



## **Report of the Chairperson of the Governing Body to the International Labour Conference for the year 2014–15**

This report on the work of the Governing Body is submitted to the Conference in accordance with section 5.5.1 of the Standing Orders of the Governing Body. It covers the period since the last general session of the Conference (June 2014), i.e. the 321st (June 2014), 322nd (November 2014) and 323rd (March 2015) Sessions of the Governing Body. It focuses only on the highlights of the Governing Body's year, on the basis of the respective agendas, and does not cover any matter otherwise before the Conference.

For more extensive and detailed information on the work of the Governing Body, including the minutes of the three sessions under consideration, and the documents submitted to the committees and to the Governing Body itself, please refer to the Governing Body website.<sup>1</sup>

At the 103rd Session of the International Labour Conference (2014) the electoral colleges of the three groups met and renewed the composition of the Governing Body of the ILO for a three-year mandate from 2014–17. Meeting at its 321st Session, immediately after the closing of last year's Conference, the Governing Body elected its Officers<sup>2</sup> and then established the membership of its Committee on Freedom of Association, its Working Party on the Functioning of the Governing Body and the International Labour Conference (ILC), and the membership of the Board of the International Training Centre of the ILO, Turin.<sup>3</sup>

### **I. Institutional Section**

#### **1. Reports of the Committee on Freedom of Association: 372nd, 373rd, 374th Reports**

During the past year, the Committee on Freedom of Association examined 82 cases, and in 23 cases followed up the measures taken by member States to give effect to its recommendations. The Committee continued to observe a large increase in the number of complaints against alleged violations of freedom of association submitted to the special

<sup>1</sup> Visit [www.ilo.org/gb](http://www.ilo.org/gb).

<sup>2</sup> GB.321/INS/1.

<sup>3</sup> GB.321/INS/3(Rev.).

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procedure, but also noted with interest significant positive developments in the matters before it, including the release of detained trade union leaders and members, their reinstatement following anti-union dismissals and the registration of trade unions. In June and November 2014, and March 2015, the Governing Body approved the recommendations of the Committee on Freedom of Association set out in its 372nd, 373rd and 374th Reports<sup>4</sup> and the reports as a whole.

## **2. Matters arising out of the work of the 103rd Session of the ILC**

### ***Follow-up to the resolution concerning the second recurrent discussion on employment***

Following adoption of the resolution concerning the second recurrent discussion on employment carried out in the context of the 2008 ILO Social Justice Declaration for a Fair Globalization, with accompanying conclusions<sup>5</sup> by the 103rd Session of the ILC (2014), a follow-up plan was submitted for consideration by the Governing Body at its 322nd Session (October–November 2014).<sup>6</sup>

The plan outlined the proposed action by the Office to promote the strategic objective of full, decent, productive and freely chosen employment over the period of 2014–18. The follow-up plan covers action in support of the development of proactive, employment-centred inclusive growth strategies and balanced, coherent policy frameworks, well-articulated, both at the global and national levels. It features action in support of development of comprehensive employment policy frameworks, based on tripartite consultations and, as part of that framework, in the following thematic areas: pro-employment macroeconomic policy; sustainable enterprises; labour market policies, skills and employability; youth employment; industrial, sectoral, trade and investment policies and transition to sustainable development; and transition from the informal to the formal economy. The actions encompass assistance to constituents through: (i) technical cooperation, including capacity building; (ii) standards-related actions; (iii) knowledge development and dissemination; and (iv) partnership and advocacy. The follow-up plan entails a great deal of intra-Office cooperation and coordination in particular with respect to the implementation of a comprehensive employment policy and policy-oriented research, including research on new emerging issues, led by the Employment Policy Department in cooperation with all other relevant departments and field offices.

The Governing Body adopted the follow-up plan and requested the Director-General to draw on it when preparing future programme and budget proposals, developing resource mobilization initiatives and, to the extent possible, implementing the Programme and Budget for the 2014–15 biennium.<sup>7</sup>

<sup>4</sup> GB.321/INS/4, GB.322/INS/10 and GB.323/INS/9.

<sup>5</sup> ILC.103/PR/12(Rev.).

<sup>6</sup> GB.322/INS/4/1.

<sup>7</sup> GB.322/PV, para. 36.

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### **3. Follow-up to the adoption of the Protocol and Recommendation on supplementary measures for the effective suppression of forced labour**

The Governing Body endorsed the follow-up strategy to promote rapid ratification and effective implementation of the Protocol of 2014 to the Forced Labour Convention, 1930, and the supplementary Recommendation No. 203, adopted at the 103rd Session of the International Labour Conference.<sup>8</sup> The strategy for 2015–20 is based on a four-pronged approach aimed at: (a) promoting ratification of the Protocol and implementation of the new instruments; (b) strengthening institutions, laws and national action plans; (c) enhancing current efforts to collect reliable national statistics, to carry out research and share knowledge; and (d) facilitating and supporting partnerships. The Governing Body requested the Office to draft a detailed action plan with measurable targets and indicators, taking into account the Governing Body discussion. It also requested the Director-General to support resource mobilization for the implementation of this strategy.<sup>9</sup>

### **4. Agenda of the International Labour Conference**

At its 322nd Session the Governing Body adopted a strategic and coherent approach to setting the Conference agenda for the 106th (2017), 107th (2018) and 108th (2019) Sessions of the Conference.<sup>10</sup> The Governing Body agreed that the elements highlighted by the Office should be taken into account in coordinating to the fullest extent possible the agendas of the Conference sessions in the lead-up to the centenary session in 2019. In particular, the longer term focus involved in this approach would help in enhancing the linkages between the Conference agenda and the preparation of the Strategic Policy Framework for 2018–21. It would also offer the opportunity to enhance coordination and coherence with the implementation of the centenary initiatives. Further, the Governing Body postponed, to its 323rd Session (March 2015), consideration of three proposed items, namely effective ILO development cooperation in a changing global context (general discussion), violence against women and men in the world of work (standard setting, double discussion), labour migration (general discussion). It provided guidance on the removal from its consideration of the proposal concerning building a diverse and inclusive world of work; the action to be taken regarding the proposal concerning the public sector; the temporary removal from its consideration, pending further work from the Office, of four subjects (resolution of labour disputes; transition of the world of work to a low-carbon economy; non-standard forms of employment; long-term unemployment); and the arrangements to be made to enable constituents to submit further suggestions for the Conference agenda.

At its 323rd Session (March 2015), the Governing Body provided further guidance on the implementation of the strategic and coherent approach, in preparation for its discussion at its 325th Session (November 2015). It decided to place the agenda of the Conference on the agenda of its 325th Session, with due consideration given to the discussion that took place at the 323rd Session (March 2015).<sup>11</sup>

<sup>8</sup> GB.322/INS/4/2.

<sup>9</sup> GB.322/PV, para. 45.

<sup>10</sup> GB.322/PV, para. 17

<sup>11</sup> dec-GB.323/INS/2.

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## **5. Preparation for the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization by the 105th Session of the International Labour Conference (2016)**

At its 320th Session (March 2014), the Governing Body decided to place the evaluation of the impact of the ILO Declaration on Social Justice for a Fair Globalization on the agenda of the 105th Session (2016) of the Conference.<sup>12</sup> At its 322nd Session (November 2014), the Governing Body provided general guidance on the scope and modalities of the evaluation. Broad consensus emerged. With regard to scope, members of the Governing Body placed emphasis on reviewing both the action that had and had not been taken by member States, the Organization and the Office. Support was expressed for sending a questionnaire to member States to obtain information otherwise unavailable to the Office provided that the questionnaire was succinct, one-off and did not create any additional reporting burden. It requested the Office to prepare concrete proposals for consideration at its 323rd Session (March 2015), taking into account the views expressed by its members.<sup>13</sup>

At its 323rd Session (March 2015), the Governing Body again discussed the preparation for the evaluation of the impact of the Social Justice Declaration, with focus on: the possible principal areas of the Conference evaluation; further proposals regarding the scope and arrangements for the evaluation, and the schedule for the preparation leading up to the Conference discussion in 2016.<sup>14</sup> Members of the Governing Body acknowledged the significance of the evaluation and welcomed the linkages with activities related to the ILO's centenary, the 2017 recurrent discussion on fundamental principles and rights at work, the post-2015 sustainable development agenda and the Strategic Policy Framework 2018–21. It was agreed that the questionnaire should seek to obtain information on policy coordination and coherence as called for by the Declaration, particularly across the relevant ministries. Members of the Governing Body also agreed that the ILO should move forward in making appropriate arrangements for the participation of interested multilateral organizations in the evaluation. The Governing Body supported the schedule with emphasis on Geneva-based tripartite involvement in the preparations for the 2016 Conference discussion.

## **6. Report of the Working Party on the Functioning of the Governing Body and the International Labour Conference**

The Working Party on the Functioning of the Governing Body and the International Labour Conference met at the 322nd (November 2014) and 323rd (March 2015) Sessions. On both occasions I, as Chairperson of the Working Party, provided a brief oral report of its work to the Governing Body plenary.<sup>15</sup> In November, the Working Party analysed the arrangements that had been trialled at the 103rd Session of the Conference (2014), provided guidance on a series of proposed arrangements for the 104th Session of the

<sup>12</sup> GB.320/PV, para. 351.

