dialogue.
- 868.** While the Employers' group supported discussing the COVID-19 crisis at the International Labour Conference, it emphasized that there was no need for any new initiative. The group therefore proposed amending subparagraph (a) of the draft decision to replace the reference to a possible initiative with "an accelerated implementation of the ILO Centenary Declaration" and to add, at the end of the subparagraph, "through full, productive and freely-chosen employment". On that basis, the group insisted on the pertinence of developing a specific outcome on the COVID-19 response for adoption at the Conference.
- 869. The Worker spokesperson** said that there was general agreement that urgently implementing the agenda laid down in the Centenary Declaration was central to addressing the challenges of the COVID-19 pandemic and moving towards a socially just and economically sustainable recovery. In many sectors and workplaces, the COVID-19 health crisis had also become a health and safety crisis, which confirmed once again the need to ensure that the human right to life and health and safety was also recognized as a fundamental right in the ILO.
- 870.** As cuts in public healthcare spending and privatization of public services had undermined countries' capacity to tackle the crisis, there could be no return to "business as usual" in the recovery. Pre-crisis inequalities and the growth of insecurity and precarity in both the formal and informal economies had been exacerbated by the pandemic, leaving many workers unprotected and in dire poverty. It was therefore crucial to provide for universal social protection and labour protection floors immediately. Women had been disproportionately affected, despite often being categorized as essential workers. So too had people from ethnic minorities, migrant workers and refugees. A transformative agenda for gender equality, and more generally for addressing discrimination and racism, must therefore be part of any recovery package. With closures of schools and a lack of digital access, many young people worldwide had been deprived of their prospects for a better future; without appropriate action, that would lead to dire employment prospects.
- 871.** During the crisis, social dialogue had been undermined in many countries and regions, and violations of trade union rights had increased. Therefore, social dialogue, freedom of association and the right to collective bargaining, both as fundamental rights and enabling rights, must be at the centre of any ILO action.
- 872.** The Workers' group supported a strong leading role for the ILO in the recovery and in building resilience. Universal social protection, decent work with a floor of rights for all workers, recognition of health and safety as a fundamental right, a transformative agenda for gender equality, a just transition for climate and technological change, social dialogue, reinvestment in vital public services and a sustainable and rights-based approach to multilateral reform were all key elements of the Centenary Declaration, and they were preconditions for a sustainable recovery, building resilience and advancing the renewal of the social contract. Yet those elements did not feature prominently

enough in the document. There could be no human-centred approach to recovery without a rights-based approach.

- 873.** Part I of the Office document began with a reference to “building back better”; instead of going backwards, the focus should be on moving forwards towards a fairer, more inclusive and sustainable growth model. The document regarded standards and social dialogue as tools and placed them at the same level as research and technical cooperation. The Workers’ group strongly disagreed with that approach. Standards and social dialogue were two pillars of the Decent Work Agenda and needed to be placed at the core of any implementation strategy related to recovery and resilience-building, alongside employment and social protection. This was fully in line with the Centenary Declaration that reconfirmed the importance for the ILO to act based on its mandate for social justice and its normative framework. The growing precarity, insecurity and inequalities in the world of work, exacerbated by the pandemic, should be put into the context of the increasing erosion of the employment relationship and labour rights across the world. Various editions of the *ILO Monitor on COVID-19 and the world of work* had shown that workers who were not adequately protected suffered the most from the economic and social crisis.
- 874.** The Workers’ group agreed that quality employment creation had to be a priority. That required political commitment to put in place policies that promoted an inclusive and sustainable growth model which generated decent work. The document should therefore have emphasized the central role played by international labour standards and labour market institutions such as collective bargaining, as well as the need for macroeconomic and industrial policies that prioritized the creation of decent work. The majority of workers in developing countries were still engaged in informal work, and the crisis was exacerbating the situation by shortening global supply chains. The issue of ensuring decent work in global supply chains must therefore be addressed as a matter of urgency. The Workers’ group insisted on the need to improve responsible business conduct in times of crisis, bringing the principles of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) into the ILO’s work on responding to the pandemic. Macroeconomic and industrial policies should therefore be more focused on decent work, and not only include investment in infrastructure and sustainable enterprises but also encompass the care economy, agriculture and other key sectors. ILO work on sustainable enterprises continued to lack a focus on decent working conditions and could thus not create a virtuous circle of inclusive and sustainable growth. Supply-side measures such as skills development could not alone create employment.
- 875.** With regard to Part II of the document, the Workers’ group noted with concern the lack of concrete proposals to address the fundamental challenges to effective social dialogue, including collective bargaining. Workers’ organizations were hardly mentioned in the document, and the right to freedom of association and collective bargaining must be addressed much more explicitly. With regard to the proposed “special vehicles of global social dialogue”, there was a risk that that approach might dilute the role of the social partners in decision-making. It was regrettable that the suggested networked approach was geared towards corporations and made no mention of workers, nor of the crucial role that the public sector and quality public services had to play in recovery and building resilience.
- 876.** In the section on financing and economic policy, a much larger area of work should be devoted to tackling the deterioration of tax bases and public finances, particularly in developing countries. Measures to counter growing tax evasion and foster tax justice, as

well as taxes that addressed negative externalities, digital taxes and wealth taxes, should be the main instruments for financing the recovery and delivering on the Sustainable Development Goals (SDGs). The positive impact of blended finance operations on development had been disputed, notably its supposed positive effects on development, and the ILO should consider not only the opportunities but the challenges it presented. The ILO should not only assist governments in assessing the employment effect of different investments in economic sectors but also focus on the quality dimension of employment, including environmental sustainability and the potential offered by job creation in the public sector. With respect to sustainable enterprise, the ILO should also consider the quality of the employment created and environmental sustainability. On universal social protection, the primary challenge was to review public finances to ensure that those systems were adequate and extend social protection for all.

- 877.** The Workers' group supported a more central role for the ILO in international policy coordination and development cooperation, and welcomed the proposal to forge a new consensus with other international economic organizations on a human-centred growth and development path, framed by the Centenary Declaration and SDG 8. However, international labour standards should be a key aspect of the interaction with and coherence between organizations. Lastly, the Workers' group requested clarification of what the Office was suggesting with regard to development cooperation and how the proposed initiative would provide the organizing framework for the ILO's activities as agreed in the programme and budget.
- 878. Speaking on behalf of the Africa group,** a Government representative of Namibia noted that the pre-COVID-19 positive growth paths of many African countries and their trajectories for structural transformation had been dramatically impeded by the multifaceted impact of the pandemic. In addition to the effects of the crisis listed in the document, she mentioned its devastating impact on the business continuity of enterprises, in particular small and medium-sized enterprises; and the loss of members of employers' organizations and trade unions, which threatened both their viability and effective social dialogue.
- 879.** The response to the pandemic advocated by the ILO through four elements set out in the document should be vigorously pursued in Africa. She called on other Member States to provide support to African countries in generating real-time labour market statistics and on the ILO to intensify the campaign for the ratification and implementation of international labour standards and good practices, including strengthening of occupational safety and health (OSH). Further details should be provided of the relationship between the COVID-19 initiative and Decent Work Country Programmes.
- 880.** African countries were determined to seize the opportunities presented by COVID-19 and to build forward. At the level of the African Union, a priority was the accelerated implementation of the African Continental Free Trade Agreement. The ILO could help Member States to achieve their national development priorities in the aftermath of COVID-19 by, for example, elucidating the economic significance of expanded social protection; illustrating the importance of the care economy; sharing best practices on the role of labour inspection to minimize the spread and impact of COVID-19; and strengthening social dialogue as the most effective means to achieve sustainable social and economic development.
- 881.** The initiative would facilitate the successful implementation of the Centenary Declaration and give renewed impetus for achieving SDG 8 and other related SDGs. The group supported the draft decision as set out in the document, but was open to discussing possible amendments; for example, it could support the amendment

proposed by the Employers' group, with the exception of the words "through full productive and freely-chosen employment".

