



**Report I(B)**

# **Report of the Chairperson of the Governing Body to the International Labour Conference for the year 2018–19**

**First item on the agenda**

**International Labour Conference, 108th Session, 2019**

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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 (May–June 2018): that is, the 333rd (June 2018), 334th (October–November 2018) and 335th (March 2019) 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, I invite you to refer to the Governing Body website.<sup>1</sup>

## I. Institutional Section

### 1. Agenda of the International Labour Conference

#### Agenda and outcome document of the 108th (Centenary) Session<sup>2</sup>

With respect to the agenda of the 108th (Centenary) Session of the Conference, the Governing Body decided at its 334th Session to place two items related to the future of work and the relevant Centenary Initiatives: one related to the Future of Work Initiative with a view to the adoption of an important outcome document, possibly a declaration, and the other related to the organization of debates and events linked to the Centenary.<sup>3</sup> At its 335th Session, the Governing Body provided guidance on the nature, format and consultation process for the development of a draft outcome document, including the building blocks for such a document,<sup>4</sup> as well as on the themes and formats suggested for the debates and events related to the Centenary.<sup>5</sup>

#### Agenda of future sessions of the Conference<sup>6</sup>

At its 334th Session, the Governing Body also took a number of decisions in relation to the agenda setting of the Conference beyond 2019. First, it decided to place a standard-setting item (first discussion) on apprenticeships on the agenda of the 110th Session of the Conference (2021). Second, it placed a general discussion item on inequality and the world of work on the agenda of the 109th Session of the Conference (2020). Third, following up on recommendations of the Standards Review Mechanism Tripartite Working Group (SRM TWG), it decided to place an item on the withdrawal of Recommendation No. 20 on the agenda of the 111th Session of the Conference (2022), as well as an item on the abrogation of Conventions Nos 45, 62, 63 and 85 on the agenda of the 113th Session of the Conference (2024). Fourth, following up on recommendations of the Special Tripartite Committee of the Maritime Labour Convention, 2006, as amended (MLC, 2006), the Governing Body also included an item on the abrogation of Conventions Nos 8, 9, 16, 53,

<sup>1</sup> [Governing Body website](#).

<sup>2</sup> [GB.334/INS/2/2](#) and [GB.335/INS/2/3](#).

<sup>3</sup> [GB.334/INS/2/2](#).

<sup>4</sup> [GB.335/INS/2/3](#).

<sup>5</sup> [GB.335/INS/2/2](#).

<sup>6</sup> [GB.334/INS/2/1](#) and [GB.335/INS/2/1](#).

73, 74, 91 and 145 and the withdrawal of Conventions Nos 7, 54, 57, 72, 76, 93, 109, 179 and 180 as well as of Recommendations Nos 27, 49, 107, 137, 139, 153, 154, 174, 186 and 187 on the agenda of the 109th Session of the Conference (2020). Fifth, it decided to place at least one further technical item on the agenda of the 109th Session of the Conference (2020) by its 335th Session (March 2019) or defer that decision until its 337th Session (October–November 2019). Lastly, it provided guidance on the setting of the Conference agenda beyond 2020 as regards the strategic approach and the subjects under consideration, in particular as to the 110th Session of the Conference (2021).<sup>7</sup>

At its 335th Session, the Governing Body decided to defer a decision on one technical item to the 337th Session to complete the agenda of the 2020 session of the Conference, as well as one technical item to complete the agenda of the 2021 session of the Conference so that it could assess the implications for the setting of the Conference agenda in light of the outcome of the discussions at the 108th (Centenary) Session (2019) of the Conference.<sup>8</sup> The Governing Body also agreed that the agenda of the Conference in 2022 should be considered in March 2020, within the strategic approach.

In view of the renovation work at the Palais des Nations, which will continue until 2023, the Governing Body was called upon to consider options for the organization of the Conference, in particular in 2022 and 2023 when part of the Palais will not be available to host Conference committees. The Governing Body decided to continue holding the Conference in Geneva, taking advantage of the various Conference facilities available, and to finalize the corresponding arrangements once a decision is made on the agenda of the Conference for 2022 and 2023.

## 2. Matters arising out of the work of the 107th Session (2018) of the International Labour Conference

### Follow-up to the resolution concerning effective ILO development cooperation in support of the Sustainable Development Goals<sup>9</sup>

At its 334th Session, the Governing Body discussed a paper entitled “Matters arising out of the work of the 107th Session (2018) of the International Labour Conference: Follow-up to the resolution concerning effective ILO development cooperation in support of the Sustainable Development Goals”, which outlined how the Office would prepare its Development Cooperation Strategy 2020–25. Following the road map provided in the Conference resolution concerning effective ILO development cooperation in support of the Sustainable Development Goals (107th Session, 2018),<sup>10</sup> the groundwork for the new Development Cooperation Strategy would take place during 2019 and focus on four key areas: (i) provide services to constituents to support the achievement of national decent work outcomes; (ii) deepen, expand and diversify partnerships and financing; (iii) enhance efficiency, decent work results and transparency; and (iv) promote policy coherence and ILO visibility. The Director-General would take into account the guidance of the Governing Body on the preparation of the new ILO Development Cooperation Strategy 2020–25, which the Governing Body would discuss in March 2020.

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<sup>7</sup> [GB.334/INS/2/1/decision](#).

<sup>8</sup> [GB.335/INS/2/1/decision](#).

<sup>9</sup> [GB.334/INS/3/1](#).

<sup>10</sup> [Resolution concerning effective ILO development cooperation in support of the Sustainable Development Goals](#).

Follow-up to the resolution concerning the second recurrent discussion on social dialogue and tripartism, and revised plan of action on social dialogue and tripartism for the period 2019–23 to give effect to the conclusions adopted by the International Labour Conference in June 2018 <sup>11</sup>

At its 335th Session, the Governing Body reviewed the revised plan of action on social dialogue and tripartism 2019–23 prepared by the Office, which intended to give effect to the conclusions adopted by the International Labour Conference at its 107th Session in 2018. <sup>12</sup> The overall objective of the plan of action is to equip ILO constituents to enhance the relevance and effectiveness of inclusive, gender-responsive social dialogue and tripartism as tools of governance in the changing world of work.

The Governing Body welcomed the revised plan of action. The discussions covered a number of issues, including the funding of the various outputs and activities; alignment with the programme and budget implementation; internal and external policy coherence in relation to the promotion of social dialogue and tripartism, especially in the context of Sustainable Development Goals (SDGs) and the UN reform; and the development of partnerships in implementing the plan of action.

The Governing Body requested the Director-General to take account of its guidance in implementing the five-year plan of action, and to consider the plan when preparing future programme and budget proposals starting with the biennium 2020–21. <sup>13</sup>

### 3. Functioning of the governing organs of the ILO

At its 334th and 335th Sessions, the Governing Body continued its review of the structure and functioning of the ILO's three main governing organs (the Governing Body, the International Labour Conference and the Regional Meetings), either through its Working Party on the Functioning of the Governing Body and the International Labour Conference, or in its Institutional Section or Legal Issues Segment. The Governing Body also completed its review and possible revisions of formats and Standing Orders of tripartite meetings convened by it.

Functioning of the International Labour Conference:  
Analysis of the 107th Session (2018) of the Conference <sup>14</sup>  
and arrangements for the 108th (Centenary) Session  
of the Conference <sup>15</sup>

The Governing Body continued its analysis of the reforms to the functioning of the Conference with a view to its ongoing improvement, bearing in mind the constraints and opportunities of the reduced two-week format. Based on its analysis of the functioning of the 107th Session of the Conference in 2018, a number of improvements were recommended for the 108th (Centenary) Session of the Conference in 2019, including those arising from the tripartite consultations on the working methods of the Committee

<sup>11</sup> [GB.334/INS/3/2](#) and [GB.335/INS/3\(Rev.\)](#).

<sup>12</sup> [Conclusions concerning the second recurrent discussion on social dialogue and tripartism](#).

<sup>13</sup> [GB.335/INS/3\(Rev.\)/decision](#).

<sup>14</sup> [GB.334/WP/GBC/1](#).

<sup>15</sup> [GB.335/INS/2/2](#).



on the Application of Standards (CAS).<sup>16</sup> In view of the special format of the Conference in 2019, the Governing Body also considered a number of measures specific to the Centenary Session of the Conference, concerning, in particular, the organization and implications of a High-Level Session of the plenary to receive the visits of Heads of State or Government, and the organization of a series of thematic debates on the future of work.<sup>17</sup>

The Governing Body was also kept abreast of intersessional consultations on the comprehensive review of the Standing Orders of the Conference.<sup>18</sup> Beginning in 2017,<sup>19</sup> this comprehensive review is aimed at reflecting the changes resulting from the Conference reform, but also at modernizing and simplifying the Standing Orders by removing obsolete provisions and bringing others into line with current practices. In the past year, consultations took place in relation to proposed amendments concerning general provisions (Part I), the procedure in the plenary of the Conference (Part II, section A) as well as provisions concerning procedures in committees (Part II, section H).<sup>20</sup> It is expected that the Governing Body will complete this review in late 2019 or early 2020.