<sup>13</sup> GB.322/PV, para. 27.

<sup>14</sup> GB.323/INS/3.

<sup>15</sup> GB.322/INS/12(Rev.) and GB.323/INS/10.

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Conference (2015) and identified a number of outstanding issues, laying greatest emphasis on the need to re-examine the procedure for setting the agenda of the Conference.<sup>16</sup> It requested the Office to finalize a plan of work for the 104th Session of the Conference, for the Governing Body to consider at its March 2015 session, taking into account the reforms agreed and in particular allowing the Conference to complete its work in a two-week time frame.<sup>17</sup> It noted that this would ultimately require amendments to the Standing Orders of the Conference and established a timetable for this, under which the Standing Orders Committee of the Conference would convene at the 105th Session of the Conference (2016).

At its meeting in March 2015, which benefited from input from inter-sessional tripartite consultations held on 10 February 2015, the Working Party proposed that the Conference implement, on a trial basis, the arrangements put forward for a two-week session of the Conference<sup>18</sup> at the 104th Session, and tasked the Office subsequently with analysing the trialled format to allow the 325th Session (November 2015) of the Governing Body to draw lessons from the experience and take appropriate decisions. At the March session the Working Party also followed up on the review of the implementation of the Governing Body reform introduced in November 2011. As Chairperson, I was pleased to note continued strong support for the reform in general, while the Governing Body made a certain number of suggestions, which included changing the name of its Technical Cooperation Segment to “Development Cooperation” Segment, and provided further guidance to the Office. The Governing Body instructed the Office to review the text of the Standing Orders of the Governing Body and the Introductory note, in order to eliminate some observed disparities between the two. It also requested the Office to improve the current format of the supplementary report of the Director-General describing the follow-up action taken by the Office as a result of previous decisions.<sup>19</sup>

## **7. Strategy for wider ILO engagement with the private sector**

Following a discussion of this subject at the 320th Session of the Governing Body (March 2014)<sup>20</sup> at which it had not been possible to find a common understanding, the Governing Body decided to defer its consideration of the strategy for ILO wider engagement with the private sector until its 321st Session (June 2014).<sup>21</sup>

A new document was presented at the 321st Session<sup>22</sup> and was approved by all parties.<sup>23</sup> It established an internal procedure to engage with the private sector. Following

<sup>16</sup> See section 4 above.

<sup>17</sup> GB322/PV, para. 287.

<sup>18</sup> GB.323/WP/GBC/1(Rev.1).

<sup>19</sup> GB.323/INS/10, para. 17.

<sup>20</sup> GB.320/INS/5/1.

<sup>21</sup> GB.320/PV, para. 99.

<sup>22</sup> GB.321/INS/6.

<sup>23</sup> GB.321/PV, para. 75.

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this decision, an Office Procedure reflecting the agreement reached in the Governing Body was issued on 5 November 2014. The relationship manager for enterprises wishing to engage with the ILO would be ACT/EMP, and for workers, ACTRAV, while the Enterprises Department would have a technical function.

## **8. Review of the rules for payment of travel expenses**

### ***Rules for payment of travel expenses of members of the Governing Body and of certain committees and other bodies***

### ***Rules for payment of travel expenses of members of committees***

At its 321st Session (June 2014), the Governing Body considered a document<sup>24</sup> proposing amendments to the “Rules for the payment of travel expenses of members of the Governing Body and of certain committees and other bodies” and to the “Rules for the payment of travel expenses of members of committees”. In approving, the Governing Body aligned the travel rules to those applicable to ILO staff. The potential savings per biennium were estimated at US\$500,000.

## **9. Report of the Director-General**

### ***Appointment of Assistant Directors-General***

At its 321st (June 2014) and 323rd (March 2015) Sessions respectively, the Governing Body noted that the Director-General, after having duly consulted the Officers of the Governing Body, had appointed Mr Heinz Werner Koller as Regional Director of the ILO Regional Office for Europe and Central Asia with effect from 1 June 2014;<sup>25</sup> and Ms Tomoko Nishimoto as Regional Director of the ILO Regional Office for Asia and the Pacific, with effect from 12 January 2015. Both appointments were made at the Assistant Director-General level.<sup>26</sup>

### ***Update on the internal reform***

In October–November 2014 and March 2015, the Director-General reported on progress in implementation of his reform agenda for the Office.<sup>27</sup> All three groups expressed their support for the process.<sup>28</sup>

<sup>24</sup> GB.321/INS/8.

<sup>25</sup> GB.321/PV, para. 85.

<sup>26</sup> GB.323/INS/11/4, para. 4.

<sup>27</sup> GB.322/INS/13/1.

<sup>28</sup> GB.322/PV, para. 308.

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## ***Follow-up to the centenary initiatives***

In November 2014, the Director-General reported on progress regarding implementation of the centenary initiatives<sup>29</sup> as requested at the Governing Body's 319th Session (November 2013).<sup>30</sup> The Governing Body provided its guidance both in general and with regard to the framework suggested in the Director-General's Report for the green initiative and the women at work initiative, as well as the thematic issues to be taken up by the future of work initiative. The Director-General welcomed the Governing Body's support and comments and provided further information with particular regard to the process envisaged for the future of work initiative. The Governing Body decided to consider the next annual report on progress regarding the centenary initiatives at its 325th Session (November 2015).<sup>31</sup>

## ***Monitoring and assessment of the progress toward decent work at national level***

The March 2015 Governing Body reviewed the results of two recent evaluations on the ILO's work in some 20 countries to develop decent work indicators and decent work profiles.<sup>32</sup> A number of constituents highlighted the valuable experience gained through the tripartite dialogue integrated in these efforts to assess progress towards decent work. Many expressed appreciation for the Office's support in raising member States' statistical capacities through this work, which had resulted in more and higher quality statistics for monitoring decent work at the national level. It was also noted that the profiles had been useful in policy-making and development planning as well as for the development of Decent Work Country Programmes. The creation of comparable decent work indicators had put the Office on very solid footing for the development of indicators for the post-2015 sustainable development goals. The Governing Body requested the Director-General to take account of its guidance in enhancing support to constituent capacities to improve tools and methodologies, including statistical data to monitor and assess progress towards decent work, and towards goals and targets of the envisaged post-2015 development agenda.<sup>33</sup>

## ***Relocation of the Regional Office for Africa (RO-Africa) to Abidjan***

At its session in March 2015, the Governing Body noted that the Director-General had decided to initiate the process of returning ILO structures to Abidjan, Côte d'Ivoire from the current temporary location in Addis Ababa, Ethiopia.<sup>34</sup> The decision had been coordinated with the Governments of the two countries, which had shown full understanding. The relocation process was expected to be completed by mid-2016. It would commence with the re-establishment of a fully operational Country Office in Abidjan covering Côte d'Ivoire and other countries in the West Africa region. The present

<sup>29</sup> GB.322/INS/13/2.

<sup>30</sup> GB.319/PV, para. 46.

<sup>31</sup> GB.322/PV, para. 330.

<sup>32</sup> GB.323/INS/11/1.

<sup>33</sup> dec-GB.323/INS/11/1.

<sup>34</sup> GB.323/INS/11(Add.).

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number and location of Decent Work Technical Support Teams in the region (Cairo, Dakar, Pretoria and Yaoundé) would be maintained. All efforts would be made to ensure that the relocation process would not affect the organization of the 13th African Regional Meeting.<sup>35</sup>

### ***Developments in relation to the International Organization for Standardization, including in the field of occupational safety and health***

At its 323rd Session, the Governing Body reviewed an assessment by the Office<sup>36</sup> of the pilot implementation of the agreement between the ILO and the International Organization for Standardization (ISO), authorized by the Governing Body in March 2013<sup>37</sup> and other aspects of the ILO's relationship with ISO. The Governing Body noted the progress made but expressed concern at continuing challenges of recent collaboration with the ISO, including in relation to the Agreement's commitment to respect and support international labour standards in the drafting of ISO standards. The Governing Body requested the Director-General to seek urgently to resolve with the ISO, through high-level contacts, the disputed interpretation over certain elements of the Agreement. It further decided to extend the pilot implementation of the 2013 ILO–ISO agreement, for the time necessary for the ILO's effective participation in the development of ISO 45001 on occupational health and safety management systems and up to one year, and to review the implementation of the ILO–ISO agreements at its 325th Session (November 2015).<sup>38</sup>

## **10. Reports of the Officers of the Governing Body**

### ***Arrangements for a Tripartite Meeting of Experts on sustainable development, decent work and green jobs***

At its 320th Session (March 2014), the Governing Body was provided with the information requested on the rationale for, and overall purpose of, a possible tripartite meeting on sustainable development, decent work and green jobs.<sup>39</sup> In the light of this information, it recommended the organization of a tripartite meeting of experts to review, amend and adopt draft policy guidelines along the lines set out in the report, subject to the availability of financial resources, and invited the Office to submit a proposal for the arrangements of such a meeting, including its intended outcome, composition, place and date, duration, costs and financing, to the 321st Session (June 2014) of the Governing Body. Such a proposal<sup>40</sup> was subsequently put forward by the Office and agreed at the 321st Session of the Governing Body.<sup>41</sup>

<sup>35</sup> See below, "Arrangements for the 13th African Regional Meeting".

