



# Governing Body

346th Session, Geneva, October–November 2022

Institutional Section

INS

## Minutes of the Institutional Section

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## Opening remarks

- 1. The Chairperson** expressed her solidarity with, and sincere condolences to, the Governments and people of India and the Republic of Korea for the recent tragic loss of life in those countries. She welcomed Mr Gilbert F. Hounbo to his first session of the Governing Body as Director-General, recognizing that he was the first person of African origin to hold that position. Highlighting the importance of social dialogue and tripartism to ensuring decent work, she emphasized the need to pursue social justice and a just transition towards environmentally sustainable economies and societies for all. The ILO had a fundamental role to play within the United Nations (UN) system, especially with regard to attaining the 2030 Agenda for Sustainable Development (2030 Agenda). The attainment of Goal 8 was of particular importance following the coronavirus pandemic (COVID-19), which had had a negative impact on the world of work, disproportionately affecting women and vulnerable groups. She expressed confidence that the ILO, led by the new Director-General, would rise to the challenges at hand.
- 2.** The 346th Session of the Governing Body was once again being held in person. Previous special arrangements and rules of procedure for virtual and hybrid meetings were no longer in force, although remote access to meetings would continue.
- 3. The Director-General** made an introductory statement to the Governing Body. The statement is reproduced in its entirety in Appendix I.
- 4. The Employer spokesperson** welcomed the new Director-General, who had assumed his role at a particularly challenging time for the international community and the multilateral system. The ILO must unite with its constituents to address the ongoing crises, a task in which employers and their organizations played an integral part. The Director-General's vision of a new contract for social justice would revitalize the ILO's founding principles. Tripartism and collective action were instrumental in strengthening trust and creating favourable conditions for job creation, growth and development. The social partners assisted in shaping and implementing the agenda of the ILO and its objectives could only be achieved with the contribution of strong, representative and independent employers' and workers' organizations.
- 5.** The COVID-19 pandemic had demonstrated the importance of having institutions able to support economies and societies during crises and reinforced the case for political stability, rule of law, effective public services and governance based on dialogue and participation; the top-down decision-making seen during the pandemic had had a negative impact on enterprises and citizens alike. Those conditions, which the ILO played a key role in promoting, were also vital to the functioning of enterprises. The Director-General must ensure that the ILO's activities had a tangible, positive impact on people's lives, promoted social justice, strengthened economies and benefited all Member States.
- 6.** The Employers placed great importance on the ILO's productivity and skills agendas, which were relevant to all constituents since higher productivity improved wages and promoted growth, enterprise sustainability and decent work. Sustainable enterprises, productivity and skills must therefore feature prominently in future ILO action, and the Organization must develop a robust productivity agenda that enabled inter-departmental cooperation, promoted decent work, addressed informality and improved working conditions. She welcomed the Director-General's acknowledgement that without support for enterprises, the current challenges would hinder growth and job creation. Many employers had gone to heroic lengths to preserve their businesses and jobs during the COVID-19 pandemic; the ILO must strive

ambitiously to remove obstacles to growth and promote sustainability, particularly among small and medium-sized enterprises. Skills constituted an important part of those efforts, and it was essential that the ILO should become a global leader on skills in order to mitigate the impending jobs crisis.

7. During its current session, the Governing Body should pay particular attention to the First Supplementary Report of the Director-General on a Global Coalition for Social Justice. While such a coalition would strengthen the ILO's role in shaping and implementing the UN Secretary-General's *Our Common Agenda*, its impact on the ground would depend on the establishment of a proper governance structure that included the Employers' and Workers' groups at the highest levels, so that the needs of business were properly reflected in its scope; for example, support for small and medium-sized enterprises in the transition to a low-carbon digital economy would be key to promoting quality employment and addressing inequality. The Office should consider bringing its engagement on other priorities of *Our Common Agenda*, including youth employment and women's empowerment, under the umbrella of the Coalition.
8. The report of the Meeting of Experts on decent work in the platform economy was of particular importance. The ILO should play a leading role in that area, although its guidance would be unviable and impractical if it failed to draw a distinction between employees and self-employed workers in the platform economy. Furthermore, a presumption that all platform workers were employees would not reflect reality and would require self-employed persons to prove their status. In addition, there must be a proper understanding of regulatory gaps in a number of areas, as well as transparency for platform workers, for example on criteria for algorithms and waiting time. Those matters were addressed by existing ILO instruments. The constituents must come together to safeguard and strengthen the ILO's unique tripartism.
9. **The Worker spokesperson** expressed her group's support for the new Director-General in pursuing the ILO's mandate at a time of severe attacks on peace, social justice and multilateralism that affected workers in particular. The return to in-person meetings following the lifting of restrictions imposed during the COVID-19 pandemic would greatly assist the Governing Body in addressing issues of profound importance to workers. The pandemic had exposed vulnerabilities in the common human security system, and global growth had been curtailed by numerous severe crises that hindered the post-pandemic recovery and threatened to push millions into extreme poverty. Millions more had fallen victim to or suffered displacement as a result of the dozens of military conflicts raging around the world. In addition to those crises and the existential threats of nuclear war and climate change, the global systems that provided security, combated poverty and inequality and prevented human suffering were frequently ignored or violated.
10. Her group therefore welcomed the Director-General's pledge to work tirelessly to address those matters, as well as his Global Coalition for Social Justice initiative. Bold action was required of the Governing Body to give the ILO the necessary mandate and resources to promote social justice. The ILO's tripartism must be harnessed to tackle the current global challenges and the social contract that had prompted its creation must be renewed. The enabling rights at the core of the ILO's mandate – freedom of association and the right to effective collective bargaining – must be strengthened to support ILO activities for workers on the ground.
11. The COVID-19 pandemic had triggered an increase in insecure and precarious labour; greater emphasis should therefore be placed on providing security to workers, for example by giving effect to the decision taken by the International Labour Conference in June 2022 to include occupational safety and health as a fundamental principle and right at work. Furthermore,