## Composition of the Governing Body

The Governing Body pursued its regular monitoring of progress on the promotional efforts for the ratification of the 1986 Instrument for the Amendment of the Constitution of the International Labour Organisation, aimed at, inter alia, securing a more balanced distribution of Government seats between the four ILO regions, making all seats elective and eliminating the distinction between regular and deputy seats of the Governing Body.<sup>21</sup>

## Rules for Regional Meetings

Further to the adoption by the Governing Body of a consolidated revised version of the *Rules for Regional Meetings* in March 2018, and their confirmation by the Conference at its 107th Session in June 2018, the Governing Body completed its review of the role and functioning of Regional Meetings with the adoption of a revised Introductory note to the *Rules for Regional Meetings* in November 2018.<sup>22</sup>

## Standing Orders for tripartite meetings convened by the Governing Body<sup>23</sup>

At its 334th Session, the Governing Body adopted two sets of Standing Orders: the Standing Orders for technical meetings and Standing Orders for meetings of experts.<sup>24</sup> At its 335th Session, the Governing Body adopted an Introductory note to the two new sets of Standing Orders.<sup>25</sup> These new Standing Orders and their Introductory note will apply

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<sup>16</sup> [GB.334/WP/GBC/1](#) and [GB.334/INS/12\(Rev.\)](#).

<sup>17</sup> [GB.335/INS/2/2](#).

<sup>18</sup> [Standing Orders of the International Labour Conference](#).

<sup>19</sup> [GB.331/INS/17](#) and [GB.331/PV](#), para. 480.

<sup>20</sup> [GB.334/WP/GBC/2](#) and [GB.335/LILS/2\(Rev.\)](#).

<sup>21</sup> [GB.334/INS/13/2](#) and [GB.335/INS/14/3](#).

<sup>22</sup> [GB.334/WP/GBC/3](#) and [GB.334/INS/12\(Rev.\)](#).

<sup>23</sup> [GB.334/INS/7\(Rev.\)](#) and [GB.335/INS/7](#).

<sup>24</sup> [GB.334/INS/7\(Rev.\)/decision](#) and the [Standing Orders for technical meetings and Standing Orders for meetings of experts](#).

<sup>25</sup> [GB.335/INS/7/decision](#).

to all tripartite meetings convened by the Governing Body as technical meetings or meetings of experts, and not only to the meetings organized under the programme of sectoral meetings.

#### 4. Review of annual reports under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work <sup>26</sup>

At its 335th Session, the Governing Body was invited to examine the new developments and trends concerning the implementation of the fundamental principles and rights at work in countries that have not yet ratified the relevant fundamental Conventions and the Protocol of 2014 to the Forced Labour Convention, 1930 (the Protocol). For a second year, member States were given the option of reporting online using an e-questionnaire tool. The aim of the tool is to facilitate reporting for member States and to enable the compilation of responses received with a view to further analysis. The Governing Body took note of the information presented and invited the Director-General to further take into account its guidance on key issues and priorities, including on the interest in further developing a specific application with a view to facilitating online reporting and data analysis. The Governing Body also reiterated its support for the mobilization of necessary resources in order to continue assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work through universal ratification and action, with a particular view to combating the global scourge of forced labour, including trafficking in persons. <sup>27</sup>

#### 5. The Standards Initiative: Progress and review of the workplan for strengthening the supervisory system <sup>28</sup>

At its 334th Session, the Governing Body adopted a revised draft decision, <sup>29</sup> after having examined a progress report on the Standards Initiative presented at the 332nd Session (March 2018). <sup>30</sup> The decision concerned various actions laid out in a revised workplan for strengthening the supervisory machinery, approved in March 2017.

In adopting the decision, the Governing Body approved measures relating to the operation of the representations procedure under article 24 of the Constitution including: the suspension of the examination of a representation for a maximum period of six months, subject to the agreement of the complainant and of the government; the requirement that members of article 24 ad hoc tripartite committees receive all relevant documents from the Office 15 days in advance of their meetings; and that the Governing Body receives the final report of article 24 ad hoc tripartite committees three days before they are called to adopt their conclusions. The Governing Body also approved measures proposed on the streamlining of reporting on ratified Conventions including a six-year reporting cycle for technical Conventions, and decided to continue to explore concrete and practical measures

<sup>26</sup> [GB.335/INS/4](#).

<sup>27</sup> [GB.335/INS/4/decision](#).

<sup>28</sup> [GB.332/INS/5\(Rev.\)](#), [GB.334/INS/5](#) and [GB.335/INS/5](#).

<sup>29</sup> [GB.334/INS/5/decision](#).

<sup>30</sup> [GB.332/INS/PV](#).

to improve the use of article 19, paragraphs 5(e) and 6(d), of the Constitution. It instructed the Committee on Freedom of Association to examine representations referred to it according to the procedures set out in the Standing Orders for the examination of article 24 representations. With regard to the Committee of Experts, the Governing Body encouraged it to pursue the examination of thematically related issues in consolidated comments, and invited it to make proposals on its possible contribution to optimizing the use made of article 19, paragraphs 5(e) and 6(d), of the Constitution. Furthermore, the Governing Body decided to invite the Conference Committee on the Application of Standards (CAS) to consider measures to enhance its discussion of General Surveys, through the informal tripartite consultations on its working methods.

In addition, the Governing Body requested the Office to present at its 335th Session: proposals to prepare the discussion on considering further steps to ensure legal certainty (article 37 of the ILO Constitution); a progress report on a guide to established practices of the supervisory system, bearing in mind the guidance received in relation to consideration of the codification of the article 26 procedure; and progress reports towards the development of detailed proposals for electronic accessibility to the supervisory system for constituents, as well as towards completing the Standards Initiative workplan, including information on the review and possible further improvements of their working methods by the supervisory bodies in order to strengthen tripartism, coherence, transparency and effectiveness. The Governing Body also requested the Office to present more information on a pilot project for the establishment of baselines for the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187).<sup>31</sup>

At its 335th Session, the Governing Body reviewed the implementation of the two components of the Standards Initiative, namely the Standards Review Mechanism (SRM) and the workplan for strengthening the supervisory system. The Standards Review Mechanism Tripartite Working Group (SRM TWG) was requested to consider the Governing Body's guidance on continuing its work and provide a report for the Governing Body's second review of the functioning of the SRM TWG in March 2020. Furthermore, the Governing Body reiterated its call to the Office and the ILO's tripartite constituents to take appropriate measures to follow up on all of its previous recommendations.

Welcoming the progress achieved towards implementing the ten proposals of the workplan, the Governing Body requested the Office to continue implementing that workplan, which should be updated according to its guidance, and to ensure the actions outlined therein were taken.<sup>32</sup>

Furthermore, the Governing Body, with respect to the following proposals:

- for a regular conversation between the supervisory bodies, invited the Chairperson of the Committee on Freedom of Association (CFA) to present its annual report to the Conference Committee on the Application of Standards (CAS) as from 2019;
- for codification of the article 26 procedure, recalled its decision to consider the steps to be taken after the guide to the supervisory system was available to constituents, and requested the Office to provide it with further information in that regard in March 2020;
- to consider further steps to ensure legal certainty, decided to hold informal tripartite consultations in January 2020, and, to facilitate discussions, requested the Office to prepare a paper on the elements and conditions for the operation of an independent

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<sup>31</sup> GB.332/INS/5(Rev.), section 2.2.2.2.

<sup>32</sup> GB.335/INS/5, Appendix II.

body under article 37(2) and of any other consensus-based options, as well as the article 37(1) procedure;

- for review by the supervisory bodies of their working methods, invited the CAS, the Committee of Experts on the Application of Conventions and Recommendations (CEACR) and the CFA to continue their regular consideration of their working methods.

## 6. Update on the United Nations reform <sup>33</sup>

At its 334th Session, the Governing Body welcomed the United Nations General Assembly resolution of May 2018 “Repositioning of the United Nations development system in the context of the quadrennial comprehensive policy review of operational activities for development of the United Nations system” (A/RES/72/279). In addition, the Governing Body reviewed and debated its wide-reaching implications for the Office with a view to providing guidance to the Director-General on its application. Governing Body members reiterated their support for the United Nations Secretary-General’s reform initiative and commended the Director-General’s active engagement in the reform process. They also, however, expressed concerns about the potential impact of the reform on the ILO’s unique tripartite governance, mandate and normative and supervisory functions, particularly in relation to ILO work in countries. The social partners questioned the role envisaged in the reform for the UN Global Compact and its local networks to serve as the main conduit for private sector engagement and partnerships with the UN.

The Governing Body approved the resolution’s request to all United Nations development system (UNDS) governing bodies to double entities’ annual cost-sharing contributions to the Resident Coordinator System, bringing the ILO contribution to US\$4.35 million for 2019. The Governing Body also asked the Office to prepare a comprehensive analysis and a plan of action to implement the reform, so that the implications, challenges and opportunities for the ILO could be reviewed at its March 2019 session. In addition, the Workers’ and Employers’ groups announced the intention of the International Trade Union Confederation (ITUC) and the International Organisation of Employers (IOE) to seek observer status in the United Nations General Assembly.