<sup>36</sup> GB.323/INS/11/2.

<sup>37</sup> GB.317/PV, para. 292.

<sup>38</sup> dec-GB.323/INS/11/2.

<sup>39</sup> GB.320/INS/3/2.

<sup>40</sup> GB.321/INS/10/1.

<sup>41</sup> GB.321/PV, para. 93.



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**Conclusions of the Meeting of Experts  
on Non-Standard Forms of Employment  
(Geneva, 16–19 February 2015)**

At its 321st Session in June 2014, the ILO Governing Body decided to convene a Tripartite Meeting of Experts on Non-Standard Forms of Employment.<sup>42</sup> The decision was taken following the Conference recurrent discussion on fundamental principles and rights at work, which took place in June 2012, and which called upon the Office to organize such a meeting.<sup>43</sup> The Tripartite Meeting of Experts on Non-Standard Forms of Employment took place in Geneva from 16 to 19 February 2015. The Office prepared a background report for the Meeting.<sup>44</sup>

In line with the agenda approved by the Governing Body, the Meeting discussed the trends and driving forces with regard to non-standard forms of employment and their impact on workers, firms and the labour market; the experience of countries, including regulatory responses, to address potential vulnerabilities associated with non-standard forms of employment; the challenges for realizing the fundamental principles and rights at work and other rights for workers in non-standard forms of employment; how to better use existing international labour standards to address non-standard forms of employment and the existence of possible gaps in this domain; and priorities for ILO action. The Meeting unanimously adopted conclusions, which proposed measures to be taken by governments, employers and workers to address potential decent work deficits with respect to non-standard forms of employment and included recommendations for future action by the Office.

The report of this Tripartite Meeting of Experts on Non-Standard Forms of Employment was submitted to the 323rd Session of the Governing Body (March 2015).<sup>45</sup> The Governing Body requested the Director-General to publish the conclusions of the Meeting; recommended that the final report and the conclusions of the Meeting should be taken into consideration during the recurrent discussion on social protection (labour protection) to be held at the 104th Session of the International Labour Conference; and requested the Director-General to bear in mind, when drawing up proposals for future work of the Office, the wishes expressed in the conclusions for follow-up action by the ILO.<sup>46</sup>

<sup>42</sup>GB.321/PV, para. 107.

<sup>43</sup> ILO: *Provisional Record No. 15*, International Labour Conference, 101st Session, Geneva, 2012. Available at: [http://www.ilo.org/ilc/ILCSessions/101stSession/reports/provisional-records/WCMS\\_182951/lang--en/index.htm](http://www.ilo.org/ilc/ILCSessions/101stSession/reports/provisional-records/WCMS_182951/lang--en/index.htm).

<sup>44</sup> ILO: *Non-Standard forms of employment*, Report for discussion at the Meeting of Experts on Non-Standard Forms of Employment, Geneva, 16–19 February 2015. The report is available at: [http://www.ilo.org/global/topics/employment-security/non-standard-employment/whatsnew/WCMS\\_336934/lang--en/index.htm](http://www.ilo.org/global/topics/employment-security/non-standard-employment/whatsnew/WCMS_336934/lang--en/index.htm).

<sup>45</sup> GB.323/POL/3.

<sup>46</sup> GB.323/POL/3, para. 5.

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***Complaint concerning non-observance by Qatar of the Forced Labour Convention, 1930 (No. 29), and the Labour Inspection Convention, 1947 (No. 81), made by delegates to the 103rd Session (2014) of the International Labour Conference under article 26 of the ILO Constitution***

At the 103rd Session of the International Labour Conference, the Director-General of the International Labour Office, received a communication dated 12 June 2014, signed by 12 Workers' delegates, filing a complaint under article 26 of the Constitution of the International Labour Organization against the Government of Qatar relating to the violation of the Forced Labour Convention, 1930 (No. 29) and the Labour Inspection Convention, 1947 (No. 81).

At its 322nd Session (November 2014), the Governing Body, acting upon the recommendation of its Officers, who had found the complaint receivable, requested the Director-General to transmit the complaint to the Government, inviting it and the employers' and workers' organizations of Qatar to provide their observations thereon by 31 January 2015. The Governing Body also deferred the decision to establish a commission of inquiry to its 323rd Session (March 2015).<sup>47</sup>

An invitation was extended by the Ministry of Labour and Social Affairs on behalf of the Government of Qatar on 16 January 2015, to the International Labour Standards Department to undertake a high-level mission to the country. This mission took place from 7 to 11 February 2015.

At its 323rd Session (March 2015), the Governing Body took the following decision:

On the basis of discussions which had taken place, the Governing Body decided:

- (a) to request the Government of Qatar to submit to the Governing Body for consideration at its 325th Session (November 2015), information on action taken to address all issues raised in the complaint;
- (b) to defer further consideration of agenda item GB.323/INS/8 until the 325th Session (November 2015) of the Governing Body, in light of the information referred to in paragraph (a) above.<sup>48</sup>

***Arrangements for the 13th African Regional Meeting***

In November, the Governing Body confirmed the arrangements for the holding of the 13th African Regional Meeting in Addis Ababa, Ethiopia, from 30 November to 3 December 2015, and approved the agenda for the Meeting.<sup>49</sup>

<sup>47</sup> GB.322/PV, para. 352.

<sup>48</sup> dec-GB.323/INS/8(Rev.1).

<sup>49</sup> GB.322/PV, para. 356.

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## 11. The Standards Initiative: Follow-up to the 2012 ILC Committee on the Application of Standards

At its 322nd Session (November 2014), the Governing Body took the following decision:

Further to the wide-ranging discussion held under the fifth item on the agenda of the Institutional Section, the Governing Body decided to:

- (1) convene a three-day tripartite meeting in February 2015, open to observers with speaking rights through their group, to be chaired by the Chairperson of the Governing Body and composed of 32 Governments, 16 Employers and 16 Workers with a view to reporting to the 323rd Session (March 2015) of the Governing Body on:
  - the question of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), in relation to the right to strike; and
  - the modalities and practices of strike action at national level;
- (2) place on the agenda of its 323rd Session, the outcome and report from this meeting on the basis of which the Governing Body will take a decision on the necessity or not for a request to the International Court of Justice to render an urgent advisory opinion concerning the interpretation of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), in relation to the right to strike;
- (3) take the necessary steps to ensure the effective functioning of the Committee on the Application of Standards at the 104th Session of the International Labour Conference, and to this end reconvene the Working Group on the Working Methods of the Conference Committee on the Application of Standards to prepare recommendations to the 323rd Session of the Governing Body in March 2015, in particular with regard to the establishment of the list of cases and the adoption of conclusions;
- (4) defer at this stage further consideration of the possible establishment of a tribunal in accordance with article 37(2) of the Constitution;
- (5) as part of this package, refer to the 323rd Session of the Governing Body the following:
  - (a) the launch of the Standards Review Mechanism (SRM), and to this effect establish a tripartite working party composed of 16 Governments, eight Employers and eight Workers to make proposals to the 323rd Session of the Governing Body in March 2015 on the modalities, scope and timetable of the implementation of the SRM;
  - (b) a request to the Chairperson of the Committee of Experts on the Application of Conventions and Recommendations (CEACR), Judge Abdul Koroma (Sierra Leone), and the Chairperson of the Committee on Freedom of Association (CFA), Professor Paul van der Heijden (Netherlands), to jointly prepare a report on the interrelationship, functioning and possible improvement of the various supervisory procedures related to articles 22, 23, 24 and 26 of the ILO Constitution and the complaints mechanism on freedom of association.<sup>50</sup>

At its 323rd Session (March 2015), the Governing Body took the following decision:

The Governing Body:

- (a) took note of the outcome and report of the Tripartite Meeting on the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), in relation to the right to strike and the modalities and practices of strike action at national level;
- (b) pursuant to the decision taken at the 322nd Session of the Governing Body (November 2014), decided, in light of the outcome and report of the Tripartite Meeting, not to

<sup>50</sup> GB.322/PV, para. 209.