- 882. Speaking on behalf of the Group of Latin American and Caribbean Countries (GRULAC)**, a Government representative of Barbados said that the agenda set out by the Centenary Declaration was more relevant than ever. In the programme and budget and the ILO's Strategic Plan for 2022–25, a framework was already in place to implement the Declaration's forward-looking mandate. The Governing Body should strive to enrich that framework in a coherent manner, avoiding duplications or distractions from the priorities that had been collectively identified. GRULAC did not, therefore, see the value added in launching a new initiative for recovery as proposed in the document.
- 883.** The document included some of the topics covered by the ILO's COVID-19 response, such as the need to enhance social protection, strengthen social dialogue and adapt work arrangements. However, it did not address certain elements of the Centenary Declaration, such as the importance of skills and lifelong learning, the impact of digitalization, the need for an ambitious gender perspective, and the challenge of informality. He cautioned against reopening negotiations that might upset the delicate balance of the Declaration achieved just one year earlier. Without a dedicated committee to address the initiative during the International Labour Conference in June 2021, it would be difficult to ensure a full, inclusive and transparent negotiation process. Referring to the proposal to hold a substantive discussion on the item at the 341st Session, he recalled that the Governing Body already had a full agenda for that session and might face real constraints as a result of such a decision.
- 884.** As a way forward, GRULAC proposed including in the programme and budget the four main responses to the COVID-19 crisis that the Office had advocated. Other elements set out in the document could be taken into account. GRULAC supported the amendment to the draft decision presented by the Employers' group.
- 885. Speaking on behalf of the Asia and Pacific group (ASPAG)**, a Government representative of Indonesia said that greater solidarity and more coordinated efforts were needed to minimize the impact of the COVID-19 pandemic, which presented a major challenge to the implementation of the Centenary Declaration and the achievement of SDG 8. ASPAG therefore supported the Office's efforts to develop an initiative for human-centred recovery from the COVID-19 crisis aligned with the Centenary Declaration. Any such initiative should be as inclusive as possible and cognizant of national contexts and needs. The three-track human-centred approach should include recommendations for the development of policies on employment promotion, skills development, lifelong learning and social protection, and promote decent work for all workers, especially those in sectors most affected by the pandemic and those in marginalized groups. It should also be divided into short-, medium- and long-term strategies.
- 886.** The promotion of a human-centred agenda at the international level would require a robust multilateral approach. Inequalities between and within countries were deepening; the Office should therefore strengthen its institutional capacity to work with all relevant stakeholders to ensure that governments and enterprises would have the resources they needed to invest in their people. She called on the Office to engage with and support regional organizations, which were well-placed to foster multilateralism, to address the pandemic's impact on labour and employment.
- 887.** The proposal to establish networks of relevant actors to catalyse action and alignment on the implementation of the Centenary Declaration had merit, provided that the

expertise and experiences to be shared in any such networks would be balanced in terms of geographical representation and gender so as to remain relevant to constituents. The Office should also avoid replicating the efforts of other platforms to minimize unnecessary expenditure.

- 888.** The Office should furnish constituents with further details of the proposals and hold tripartite consultations prior to the 341st Session of the Governing Body and, as necessary, following the Office's submission of proposals at that session. Those consultations should focus on the measures to be endorsed, the discussion to be held at the 109th Session of the International Labour Conference, ways to fund the initiative during an economic downturn and ways to organize the Office's work. She therefore suggested amending the draft decision in paragraph 44 to add the wording "and to conduct intersessional tripartite consultations prior to the 341st Session" to the end of paragraph 44(b). She expressed support for the amendment to be proposed by the group of industrialized market economy countries (IMEC) and said that her group was open to holding further discussions on the amendment proposed by the Employers' group.
- 889. Speaking on behalf of IMEC,** a Government representative of the United Kingdom of Great Britain and Northern Ireland welcomed the Office document and agreed that the Centenary Declaration was more relevant than ever. Noting that the ILO had a responsibility to take a leadership role in the socio-economic recovery from the crisis, she commended the Office's pandemic response thus far. However, it should now formulate a specific plan of action on its response and incorporate that plan into its broader work, its implementation of the Centenary Declaration and the proposed Programme and Budget for 2022–23. The Office should leverage its mandate, the Decent Work Agenda, its expertise and lessons learned to formulate concrete measures, policies and actions that promoted recovery, addressed the needs of vulnerable groups and those hardest hit by the pandemic and reflected the different needs of ILO constituents.
- 890.** Her group broadly supported ASPAG's proposed amendment to the draft decision. The aim of the intersessional tripartite consultations called for therein should be to identify a path to consensus at the 109th Session of the International Labour Conference while maintaining the work of the committees on inequalities in the world of work, social protection, and skills and lifelong learning. However, she suggested that paragraph 44(b) should be further amended to read "to organize tripartite consultations to identify possible alternatives for consideration by the International Labour Conference at its 109th Session (June 2021), and with a view to presenting appropriate proposals in this regard to the Governing Body at its 341st Session (March 2021);".
- 891. Speaking on behalf of the European Union (EU) and its Member States,** a Government representative of Germany said that North Macedonia, Montenegro, Albania and Norway aligned themselves with her statement. She welcomed the Office's proposals for a possible initiative for human-centred recovery from the COVID-19 crisis, which should operationalize the Centenary Declaration and translate the recent lessons learned into action. In addition, she called on the ILO to play a leading role in the socio-economic response to the pandemic and leverage its unique capacity to work with the social partners and relevant stakeholders to provide the basis for a coordinated, transparent and evidence-based response to the crisis.
- 892.** A fair recovery from the crisis would be contingent on the promotion of inclusive labour markets and quality jobs with the aim of reducing growing inequalities. Well-functioning social dialogue was key to that endeavour. The crisis had also underscored the need to prioritize OSH and integrate the right to safe and healthy working conditions within the

ILO framework on fundamental principles and rights at work. The Office should incorporate a stronger rights-based approach into the initiative, given the threats posed by the crisis to labour rights, and factor global supply chains into its response, since some of the most vulnerable workers were being disadvantaged further as a result of disruption caused by the pandemic.