At its 335th Session, the Governing Body discussed the implications for the ILO of the reform of the UNDS based on a comprehensive analysis and plan of action provided by the Office. <sup>34</sup> The discussion reviewed the latest developments in the reform’s implementation and revisited key issues expressed during the November 2018 discussion. <sup>35</sup> Among those were the preservation of the ILO’s tripartism and normative and supervisory work in the context of the United Nations Development Assistance Frameworks (UNDAFs); the future relationship between ILO Decent Work Country Programmes (DWCPs) and UNDAFs; the reform’s potential impact on ILO field presence; ILO participation in common UN premises and back offices; UN partnerships with the private sector; funding of the Resident Coordinator System; and possible human resources implications for the ILO.

Governing Body members appreciated the Office’s response to their concerns, provided in the paper and the action plan. They welcomed the Office’s approach to ensuring that labour standards were incorporated in UN country analyses, the alignment

<sup>33</sup> [GB.334/INS/4](#) and [GB.335/INS/10](#).

<sup>34</sup> [GB.335/INS/10](#).

<sup>35</sup> [GB.334/INS/PV](#), paras 120–188.

of ILO DWCPs with UNDAFs and the engagement of constituents in UNDAF processes in countries. Support was also expressed for the Office's criteria for examining, on a case-by-case basis, future requests to relocate ILO field offices to common premises with other UN agencies. The Workers' and Employers' groups, however, wanted further assurances that they would have a dedicated space of engagement with UN Resident Coordinators, increased access to UN processes and would obtain technical capacity to advocate for their priorities. The social partners reiterated the concerns expressed in the November 2018 discussion about the role of the UN Global Compact in coordinating UN engagement with the private sector.<sup>36</sup> In particular, the Employers' group expressed disappointment over the lack of consultation with the private sector on the advancement of the UN Sustainable Development Group's work regarding the Common Approach to Due Diligence for Private Sector Partnerships.

The Governing Body requested the Director-General to: strengthen leadership in promoting the value of tripartism and the role of the social partners in the implementation of the UN General Assembly resolution A/RES/72/279 on repositioning the United Nations development system; ensure that in the revised Resident Coordinator job description, national workers' and employers' organizations are designated as key entities with which the Resident Coordinator should engage at country level in the formulation of Common Country Assessments and UNDAFs; and inform the agencies and institutions of the UNDS of the relevance of regular tripartite dialogue with international workers' and employers' organizations, also at the global level.

## 7. Complaints made under article 26 of the ILO Constitution

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<sup>37</sup>

This article 26 complaint was filed at the 101st Session (2012) of the Conference.

At its 333rd Session, the Governing Body welcomed the agreement for a tripartite mission to observe progress and make recommendations with a view to ensuring that the commitments included in the road map, particularly the amendments to the Labour Code, would be taken into consideration in accordance with the national tripartite agreement reached in November 2017. The Governing Body also trusted that the required progress would allow closure of the procedure at its 334th Session initiated under article 26 of the ILO Constitution.<sup>38</sup>

At its 334th Session, as a result of a majority vote (27 votes in favour, 22 votes against, 4 abstentions), the Governing Body: (a) declared closed the procedure initiated under article 26 of the ILO Constitution concerning the above-mentioned complaint; (b) firmly called on the Government, the Guatemalan social partners and the other relevant public authorities, with the support of the IOE and the ITUC, and the technical assistance of the Office, to elaborate and adopt legislative reforms that fully comply with point 5 of

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<sup>36</sup> *ibid.*

<sup>37</sup> [GB.333/INS/4\(Rev.\)](#) and [GB.334/INS/9\(Rev.\)](#).

<sup>38</sup> [GB.333/INS/4\(Rev.\)/decision](#).

the road map; (c) firmly called on the Government, together with the Guatemalan social partners, and with the technical assistance of the Office, to continue to devote all the efforts and resources necessary to achieve a sustained and comprehensive implementation of the other aspects of the road map; (d) established that, in line with the National Tripartite Agreement of November 2017, the Government of Guatemala would report on the further action taken at the Governing Body sessions of October–November 2019 and October–November 2020; (e) requested the Office to implement without delay a robust and comprehensive technical assistance programme to ensure the sustainability of the current social dialogue process as well as further progress in the implementation of the road map; and (f) encouraged the international community to contribute to this technical assistance programme by providing the necessary resources.<sup>39</sup>

**Complaint concerning non-observance by the Bolivarian Republic of Venezuela of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), made under article 26 of the ILO Constitution by several delegates to the 104th Session (2015) of the International Labour Conference – Composition of the Commission of Inquiry**<sup>40</sup>

Following the decision of the Governing Body at its 332nd Session in March 2018<sup>41</sup> to establish a Commission of Inquiry to consider the complaint concerning the non-observance by the Bolivarian Republic of Venezuela of Conventions Nos 26, 87 and 144, at its 333rd Session the Governing Body appointed Mr Manuel Herrera Carbuccia (Dominican Republic) to serve as Chairperson of the Commission, and Ms María Emilia Casas Baamonde (Spain) and Mr Santiago Pérez del Castillo (Uruguay) as members of the Commission.

## 8. Progress report on the implementation of the Enterprises Initiative<sup>42</sup>

At its 335th Session, the Governing Body discussed the “Progress report on the implementation of the Enterprises Initiative”, which derives from a strategy for wider ILO engagement with the private sector. This Initiative had been previously discussed at the 326th<sup>43</sup> and 329th<sup>44</sup> Sessions of the Governing Body before the most recent discussion in March 2019.

The different constituents noted some of the positive achievements of the Initiative, such as the improved understanding of enterprise realities, the added value of global business networks, the assistance brought to the ILO to reach its objectives, and the efforts

<sup>39</sup> [GB.334/INS/9\(Rev.\)/decision.](#)

<sup>40</sup> [GB.333/INS/7/1.](#)

<sup>41</sup> [GB.332/INS/10\(Add.\)/decision.](#)

<sup>42</sup> [GB.335/INS/6\(Rev.\).](#)

<sup>43</sup> [GB.326/INS/3.](#)

<sup>44</sup> [GB.329/INS/6.](#)



to develop a more comprehensive vision of value chains. Areas of improvement were also identified, including the need to better involve the three constituent groups, accelerate the clearance process for public–private partnerships (PPPs), develop a more holistic approach towards productivity, incorporate more information on labour standards and social dialogue in the document, and identify the barriers to ILO engagement with small and medium-sized enterprises (SMEs).

The Office took note of these suggestions and areas of concern and made a commitment to address them. The general sentiment of the Governing Body was that ILO engagement with the private sector should be maintained beyond 2019. The Governing Body requested the Director-General to continue improving ILO engagement with the private sector, taking into account its guidance.<sup>45</sup>

## 9. Reports of the Committee on Freedom of Association: 384th, 385th, 386th, 387th and 388th Reports and the annual report<sup>46</sup>

During the three Governing Body sessions under review, the Committee on Freedom of Association examined 70 cases and, in 22 of them, followed up on 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 procedure, but also noted with interest significant positive developments in the matters before it. In March, June and November 2018, the Governing Body adopted the recommendations set out in the 384th to 388th Reports of the Committee and also adopted the Reports as a whole.<sup>47</sup> The 385th Report regarded the follow-up of the measures taken by the Government of the Republic of Belarus to implement the recommendations of the Commission of Inquiry.<sup>48</sup> The Governing Body also took note of the second annual report of the Committee, which it was decided would be presented to the Conference Committee on the Application of Standards (CAS) in June 2019.

## 10. Appointment of the Chairperson and composition of the Committee on Freedom of Association<sup>49</sup>

At its 333rd Session, the Governing Body appointed Professor Evance Kalula (Zambia) as independent Chairperson of the Committee, until the expiry in June 2020 of the term of office of the current Governing Body. The Governing Body also appointed a new Government member to the Committee, Mr Aurelio Linero Mendoza (Panama), to replace Ms Graciela Sosa (Argentina), as well as two new Worker members, Ms Amanda Brown (United Kingdom) and Mr Magnus Norddahl (Iceland) in replacement respectively of Mr Kelly Ross (United States) and Mr Jens Erik Ohrt (Denmark), and paid tribute to the work of outgoing members in the Committee.

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<sup>45</sup> [GB.335/INS/6\(Rev.\)/decision](#).

<sup>46</sup> [GB.333/INS/6/1](#), [GB.333/INS/6/1\(Add.\)](#), [GB.333/INS/6/2](#), [GB.333/INS/6/3](#), [GB.334/INS/10](#), [GB.335/INS/13](#) and [GB.335/INS/13\(Add.\)](#).

<sup>47</sup> [GB.333/INS/6/1/decision](#), [GB.333/INS/6/3/decision](#), [GB.334/INS/10/decision](#) and [GB.335/INS/13/decision](#).

<sup>48</sup> [GB.333/INS/6/2/decision](#).

<sup>49</sup> [GB.333/INS/7/3](#), [GB.333/INS/8/5](#), [GB.334/INS/13/6](#) and [GB.335/INS/14/6](#).