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pursue for the time being any action in accordance with article 37 of the Constitution to address the interpretation question concerning Convention No. 87 in relation to the right to strike;

- (c) decided to take the necessary steps to ensure the effective functioning of the Committee on the Application of Standards at the 104th Session of the International Labour Conference (June 2015), taking into account any recommendations made by the Working Group on the Working Methods of the Conference Committee on the Application of Standards, in particular with regard to the establishment of the list of cases and the adoption of conclusions;
- (d) called on all parties concerned, in light of the commitments made at the Tripartite Meeting and at the 323rd Session of the Governing Body (March 2015), to contribute to the successful conclusion of the work of the Conference Committee on the Application of Standards at the 104th Session of the International Labour Conference (June 2015);
- (e) decided to establish under the Standards Review Mechanism (SRM) a tripartite working group composed of 32 members: 16 representing Governments, eight representing Employers and eight representing Workers to meet once per year for one week;
- (f) requested the Director-General to prepare draft terms of reference for the tripartite SRM working group for its consideration and submission to the 325th Session of the Governing Body (November 2015) for decision;
- (g) decided that this tripartite SRM working group would report to the Governing Body at its 325th Session in November 2015 on progress made in the implementation of the SRM;
- (h) requested the Chairperson of the Committee of Experts on the Application of Conventions and Recommendations (CEACR), Judge Abdul Koroma (Sierra Leone), and the Chairperson of the Committee on Freedom of Association (CFA), Professor Paul van der Heijden (Netherlands), to jointly prepare a report, to be presented to the 326th Session of the Governing Body (March 2016), on the interrelationship, functioning and possible improvement of the various supervisory procedures related to articles 22, 23, 24 and 26 of the ILO Constitution and the complaints mechanism on freedom of association;
- (i) decided that the cost of the measures proposed in document GB.323/INS/5 estimated to cost up to \$226,800 in 2015 and up to \$707,200 in 2016–17 be financed in the first instance from savings in Part I of the budget for the respective bienniums or, failing that, through Part II, on the understanding that should this subsequently prove impossible, the Director-General would propose alternative methods of financing;
- (j) decided to place on the agenda of its 328th Session (November 2016) an overall review of this decision, without prejudice to any other issue arising out of the standards initiative requiring prior consideration.<sup>51</sup>

## **12. The post-2015 sustainable development agenda: Update**

In November 2014, the Governing Body reviewed progress in formulating the post-2015 sustainable development framework<sup>52</sup> and was invited to recommend to the tripartite constituents, and to request the Director-General, to strengthen work under the six-point strategy for engagement agreed upon at its 319th Session of October 2013.<sup>53</sup> The

<sup>51</sup> dec-GB.323/INS/5.

<sup>52</sup> GB.322/INS/6.

<sup>53</sup> GB.322/PV, para. 231.

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constituents welcomed the references to decent work in the UN General Assembly Open Working Group's (OWG) Proposal for Sustainable Development Goals (SDGs) of July 2014, and in particular its inclusion in goal 8 to "Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all." The Governing Body interventions made clear the importance of ensuring that the four pillars of decent work were included in the post-2015 sustainable agenda. The challenges member States and partners would face in the last round of negotiations and the support they would need in implementing the goals were also stressed.

### **13. Report of the 18th American Regional Meeting and Lima Declaration (Lima, 13–16 October 2014)**

The Governing Body received the report of the 18th American Regional Meeting<sup>54</sup> and the Meeting's conclusions: the "Lima Declaration", at its November 2014 session. Representatives from the region spoke in warm support of the Lima Declaration, noting that it was a clear expression of the political will to attain ambitious goals in a number of areas of crucial importance. The Governing Body requested the Director-General to draw the attention of ILO constituents to the Lima Declaration, and to take it into consideration when implementing current programmes and in developing future programme and budget proposals.<sup>55</sup>

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

At its 320th Session (March 2014), the Governing Body decided to defer to its 322nd Session (November 2014) a decision on the appointment of a commission of inquiry to examine the complaint made by delegates to the 101st Session (June 2012) of the ILC under article 26 of the ILO Constitution concerning non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).<sup>56</sup>

The 322nd Session of the Governing Body again deferred the issue to its 323rd Session (March 2015).<sup>57</sup> This decision was based on the report of the September 2014 ILO mission to Guatemala in follow-up to the roadmap adopted on 17 October 2013 by the Government of Guatemala in consultation with the national social partners, with a view to expediting the application of the Memorandum of Understanding concluded between the Workers' group of the Governing Body of the ILO and the Government of Guatemala on 26 March 2013.

<sup>54</sup> GB.322/INS/7.

<sup>55</sup> GB.322/PV, para. 242.

<sup>56</sup> GB.320/PV, para. 193.

<sup>57</sup> GB.322/PV, para. 256.

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In addition, the Governing Body requested the Office to provide the Officers of the Governing Body, at its 323rd Session, with an update on the progress made and to include the information provided by the Government and the employers' and workers' organizations of Guatemala.<sup>58</sup>

At the March session, in light of the information sent by the Government and the employers' and workers' organizations of Guatemala in February 2015 and summarized in document GB.323/INS/6, the Governing Body decided to defer again until its 325th Session (November 2015) the question of the appointment of a commission of inquiry. It also decided to request the Government to take without delay, with the assistance of the Office and in consultation with the social partners, all the measures necessary to fully implement the roadmap, including measures to address the priority areas that continued to require additional and urgent action; to request the Office to provide the Officers of the Governing Body, at its 324th Session (June 2015), with updated information on the progress made, based on clear indicators and results achieved, including information provided by the Government and employers' and workers' organizations of Guatemala, in particular on the follow-up given to the points of the roadmap; and to include this item on the agenda of its 324th Session (June 2015) in order to decide whether other measures would need to be adopted in relation to this complaint.<sup>59</sup>

**15. Complaint concerning non-observance by Fiji of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), made by delegates to the 102nd Session (2013) of the International Labour Conference under article 26 of the ILO Constitution**

The Governing Body continued to consider the complaint under article 26 of the ILO Constitution against the Government of Fiji for persistent and grave violations of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), which was submitted by a number of Workers' delegates at the 102nd Session (2013). The Governing Body had decided that the complaint was receivable at its 319th Session (October 2013)<sup>60</sup> and in March 2014 had called on the Government of Fiji to accept the postponed ILO direct contacts mission.<sup>61</sup> At its 322nd Session in November 2014, the Governing Body, taking into account the information contained in the report of the direct contacts mission to Fiji,<sup>62</sup> deferred until its 323rd Session (March 2015) the decision on the appointment of a commission of inquiry and invited the Government to provide follow-up information on the complaint.<sup>63</sup> At its 323rd Session in March 2015, the Governing Body, taking into account the Tripartite Agreement recently signed by the Government of the Republic of Fiji, the Fiji Trades Union Congress (FTUC) and the Fiji

<sup>58</sup> *idem*.

<sup>59</sup> GB.323/INS/6(Rev.), para. 45.

<sup>60</sup> GB.319/PV, para. 293.

<sup>61</sup> GB.320/PV, para. 224.

<sup>62</sup> GB.322/INS/9/2.

<sup>63</sup> GB.322/PV, para. 269.

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Commerce and Employers' Federation (FCEF),<sup>64</sup> requested the Government and the social partners, in accordance with the Tripartite Agreement, to submit a joint implementation report to its 324th Session (June 2015) and deferred until its 325th Session (November 2015) the question of establishing a commission of inquiry.<sup>65</sup>

## **16. Reports of the 76th and 77th Sessions of the Board of the International Training Centre of the ILO, Turin**

The 76th Session of the Board of the International Training Centre of the ILO was held in Geneva on 28 May 2014. The Board was convened on an exceptional basis to adopt the Financial Statements for 2013. The 77th Session of the Board was held in Turin on 30–31 October 2014. The reports of both the 76th and 77th Sessions of the Board were submitted to the 322nd Session (November 2014) of the Governing Body.<sup>66</sup> The Governing Body took note of the reports of both meetings.<sup>67</sup>

## **17. Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013)**

At its March 2015 session, the Governing Body examined a report from the ILO Liaison Officer in Myanmar, reviewing the situation in Myanmar on issues relating to ILO activities, including forced labour, freedom of association, and the impact of foreign investment on decent working conditions.<sup>68</sup> The Governing Body noted that while progress had been made, a number of fundamental activities required under the Action Plan for the Elimination of Forced Labour in Myanmar by 2015 had not yet been implemented. It therefore requested the Director-General to prepare a report for consideration at its 325th Session (November 2015) on the implementation and possible need for extension of the Action Plan, the status of any outstanding individual cases including those specifically referred to in the report, and steps necessary to ensure prosecution and accountability of those who had exacted forced labour. It called on the Government of Myanmar to take all necessary actions to ensure compliance with the Forced Labour Convention, 1930 (No. 29), and requested the Government to submit, to the November 2015 session, a report on the measures it would take to do so in the shortest possible time.<sup>69</sup>

<sup>64</sup> GB.323/INS/7(Rev.1), Appendix II.

<sup>65</sup> GB.323/INS/7(Rev.1), para. 3.

<sup>66</sup> GB.322/INS/11/1; GB.322/INS/11/2.

<sup>67</sup> GB.322/PV, para. 285.

<sup>68</sup> GB.323/INS/4.

<sup>69</sup> GB.323/INS/4(Add.), para. 1.

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## II. Policy Development Section

### 18. Employment and Social Protection Segment

#### ***Area of critical importance: Promoting more and better jobs for inclusive growth***

At its 322nd Session (November 2014), the Governing Body examined an Office paper on “Area of critical importance: Promoting more and better jobs for inclusive growth”.<sup>70</sup> The paper provided an overview of the main elements of the strategy for this area of critical importance and reported on progress made on its implementation. The goal of this area of critical importance (ACI) is to support ILO constituents in their efforts to design and implement policies that help create more and better jobs and tackle inequalities. To achieve this, an integrated strategy that included research on “what works” and the development of policy tools, policy advice and capacity building was put forward.