progress was required in relation to a global social protection fund, business accountability across supply chains, the transformative agenda for gender equality and protection for workers in the informal and platform economies. While the Employers had expressed a wish to define platform economy workers, it should be remembered that definitions were often used to exclude, and the ILO must continue to view the notion of “a worker” as an inclusive, non-legal concept encompassing all persons in the world of work in need of protection.

12. In view of the foregoing, work must continue on a robust, up-to-date body of international labour standards. The ILO’s supervisory system must be safeguarded to enable it to enforce those standards in all Member States, and the ILO must provide technical assistance on request. She called on the Governing Body to find common ground in order to address those challenges together.
13. **Speaking on behalf of the Government group**, a Government representative of Germany conveyed her group’s satisfaction at the election of a Director-General from the Africa region. Faced with the effects of the COVID-19 pandemic and other global challenges, the ILO must demonstrate strong international leadership within its role and mandate. The Director-General had made a positive commitment to finding new impetus and solutions for a just transition, universal social protection, fair trade and decent work, drawing on the ILO’s normative and supervisory systems. The ILO’s technical support assisted in the ratification and effective implementation of international labour standards, and the Organization played a key role in the 2030 Agenda, although efforts to meet the Sustainable Development Goals (SDGs) must be redoubled.
14. The Director-General’s Global Coalition for Social Justice initiative was particularly relevant given the importance of social justice in bringing about universal and lasting peace. Social justice and decent work relied on good job and employment relations, adequate protection for workers’ rights and social dialogue. Quality training, apprenticeships and lifelong learning were also essential, and new realities in the world of work, digitalization and the structural barriers facing women and other vulnerable groups must be considered.
15. Given the need for strengthened tripartite involvement to address the current multifaceted challenges, her group fully supported the Director-General’s commitment to UN development system reform and looked forward to further discussion of the ILO’s engagement with the broader multilateral system, including international financial institutions. The ILO’s unique tripartism increased the Organization’s impact, and the Director-General should ensure that tripartism was reflected across the ILO’s work, while strengthening social dialogue. The Government group was committed to full, equal and democratic participation in the ILO’s tripartite governance, including geographical balance. Similarly, it strongly supported the Director-General’s focus on social diversity, gender balance and inclusion at the ILO and his commitment to zero tolerance of sexual exploitation, abuse and harassment. The Government group would support the efforts to strengthen the ILO’s relevance, effectiveness and ability to serve its constituents’ needs.
16. **Speaking on behalf of the Africa group**, a Government representative of Morocco welcomed the Director-General, whose appointment as the first African Director-General was a symbolic moment in the history of the ILO. In the current uncertain times, the ILO was highly relevant and had a key role to play in global, coordinated and solidarity-based solutions that only a strong and reinvigorated UN system could deliver. Multiple crises were giving rise to difficult questions in the world of work and the economy, the effects of which were already strongly felt, especially in Africa, where priority issues included action on decent work; productive employment for all, especially young people and women; the eradication of child labour; the

formalization of work; access to social protection; and the strengthening of social dialogue. His group would focus on those issues alongside the Director-General and his team, the other regional groups and the social partners in order to find realistic and actionable solutions. The group was committed to tripartism and to the normative role of the ILO, which must be strengthened and updated to adapt to changes in the world of work. The democratization of ILO governance, the importance of which was affirmed in the Abidjan Declaration, would also remain key to the Africa group. The group called on the Director-General to support the tripartite working group on the full, equal and democratic participation in the ILO's tripartite governance in order to obtain the additional ratifications of the 1986 Instrument for the Amendment of the ILO Constitution, particularly by the Members of chief industrial importance, needed for the instrument to enter into force. The group also called for greater representation of African expertise at the Office.