## 11. Reports of the Officers of the Governing Body – Representations submitted under article 24 of the ILO Constitution

Since June 2018, the six following representations made under article 24 of the Constitution were declared receivable by the Governing Body in its private sittings:

- (1) representation alleging non-observance by Chile of the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187); <sup>50</sup>
- (2) representation alleging non-observance by Nepal of the Indigenous and Tribal Peoples Convention, 1989 (No. 169); <sup>51</sup>
- (3) representation alleging non-observance by Colombia of the Protection of Wages Convention, 1949 (No. 95); <sup>52</sup>
- (4) representation alleging non-observance by Turkey of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Termination of Employment Convention, 1982 (No. 158); <sup>53</sup>
- (5) representation alleging non-observance by Chile of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); <sup>54</sup>
- (6) representation alleging non-observance by Sri Lanka of the Labour Inspection Convention, 1947 (No. 81), and the Protection of Wages Convention, 1949 (No. 95). <sup>55</sup>

The Governing Body also decided how each representation should be considered in substance. Document GB.335/INS/INF/3 <sup>56</sup> contains a summary of the status of these and other representations submitted under article 24 of the Constitution.

## 12. Report of the Tenth European Regional Meeting (Istanbul, 2–5 October 2017) <sup>57</sup>

The Governing Body considered the report of the Tenth European Regional Meeting, held in Istanbul in October 2017. The consideration of this report had been deferred to the 334th Session from the 332nd Session. At the request of the International Trade Union Confederation (ITUC) and the European Trade Union Confederation (ETUC), numerous Workers' delegations had decided not to attend the Meeting. The constituents that attended the Meeting adopted the Istanbul Initiative as a balanced approach, reflecting the Meeting's rich discussion on the main challenges and priorities for the region, with a particular focus on the future of work and the Centenary Initiatives. The decision taken by the Governing Body, among other matters, called on the Director-General to take account

<sup>50</sup> [GB.333/INS/8/1/decision.](#)

<sup>51</sup> [GB.333/INS/8/2/decision.](#)

<sup>52</sup> [GB.333/INS/8/3/decision.](#)

<sup>53</sup> [GB.333/INS/8/4/decision.](#)

<sup>54</sup> [GB.334/INS/14/2/decision.](#)

<sup>55</sup> [GB.334/INS/14/3/decision.](#)

<sup>56</sup> [GB.335/INS/INF/3.](#)

<sup>57</sup> [GB.334/INS/6.](#)



of the Istanbul Initiative when implementing current programmes and in developing future programme and budget proposals.<sup>58</sup>

**13. Report of the 19th American Regional Meeting (Panama City, 2–5 October 2018)<sup>59</sup>**

At its 335th Session, the Governing Body reviewed the report of the 19th American Regional Meeting. All groups spoke appreciatively of the Meeting which had produced the *Panama Declaration for the ILO Centenary: The future of work in the Americas*.<sup>60</sup> It was viewed positively by all parties as the only outcome document of an ILO Regional Meeting dedicated to the Centenary. The Declaration was an important resource not only to guide the ILO's future activities in the Americas, but also to facilitate the completion of the programme and budget for the entire Organization and the preparations for the outcome document of the Centenary Session of the Conference.<sup>61</sup>

**14. Report of the Board of the International Training Centre of the ILO, Turin<sup>62</sup>**

The 81st Session of the Board of the International Training Centre of the ILO (ITC–ILO) was held in Turin from 25 to 26 October 2018. The report of the meeting was submitted to the 334th Session of the Governing Body. The Governing Body took note of the report of the meeting.<sup>63</sup>

**15. Review and possible revisions of formats and Standing Orders for meetings<sup>64</sup>**

At its 334th Session, the Governing Body concluded discussions on the review and possible revision of formats and Standing Orders for meetings which were initiated at the 332nd Session (March 2016), and adopted two new sets of Standing Orders, namely the Standing Orders for technical meetings and Standing Orders for meetings of experts.<sup>65</sup> They replaced the Standing Orders for sectoral meetings and the note on “General characteristics of sectoral meetings” adopted in 1995 with immediate effect. The Governing Body also decided to review the new Standing Orders at its March 2022 session.<sup>66</sup>

At its 335th Session, the Governing Body adopted an Introductory note to be published together with the new Standing Orders for technical meetings and Standing Orders for meetings of experts. It also decided to remove an annex from the *Compendium*

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<sup>58</sup> [GB.334/INS/6/decision](#).

<sup>59</sup> [GB.335/INS/8](#).

<sup>60</sup> [GB.335/INS/8](#), Appendix I.

<sup>61</sup> [GB.335/INS/8/decision](#).

<sup>62</sup> [GB.334/INS/11\(Rev.\)](#).

<sup>63</sup> [GB.334/INS/PV](#).

<sup>64</sup> [GB.334/INS/7\(Rev.\)](#) and [GB.335/INS/7](#).

<sup>65</sup> [Standing Orders for technical meetings and Standing Orders for meetings of experts](#).

<sup>66</sup> [GB.334/INS/7\(Rev.\)/decision](#).

*of rules applicable to the Governing Body* that had become obsolete due to the adoption of the new Standing Orders.<sup>67</sup>

## 16. Composition, agenda and programme of standing bodies and meetings<sup>68</sup>

At each of its three meetings since June 2018, the Governing Body took a number of decisions concerning the composition, agenda and programme of meetings, including the appointment of Professor Kamala Sankaran (India) as a new member of the Committee of Experts on the Application of Conventions and Recommendations (CEACR), and the re-appointment of four members to the same Committee, namely Mr Brudney (United States), Ms Machulskaya (Russian Federation), Ms Monaghan (United Kingdom) and Ms Owens (Australia).

## 17. Follow-up to the decision adopted by the Governing Body at its 331st Session to support the technical cooperation programme agreed between the Government of Qatar and the ILO and its implementation modalities<sup>69</sup>

At its 331st Session (October–November 2017), the Governing Body decided to support the agreed technical cooperation programme between the Government of Qatar and the ILO, and its implementation modalities. This programme reflects the common commitment of both the Government of Qatar and the ILO to ensure compliance with ratified international labour Conventions, as well as achieve fundamental principles and rights at work in the State of Qatar in a gradual manner during the period 2018–20. That would be achieved by: improving the payment of wages, enhancing labour inspection and occupational safety and health systems, refining the contractual system that replaced the *kafala* system, improving labour recruitment procedures, increasing prevention, protection and prosecution against forced labour, and promoting the workers' voice.

At its 334th Session, the Governing Body took note of the programme's first annual progress report. The Government, Workers' and Employers' groups welcomed the report and commended the Government of Qatar and the Office for their efforts, while reiterating that a great deal of work remained ahead.<sup>70</sup>

## 18. Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013)<sup>71</sup>

As a follow-up to the resolution concerning remaining measures on the subject of Myanmar, adopted by the 102nd Session of the International Labour Conference (June

<sup>67</sup> [GB.335/INS/7/decision](#).

<sup>68</sup> [GB.333/INS/9](#), [GB.334/INS/15\(Rev.\)](#) and [GB.335/INS/16](#).

<sup>69</sup> [GB.334/INS/8](#).

<sup>70</sup> [GB.334/INS/8/decision](#).

<sup>71</sup> [GB.335/INS/12](#).

2013),<sup>72</sup> the Governing Body, at its 335th Session, welcomed the signing of the Decent Work Country Programme (DWCP) for Myanmar in September 2018. The Governing Body encouraged Myanmar to fully engage in its implementation and other member States to support these efforts. It expressed serious concern over the persistence of forced labour, noting the observations of the CEACR pertaining to Convention No. 29, and urged the Government to intensify its close cooperation with the ILO for the elimination of forced labour under the auspices of the DWCP, including through the development of a time-bound action plan for the establishment of, and transition to, an effective complaints mechanism.

Concern was expressed over the important shortcomings in the draft legislation and the Government was urged to ensure that labour law reform to promote freedom of association reflected genuine and effective tripartite dialogue and was in line with international labour standards. The Governing Body called on the Government to implement the recommendations of the ILO supervisory bodies to ensure that workers and employers were not restricted or intimidated in exercising their fundamental rights at work. It also raised concerns regarding the recent charges laid against trade unionists engaging in peaceful protest action. Finally, it encouraged the Government to promote decent work through responsible investment policies in line with the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration), and requested the Office to report on the progress made at the 337th Session of the Governing Body.<sup>73</sup>

## 19. Report of the Director-General

### Follow-up to the ILO Centenary Initiatives<sup>74</sup>

At the 334th Session of the Governing Body, the Director-General reported on progress regarding implementation of the seven Centenary Initiatives as requested at the 319th Session of the Governing Body (October 2013).<sup>75</sup> The Governing Body provided its guidance particularly with regard to the End to Poverty Initiative, the Green Initiative, the Women at Work Initiative and the Future of Work Initiative. The Governing Body then requested the Director-General to facilitate the strong involvement of constituents in implementing these Initiatives and to incorporate the subsequent follow-up to the Centenary Initiatives into the Programme and Budget for the 2020–21 biennium, and to thus conclude the process of providing annual reports on their implementation.