The Governing Body noted with satisfaction the progress made under this ACI and welcomed the breadth of work being undertaken within this ACI but remarked the specific character of this particular ACI as an overarching framework for the other ACIs and requested that relationships with other ACIs be made more explicit. It also stressed the importance of closer Office-wide coordination and inclusion of all elements of the 2014 resolution and conclusions of the second recurrent discussion on employment, in particular regarding the topics of the enabling environment for sustainable enterprises, youth employment, gender equality and transition to formality.

The Governing Body requested the Director-General to take account of its guidance, as well as the guidance provided in the 2014 ILC conclusions concerning the second recurrent discussion on employment, in particular the integrated approach and improved cross-departmental coordination outlined in those conclusions, in implementing the strategy for the ACI on “Promoting more and better jobs for inclusive growth”.<sup>71</sup>

#### ***Area of critical importance: Promoting decent work in the rural economy***

In November 2014, the Governing Body discussed the area of critical importance on the promotion of decent work in the rural economy, including its strategic orientation, focus areas, main deliverables, conclusions and results thus far, on the basis of an Office report.<sup>72</sup>

The discussions demonstrated the breadth of support and commitment across the Government group for the objectives and work of the ACI. The Employers’ group highlighted the need for clear alignment with pertinent resolutions and conclusions of the International Labour Conference as well as relevant decisions of the Governing Body, whereas the Workers’ group, while supporting selected priorities of this ACI, emphasized the importance of keeping focus on issues where the ILO had comparative advantage.

<sup>70</sup> GB.322/POL/1.

<sup>71</sup> GB.322/PV, para. 402.

<sup>72</sup> GB.322/POL/2.



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This guidance was considered in the development of the Programme and Budget proposals for 2016–17 related to this area of work. In addition, in response to requests by the Governing Body for further information, a paper was submitted to the 323rd Session of the Governing Body clarifying the linkages between the 2008 ILC resolution and conclusions on promoting rural employment for poverty reduction and the ACI’s strategy and activities, and highlighting how work on this ACI added value to the efforts of other UN agencies, funds and programmes active in the field of rural development.<sup>73</sup>

***Area of critical importance: Protecting workers from unacceptable forms of work***

At its 323rd Session (March 2015), the Governing Body examined an office paper on this ACI.<sup>74</sup>

The Employers’ group pointed out that this ACI did not constitute a new ILO concept but rather sought to identify situations that could be recognized as being unacceptable based on the existing tripartite consensus, as reflected in the definition adopted in the Programme and Budget for 2014–15. Nonetheless, further clarity was needed regarding the scope or specifics of “unacceptable forms of work”. The Employers’ group agreed that ILO resources should be directed towards workers in those countries, sectors or industries where unacceptable situations were more widely prevalent. They also underlined that, while there was an important link between unacceptable work and informality, not all work in the informal economy could be viewed as unacceptable.

The Workers’ group contended that the notion of “unacceptable forms of work” incorporated the denial of the fundamental principles and rights at work, including freedom of association and collective bargaining, and that its added value lied in its encompassing also issues such as occupational safety and health, working time and wages. With regard to the latter, the intention was to tackle the issue of unduly low wages that were insufficient to lift a family out of poverty. The Workers’ group endorsed the proposed integrated action to tackle decent work deficits, and welcomed the production of facts sheets and policy briefs regarding innovative approaches towards protecting workers from unacceptable forms of work.

Governments stressed the importance of developing a common understanding of the concept of unacceptable forms of work, while underlining that the recognition of fundamental rights at work should be the starting point to tackle such forms of work. They supported the integrated strategy to address gaps in the protection of vulnerable groups and highlighted the need for country-level interventions to be adapted to national contexts and policy frameworks. They welcomed the development of sector-specific strategies; and encouraged continued participation of the social partners. It was crucial to expand the knowledge base and provide a better understanding of unacceptable forms of work, their causes and means of addressing them. The Office should identify and develop synergies with the other ACIs.

The Governing Body requested the Director-General to take account of its guidance in implementing the strategy for the ACI on “Protecting workers from unacceptable forms

<sup>73</sup> GB.323/POL/INF/1.

<sup>74</sup> GB.323/POL/1.

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of work”, also in view of the proposed outcome 8 of the Programme and Budget proposals for 2016–17.<sup>75</sup>

### **Area of critical importance: Creating and extending social protection floors**

At its 323rd Session (March 2015), the Governing Body examined an Office paper on the area of critical importance on creating and extending social protection floors (SPFs), including its focus and strategic areas of intervention, its inter-linkages with and contributions to other ACIs, and the implementation of the strategy and progress to date.<sup>76</sup> The ACI accorded highest priority to the follow-up to the resolution adopted by the 101st Session of the International Labour Conference (June 2012) concerning efforts to make SPFs a national reality worldwide in the context of the Social Protection Floors Recommendation, 2012 (No. 202) and the implementation of the strategy for action<sup>77</sup> endorsed by the Governing Body in November 2012.

The Governing Body supported the strategy and the plan of action for the ACI, with its five areas of intervention, and the need for the ILO to continue its work on this ACI. It noted the progress made under the ACI.

There was a need to develop nationally defined social protection floors within comprehensive social security systems rooted in the two-dimensional strategy for the extension of social protection: achieving rights-based universal social protection coverage of the population with at least minimum levels of protection (horizontal dimension) and progressively ensuring higher levels of protection guided by up-to-date ILO social security standards (vertical dimension).

The Governing Body supported efforts to ensure that social protection was part of the Sustainable Development Goals of the post-2015 development agenda and gave its backing to the international coordination initiatives taken by the ILO to promote social protection. The *World Social Protection Report 2014–15* was commended as a high-quality ILO flagship report, as were the awareness-raising activities of the ILO in general. Further sharing of good practices from the South was encouraged.

The Governing Body requested the Director-General to take account of its guidance in implementing the strategy for the ACI on creating and extending social protection floors.<sup>78</sup>

### **Chairing the UNAIDS Committee of Cosponsoring Organizations (CCO) in 2015: Opportunities for the ILO**

In November 2014, the Office presented a paper to the Governing Body with the aim to receive guidance on ways to optimize the leadership role that the Organization would play when the Director General chaired the UNAIDS CCO in 2015.<sup>79</sup>

<sup>75</sup> GB.323/POL/1, para. 26.

<sup>76</sup> GB.323/POL/2(Rev.).

<sup>77</sup> GB.316/INS/5/1(&Corr.).

<sup>78</sup> GB.323/POL/2(Rev.), para. 39.

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The Workers' group endorsed the point for decision. They noted the pivotal role of trade unions in the fight against AIDS. They added that efforts should be extended to link the VCT@WORK initiative with social protection measures. Investments on HIV and AIDS should focus on health, gender equality, human rights and development. They urged the Office to support the social partners. The Employers' group agreed and endorsed the point for decision.

Governments noted that HIV and AIDS remained a priority and asked for HIV and AIDS to be integrated into the post-2015 sustainable development agenda. They urged the Office to focus on key populations, such as women, sex workers, the lesbian, gay, bisexual and transgender (LGBT) community or workers in the informal economy, and address issues related to gender equality and women empowerment. There was consensus on the importance of strengthening partnerships between countries. Governments also recalled that the key principles of the HIV and AIDS Recommendation, 2010 (No. 200), were a solid basis in the response to HIV and AIDS. Governments finally recognized the importance of the VCT@WORK initiative. There was consensus support for the decision point.<sup>80</sup>

## 19. Social Dialogue Segment

### ***Sectoral and technical meetings 2013–14 and Sectoral Activities Programme for 2014–15***

Having endorsed a programme of sectoral work for 2014–15 at its 317th Session,<sup>81</sup> the Governing Body discussed and determined, at its 322nd Session, the composition, duration and dates of tripartite sectoral meetings to be held up until the end of 2015.<sup>82</sup>

In addition to approving the publication of two new guidance documents, namely the *IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units*, and the *Guidelines for implementing the occupational safety and health provisions of the Maritime Labour Convention, 2006*, the Governing Body also examined, at its 322nd and 323rd Sessions,<sup>83</sup> the other outputs of all sectoral meetings held in 2014.

Outputs presented included points of consensus on: initiatives to promote decent and productive work in the chemical industry; challenges to collective bargaining in the public service; employment relationships in the media and culture sector; wages and working hours in the textiles, clothing, leather and footwear industries; and the adaptability of companies to deal with fluctuating demands and the incidence of temporary and other forms of employment in electronics.

<sup>79</sup> GB.322/POL/3(Rev.).

<sup>80</sup> GB.322/PV, para. 434.

<sup>81</sup> GB.317/PV, para. 399.

<sup>82</sup> GB.322/POL/4.

<sup>83</sup> GB.322/POL/4; GB.323/POL/4.