- 893.** The human-centred approach to financing and economic policy discussed in the document was encouraging and should receive further attention. Given the importance of robust and sustainable social protection schemes to a strong and inclusive economic recovery, the initiative should promote the ILO's mandate in fostering access to social protection for all, including through appropriate partnerships with relevant stakeholders, and should include concrete measures aimed at mobilizing the necessary financial resources to that end, and to support just transitions to green and digital economies.
- 894.** The Office should remain alert to the risks involved in private sector financing of innovative solutions for sustainable infrastructure to avoid contributing to inequalities stemming from the unfair distribution of gains. Public services should also be appropriately resourced. Since building back better would demand the systematic integration of environmental, social and governance considerations into corporate governance, the Office should provide concrete proposals on how to overcome challenges in that area. The ILO should also seek to increase interaction and coherence with other international organizations in line with the ongoing UN reform.
- 895.** The Office's proposals should be rooted in the Centenary Declaration and include a plan of action and guidance setting out a menu of measures, tools, policies and actions to underpin its work and that of constituents and international stakeholders. She supported the draft decision as amended by ASPAG and IMEC.
- 896. Speaking on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden),** a Government representative of Finland expressed support for the EU statement, and welcomed the Office document. She said that the COVID-19 pandemic was threatening social cohesion and social justice by accentuating inequalities already present in the world of work. Multilateral cooperation would be key to success in the global pandemic response, and the ILO should continue to be at the forefront of that response. She described efforts made by governments in her region to tackle the pandemic, noting that the social partners shared responsibility for supporting workers and employers and that well-functioning social dialogue and social protection systems were key. The Nordic countries recognized that ensuring safety in workplaces was essential and supported efforts to integrate the right to safe and healthy working conditions into the ILO framework on fundamental principles and rights at work. It was important to adapt to new ways of working and help people who had lost their jobs to obtain new skills that matched demands in sectors with labour shortages. The gender dimension should be taken into account in all COVID-19 response measures in the light of the disproportionate impact of the crisis on women.
- 897. A Government representative of the Russian Federation** said that the principles in the Centenary Declaration had proved helpful and relevant to resolving the effects of the pandemic on employment, thanked the Office for providing invaluable information during the crisis and outlined some of the measures his Government had adopted to protect its citizens and limit the spread of the infection. A new programme of cooperation for 2021–24 between the ILO and the Russian Federation was being developed, which would be founded upon a human-centred approach to employment, the strengthening of social dialogue, and occupational safety and health.

- 898. A Government representative of Lesotho** highlighted the plight of migrant workers affected by the closure of businesses and borders. The implementation of the Centenary Declaration would be key to mitigating the impact of the pandemic on the world of work and should be accelerated by the Office. Member States should build resilient health and social protection systems, invest in digital transformation to facilitate remote work and work together to implement recovery initiatives coherently. She thanked the Office for helping her Government to develop communication tools and OSH guidelines on COVID-19 in the workplace.
- 899. A Government representative of Bangladesh** said that the ILO had to play an active role in economic and social recovery to ensure full, productive and decent employment. The Government of Bangladesh had allocated funding to support businesses and pay salaries and had provided COVID-19 telemedicine services. The ILO had supported the Government's adoption of standard guidelines to ensure occupational health and safety during the pandemic. Tripartite social dialogue continued to play a key role. The ILO should: call on buyers not to cancel their orders and to continue to fulfil existing contractual obligations; ensure the retention of jobs of migrant workers; and promote priority market access for weaker economies. All constituents must work together to realize the Centenary Declaration and the 2030 Agenda for Sustainable Development, despite the challenging context of the COVID-19 pandemic. She reaffirmed her Government's commitment to ensuring labour rights and building a world free of COVID-19.
- 900. A Government representative of Ecuador** underscored the importance of a human-centred and integrated approach, as the pandemic had affected all areas of life, including employment. COVID-19 was another challenge to add to those included in the Centenary Declaration, which particularly affected women, young people, persons with a disability, and those working in the informal economy. The Government of Ecuador had passed legislation to provide tax relief to small businesses, promote entrepreneurship and innovation, and encourage foreign investment, to reduce the economic impact of the pandemic. Several contract types were in use to preserve jobs, including by reducing the working day, targeting short-term employment to meet employers' needs, introducing new contractual arrangements, and enabling young people to undertake additional training. The wider introduction of teleworking had reduced costs and improved mobility and productivity, and was a step towards an inclusive working environment that guaranteed compliance with rights and obligations. However, more needed to be done, particularly concerning gender equality, youth employment and the transition to formality. Amending standards alone was not enough to develop a long-term national action plan to bring about structural change. The Ministry of Labour had begun a national dialogue for the future of work in Ecuador and recognized the need for participation of representatives of all forms of work, alongside international experts. When creating decent jobs, social dialogue was essential, as highlighted in the Centenary Declaration. The future of work was the responsibility of all constituents. He supported the amendment to the draft decision proposed by the Employer spokesperson.
- 901. A Government representative of Ethiopia** said that the proposed initiative would fully harness the potential of the Centenary Declaration. In collaboration with stakeholders, social partners and the international community, the Government of Ethiopia had established a tripartite COVID-19 taskforce and workplace protocol to ensure employment retention and business continuity, launched a regional initiative to provide medical equipment across the continent, and called for financial support and debt relief for African countries. National measures had been adopted to provide tax relief to

affected businesses, establish food banks, support returning migrant workers and protect the garment industry. The Government was also working with the UN to develop a priority framework for socio-economic response and recovery and was starting to implement the global Call to Action to protect garment workers' livelihoods and sustainability. However, countries like hers still faced significant challenges in resource mobilization and institutional capacity. She called on the ILO to step up its efforts to collaborate with other UN agencies in that regard, and to provide technical and financial support to its constituents.

- 902. A Government representative of Japan** emphasized that the knowledge and expertise shared by the ILO had proven useful during the response phase of the pandemic and supported the Office's proposal to deepen discussion on human-centred recovery from COVID-19. Mindful of the need for an equitable geographical and gender balance, he believed that intersessional tripartite consultations were necessary to develop concrete measures for the possible initiative. There should then be an opportunity for its meaningful discussion at the 109th Session of the International Labour Conference. The arrangements for that session would need to take into account the unpredictable global context of COVID-19. He asked how the Office intended to mobilize resources to implement the proposal. The ILO's leadership role in COVID-19 recovery was welcome, and he proposed appointing a liaison in each department to promote Office-wide collaboration in each policy area. The Government of Japan was considering how it could contribute to the global recovery through ILO technical cooperation programmes. Measures had been taken in his country to protect employment, including strengthening retention subsidies for employers. Sharing best practice was essential when developing the recovery initiative, and the ILO should continue to update the COVID-19 information hub.
- 903. A Government representative of Eswatini** commended the social partners for partnering with governments to support difficult resource reallocation decisions during the pandemic. The proposed initiative highlighted the implications of the pandemic on the ILO and how the ILO could lead the recovery process. He commended the Office's support to constituents as they sought to promote social justice during the pandemic. The data and guidance obtained from the ILO's knowledge products had assisted in the development of national employment contingency measures and response programmes. He welcomed the support provided to his and other governments as they sought to transition to long-term and sustainable livelihood programmes and pandemic security schemes. With the support of the ILO, his Government was developing a national unemployment insurance scheme and had strengthened its occupational safety and health response to COVID-19. Constituents required further assistance to obtain information technology equipment and support in order to develop teleworking, which would facilitate employment and social dialogue. The ILO should also promote efforts to stimulate the economy, support enterprises, create employment, prevent job losses, strengthen social dialogue institutions, and provide universal social protection floors. COVID-19 affected the well-being of every individual, and a human-centred approach was therefore required in response, as embodied in the Centenary Declaration.
- 904. A Government representative of Barbados** commended the ILO for highlighting the need for a human-centred approach to the COVID-19 pandemic and for its abiding support for multilateralism. The ILO must retain its leadership role and ensure that the voices of the most vulnerable were heard, including small island developing States. However, GDP should not be the only measure of vulnerability. Social justice and social protection should be at the centre of national growth and development strategies, and social protection should include the work of civil society alongside formal social security