### Reports of other meetings convened by the Governing Body of the ILO

At its 335th Session, the Governing Body received and reviewed the reports of the 20th International Conference of Labour Statisticians (ICLS), held in Geneva in October 2018 (Geneva, 10–19 October 2018).<sup>76</sup> The reports included four resolutions concerning: the revision of the International Classification on Status in Employment (ICSE-93), international definitions of two indicators in the Sustainable Development Goals (SDGs)

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<sup>72</sup> Resolution concerning remaining measures on the subject of Myanmar adopted under article 33 of the ILO Constitution.

<sup>73</sup> GB.335/INS/12/decision.

<sup>74</sup> GB.334/INS/13/1.

<sup>75</sup> GB.319/INS/3/1.

<sup>76</sup> GB.335/INS/14/1.

global indicator framework for which the ILO is custodian (SDG indicators 8.8.2 on labour rights and 8.b.1 on youth employment), and statistics of child labour; as well as four sets of guidelines. The Governing Body endorsed the recommendations of the 20th ICLS and requested the Director-General to include a provision in the next programme and budget to implement the resolution concerning the methodology of SDG indicator 8.8.2.<sup>77</sup>

Upon the review of the report of the Meeting of Experts on Defining Recruitment Fees and Related Costs held in Geneva in November 2018,<sup>78</sup> the Governing Body approved the publication and dissemination of the *Definition of recruitment fees and related costs* adopted by the Meeting of Experts, to be read together with the *General principles and operational guidelines for fair recruitment*,<sup>79</sup> and requested the Director-General to promote the application of that definition.<sup>80</sup>

## Update on the status of ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO<sup>81</sup>

At its 334th and 335th Sessions, the Governing Body continued reviewing the status of ratification of the 1986 Instrument for the Amendment of the Constitution of the International Labour Organisation (the 1986 Amendment). Governing Body members generally expressed concern with regard to the slow progress in ratification. To that end, the Governing Body requested the Director-General to continue promotional efforts for the ratification of this Instrument and to report on the results obtained at future Governing Body sessions.<sup>82</sup>

## 20. ILO-wide strategy for institutional capacity development<sup>83</sup>

In follow-up to the decision taken by the Governing Body at its 329th Session,<sup>84</sup> the Office presented the new ILO Institutional Capacity Development Strategy at its 335th Session. The document proposed a holistic approach to developing the capacity of ILO constituents on the basis of the lessons learned in recent years and the 2018 high-level evaluation of the ILO's capacity-development efforts during the period 2010–17.<sup>85</sup> Numerous interventions during the Governing Body session stressed that the discussion was timely, considering the context of rapid transformation in which the ILO and its constituents must operate and deliver on their mandates. The Governing Body members provided additional guidance to the Office on the proposed steps in the implementation and on the overall content of the proposed strategy. The initial steps of the implementation process should include consultations with the secretariats of the Workers' and Employers' groups and the strategy should be integrated into the Programme and Budget proposals for

<sup>77</sup> [GB.335/INS/14/1/decision](#).

<sup>78</sup> [GB.335/INS/14/2](#).

<sup>79</sup> ILO: *General principles and operational guidelines for fair recruitment and Definition of recruitment fees and related costs*, Fundamental Principles and Rights at Work Branch and Labour Migration Branch (Geneva, 2019).

<sup>80</sup> [GB.335/INS/14/2/decision](#).

<sup>81</sup> [GB.334/INS/13/2](#) and [GB.335/INS/14/3](#).

<sup>82</sup> [GB.334/INS/13/2/decision](#) and [GB.335/INS/14/3/decision](#).

<sup>83</sup> [GB.335/INS/9](#).

<sup>84</sup> [GB.329/INS/3/1/decision](#).

<sup>85</sup> ILO: *An independent evaluation of ILO's capacity development efforts 2010–17*, Evaluation Office (Geneva, 2018).

2020–21. The Office also provided clarification on a number of questions raised by Governing Body members with regard to the three main pillars in the new strategy paper.<sup>86</sup> The Governing Body endorsed the proposed strategy and requested the Office to implement it, taking into account the detailed comments received from the Governing Body members during the discussion.<sup>87</sup>

## 21. Decent work for sustainable development<sup>88</sup>

At its 335th Session, the Governing Body held a high-level discussion to discuss the ILO's contribution to the theme of the 2019 forum "Empowering people and ensuring inclusiveness and equality" and to the Sustainable Development Goals (SDGs) under review, namely: SDG 4 (quality education); SDG 8 (decent work and economic growth); SDG 10 (reduced inequalities); SDG 13 (climate action); and SDG 16 (peace, justice and strong institutions); and in relation to other SDGs, including SDG 17 on "means of implementation and partnerships" as a cross-cutting Goal.

The Governing Body welcomed the background document and provided additional recommendations for the forum's discussion. These included: (i) highlighting the importance of international labour standards, the supervisory mechanism and industrial relations institutions in the realization of the 2030 Agenda for Sustainable Development objectives and use the forum as a platform to invite member States to ratify and implement "enabling rights" Conventions; (ii) promoting a balanced approach towards the economic, social and environmental aspects of development, in which sustainable enterprises played a key role in implementing and sustaining decent work; and (iii) reiterating the importance of formalization of the informal economy, promotion of skills, occupational safety and health regulations, access to social protection and collective bargaining, improving national statistical systems, providing guidance and capacity building in implementing social protection policies and the transition to a green economy.

## II. Policy Development Section

### 22. Employment and Social Protection Segment

Follow-up discussion on the voluntary peer-review mechanisms of national employment policies<sup>89</sup>

At its 332nd Session, the Governing Body requested the Office to hold tripartite intersessional consultations regarding voluntary peer-review mechanisms of national employment policies, so that the issue could be examined for decision at its 334th Session.<sup>90</sup> Following that request, the Office outlined a detailed proposal which took into account the outcomes of previous Governing Body discussions and consultations.<sup>91</sup> Considering the overarching objective to promote knowledge sharing and

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<sup>86</sup> [GB.335/INS/PV](#).

<sup>87</sup> [GB.335/INS/9/decision](#).

<sup>88</sup> [GB.335/INS/11](#).

<sup>89</sup> [GB.334/POL/1](#).

<sup>90</sup> [GB.332/POL/1\(Rev.\)/decision](#).

<sup>91</sup> [GB.334/POL/1](#).

mutual learning on good practices among ILO constituents, the proposed peer-review mechanism would entail a national tripartite self-assessment by a volunteer country and a subsequent peer review by interested countries in the subregion. The mechanism also provides for a global discussion of the outcomes of the subregional reviews in order to ensure broader sharing of the knowledge generated. Those global discussions would be based on synthesis reports prepared every four years by the Office. The global aspect of these discussions would not only enhance the value added of the review process for all ILO constituents, but also provide substantive inputs to the International Labour Conference recurrent discussions on employment, and support the implementation of national comprehensive employment policy frameworks. At its 334th Session, the Governing Body requested the Director-General to implement the proposed voluntary peer-review mechanism, taking into account the guidance provided.<sup>92</sup>

**Follow-up to the Strategy for indigenous peoples' rights for inclusive and sustainable development and Strategic plan for engagement with United Nations system bodies and relevant regional organizations regarding the Indigenous and Tribal Peoples Convention, 1989 (No. 169)<sup>93</sup>**

At its 334th Session, the Governing Body reviewed follow-up action by the Office regarding the 2015 strategy for action concerning indigenous and tribal peoples. On that occasion, the Governing Body: (a) advised the Office with regard to the way forward in implementing the strategy for action concerning indigenous and tribal peoples; (b) requested the Director-General to take into consideration the strategy and the guidance given in the discussion in the preparation of future programme and budget proposals and in facilitating extra-budgetary resources, to both utilize and strengthen the Office's technical capacities in all regions, particularly in Latin America; and (c) requested the Director-General to submit to the Governing Body, at its 335th Session, a strategic plan to ensure understanding of the scope and application of Convention No. 169, according to ILO criteria, among the other United Nations system bodies and the relevant regional organizations.<sup>94</sup>

In line with that decision, the Governing Body, at its 335th Session, discussed a strategic plan for ILO engagement with UN system bodies and relevant regional organizations concerning Convention No. 169. The Governing Body requested the Director-General to: (a) implement the strategic plan, taking the Governing Body's guidance into account; (b) take into consideration the strategic plan and the guidance given in the discussion in the preparation of future programme and budget proposals, in order to enable the Office to engage in a sustained and strategic manner with the United Nations system and regional organizations in all regions; and (c) report on the strategic plan's implementation at the Governing Body's next follow-up discussion of the matter, in November 2020.<sup>95</sup>

<sup>92</sup> [GB.334/POL/1/decision](#).

<sup>93</sup> [GB.334/POL/2](#) and [GB.335/POL/2](#).

<sup>94</sup> [GB.334/POL/2/decision](#).

<sup>95</sup> [GB.335/POL/2/decision](#).