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Finally, in preparing for the upcoming biennium, the Governing Body, at its 323rd Session, approved a programme of sectoral meetings for 2016–17.<sup>84</sup> At the same session, it also considered ways to strengthen the ILO’s sectoral work and in particular the involvement of all its tripartite constituents and provided guidance on elements to be considered in an ongoing review of that work.

### ***Follow-up to the Meeting of Experts on Labour Inspection and the Role of Private Compliance Initiatives (Geneva, 10–12 December 2013)***

At its 322nd Session, the Governing Body examined the outcomes of the Meeting of Experts on Labour Inspection and the Role of Private Compliance Initiatives (PCIs),<sup>85</sup> which had been held in accordance with the Governing Body’s 2011 action plan on labour administration and inspection.<sup>86</sup> The Meeting focused on four discussion points: (i) the views of constituents on the impact of PCIs on working conditions and their interaction with labour inspection systems; (ii) options and practices for coordination between labour inspection and PCIs; (iii) the role of governments, workers’ and employers’ organizations with respect to PCIs; and (iv) the role of the ILO. The discussion identified important elements related to the implementation of the ACI on strengthening workplace compliance through labour inspection, established that there was consensus that labour inspection should remain a public function and that, given the broad spectrum of PCIs, their scope required further clarification and merited further exploration by the Office.<sup>87</sup>

## **20. Technical Cooperation Segment**

### ***ILO’s Technical Cooperation Strategy 2015–17***

The Governing Body discussed the ILO’s Development Cooperation Strategy 2015–17 in November 2014 and in March 2015.<sup>88</sup> In November 2014, the Governing Body requested the Office to begin implementing the Strategy that consisted of four building blocks: (i) focus; (ii) effectiveness, (iii) capacity development, and (iv) resource mobilization, while highlighting the importance of informal consultations, particularly for decisions with long-term impact. The Governing Body requested the Office to provide at its 323rd Session (March 2015) a document for decision on refined deliverables and/or targets for blocks (i), (ii) and (iv), as well as on the mechanisms in place to ensure the involvement of constituents in strategic matters pertaining to development cooperation.<sup>89</sup> In March 2015, the Governing Body endorsed the refined strategy and requested the Office to proceed with the organization of informal, tripartite consultations.<sup>90</sup> In November 2015,

<sup>84</sup> GB.323/POL/4, para. 27.

<sup>85</sup> GB.322/POL/5; MEPCI/2013/7.

<sup>86</sup> GB.312/POL/6; GB.312/PV, para. 386.

<sup>87</sup> GB.322/PV, para. 454.

<sup>88</sup> GB.322/POL/6; GB.323/POL/5.

<sup>89</sup> GB.322/PV, para. 474.

<sup>90</sup> GB.323/POL/5, para. 10.

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the Governing Body will discuss a revised ILO Development Cooperation Strategy 2015–17, to take into account the Third Financing for Development Conference, the Sustainable Development Goals, the transitional strategic Programme and Budget for 2016–17, the ongoing internal reform of the Office, as well as the findings of the forthcoming evaluation of the ILO’s technical cooperation strategy 2010–15.

### ***Enhanced programme of technical cooperation for the occupied Arab territories***

The Governing Body was informed<sup>91</sup> in November 2014 on progress made and planned ILO interventions within the context of the technical cooperation programme in the occupied Arab territories. The humanitarian crisis in Gaza affected the situation of workers and ILO activities. The Office reported progress in areas such as: the promotion of labour rights and improved labour market governance; the development of a comprehensive social security system; and enhancing employment and livelihood opportunities for (young) Palestinian women and men. A robust ILO engagement in the reconstruction of Gaza, in collaboration with the UN system was foreseen. The Palestinian Decent Work Programme remained valid and could become effective in Gaza. In response to statements of Governing Body members, the Office expressed its intention to be more resourceful, innovative and bold in its technical solutions, with a view to bringing about the desired social justice outcomes. The Governing Body expressed support for the proposed programme elements, including support for the reconstruction of Gaza.<sup>92</sup>

### ***Regional perspectives on development cooperation: The Arab States***

In March 2015, the Governing Body discussed a review of development cooperation in the Arab States,<sup>93</sup> which was the last paper in the series on technical cooperation in the five regions. The Governing Body examined regional characteristics, trends in the development cooperation portfolio from 2003–14, as well as results.

The Governing Body highlighted the need to take into account the diversity of the region and to help crisis-affected countries, in particular the response to the Syrian refugee crisis. It also emphasized the necessity for many countries in the region to ratify and implement ILO Conventions pertaining to social dialogue, and freedom of association and collective bargaining. The Office was requested to expand its development cooperation programme in the Arab States and to develop a regional resource mobilization strategy in accordance with the development cooperation strategy for the period 2015–17 (to be revised in November 2015).<sup>94</sup>

<sup>91</sup> GB.322/POL/7(Rev.1).

<sup>92</sup> GB.322/PV, para. 484.

<sup>93</sup> GB.323/POL/6(&Corr.).

<sup>94</sup> GB.323/POL/6(&Corr.), para. 51.

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## 21. Multinational Enterprises Segment

### ***ILO collaboration with other intergovernmental and international organizations in promoting the principles of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy***

The Office provides regular updates to the Governing Body on its collaboration with other intergovernmental and international organizations in promoting the principles of the MNE Declaration to seek guidance on the direction of this strategic collaboration. The most recent discussion took place in November 2014.<sup>95</sup>

The Governing Body discussion focused mainly on the collaboration with the United Nations Office of the High Commissioner for Human Rights (OHCHR) concerning the UN Guiding Principles on Business and Human Rights; the UN Global Compact Office; and OECD, concerning their Guidelines for Multinational Enterprises and pro-active agenda.

Regarding the UN Guiding Principles, the Office reported on the increased collaboration with the Working Group on Business and Human Rights and the OHCHR to foster coherence of efforts on the labour standards part of the human rights regime. As such, the Office provides technical inputs for country visits undertaken by the Working Group, for thematic reports prepared by the Working Group for the Human Rights Council and participates in the Annual Forum on Business and Human Rights and regional forums. The collaboration with the ILO has been formalized in the revised methods of work of the Working Group, recognizing the specific mandate of the ILO in this area.

Collaboration with the UN Global Compact focuses on capacity building on labour principles in the form of webinars, promotion of the ILO Helpdesk for Business on International Labour Standards and technical inputs in products of the Global Compact dealing with labour principles, and thus labour standards. Jointly with OHCHR, the ILO provides support to the Human Rights and Labour Working Group (HRLWG) of the Global Compact (GC), with the agencies participating in each other's events as relevant. The GC–ILO Child Labour Platform operates under the oversight of the HRLWG as an engagement and cooperation platform on the GC principle on the elimination of child labour. Governance challenges with the Global Compact were also discussed.

ILO collaboration with OECD focuses on technical inputs to the OECD's new "pro-active agenda", developing guidance tools for enterprises on responsible business conduct and due diligence in specific sectors (agriculture, extractives and garments). The ILO and OECD jointly hosted a round table on responsible and sustainable supply chains in garments and textiles.

The Governing Body took note of the information contained in the document and requested the Office to take into account its guidance on enhancing the further use and recognition of the MNE Declaration, in line with the Governing Body's decision, and to promote policy coherence with international organizations, including through inter-agency dialogue at the political level.<sup>96</sup>

<sup>95</sup> GB.322/POL/8.

<sup>96</sup> GB.322/PV, para. 501.

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### **III. Legal Issues and International Labour Standards Section**

#### **22. Legal Issues Segment**

##### ***Privileges and immunities of the International Labour Organization: Identification document for Employer and Worker members of the Governing Body***

Following discussions at its 319th (October 2013) and 320th (March 2014) Sessions,<sup>97</sup> the Governing Body decided at its 322nd Session to issue an identification document for Employer and Worker members of the Governing Body for the 2014–17 term and to evaluate its usefulness at the end of the term.<sup>98</sup> It was recalled that the purpose of this document was merely to provide confirmation of the holder’s status as a member of the Governing Body. The document thus had a purely declaratory value and neither affected nor modified the existing rights and obligations of member States, in particular as regards privileges and immunities accorded to Governing Body members, nor did it constitute a travel or identity document.

Production and distribution of the identification document has already started. As agreed by the Governing Body, it is produced in a user-friendly credit card format. The card’s front side bears, among other things, the name, nationality and photograph of the holder; his or her function (Employer or Worker member), and the expiry date. The back of the document includes a statement certifying that the holder is a member of the Governing Body of the ILO and enjoys privileges and immunities in accordance with Annex I of the Convention on the Privileges and Immunities of the Specialized Agencies (1947) in States that have accepted its provisions. It further states that these privileges and immunities are not applicable in relation to the authorities of the State of which the holder is a national.

As most Employer or Worker members have now received their identification document, the Office has put in place the necessary safeguards concerning the use, validity and safekeeping of the identification document, including the announced contact telephone number to receive questions regarding the document.