mechanisms. Civil society representatives should therefore also be included in social dialogue on that subject. In Barbados, a national tripartite committee had been established to manage the pandemic response, and social partners worked with the Government to guide decision-making. He outlined the range of measures taken to support workers and businesses, including financial support, reallocation of land, expediting tax refunds and travel exemptions for civil society organizations supporting vulnerable people. The Government had enacted legislation to prevent workplace discrimination and raise awareness of violence and harassment in the world of work, and was developing more detailed guidance to expand on occupational safety and health legislation. The labour inspectorate had partnered with the Government's COVID-19 Monitoring Unit. He supported the four elements of the social and economic response to the crisis proposed by the ILO.

- 905. A Government representative of the Republic of Korea** thanked the Office for hosting the timely and meaningful ILO Global Summit on COVID-19 and the World of Work in July 2020. Future ILO strategies should be aligned with the Centenary Declaration and a human-centred approach. He outlined his Government's initiatives to prepare for the post-COVID-19 world of work, including the "Korean New Deal Initiative" and the establishment of a universal social protection system. He emphasized that, to effectively respond to the global COVID-19 challenge, cooperation between ILO Member States must be strengthened and the Office must assume a more central role in facilitating global social dialogue and international cooperation. His Government supported the amendment and subamendment to the draft decision made by ASPAG and IMEC respectively.
- 906. A Government representative of the United States of America** emphasized that the ILO had a responsibility to provide leadership in response to the pandemic. To that end, her Government would strongly support a specific pandemic response outcome from the 109th Session of the International Labour Conference in 2021, which should set out measures, policies and actions to help ILO constituents to formulate and carry out their responses.
- 907. A Government representative of Germany** said that a collective response to the crisis based on the Centenary Declaration must be finalized at the 109th Session of the Conference in 2021. His Government would support an ambitious initiative. The response must address how to successfully confront the effects of the pandemic and how to strengthen the resilience of the world of work in order to achieve strong social protection systems, human-centred jobs, fair wages and resilient supply chains that observed core labour standards. It was the ILO's task to translate the provision of adequate protection for the life and health of workers in all occupations, as stated in the Declaration of Philadelphia, into legislation.
- 908. A Government representative of Thailand** outlined some measures that his Government had taken to minimize the impact of the pandemic on employment and the national economy. Those measures included enhanced social protection and support for affected enterprises, young people and the unemployed, new graduates and migrant workers. Implementation of the Thailand Decent Work Country Programme 2019–2021 continued and he expressed thanks to the Office for its collaboration with the Thai Government and the social partners to that end. ILO initiatives for recovery from the impact of COVID-19 were very welcome.
- 909. A Government representative of France** said that an appropriate balance must be found between accelerating the implementation of the Centenary Declaration and fully mobilizing the ILO to respond to the current crisis. Individual rights and international

labour standards must be upheld. She welcomed the universal ratification of the Worst Forms of Child Labour Convention, 1999 (No. 182), which demonstrated the positive impact the ILO and its constituents were capable of making. In particular, Alliance 8.7 was an example of a platform that could bring together governments, employers, workers, civil society and multilateral partners. To address the current crisis, the ILO must focus on economic and fiscal policies that protected not only human rights at work, but also jobs and the expertise necessary for sustainable business activities. In that regard, she took note with great interest of the actions undertaken by the ILO Regional Office for Africa. She called for a global response to the pandemic that focused on universal access to social protection.

- 910. A Government representative of India** said that her Government had provided financial support to those most affected by the pandemic in India, including women, migrant workers, small enterprises and farmers. She welcomed the focus in the Office's human-centred proposal on sustainable social protection systems, infrastructure and enterprise but stressed that focus should also be given to micro, small and medium-sized enterprises and the cooperative sector. The Office should conduct relevant research in order to analyse the impact of the quality of public health and social security systems on nations' resilience to the pandemic and their economic growth, and also to understand the impact of infrastructure and industrial financing options on employment in the context of implementing the SDGs. The Office should create a knowledge-sharing centre for best practices on ensuring decent work and social protection in the care and digital sectors and the informal economy, and should promote greater coherence in the multilateral system in addressing economic, social and environmental challenges.
- 911. A Government representative of Switzerland** endorsed the Office's proposal as it was based on the Centenary Declaration, focused on relevant issues, would allow the Office to target its research and data, and contained a human-centred financial approach, which should be developed in the months to follow. In addition, it offered an opportunity to strengthen international coherence. The title of the proposal should be further discussed by tripartite constituents. Her Government suggested that the Global Jobs Pact adopted in 2009 could be used as a foundation. Her Government supported the amendment and subamendment to the draft decision made by ASPAG and IMEC respectively.
- 912. A Government representative of Australia** strongly agreed that the ILO must develop a targeted response to the global pandemic during the 109th Session of the International Labour Conference in 2021. It would be important to hold tripartite consultations prior to the 341st Session of the Governing Body in March 2021 in order to ensure all views were taken into consideration in the formulation of a response. She recalled the Declaration of Philadelphia, which underscored the need for continuous and concerted international effort with the participation of the social partners. The ILO must deploy its unique features of tripartism, social dialogue and international labour standards to lead a response, and be seen to be responding, to the profound changes brought about by the crisis.
- 913. A Government representative of the United Kingdom of Great Britain and Northern Ireland** said that the ILO must play a leading role in providing effective solutions to the crisis, based on the Centenary Declaration and with due consideration of lessons learned. It was extremely important to adopt guidance and a plan of action at the 109th Session of the International Labour Conference in 2021 that set out practical measures, policies and actions that constituents, the Office and the international community could draw on to promote recovery and decent work. The Office should

present appropriate proposals at the 341st Session of the Governing Body in March 2021, guided by prior tripartite consultations in that respect, with a view to reaching consensus at the International Labour Conference and demonstrating the ILO's leadership on the global response to and recovery from the pandemic.