## Revisiting the plan of action on labour migration governance in consideration of the Global Compact for Safe, Orderly and Regular Migration <sup>96</sup>

At its 335th Session, the Governing Body revisited and provided guidance on the ILO's five-year plan of action (2018–22) on labour migration governance which had been adopted at the Governing Body's 331st Session, <sup>97</sup> following a general discussion on the topic conducted by the International Labour Conference at its 106th Session (2017). <sup>98</sup> The Governing Body indicated that the ILO's plan of action continued to reflect the priorities of the Organization on labour migration, including actions relevant to the Global Compact for Safe, Orderly and Regular Migration undertaken in pursuit of the ILO's mandate. The Governing Body also invited the Director-General to take account of its guidance in the implementation of the ILO's plan of action, to further strengthen ILO partnerships with other agencies, and to promote social dialogue and tripartism. Finally, the Governing Body took note of all points of view expressed on the UN Global Compact for Safe, Orderly, and Regular Migration. <sup>99</sup>

## 23. Social Dialogue Segment

### Sectoral meetings held in 2018 and proposals for sectoral work in 2019 and 2020–21 <sup>100</sup>

Under two different agenda items, the Governing Body discussed and took decisions regarding the follow-up to sectoral meetings as well as regarding an interim report of the Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel (CEART). <sup>101</sup>

In addition to approving the publication of the revised ILO code of practice on safety and health in shipbuilding and ship repair <sup>102</sup> and of the Guidelines on decent work in public emergency services, <sup>103</sup> the Governing Body also examined, at its 334th and 335th Sessions, the outputs of sectoral meetings held in 2018. These included the resolution adopted by the Joint Maritime Commission (JMC) Subcommittee on Wages of Seafarers, <sup>104</sup> as well as points of consensus on employment terms and conditions in tertiary education, and on challenges for decent and productive work arising from digitalization in the chemical and pharmaceutical industries.

<sup>96</sup> [GB.335/POL/1\(Rev.\)](#).

<sup>97</sup> [GB.331/INS/4/1\(Rev.\)](#).

<sup>98</sup> ILO: *Addressing governance challenges in a changing labour migration landscape*, Report IV, International Labour Conference, 106th Session, Geneva, 2017.

<sup>99</sup> [GB.335/POL/1\(Rev.\)/decision](#).

<sup>100</sup> [GB.334/POL/3](#) and [GB.335/POL/3](#).

<sup>101</sup> ILO–UNESCO: *Final report: Thirteenth Session: Joint ILO–UNESCO Committee of Experts on the Application of the Recommendations concerning Teaching Personnel*, Geneva, 1–5 October 2018, CEART/13/2018/10.

<sup>102</sup> *ILO code of practice: Safety and health in shipbuilding and ship repair*, revised edition (2019).

<sup>103</sup> ILO: *Guidelines on decent work in public emergency services*, Meeting of Experts to adopt Guidelines on Decent Work in Public Emergency Services, Geneva, 16–20 April 2018, MEGPES/2018/5.

<sup>104</sup> ILO: *Final report, Subcommittee on Wages of Seafarers of the Joint Maritime Commission*, Updating of the minimum monthly basic pay or wage figure for able seafarers: Seafarers' Wages, Hours of Work and the Manning of Ships Recommendation, 1996 (No. 187); Maritime Labour Convention, 2006, as amended, Guideline B2.2.4 – Minimum monthly basic pay or wage figure for able seafarers, Geneva, 19–20 November 2018, SWJMC/2018/6.

It also authorized, at its 335th Session, the ILO's participation as a full member in the Joint FAO/IMO Ad Hoc Working Group on Illegal, Unreported and Unregulated Fishing and decided that two representatives of employers and two representatives of workers would be appointed by their respective groups to take part in it.<sup>105</sup>

Having endorsed a programme of sectoral meetings for 2018–19 at its 329th Session,<sup>106</sup> the Governing Body endorsed, at its 334th and 335th Sessions, the composition, duration and dates of tripartite sectoral meetings envisaged for 2019. Finally, also at its 335th Session, the Governing Body discussed and adopted a programme of global sectoral meetings for 2020–21.<sup>107</sup>

## 24. Development Cooperation Segment

### Enhanced programme of development cooperation for the occupied Arab territories<sup>108</sup>

In October 2018, the Governing Body was informed of the progress made during the reporting period and the planned ILO interventions under the development cooperation programme for the occupied Arab territories. The Office reported progress in three priority areas: (i) enhancing employment and livelihood opportunities for Palestinian women and men; (ii) strengthening labour governance and realizing fundamental principles and rights at work; and (iii) the development of a comprehensive social security system. The Governing Body took note of that progress and commended the ILO for the signature and launch of the second Palestinian Decent Work Programme 2018–22, which retained these three priority areas based on a tripartite dialogue. In particular, the Governing Body took note of the continued support of the ILO in promoting social dialogue, supporting labour legislative reforms, and strengthening social security in the quest for further promoting the Decent Work Agenda and social justice in the occupied Arab territories. The Governing Body also took note of the need for extended and diversified partnerships to support the full implementation of the second Palestinian Decent Work Programme.<sup>109</sup>

### An integrated ILO strategy to address decent work deficits in the tobacco sector<sup>110</sup>

At the 332nd Session of the Governing Body, member States expressed the need for further consultation regarding an integrated ILO strategy to address decent work deficits in the tobacco sector, particularly in countries where ILO public–private partnerships (PPPs) operate. The Office subsequently held consultations in Malawi, Uganda, United Republic of Tanzania and Zambia and presented a paper at the 334th Session of the Governing Body that summarized the results of the consultations and proposed a way forward for the implementation of the Integrated Strategy 2019–22.<sup>111</sup> The Governing Body welcomed the Integrated Strategy but noted that it required further development and directed the Director-General to: (a) organize a tripartite meeting, to promote an exchange

<sup>105</sup> [GB.335/POL/3/decision](#).

<sup>106</sup> [GB.329/POL/4](#).

<sup>107</sup> [GB.335/POL/3/decision](#).

<sup>108</sup> [GB.334/POL/4](#).

<sup>109</sup> [GB.334/POL/PV](#).

<sup>110</sup> [GB.334/POL/5](#).

<sup>111</sup> *ibid.*



of views on the further development and the implementation of the strategy with, among others, the participation of the directly affected countries and social partners in the tobacco sector; (b) present an update on the integrated strategy to the Governing Body at its 337th Session; (c) continue the ongoing efforts to eliminate child labour using Regular Budget Supplementary Account funds and other public funds; (d) continue efforts to mobilize various sustainable sources of funding from the public and private sectors with appropriate safeguards.<sup>112</sup>

### Overview of relevant and existing forms of innovative finance mechanisms, related opportunities and risks, and potential for ILO engagement<sup>113</sup>

In March 2019, the Governing Body discussed a document entitled “Overview of relevant and existing forms of innovative finance mechanisms, related opportunities and risks, and potential for ILO engagement”. This discussion took place in follow-up to the resolution concerning effective ILO development cooperation in support of the Sustainable Development Goals (International Labour Conference, 107th Session, 2018),<sup>114</sup> and to the Governing Body discussion in November 2018 on the matters arising from the 107th Session of the International Labour Conference.<sup>115</sup> The Conference resolution calls for the ILO to deepen, expand and diversify partnerships, including with other UN entities, international financial institutions (IFIs) and the private sector, and promote engagement with innovative finance modalities and multi-stakeholder networks and alliances, such as those tackling forced labour, child labour and modern forms of slavery. The Office was requested to identify the opportunities and risks associated with forms of innovative finance mechanisms that are new to the ILO.

The paper provided various definitions, principles, as well as examples of innovative finance mechanisms, including in an additional reference document.<sup>116</sup> Common purposes of innovative finance included: (1) mobilizing additional resources that would not otherwise be available for development – it does not displace or replace existing resources; and (2) making resources available more effectively and efficiently by redistributing or reducing risk and linking future financial returns to the objective achievement of agreed results.

In its discussion, the Governing Body requested the Office to take into account its guidance on the ILO’s engagement in innovative finance mechanisms, while identifying and assessing the related risks and opportunities. In particular, the Office was requested to: (a) continue to build its knowledge of innovative finance mechanisms and to develop its capacities in that field; (b) develop the capacity of constituents to further build their awareness of innovative finance mechanisms; and (c) integrate the results of these measures into the Development Cooperation Strategy to be submitted to the Governing Body for discussion at its March 2020 session.<sup>117</sup>

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<sup>112</sup> [GB.334/POL/5/decision.](#)

<sup>113</sup> [GB.335/POL/4.](#)

<sup>114</sup> Resolution concerning effective ILO development cooperation in support of the Sustainable Development Goals.