##### ***Incomplete delegations to the International Labour Conference and Regional Meetings***

At its 323rd Session (March 2015), the Governing Body received an update on the follow-up given by the Office to its request for information regarding incomplete and non-accredited delegations to sessions of the International Labour Conference and Regional Meetings.<sup>99</sup> It covered the four-year period 2010–13, during which the 99th Session (2010), 100th Session (2011), 101st Session (2012) and 102nd Session (2013) of the ILC took place, as well as the 17th American Regional Meeting (December 2010), the 12th African Regional Meeting (October 2011), the 15th Asia–Pacific Regional Meeting

<sup>97</sup> GB.319/LILS/2/1; GB.319/LILS/2/2; GB.320/LILS/2.

<sup>98</sup> GB.322/PV, para. 511.

<sup>99</sup> GB.323/LILS/1.

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(December 2011) and the Ninth European Regional Meeting (April 2013). The Governing Body recalled that failure by member States to comply with their constitutional obligations to send tripartite delegations to the ILC and Regional Meetings prevented the social partners from participating in ILO debates, thus undermining tripartism. It noted that full tripartite participation had been consistently high at the Conference, but less so at Regional Meetings. The Governing Body discussed possible future action and, amongst other things, considered that it was important to maintain the regular reporting undertaken by the Director-General as it was a process that complemented the filing of objections to the Credentials Committee. The Governing Body urged member States to comply with their constitutional obligations to accredit full tripartite delegations to ILC sessions and Regional Meetings. It also requested the Director-General to engage in awareness raising with regard to the need for member States to accredit full tripartite delegations in order to enable the Organization to fully discharge its mandate, and to continue to regularly monitor the situation of member States which failed to accredit any tripartite delegation to sessions of the ILC and Regional Meetings, taking into account the guidance provided by the Governing Body.<sup>100</sup>

### ***Promotion of the ratification of the 1986 and 1997 Instruments for the Amendment of the Constitution of the International Labour Organisation***

At its 323rd Session (March 2015), the Office presented up-to-date information on the process of ratification of the 1986 and 1997 Instruments for the Amendment of the ILO Constitution, promotional efforts and possible future action.<sup>101</sup> The 1986 Amendment seeks to revise the composition and governance of the Governing Body, aiming to make it more representative while the 1997 Amendment will enable the Organization to abrogate obsolete Conventions.

To enter into force, each of the 1986 and 1997 Amendments must be ratified or accepted by two-thirds of ILO member States, including at least five of the ten Members of chief industrial importance. As there are currently 185 member States, each of the Amendments needs to be ratified by 124 of them. To date, 102 ratifications and acceptances of the 1986 Amendment have been registered, of which two are from Members of chief industrial importance (India and Italy), and therefore a further 22 ratifications or acceptances are required for the 1986 Amendment to enter into force. As for the 1997 Amendment, 123 ratifications or acceptances have been registered, including seven from Members of chief industrial importance, and, as a result, only one ratification is required for the 1997 Amendment to enter into force.

The Governing Body urged ILO Members which had not yet done so to ratify or accept the 1986 and 1997 Instruments for the Amendment of the ILO Constitution and requested the Director-General to pursue promotional efforts for the ratification or acceptance of the two instruments of amendment.<sup>102</sup>

<sup>100</sup> GB.323/LILS/PV/Draft.

<sup>101</sup> GB.323/LILS/2.

<sup>102</sup> GB.323/LILS/2, para. 15.



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## 23. International Labour Standards and Human Rights Segment

### ***Report of the first meeting of the Special Tripartite Committee established under Article XIII of the Maritime Labour Convention, 2006 (Geneva, 7–11 April 2014)***

In April 2014, the Special Tripartite Committee (STC) established under Article XIII of the Maritime Labour Convention, 2006 (MLC, 2006), held its first meeting and adopted a set of proposals for amendments to the Code of the MLC, 2006, establishing mandatory requirements that shipowners have in place financial security to cover abandonment of seafarers, and to assure compensation for seafarers or their families in the event of a seafarer's death or long-term disability due to occupational injury and hazard. At its 103rd Session, the Conference approved the amendments on 11 June 2014. At its 322nd Session (November 2014), the Governing Body took note of the information presented in the report of the Chairperson of the STC to the Governing Body, including the information in paragraph 14 of that report and paragraph 442 of the Final report of the first meeting of the STC, regarding the arrangements for consultation under Article VII of the MLC, 2006. It reappointed, for two years, Mr Naim Nazha as the Chairperson of the STC for a second consecutive term. Finally, the Governing Body decided to convene the second meeting of the STC in the first quarter of 2016, subject to financial arrangements being made for this purpose.<sup>103</sup>

### ***Choice of Conventions and Recommendations on which reports should be requested under article 19 of the Constitution in 2016***

At its 321st Session (June 2014), the Governing Body decided to request governments to submit reports for 2015, under article 19 of the Constitution on the Migration for Employment Convention (Revised), 1949 (No. 97), the Migration for Employment Recommendation (Revised), 1949 (No. 86), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and the Migrant Workers Recommendation, 1975 (No. 151).<sup>104</sup> These reports were requested for the purpose of the General Survey to be prepared by the Committee of Experts on the Application of Conventions and Recommendations at its November–December 2015 session and to be discussed by the Conference Committee on the Application of Standards at the 105th Session (2016) of the Conference.

At its 323rd Session (March 2015), the Governing Body decided to request governments to submit reports for 2016, under article 19 of the Constitution, on the Safety and Health in Construction Convention, 1988 (No. 167), and Recommendation, 1988 (No. 175), the Safety and Health in Mines Convention, 1995 (No. 176), and Recommendation, 1995 (No. 183), the Safety and Health in Agriculture Convention, 2001 (No. 184), and Recommendation, 2001 (No. 192), and the Occupational Safety and Health Convention, 2006 (No. 187), and Recommendation, 2006 (No. 197).<sup>105</sup> These reports were

<sup>103</sup> GB.322/PV, para. 518.

<sup>104</sup> GB.321/INS/7, para. 19.

<sup>105</sup> GB.323/LILS/3, para. 3.

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requested for the purpose of the General Survey to be prepared by the Committee of Experts on the Application of Conventions and Recommendations at its November–December 2016 session, and to be discussed by the Conference Committee on the Application of Standards at the 106th Session (2017) of the Conference.

***Outcome of the Meeting of Experts concerning the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185) (Geneva, 4–6 February 2015)***

At its 323rd Session the Governing Body discussed the general conclusion and recommendations of the Tripartite Meeting of Experts concerning the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185). Subject to the necessary financial arrangements being made, the Governing Body decided to constitute an Ad Hoc Tripartite Maritime Committee and convene a meeting of this Committee in 2016 with the task of making proposals for appropriate amendments to the Annexes to Convention No. 185 with a view to their submission for adoption by the International Labour Conference; to fix the composition of the Ad Hoc Tripartite Maritime Committee (64 representatives appointed by the Governing Body, 32 of whom would be designated by the Governments; 16 by the Shipowners’ group and 16 by the Seafarers’ group); that the Ad Hoc Tripartite Maritime Committee would meet in 2016 immediately before or after the Special Tripartite Committee established under the Maritime Labour Convention, 2006.

The Governing Body also decided to place on the agenda of the International Labour Conference at its 105th Session in 2016 an item entitled “Amendment of the Annexes to the Seafarers’ Identity Documents Convention (Revised), 2003 (No. 185)”. In addition the Governing Body recommended that Members which had not ratified Convention No. 185 should now do so, especially those that had ratified the Seafarers’ Identity documents Convention, 1958 (No. 108). Finally it requested the Director-General to seek assistance of the International Maritime Organization (IMO) in drawing the attention of all States parties to the IMO Convention on Facilitation of International Maritime Traffic, 1965, as amended, in order to facilitate shore leave for seafarers without the need for a visa.<sup>106</sup>

## **IV. Programme, Financial and Administrative Section**

### **24. Programme, Financial and Administrative Segment**

#### ***The Director-General’s Programme and Budget proposals for 2016–17***

Further to the consideration in November 2014 of the draft transitional strategic plan<sup>107</sup> and in March 2015 of the Director-General’s proposals,<sup>108</sup> the Governing Body recommended to the International Labour Conference, the adoption of a Programme and

<sup>106</sup> dec-GB.323/LILS/4.

<sup>107</sup> GB.322/PFA/1.

<sup>108</sup> GB.323/PFA/1 and GB.323/PFA/1/1.

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Budget for 2016–17. Two general observations could be derived from the wide-ranging debate that led to this decision: (i) the need for full and continuing consultations in the process of formulating, finalizing and then implementing the programme and budget; and (ii) the wide and strong support of the Governing Body for the fundamental rationale, structure, and intent of the programme and budget proposals. In particular, the Governing Body welcomed the concentration of resources on ten policy outcomes backed by three enabling outcomes and the use of multidisciplinary approaches for their realization, the significant redeployment of resources from support and administrative functions to frontline technical work of direct benefit to constituents and from headquarters to the regions, as well as the continuing involvement and improvement in research and analytical work. Finally, the Governing Body noted with overall satisfaction a zero nominal growth budget contained in the proposals and welcomed the slight real cost decrease coupled with efforts to redeploy resources and absorb new costs.