- 914. A Government representative of Brazil** outlined some of the measures his Government had adopted to alleviate the effects of the pandemic on workers and their families. The ILO could play an important role in supporting national efforts to recover from the effects of the pandemic and should do so within the mandate and instruments already available. Having heard the Director-General's reassurances, he nonetheless reemphasized his Government's concern that the creation of new platforms to contribute to a human-centred recovery risked diverting human and financial resources from existing activities while having only a limited effect on efforts to recover from the crisis, and also risked giving the undesirable impression that the ILO was abandoning or downplaying the Centenary Declaration in favour of more fashionable measures. He encouraged the Governing Body to deepen tripartite discussions in order to jointly identify the best way forward.
- 915. A Government representative of the Islamic Republic of Iran** said that the COVID-19 pandemic posed a serious threat to society. Workable initiatives must be devised based on existing documents to address the extensive implications and assist States in devising recovery plans. The human-centred approach of the ILO Centenary Declaration for the Future of Work provided a solid basis for navigating the crisis, although it must be adapted to the evolving situation and specific national circumstances. Member States must share experiences and best practices in mitigating the social and economic impact of the pandemic, and the ILO should establish an inventory of those practices and lessons learned. The obstacles to recovery must be identified, including unilateral economic and banking sanctions and embargos that stripped many individuals of their basic right to decent work and contributed to inequality. All Member States should enjoy equal access to international recovery initiatives. The digital divide, whether it owed to a lack of access to tools, services and technology or to the deliberate denial of access to virtual initiatives for political reasons, must be eradicated. The COVID-19 pandemic, while a reminder of the fragility of human life, also demonstrated human resilience.
- 916. A Government representative of Belgium** said that the COVID-19 pandemic had exacerbated inequality, thereby threatening social peace. Only those countries with the appropriate financial resources and social policies would be able to adopt measures to support employment, economies and health sectors. Even prior to the pandemic, his country had emphasized the need for a profound change to working methods, an objective embraced by the document. The ILO must spearhead the recovery, and its constitutional mandate provided a framework for ensuring that the post-pandemic world was inclusive. The Centenary Declaration would constitute the backbone of the initiative, which must produce practical and concrete measures to promote decent work. There should be coherence and inclusivity among the various actors, all of whom, including those in the digital economy, must unite to implement the ILO's conclusions.
- 917. A Government representative of Argentina** said that there was a need to re-evaluate international relations. The pandemic's effects were most keenly felt by the vulnerable, and the consequences of poverty in developing countries had been worsened, affecting social peace and bringing to mind the Preamble of the ILO's Constitution. The social contract must be re-evaluated, and the ILO's leadership strengthened so as to build partnerships to develop policies for sustained growth, the proceeds of which must be distributed appropriately and at an equal pace so as to ensure a just social order. In

response to the pandemic, his Government had implemented a range of person-centred measures consistent with the principles set forth in the Centenary Declaration.

- 918. A Government representative of Portugal** said that the pandemic had not affected regions, countries, social groups and economic sectors equally. Regional and global guidance was needed, such as the European Pillar of Social Rights, along with a strengthened multilateral system and a stronger leading global role for the ILO. Occupational safety and health, human rights and decent work in global supply chains, and universal social protection must be prioritized, and his Government reaffirmed its commitment to those matters, particularly to the Global Coalition for Safety and Health at Work and the Global Flagship Programme on Building Social Protection Floors for All. There was a need for sectoral tripartite guidance on the future of work in the most affected sectors, particularly tourism and leisure, and the next International Labour Conference must provide tripartite guidance on the implementation of the principles and priorities of the Centenary Declaration in the face of the crisis.
- 919. A Government representative of Qatar** said that the Organization played an important role in dealing with the consequences of the pandemic, whose effects on the world of work would last for many years. Commending the ILO's technical assistance to the constituents and research into the effects of the pandemic, he noted that economic growth would return only through a coherent national and international response that took a multilateral approach based on the Centenary Declaration.
- 920. The Worker spokesperson** said that her group welcomed the Director-General's confirmation that the initiative would be firmly rooted in the Centenary Declaration and would not replace existing texts or commitments. It agreed that the ILO's ability to unite actors, accelerate action and promote tripartite efforts must be leveraged. While urgent action was certainly required, there remained a need for further discussion between the constituents and the Office on how to accelerate the implementation of the Centenary Declaration while seeking an appropriate format for a high-visibility, high-impact outcome of the International Labour Conference.
- 921.** Turning to the draft decision, her group supported the amendment submitted by ASPAG and the subamendments by IMEC, but did not support the amendment proposed by the Employers' group; recovery actions should not be limited to employment. Tripartite consensus might be reached by including references to accelerating the implementation of the Centenary Declaration and intensifying concerted tripartite action.
- 922. The Employer spokesperson** said that the debate had revealed a strong demand for follow-up by the Office and a need to agree on a concrete, immediate response to the pandemic. That need was strongly linked to the programme and budget, through which the Centenary Declaration was implemented. His group agreed that a specific, high-visibility, high-impact response by the International Labour Conference was required, along with guidance for a sustainable recovery framed by the Centenary Declaration. Constituents' interventions had suggested the need for a communication strategy based on the Centenary Declaration; his group would support such action. However, it objected to the development of an initiative. It was not sufficient to "build back better"; all actors must aim to build back stronger, in an intelligent manner that would increase their resilience and enable them to adapt to evolving circumstances.
- 923. Speaking on behalf of ASPAG,** a Government representative of Japan said that it was important to consider all strategic documents as a whole and engage in broad consultation in order to reach consensus in the Governing Body.

- 924. The Director-General**, summarizing the debate so far, said that the Governing Body seemed to be in agreement on the magnitude of the crisis, the need for action to respond to it and the need for the ILO to take the lead not only at the international level, but also at the regional and national levels. The current discussion related to equipping the Organization with the tools to take on such leadership. Constituents were unanimous that any action must be rooted in the Centenary Declaration, which no party had proposed renegotiating. Similarly, participants concurred on the need to reach an outcome at the next International Labour Conference that could show the way forward. The document was intended to stimulate the debate and inform meaningful consultation. A specific initiative was required because it was not sufficient for the Organization merely to continue to administer its programmes and activities; the world expected it to assume the mantle of leadership. Consensus on the way forward was vital.
- 925.** There appeared to be general acceptance of the amendments and subamendments to subparagraph (b) of the draft decision proposed by ASPAG and IMEC. Subparagraph (a) posed different issues. Although there was general agreement on the need to refer to the Centenary Declaration and its implementation, it had been argued that a specific reference to employment, as proposed by the Employers' group, would narrow the scope of the initiative. He urged the Governing Body to retain the reference to the initiative, or a similar document with an equivalent name, because a tangible outcome was required that would enable the Organization to engage at the highest level, mobilizing not just political but also financial resources. Such ambition was required in light of the high level of engagement shown by the Heads of State and Government and other leaders who had addressed the ILO Global Summit on COVID-19 and the World of Work in July 2020.
- 926. The Chairperson**, noting the five broad areas of agreement highlighted by the Director-General, observed that the differences between the proposed amendments and subamendments were slight and expressed confidence that consensus would be reached.

(The Governing Body resumed consideration of the item after the Office circulated a revised draft decision following consultations).