<sup>115</sup> [GB.334/INS/3/1.](#)

<sup>116</sup> [GB.335/POL/4/REF.](#)

<sup>117</sup> [GB.335/POL/4/decision.](#)

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

#### 25. Legal Issues Segment

Follow-up to the discussion on the protection of Employers' and Workers' delegates to the International Labour Conference and Regional Meetings and members of the Governing Body in relation to the authorities of a State of which they are a national or a representative <sup>118</sup>

At its 334th Session, the Governing Body continued the discussions on this agenda item, which had begun in November 2015. <sup>119</sup> The Governing Body examined a proposal to recommend to the International Labour Conference the adoption of a resolution amending Annex I to the United Nations Convention on the Privileges and Immunities of the Specialized Agencies (the 1947 Convention). The aim of the proposed revision was to grant limited immunities to Employers' and Workers' delegates to the Conference and Regional Meetings, as well as to Employer and Worker members of the Governing Body in relation to the authorities of a State of which they are nationals or of which they are or have been representatives, with a view to protecting their independence and the unhindered discharge of their official functions in the ILO. The Governing Body took into account the information provided in the document and the views expressed in the ensuing discussion, and decided to defer the adoption of the draft decision to its following session. <sup>120</sup>

The Governing Body accordingly considered the same proposal at its 335th Session. Following the discussion, it decided not to approve the draft resolution concerning the revision of Annex I to the 1947 Convention and closed the discussion on the matter. <sup>121</sup>

#### Improving the functioning of the International Labour Conference: Comprehensive review of the Standing Orders of the Conference <sup>122</sup>

At its 335th Session, the Governing Body examined the third progress report of the intersessional consultations concerning the comprehensive review of the Standing Orders of the International Labour Conference. The intersessional consultation process, which was requested by the Governing Body at its 331st Session, <sup>123</sup> aims to solicit the views of the tripartite constituents on proposed amendments to the Standing Orders of the Conference in an open, transparent, informed and effective manner, in order to facilitate the decision-making process in the Governing Body. The Governing Body took note of the progress report and provided guidance on the next stages. <sup>124</sup>

<sup>118</sup> [GB.334/LILS/1](#) and [GB.335/LILS/1](#).

<sup>119</sup> [GB.325/PV](#), pp. 135–138.

<sup>120</sup> [GB.334/LILS/1/decision](#).

<sup>121</sup> [GB.335/LILS/1/decision](#).

<sup>122</sup> [GB.335/LILS/2\(Rev.\)](#).

<sup>123</sup> [GB.331/INS/17/decision](#), para. 26.

<sup>124</sup> [GB.335/LILS/2\(Rev.\)/decision](#).

## 26. International Labour Standards and Human Rights Segment

Report of the third meeting of the Special Tripartite Committee established under the Maritime Labour Convention, 2006, as amended (Geneva, 23–27 April 2018): Report of the Chairperson to the Governing Body, in accordance with article 16 of the Standing Orders of the Special Tripartite Committee <sup>125</sup>

As required by the Standing Orders of the Special Tripartite Committee (STC), the report of the third meeting of the STC (23–27 April 2018) was presented to the Governing Body at its 334th Session. The Governing Body noted the report, endorsed the establishment of a subsidiary body of the STC, appointed the Chairperson of the STC for a three-year period and convened a fourth meeting of the STC in 2021. In relation to the review of maritime-related international labour standards, carried out in the context of the Standards Review Mechanism, the Governing Body noted recommendations concerning 34 outdated instruments, including the proposal for the withdrawal or abrogation of 27 Conventions and Recommendations and to review the situation with respect to the remaining standards.

Choice of Conventions and Recommendations on which reports should be requested under article 19, paragraphs 5(e) and 6(d), of the Constitution in 2020 <sup>126</sup>

At its 334th Session, the Governing Body was invited to consider the choice of instruments on which governments might be requested to submit reports under article 19 of the ILO Constitution, which would be covered in the General Survey to be prepared by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) in 2020 for discussion by the Conference Committee on the Application of Standards (CAS) in 2021. The Governing Body determined that, with respect to the strategic objective of social protection (labour protection), <sup>127</sup> the General Survey should focus on “Decent work for care economy workers in a changing economy” and that reports should therefore be requested on the following instruments: the Nursing Personnel Convention, 1977 (No. 149); the Nursing Personnel Recommendation, 1977 (No. 157); the Domestic Workers Convention, 2011 (No. 189); and the Domestic Workers Recommendation, 2011 (No. 201). <sup>128</sup> To that end, the report form was approved by the Governing Body at its 335th Session. <sup>129</sup>

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<sup>125</sup> [GB.334/LILS/2\(Rev.\)](#).

<sup>126</sup> [GB.334/LILS/4](#).

<sup>127</sup> [Resolution on Advancing Social Justice through Decent Work](#), adopted by the International Labour Conference at its 105th Session, 2016, paras 15.1 and 15.2(b).

<sup>128</sup> [GB.334/LILS/4/decision](#).

<sup>129</sup> [GB.335/LILS/3/decision](#).

## The Standards Initiative: Report of the fourth meeting of the Standards Review Mechanism Tripartite Working Group (Geneva, 17–21 September 2018) <sup>130</sup>

At its 334th Session, the Governing Body approved the recommendations of the fourth meeting of the Standards Review Mechanism Tripartite Working Group (SRM TWG). The Governing Body called upon the ILO and its tripartite constituents to take appropriate measures to follow up on all its recommendations relating to standard setting as well as to the time-bound element of all recommendations resulting from its review of standards. These measures included follow-up action involving abrogation and withdrawal of outdated standards, giving due consideration to the availability of technical assistance to encourage ratification of up-to-date instruments. The Governing Body welcomed the SRM TWG's commencement of the crucially important discussion of its institutional implications with the aim of ensuring the sustainability of its process and looked forward to continuing to receive updates from the SRM TWG on how to ensure follow-up to the SRM TWG is implemented as a matter of institutional priority, and how to ensure coherence and consistency in the standards policy framework in relation to occupational safety and health (OSH) instruments.

In light of the SRM TWG's consideration of the nine instruments concerning OSH (general provisions and specific risks), the Governing Body decided that those instruments should be considered to have the classifications recommended by the SRM TWG and requested the Office to take the necessary follow-up action. It further noted the SRM TWG's recommendations concerning the abrogation and withdrawal of certain instruments, in relation to which it decided to place items on the agenda of future sessions of the Conference. <sup>131</sup>

In relation to the preparations for future meetings of the SRM TWG, the Governing Body decided that the SRM TWG would examine the nine instruments concerning employment policy, within the revised initial programme of work, at its fifth meeting which would take place from 23 to 27 September 2019.

## IV. Programme, Financial and Administrative Section

### 27. Programme, Financial and Administrative Segment

#### The Director-General's Programme and Budget proposals for 2020–21 <sup>132</sup>

In June 2018, the Governing Body approved a modified process for the preparation of the Programme and Budget for 2020–21. Under this process, the budget will be submitted to the International Labour Conference for adoption at its Centenary Session in June 2019, in full compliance with the Financial Regulations, and the substantive programme of work will be considered and approved by the Governing Body at its 337th Session, when the outcome of the Conference's deliberations on the future of work

<sup>130</sup> [GB.334/LILS/3](#).

<sup>131</sup> [GB.334/INS/2/1](#).

<sup>132</sup> [GB.333/INS/7/2](#), [GB.334/PFA/1](#) and [GB.335/PFA/1](#).

will be known.<sup>133</sup> Further to the consideration of the Director-General's proposals in November 2018 and March 2019, the Governing Body recommended to the International Labour Conference, subject to the positions taken during the course of the discussion, the adoption of the Programme and Budget for 2020–21.<sup>134</sup> Three observations can be derived from the wide-ranging debate that led to this decision: (i) the overall agreement on the strategic direction for the Organization to realize the objectives of the “ILO 2021” vision outlined in the ILO's Strategic Plan for 2018–21; (ii) support for a particular focus on strengthening the institutional capacities of ILO tripartite constituents when preparing the Programme and Budget proposals for 2020–21; and (iii) the endorsement of the proposed methodology to develop the results framework for 2020–21, based on the operationalization of the ILO's strategic objectives and the development of a theory of change for decent work. Another key feature of the proposals – the modest real increase in the budget equivalent to 1.57 per cent – responds to the circumstances facing the Organization, which require it to take a number of actions to sustain its vital operational capacities at a prudent and acceptable level. Emphasis is placed on five areas of institutional investments, while pursuing efforts to improve effectiveness, efficiency and value for money.

#### Update on the headquarters building renovation project<sup>135</sup>

In October 2018 and March 2019, the Governing Body received updates on the progress of the headquarters building renovation project. The Governing Body was informed of the key developments of phase 1 of the project (floors 1–11) and was pleased to note that the ongoing works were on schedule and planned for completion by the end of 2019. With regard to the potential funding of phase 2 (lower floors), the Governing Body approved in principle the sale of the vacant ILO land (plot 4057) and authorized the Director-General to commence a tendering process to identify a potential development partner to collaborate with the Office through the planning and approval process, and seek its approval on the general terms of any sale arising from the tendering process.

At its 335th Session, the Governing Body reviewed a comprehensive security plan for the ILO headquarters building and total estimated cost required. It recommended a partial investment of US\$3.5 million on security improvements as part of the Programme and Budget proposals of the 2020–21 biennium and requested that the Office report back on the implementation of the enhanced security measures at its 340th Session (October–November 2020).