### ***After-service health insurance: Review***

At its 322nd Session (November 2014), the Governing Body considered an Office paper<sup>109</sup> containing an overview of the status of after-service health insurance (ASHI) and discussed alternative approaches to financing the liability. While the Governing Body endorsed the initiative to accumulate ASHI reserves in respect of extra-budgetary funded staff, it noted that the Office was an active participant in the UN inter-agency working group on ASHI, whose review results were to be submitted to the UN General Assembly for consideration at its 70th Session in 2015. On this basis, the Governing Body requested the Office to present a further document at its March 2016 session incorporating the results of the UN General Assembly's consideration of this matter at its 70th Session.

### ***Update on the headquarters building renovation project***

In November 2014 and March 2015, the Governing Body reviewed and discussed reports on the progress of the headquarters building renovation project.<sup>110</sup> In November 2014, the Governing Body took note of the proposed additional requirements and costs associated with the granting of the building permit and the resulting reduction in the initial scope of the project in order to remain within the estimated resources of the financial plan approved in 2010. In March 2015, after considering the updated information and revisions to the financial plan, the Governing Body decided to recommend to the 104th International Labour Conference that the Director-General be authorized to contract a loan with the Foundation for Buildings for International Organisations (FIPOI) amounting to not more than 130 million Swiss francs (including a provision for bridging finance of CHF60 million) for the partial financing of the renovation of the ILO headquarters building.<sup>111</sup>

<sup>109</sup> GB.322/PFA/2.

<sup>110</sup> GB.322/PFA/3; GB.323/PFA/3; GB.323/PFA/3(Add.).

<sup>111</sup> GB.323/PFA/3, para. 22.

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***Other financial questions: Appointments to the Investments Committee of the International Labour Organization***

In November 2014, the Governing Body considered an Office paper concerning appointments to the Investments Committee of the ILO and decided to review the appointment of Mr René Zagolin, Mr Xavier Guillon and Mr Max Bärtsch as members of the Investments Committee for a further period of three years, expiring on 31 December 2017.

***Information and communications technology questions: Progress report on the ILO Information Technology Strategy 2010–15***

In March 2015, the Governing Body received a report on the progress of the implementation of the Information Technology Strategy 2010–15<sup>112</sup> and provided comments and guidance to the Office on the implementation of various IT projects and initiatives, including the roll-out of IRIS in the field.

**25. Audit and Oversight Segment**

***Matters relating to the Joint Inspection Unit (JIU): Reports of the JIU***

In November 2014, the Governing Body reviewed a summary of six relevant JIU reports and related recommendations, along with the comments of the UN system CEB and of the Office.<sup>113</sup> The Governing Body provided guidance to follow up on specific recommendations made by the JIU.

***Audit and oversight***

In March 2015, the Governing Body received and considered the seventh annual report of the Independent Oversight Advisory Committee (IOAC)<sup>114</sup> and the report of the Chief Internal Auditor for 2014.<sup>115</sup> In March 2015, the Governing Body considered the Office's proposal<sup>116</sup> for a temporary change in the selection process of two replacement members of the IOAC in order to reduce expenditure and introduce administrative efficiency. The Governing Body decided to suspend paragraphs 19 and 20 of the IOAC terms of reference and instructed the Selection Panel to review the shortlisted candidates from the 2012 selection process in order to propose two new members of the IOAC and a

<sup>112</sup> GB.323/PFA/4.

<sup>113</sup> GB.322/PFA/5.

<sup>114</sup> GB.323/PFA/7/2.

<sup>115</sup> GB.323/PFA/8.

<sup>116</sup> GB.323/PFA/7/1.

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reserve list at the November 2015 session of the Governing Body, to serve for a three-year mandate starting on 1 January 2016.<sup>117</sup>

In March 2015, the Governing Body discussed the report of the Selection Panel for the ILO's External Auditor<sup>118</sup> and appointed the Commissioner of the Commission on Audit, Republic of the Philippines, as the External Auditor of the ILO for the 75th and 76th financial periods, with the appointment to commence on 1 April 2016 for a period of four years.

## **Evaluations**

In November 2014, the Governing Body considered a report on the ILO's evaluation activities during 2013–14 and on its effectiveness in achieving short- and medium-term objectives.<sup>119</sup> The Governing Body endorsed the rolling plan for the implementation of recommendations and confirmed the evaluation priorities for 2015–16.<sup>120</sup>

At the same session, the Governing Body considered a report on high-level evaluations of strategies and Decent Work Country Programmes.<sup>121</sup> The Governing Body requested the Director-General to take into consideration the findings, lessons learned and recommendations from the independent evaluations and to ensure their appropriate implementation.<sup>122</sup>

## **26. Personnel Segment**

### ***Reform plan of action in the area of human resources management: Update***

In November 2014, the Governing Body considered an Office update<sup>123</sup> on the progress made in implementing the reform plan of action in the area of human resources management.

In the context of the ongoing common system compensation package review conducted by the International Civil Service Commission (ICSC), the Governing Body received an update in November 2014 on the status of the review, together with an overview of ILO staff cost trends and their impact on the delivery of programmes.<sup>124</sup>

<sup>117</sup> GB.323/PFA/7/1, para. 7.

<sup>118</sup> GB.323/PFA/6.

<sup>119</sup> GB.322/PFA/6.

<sup>120</sup> GB.322/PV, para. 618.

<sup>121</sup> GB.322/PFA/7.

<sup>122</sup> GB.322/PV, para. 631.

<sup>123</sup> GB.322/PFA/9.

<sup>124</sup> GB.322/PFA/10(&Corr.).

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## ***Amendments to the Staff Regulations***

In November 2014 and March 2015, the Governing Body approved amendments to the Staff Regulations<sup>125</sup> relating to: hours of work and leave; travel and removal expenses upon separation from service; conflict resolution; and maternity leave provisions.

## ***Matters relating to the Administrative Tribunal of the ILO***

In March 2015, the Governing Body decided to recommend to the 104th Session of the International Labour Conference: (i) the renewal of the terms of office of Mr Giuseppe Barbagallo (Italy), Ms Dolores Hansen (Canada), Mr Michael Moore (Australia) and Sir Hugh Rawlins (Saint Kitts and Nevis) for three years each; and (ii) the appointment of Ms Fatoumata Diakité (Côte d'Ivoire) for a term of office of three years.<sup>126</sup>

## **V. High-level Section**

### **27. Strategic Policy Segment**

#### ***Global employment and social challenges: Emerging trends and the role of the ILO***

During the High-level Section of March 2015, the Governing Body reviewed global employment and social trends and prospects for internationally coordinated action to strengthen growth.<sup>127</sup> The potential implications for the ILO of the final stages in the preparation of a new United Nations (UN) sustainable development framework were also examined. The Director-General welcomed two distinguished guest speakers, Ms Amina Mohammed, Special Adviser to the Secretary-General of the United Nations (UN) on Post-2015 Development Planning, and Mr Faruk Çelik, Minister of Labour and Social Security of Turkey.

Ms Mohammed expressed appreciation of the ILO's efforts to inform the post-2015 development agenda from the outset and to begin its own discussions on how to become "fit for purpose". She stressed that the post-2015 development agenda had to take over the unfinished business of the Millennium Development Goals and that the 17 proposed sustainable development goals and their targets should be interconnected and reflect an integrated agenda to eradicate poverty and achieve dignity and sustainable development for all. She cautioned that enormous efforts would be required of member States in securing the necessary funding for, and subsequently implementing, such a large and complex agenda.

Minister Çelik, speaking as a representative of the Turkish presidency of the G20, highlighted the fundamental importance of generating quality jobs and informed that his country had defined its three priorities for its G20 presidency as inclusiveness,

<sup>125</sup> GB.322/PFA/9; GB.323/PFA/10.

<sup>126</sup> GB.323/PFA/11/1.

<sup>127</sup> GB.323/HL/1.

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implementation and investment for growth. He stressed that these priorities had been identified with L20 and B20 representatives. He noted that by taking advantage of its unique tripartite structure, the ILO could move beyond raising global labour standards to making its own contribution to the post-2015 agenda.

The Director-General concluded that the very rich discussion had highlighted the importance that the tripartite constituents attached to the ILO's engagement in the G20 and in discussion of the post-2015 development agenda. One message underlying the comments made was a real concern at the state of the world economy and the consequences on jobs, growth, inequality, and societies at large. Another message was that a number of upcoming international meetings would provide the opportunity for global action, in which the constituents had asked the ILO to take a lead role.

The challenge facing the ILO was to make permanent its capacity to contribute to international policy-making processes and to graduate to a new level of qualitative inputs, which would entail continued strengthening of its analytical and research capacity and its outreach to other international organizations.

## **VI. Conclusion**

The above text represents a succinct account of the actions taken by the Governing Body of the ILO under my tenure as its Chairperson, for the period June 2014–June 2015, which I submit to the 104th Session of the International Labour Conference (2015) for its information.

*(Signed)* A.J. Correia  
Chairperson

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