- 927. The Employer spokesperson** reiterated that the ILO should show strong leadership and that an appropriate and swift response that led to a specific and effective outcome at the 109th Session of the International Labour Conference was necessary. The recognition that the recovery should be resilient and sustainable was welcome. The issues facing the world of work that had been exacerbated by the pandemic could not be addressed with short-term policies. He reiterated that any decision taken on the item under consideration should be mirrored in the discussions on the Programme and Budget for 2022–23 at the 341st Session of the Governing Body, as the discussions were wholly interconnected. The Centenary Declaration must be the only focus in terms of strategy, while the programme and budget was a key operational and implementation tool. He reiterated that it was unnecessary to have a parallel agenda reinterpreting what had already been agreed. Taking into account the points raised during the consultations, his group supported the revised version of the draft decision, but suggested that a further slight adjustment could be made to subparagraph (a), so that reference was made to “a human-centred recovery from the COVID-19 crisis that is sustainable and resilient”.
- 928. The Worker spokesperson** said that she supported the current wording of the draft decision, but that the words “sustainable and resilient” should be interpreted in the broadest sense to include environmental and social dimensions in addition to economic factors in order to ensure that the recovery would be just and equitable. She expressed concern at the tendency of the Employers' group to give productivity precedence over

decent work, which was the cornerstone of the ILO's work. The discussion to be held at the 341st Session of the Governing Body would be an opportunity to explore how to capitalize on the linkages between productivity and decent work to strengthen both facets and enhance OSH, social protection and social dialogue. A discussion of such linkages would mirror the work done by constituents during the development of the ILO Centenary Declaration to make connections between issues such as full, productive and freely chosen employment, sustainable business models and the sharing of gains arising from productivity and technological advances.

- 929.** The COVID-19 crisis had shone a spotlight on the erosion of stable employment relations between workers and employers, which had adversely affected productivity, and the importance of extending adequate labour protection floors to all workers. As stable employment was also a factor in productivity levels, the need to ensure stability and security among businesses and workers alike should be highlighted in discussions on productivity and decent work in a post-COVID-19 world. She wished the Office well in its endeavours to develop proposals that would inspire the Governing Body at its 341st Session and lead to an outcome to be proud of at the 109th Session of the International Labour Conference.
- 930. Speaking on behalf of the Africa group,** a Government representative of Namibia said that her group would have liked a decision that asked the Director-General in a balanced manner to prepare substantive proposals to be discussed at the 341st Session, and that, despite its support for strategies aiming at a “sustainable and resilient” recovery from the COVID-19 crisis, her group would have preferred not to include that particular wording in the draft decision since those objectives had been covered in the Centenary Declaration and there were many other ways to describe the desired recovery. In the spirit of social dialogue, her group would accept the compromise reflected in the Office's proposed text but remained open to the consideration of any alternative proposals that may be submitted in advance of the 341st Session of the Governing Body. She thanked the members of the Governing Body for the spirit of openness and goodwill that had characterized the consultations and the Deputy Director-General for Management and Reform for his professionalism in helping constituents to reach a consensus on the matter. Her group looked forward to the forthcoming consultations on the Office's response to achieve an equitable, inclusive and just recovery rooted in the Centenary Declaration.
- 931. Speaking on behalf of ASPAG,** a Government representative of Indonesia welcomed the progress of the discussion and expressed appreciation for the flexibility demonstrated by all parties. The Governing Body's engagement on the ILO's response to the COVID-19 crisis would lay the foundation for future constructive tripartite dialogue on the subject. She thanked the Office for revising the draft decision and for giving the Governing Body the opportunity to take into account the connection between the draft Strategic Plan for 2022–25, the Programme and Budget proposals for 2022–23 and the Office's proposals on its response to the COVID-19 crisis. Her group supported the revised draft decision, which should be endorsed promptly to allow constituents time before the 341st Session of the Governing Body to hold tripartite consultations furnished with details from the Office on the organization, format, measures and resources required for the discussion and implementation of the ILO's crisis recovery response.
- 932. Speaking on behalf of IMEC,** a Government representative of the United Kingdom of Great Britain and Northern Ireland supported the revised version of the draft decision. Her group would look forward to further constructive discussions aiming at a successful outcome on the matter at the 109th Session of the International Labour Conference.

- 933. Speaking on behalf of the EU and its Member States**, a Government representative of Germany said that North Macedonia, Montenegro, Albania and Norway aligned themselves with her statement. Thanking the Office for facilitating the discussion, she reiterated that the ILO should focus on a human-centred, sustainable and resilient recovery. To that end, the ILO's response should emphasize its standard-setting role, the promotion of decent work in global supply chains, OSH, social protection for all, gender equality and a just transition towards green economies; stimulate the economy and employment by promoting sustainable enterprises in job-rich sectors with positive environmental and social impacts; and support enterprises, jobs and incomes through lifelong learning and active labour market policies and practices underpinned by universal social protection.
- 934.** The pandemic had demonstrated the importance of OSH. Workers should be protected through the strengthening of labour inspection and the implementation of international labour standards. Given the primordial importance of well-functioning social dialogue, the ILO could leverage its tripartite structure to provide a basis for a coordinated, transparent and evidence-based global response. Her group supported the revised version of the draft decision.
- 935. The Employer spokesperson** said that it would take time for attitudes to change in the light of the changes in the world of work. He acknowledged the concerns expressed by other groups regarding the problematic nature of historical discussions on productivity; however, it would be illogical to demand that the fruits of productivity should be shared without first agreeing to stimulate that productivity and productive employment, which would in turn create more decent work opportunities and reduce unemployment.
- 936. The Worker spokesperson** said that it was in the interest of all constituents to understand the symbiotic relationship between productivity and decent work and the importance of job stability and security to both of those goals. She strongly disagreed with the notion that increased productivity was a precursor to improvements in labour rights through some form of "trickle-down economics", noting that constituents had recognized since the early days of the ILO that decent working conditions increased productivity.

Decision

937. The Governing Body requested the Director-General:

- (a) **to develop proposals, taking into account the guidance provided by the Governing Body for a global response for human-centred recovery that is sustainable and resilient from the COVID-19 crisis, through the accelerated and focused implementation of the ILO Centenary Declaration; and**
- (b) **to organize tripartite consultations to identify possible alternatives for consideration by the International Labour Conference at its 109th Session (June 2021), and with a view to presenting to the Governing Body at its 341st Session (March 2021) appropriate proposals on the content and format of such response, as well as on the process to reach a tripartite agreement.**

(GB.340/HL/2, paragraph 44, as amended by the Governing Body)

- 938. Speaking on behalf of GRULAC**, a Government representative of Barbados said that the Centenary Declaration should be central to the ILO's work, including its response to the COVID-19 crisis. His group's initial concerns that the Office's proposals for its response to the crisis would add to – or worse, distract from – the implementation of the Centenary

Declaration had been assuaged by the Director-General's strong message of coherence and his assurance that the Centenary Declaration would underpin all future ILO actions.

- 939.** His group welcomed the agreement that had been reached on the Office's COVID-19 response and the spirit of dialogue demonstrated by all groups towards its achievement. His group also welcomed the revised version of the draft Strategic Plan for 2022–25 since the addition of the section describing the ILO's vision for 2025 reflected GRULAC's perspectives; the decisions adopted in that regard and in respect of the programme and budget proposals left the ILO well placed to effectively implement the Centenary Declaration, the 2030 Agenda for Sustainable Development and its response to the COVID-19 crisis. That package of proposals had also created a solid foundation for the ILO's efforts to meet the new challenges facing the world. He welcomed the commitment shown by all constituents to ensure the smooth running of the virtual session of the Governing Body, which had demonstrated the ILO's capacity to adapt its work to continue throughout the COVID-19 pandemic.