#### Progress report on the implementation of the Information Technology Strategy 2018–21<sup>136</sup>

In October 2018, the Governing Body considered an Office paper providing an update on progress for the first year of the Information Technology Strategy 2018–21, and noted with satisfaction the efforts taken and progress made. It provided guidance to the Office in various areas, such as staff training, IT security, and information sharing between headquarters and field offices.<sup>137</sup>

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<sup>133</sup> [GB.333/INS/7/2/decision](#).

<sup>134</sup> [GB.334/PFA/1](#), [GB.335/PFA/1](#) and [GB.335/PFA/1/1](#).

<sup>135</sup> [GB.334/PFA/2](#), [GB.335/PFA/3](#) and [GB.335/PFA/3\(Add.\)](#).

<sup>136</sup> [GB.334/PFA/3](#).

<sup>137</sup> [GB.334/PFA/3/outcome](#).

## 28. Audit and Oversight Segment

### Audit and oversight

In October 2018, the Governing Body appointed three replacement members to the Independent Oversight Advisory Committee (IOAC).<sup>138</sup> In March 2019, the Governing Body considered the 11th annual report<sup>139</sup> of the IOAC on its work from May 2018 to January 2019. The Governing Body took note of the report and provided guidance to the Office in that regard.

At the same session, the Governing Body considered the report of the Chief Internal Auditor for the year ended 31 December 2018,<sup>140</sup> which contained findings resulting from internal audit and investigation assignments conducted by the Office of Internal Audit and Oversight (IAO) during 2018. The Governing Body noted with satisfaction that no major weaknesses had been identified in the ILO's system of internal control and requested the Office to ensure the appropriate implementation of the recommendations made.

### Evaluations<sup>141</sup>

In October 2018, the Governing Body considered a report on the ILO's evaluation activities during 2017–18 as measured against its results-based evaluation strategy, as well as the ongoing internal efforts by the ILO to strengthen the measurement of overall effectiveness of the Office. The Governing Body took note of the report, endorsed the recommendations contained therein, and confirmed the priorities for the 2019–21 programme of work for evaluations.

At the same session, the Governing Body considered a report presenting a summary of the findings of three high-level evaluations of strategies and Decent Work Country Programmes (DWCPs) on: strategy and actions for improved youth employment prospects, 2012–17; the ILO's capacity-development efforts, 2010–17; and the *ILO's programme of work in Lebanon and Jordan in terms of Decent Work and the Response to the Syrian Refugee Crisis, 2014–18*. The Governing Body requested the Director-General to take into consideration the recommendations of the three high-level independent evaluations, and to ensure their appropriate implementation.

### Matters relating to the Joint Inspection Unit (JIU): Reports of the JIU<sup>142</sup>

In October 2018, the Governing Body reviewed a summary of the JIU's annual report for 2017, its programme of work for 2018 and the eight JIU reports and related recommendations that were directly relevant to the ILO. The Governing Body provided guidance to follow up on specific recommendations made by the JIU.

<sup>138</sup> [GB.334/PFA/5](#).

<sup>139</sup> [GB.335/PFA/6](#).

<sup>140</sup> [GB.335/PFA/7](#).

<sup>141</sup> [GB.334/PFA/6](#) and [GB.334/PFA/7](#).

<sup>142</sup> [GB.334/PFA/8](#).



## 29. Personnel Segment

### Matters relating to the Administrative Tribunal of the ILO <sup>143</sup>

In October 2018, the Governing Body considered an Office paper <sup>144</sup> on the withdrawal of the recognition of the Tribunal's jurisdiction by the Technical Centre for Agricultural and Rural Cooperation (CTA). Accordingly, the Governing Body confirmed that the CTA would no longer be subject to the competence of the Tribunal with effect from the date of the Governing Body decision, except regarding the complaint currently pending before the Tribunal. <sup>145</sup>

At the same session, the Governing Body also decided to recommend to the 108th Session of the Conference a resolution granting the status of "officials other than Office officials" to the judges of the ILO Administrative Tribunal, and that this status be reflected in the Statute of the ILO Administrative Tribunal. <sup>146</sup>

The Governing Body considered other proposed amendments to the Statute of the Tribunal both in October 2018 <sup>147</sup> and March 2019. <sup>148</sup> After thorough discussions and taking into account the views expressed by some member organizations of the Tribunal, no agreement was reached on the proposed amendments. The Governing Body requested the Office to take note of the substance of the discussions held in the Governing Body and of the different proposals for further amendments, and decided to defer this item to its 337th Session for further consideration. <sup>149</sup>

In March 2019, the Governing Body decided to recommend to the 108th Session of the Conference the renewal of the three-year term of office of Mr Frydman (France), the Vice-President of the Tribunal. <sup>150</sup>

### Amendments to the Staff Regulations <sup>151</sup>

At its 335th Session, the Governing Body approved the amendments to articles 3.1(d), 3.12bis and 3.13 of the Staff Regulations related to salary scales and family allowances, contained in the appendix to document GB.335/PFA/10(Rev.). It also noted the amendments to article 3.1(a) of the Staff Regulations related to the salary scale for the Professional and higher categories, and the scale of pensionable remuneration for staff in the Professional and higher categories, as contained in the appendix to the same document. <sup>152</sup>

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<sup>143</sup> GB.334/PFA/12/2(Rev.), GB.334/PFA/12/1, GB.335/PFA/12/1 and GB.335/PFA/12/2.

<sup>144</sup> GB.334/PFA/12/2(Rev.).

<sup>145</sup> GB.334/PFA/12/2(Rev.)/decision.

<sup>146</sup> GB.334/PFA/12/3(Rev.)/decision.

<sup>147</sup> GB.334/PFA/12/1.

<sup>148</sup> GB.335/PFA/12/1.

<sup>149</sup> GB.335/PFA/12/1/decision.

<sup>150</sup> GB.335/PFA/12/2/decision.

<sup>151</sup> GB.335/PFA/10(Rev.).

<sup>152</sup> GB.335/PFA/10(Rev.)/decision.

## Composition and structure of the ILO staff <sup>153</sup>

During its 335th Session, the Governing Body discussed the annual report on the composition and structure of the ILO staff, as at 31 December 2018. This discussion focused on gender, age and geographical diversity as well as staff mobility patterns, in line with the outputs provided for in the Human Resources Strategy 2018–21. Having noted these patterns, the Governing Body requested the Office to present at its 337th Session a comprehensive and time-bound action plan for improving gender and geographical diversity and ensuring that the necessary breadth of skills and experience of ILO staff, which included experience relevant to the three constituent groups, was taken into account, to effectively deliver on the mandate of the Organization. It should particularly indicate the measures to be taken to ensure representation of the unrepresented and under-represented countries. The subsequent report (for the March 2020 session) should also indicate the gender and geographical distribution of regular staff by category and grade to facilitate the evaluation of the established targets of the Human Resources Strategy. Furthermore, the Governing Body encouraged the Office to widely disseminate job postings to constituents so as to encourage a wide pool of applicants. <sup>154</sup>

## Follow-up to the decisions taken by the International Civil Service Commission (ICSC) at its 85th Session regarding the post adjustment index for Geneva and update on developments related to the ICSC review of its consultative process and working arrangements as well as of the reform of the post adjustment methodology <sup>155</sup>

At its 334th Session, the Governing Body held a comprehensive discussion on the latest developments regarding matters related to the implementation of the revised post adjustment multipliers for Geneva and the ongoing ICSC review of the post adjustment methodology. <sup>156</sup> The Governing Body requested the Director-General to continue to actively engage with the ICSC, with the objective of reforming the post adjustment and other salary survey methodologies, and in the comprehensive review of the consultative process and working arrangements of the ICSC, ensuring the full involvement of the UN workers' federations and respect for the basic principles of social dialogue in those processes. <sup>157</sup> This review involves a contact group comprising members of the Commission, as well as representatives of organizations and staff federations.

The comprehensive review of the post adjustment system and its operational rules remains ongoing. The ICSC has called for the active cooperation of all stakeholders in this review and invited representatives of staff and the organizations to contribute to the technical work of the ICSC secretariat by sharing their statistical expertise. Furthermore, in the context of the ICSC's review of the compensation package for locally recruited staff, an in-depth review of the ICSC salary survey methodologies for locally recruited staff is currently ongoing with the active participation of members of the ICSC, and of representatives of staff federations and of organizations, including the ILO.

<sup>153</sup> [GB.335/PFA/11](#).

<sup>154</sup> [GB.335/PFA/11/decision](#).

<sup>155</sup> [GB.334/PFA/13\(Rev.\)](#) and [GB.335/PFA/13](#).

<sup>156</sup> [GB.334/PFA/13\(Rev.\)](#).

<sup>157</sup> [GB.334/PFA/13\(Rev.\)/decision](#).



The Governing Body was informed of these developments at its 335th Session <sup>158</sup> and reiterated the request made at the 334th Session. <sup>159</sup>

## **V. Conclusion**

This report represents a succinct account of the actions taken by the Governing Body of the ILO for the period June 2018–June 2019, which I, as its Chairperson, submit to the 108th (Centenary) Session of the International Labour Conference for its information.

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<sup>158</sup> [GB.335/PFA/13](#).

<sup>159</sup> [GB.335/PFA/13/decision](#).