► Appendix I

Amendments to the draft decision concerning the reply of the Government of the Bolivarian Republic of Venezuela to the report of the Commission of Inquiry appointed to consider the complaint alleging the non-observance of Conventions Nos 26, 87 and 144 (GB.340/INS/13)

1. Amendment submitted by Peru, Brazil, Canada, Chile, Colombia, Costa Rica, Guatemala, Honduras, Paraguay as subamended by the United States and by the Employers' group

Proposal to replace the text of the draft decision with the text below (changes suggested by the United States are in blue and those suggested by the Employers' group are in red)

The Governing Body:

1. endorsed the report and recommendations of the Commission of Inquiry, to put an end to violations of labour rights in the Bolivarian Republic of Venezuela by all appropriate means;
2. expressed its deep concern about the response of the Bolivarian Republic of Venezuela of 10 August 2020, by which, explicitly, the report and the recommendations of the Commission of Inquiry are not accepted;
3. deplored that the Bolivarian Republic of Venezuela has failed to implement the recommendations contained in paragraph 497 of the report of the Commission of Inquiry, ~~by as the deadline expired on~~ 1 September 2020;
4. **decided to include on the agenda of its 341st Session (March 2021) an item entitled "Measures including recommendations under article 33 of the ILO Constitution to secure the Government of Venezuela's compliance with the recommendations of the Commission of Inquiry";**
5. decided to place on the agenda of the 109th Session of the International Labour Conference (June 2021) an item entitled "Measures to be taken under article 33 of the ILO Constitution to secure compliance by the Bolivarian Republic of Venezuela of the recommendations of the Commission of Inquiry appointed to examine the complaint regarding the non-compliance by the Bolivarian Republic of Venezuela with the Minimum Wage Fixing Machinery Convention, 1928 (No. 26), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)";
6. recommended to the Conference that it adopt the following measures:

Measures recommended by Governing Body under article 33 of the Constitution:

 - (a) to consider that the attitude and behavior of the Bolivarian Republic of Venezuela are grossly incompatible with the conditions and principles governing membership of the Organization;

- (b) to decide that the question of the application of the recommendations of the Commission of Inquiry and of Conventions No. 26, 87 and 144 by the Bolivarian Republic of Venezuela must be dealt with in future meetings of the International Labor Conference, until it has been demonstrated that this Member complies with its obligations;
- (c) to recommend to all the constituents of the Organization, governments, employers and workers that, taking into account the conclusions of the Commission of Inquiry, they examine the relations they may maintain with the Member State in question and adopt the appropriate measures in order that the said Member may not use those relationships to perpetuate or develop the system of violation of labor rights ~~highlighted denounced~~ by the Commission of Inquiry, and to contribute as much as possible to the application of its recommendations;
- (d) to decide that the Bolivarian Republic of Venezuela should cease to benefit from any technical cooperation or assistance from the ILO, except for the purpose of direct assistance to implement immediately the recommendations of the Commission of Inquiry, until such time as it has implemented the said recommendations;
- (e) to resolve that the Bolivarian Republic of Venezuela should henceforth not receive any invitation to attend meetings, symposia and seminars organized by the ILO, except such meetings that have the sole purpose of securing immediate and full compliance with the said recommendations, until such time as it has implemented the recommendations of the Commission of Inquiry;
- (f) with regard to international organizations, to invite the Director-General to:
 - (i) circulate without delay the report of the Commission of Inquiry to the international organizations referred to in Article 12, paragraph 1, of the Constitution, and inform those organizations on the refusal of the Bolivarian Republic of Venezuela to comply with the recommendations issued by the Commission; ~~and~~
 - (ii) request the competent bodies of these organizations to examine, without delay and within the framework of their mandate and in the light of the conclusions and recommendations of the Commission of Inquiry, the cooperation links that they may have with the Member in question and, where appropriate, put an end as quickly as possible to any activity that could result in the consolidation of the violation of the imputed labor rights, directly or indirectly;
- (g) regarding the United Nations specifically, to invite the Director-General to transmit the report of the Commission of Inquiry without delay to the Human Rights Council, the relevant Special Procedures of the Human Rights Council, and the United Nations High Commissioner for Human Rights, and to inform them of the refusal of accepting the recommendations of the ILO Commission of Inquiry compliance;
- (h) to request the Director-General to give without delay wide visibility to the Report of the Commission of Inquiry through a communication campaign including in the ILO web page;
- ~~(h)~~(i) to invite the Director-General to present an annual report to the Governing Body and update the International Labour Conference in the reports of the Director-General on the results of the actions undertaken in accordance with the objectives of subparagraphs (c) and (d) above, and to inform the relevant

international organizations of any progress made by the Bolivarian Republic of Venezuela in applying the recommendations of the Commission of Inquiry.

2. Amendment submitted by the Workers' group

The Governing Body:

- (a) expressed its deepest concern regarding the Government's reply dated 10 August 2020 that it does not accept the recommendations of the Commission of Inquiry;
- (b) decided to include an item on the agenda of its 341st Session (March 2021) entitled "Consideration of all possible measures required to secure the Government of Venezuela's compliance with the recommendations of the Commission of Inquiry";
- (c) requested the Director-General to urgently intervene with the Government and discuss an agreement on establishing a Special Representative of the Director-General in Venezuela by March 2021 to ensure effective application of Conventions Nos 26, 87 and 144 in law and in practice in the country; and
- (d) requested the Director-General to present a report to its 341st Session (March 2021) on the results of the actions undertaken in accordance this decision.

3. Revised draft decision put forward jointly by the Employers' and Workers' groups, Brazil, Canada, Chile, Colombia, Costa Rica, Guatemala, Honduras, Paraguay, Peru, the United States and the European Union and its Member States to be considered by the Governing Body on 14 November 2020

The Governing Body:

- (a) deplored the Government's reply dated 10 August 2020 that it does not accept the recommendations of the Commission of Inquiry;
- (b) decided to include an item on the agenda of its 341st Session (March 2021) entitled "Consideration of all possible measures, including those foreseen in the ILO Constitution, required to ensure the Government's compliance with the recommendations of the Commission of Inquiry";
- (c) requested the Director-General to engage with the Government on the full implementation of the recommendations of the Commission of Inquiry by March 2021, and on the effective application of Conventions Nos. 26, 87 and 144 in law and in practice in the country, including by discussing a possible agreement on establishing a Special Representative of the Director-General;
- (d) requested the Government to establish and convene, with the support of the Office, before March 2021, a social dialogue forum, in line with point 4 under paragraph 497 of the Commission of Inquiry's report;
- (e) requested the Director-General to present a report to its 341st Session (March 2021) on actions taken by the Director-General, measures referred to in paragraphs (c) and (d), and relevant information on possible measures to ensure the Government's compliance with the recommendations of the Commission of Inquiry, including any progress made by the Government in implementing those recommendations.

► Appendix II

Statement by the Chairperson of the Staff Union Governing Body (340th Session, November 2020)

Chairperson, whom I congratulate on his election,
Director-General,
Delegates and colleagues,

It is my honour to deliver this address as Chairperson of the ILO Staff Union, representing two thirds of staff at headquarters and in the field.

I wish to begin by thanking the different groups of the Governing Body in this very unusual setting for giving me the floor to represent the Staff Union. This is justified for two reasons.

The first is that, following the highly successful ILO Centenary celebrations in 2019, the ILO Staff Union itself celebrated its 100th anniversary this year.

The Staff Union, founded in September 1920, chose the slogan “a century of struggle and solidarity” to pay tribute to the nine men and two women elected as its first representatives, as well as the staff representatives who followed in their footsteps, who work tirelessly at headquarters and in the field to represent the interests and rights of ILO employees and to occasionally remind the ILO and its governing organs of the Organization’s principles and values that they hold so dear.

The Staff Union is proud of the trade union culture that is so central and unique to our Organization. Therefore, despite the obstacles to the celebration of this event, the Staff Union has been able to hold most of its statutory meetings, the culmination of which was its entirely virtual global meeting in September 2020. The meeting brought together all staff representatives to update its vision and mission and adopt its five-year goals. Over the past ten months, the Staff Union has also been able to fully honour its mandate within the ILO, namely representing staff interests through constructive social dialogue.

This brings me to the second reason why the Staff Union deemed it important to take the floor. In these tough times, the best way for a trade union to celebrate its anniversary is to celebrate its usefulness and necessity. It is my duty to convey to you the feelings and mood among the men and women who have been ceaselessly working for their organization since the spring in the face of an ongoing public health crisis.

Like many workers around the world, ILO staff have been quick to adjust to these unprecedented working conditions and have therefore been able to start working immediately to tackle challenges directly linked to the Organization’s mandate and objectives, which is clearly much needed.

I wish to stress that this has been possible first and foremost thanks to the constant, professional and logistical, but also kind and understanding, support of the Director-General, the Deputy Directors-General and the entire management team. The administration has rolled out a centralized COVID-19 information portal, a tool developed largely in consultation with staff representatives, which we welcome.

Indeed, in the light of the public health crisis, there was an immediate need for the management team and the Staff Union to work together closely, often urgently and rather pragmatically, for the safety and protection of staff. Internal social dialogue worked. However, certain adjustments are still needed to ensure that, for example, safety and health committees are properly incorporated at headquarters and in the field in the overall framework of consultation between the administration and the Staff Union. This is no easy task; international organizations have employees in all corners of the world and must adapt their safety, protection and return-to-office measures, in accordance with the national guidelines in place in each country in which the Organization has a presence, while ensuring that all guidelines addressed to staff are consistent.

Staff mental health must also receive close attention. Some of my colleagues have been teleworking for nine months owing to medical reasons or restrictions and are therefore socially isolated from the world of work, while others have had to overcome the virus and one of our number passed away. Other climate and industrial disasters, such as the Beirut catastrophe, have also occurred during this difficult time, severely affecting our colleagues in the field and increasing the sources of anxiety. It must be said that this pandemic – which we are still facing in early November – is starting to affect the morale of the troops, to coin a phrase. Although my colleagues have thus far demonstrated exemplary professionalism, commitment and resilience, sometimes at the risk of overworking, it is now more vital than ever that the administration not only sustains and extends the ILO's characteristic benevolent support but also provides the Organization with the human and financial resources needed to keep facing the new challenges imposed on it by the public health crisis.

Ladies and gentlemen, having made these two points, I must as usual express the views of the staff representatives on the different documents submitted to this session of the Governing Body, two of which have attracted our attention in particular.

The first is document INS/9, which proposes an ILO disability inclusion policy and strategy aligned with the recently adopted United Nations Disability Inclusion Strategy (UNDIS).

The Staff Union has actively participated, both directly and through its federation, in the different stages that have punctuated the adoption of this strategy and has on many occasions, in various forums, decried the lack of understanding demonstrated by the United Nations administration of the vital role that trade unions should play in this process to improve the integration of workers with disabilities. Sadly, contrary to the statement in paragraph 2 of the document, the 15 indicators of the UNDIS accountability framework make little or no informed reference to this role. Fortunately, the fact that one of the indicators allows each organization to formulate its own policy gives us hope that the policy to be adopted by the ILO will indeed take into account, as mentioned in paragraph 5 of the document, "the unique structure, mandate and values of the ILO". The Staff Union has shared its misgivings concerning the appendix to this document with the ILO administration. This draft has been rushed out with the sole purpose of complying with the ever growing demands of the United Nations administration. We believe that workers with disabilities and their inclusion in the world of work deserve better. This document contains several structural flaws, occasionally confusing general policy objectives relating to the Organization's mandate with those directly related to its internal governance. This lack of clarity could significantly affect how the Organization applies this policy in future. If the ILO is actually to lead by example, this policy needs to be carefully considered and internal and external objectives and roles must be clarified.

Nevertheless, the Staff Union is convinced that the Governing Body will provide guidance to the administration to this end.

The second document that the Staff Union would like to discuss is the Update on the Human Resources Strategy 2018–21. This document was submitted to the Governing Body for information, but the Staff Union was alarmed by paragraph 8 in particular, which subtly echoes paragraph 184 of document PFA/2. The paragraph calls for greater “agility” and flexibility in the Organization’s workforce and refers to the preliminary work of the United Nations System Chief Executives Board for Coordination (CEB) Task Force on the Future of the United Nations System Workforce. As is often the case, this initiative is well-intentioned as the United Nations expressed support for the ILO Centenary Declaration for the Future of Work adopted last year, but the first interim report caused an outcry among all United Nations staff federations when they caught a glimpse of their potential fate. The initial proposals are completely at odds with the Noblemaire and Flemming principles and could, for example, have severe repercussions for the United Nations Joint Staff Pension Fund, since new categories of employees would end up without social protection or job security.

The ILO Staff Union finds it extremely difficult to grasp how the ILO administration, which is party to these interinstitutional forums, could allow the principles and values enshrined in its own Declaration – namely, the need for a human-centred approach – to be tarnished and fail to oppose proposals that fly completely in the face of its values and principles.

There is undoubtedly a need to design a future workforce for the United Nations system and staff representatives would certainly have had many suggestions to put forward had they been invited to the discussion.

There is no desire among staff to design an increasingly precarious future of work for staff throughout the United Nations system. The independence of the international civil service as envisaged by its founders must be preserved to ensure that staff are able to independently fulfil their mission; to that end, job security is a *sine qua non*. The Staff Union will closely monitor the work of this task force as it is conscious of the indirect consequences that it could have on its own ongoing internal negotiations with the administration. If it deems necessary, the Staff Union will not hesitate to mobilize its members to safeguard job security, one of the unique characteristics of international civil service.

In conclusion, ladies and gentlemen, as you have seen over the past ten months, despite the unusual and occasionally highly stressful situation, the Organization’s activities in all areas are continuing thanks to the combination of elements that make it unique: an eminently dependable leadership team, tripartite governance and, lest we forget, a dedicated and defiant staff without which the ILO’s activities and work could not move forward. They should be recognized and remembered in future programme and budget discussions so that, in better days to come, the ILO and its staff can maintain the quality of their activities with the same commitment that they have constantly demonstrated.

Thank you.

Catherine Comte-Tiberghien

3 November 2020