- 17. Speaking on behalf of the group of Latin American and Caribbean countries (GRULAC)**, a Government representative of Colombia expressed support for the Director-General's vision for the future of the ILO based on a new pact for social justice. His leadership represented an opportunity to overcome long-standing challenges that the Latin America and the Caribbean region had experienced in the context of the ILO. The group welcomed the Director-General's commitment to modernizing the Standards Review Mechanism so that it took national contexts into consideration, recognized progress and was a useful tool for addressing challenges faced by countries in the region. The Director-General's intention to pay particular attention to operations on the ground would allow ILO technical assistance to respond to the region's needs in a coherent and effective manner, addressing issues such as informality, migrant flows, the inclusion of young people in the labour market, the protection of vulnerable groups and minorities and the implementation of a transformative agenda for gender and inclusion in the world of work. The ILO must lead discussions on the myriad phenomena shaping the future of the world of work, such as digitalization and work on digital platforms and in global supply chains.
- 18. Speaking on behalf of the Asia and Pacific group (ASPAG)**, a Government representative of the Philippines noted that his region was home to more than 60 per cent of the world's labour force, much of which worked in the informal economy and might lack social protection, and dreamed of a just share of global wealth through the creation of opportunities for decent work. However, drivers of change, including the COVID-19 pandemic, digital and technological transformations, demographic shifts and climate change, were exacerbating inequalities within and among countries. Attaining social justice and the equitable distribution of opportunities promised by changing patterns in the world of work hinged on tripartite cooperation; full, equal and democratic participation in the ILO's governance; policy coherence within the multilateral system; and global solidarity. The group therefore welcomed the Director-General's proposed Global Coalition for Social Justice. The Director-General could count on his group's support and cooperation in addressing all issues relating to the region, including at the regional meeting in Singapore later that year.
- 19. Speaking on behalf of the group of industrialized market economy countries (IMEC)**, a Government representative of Canada welcomed the Director-General's ambitious vision for the role of the ILO in addressing the multifaceted and high-stake challenges facing the world of work. Tripartism remained central to that role. The group looked forward to the Director-General's engagement in pressing global labour and social issues, including building resilient supply chains free from labour rights violations, addressing rising inequalities and seeking a just transition in response to the climate crisis. The group fully supported the Director-General's commitment to multilateral coherence and coordination, and the proposed

Global Coalition for Social Justice. IMEC trusted that he would promote a robust, clear and up-to-date body of international labour standards and ensure a strong and effective supervisory system, including an impartial and independent Committee of Experts on the Application of Conventions and Recommendations. The group highly valued the Director-General's commitment to strengthening the ILO's research capacity and knowledge base and trusted that he would promote a safe, healthy and inclusive work environment for all ILO staff, thereby setting the standard for the entire UN system.

20. **Speaking on behalf of the Association of Southeast Asian Nations (ASEAN)**, a Government representative of Indonesia took note of the Director-General's vision for reducing global inequalities and promoting social justice, which was in line with the ASEAN Community Vision 2025. He expressed the hope that the ILO would place greater emphasis on the needs of South-East Asia in its policies and programmes so that it could partake in the benefits of socio-economic development and that the ILO would increase its technical assistance to enhance the capacities of institutions. The region's contribution to global development could be maximized through programmes that generated economic opportunities and raised living standards, and such programmes could be better designed if development perspectives influenced ILO policies, for example through equitable representation of the region in the ILO staff.
21. **Speaking on behalf of the European Union (EU) and its Member States**, a Government representative of Czechia said that Albania, the Republic of Moldova, North Macedonia, Montenegro, Serbia, Türkiye, Georgia, Iceland and Norway aligned themselves with his statement. Against a backdrop of the Russian aggression against Ukraine, global instability and the ongoing impact of the pandemic, the ILO must take a leading role in the multilateral system to ensure that decent work and social justice remained at the heart of any action affecting the world of work and also to ensure an inclusive, sustainable and resilient human-centred recovery from the pandemic. The EU and its Member States shared many of the Director-General's priorities, including just and inclusive transitions to green and digital economies and ensuring decent work in global supply chains, and stood ready to support the Director-General and his team in delivering on the ILO's mandate of social justice and decent work worldwide.
22. **Speaking on behalf of the Arab group**, a Government representative of Saudi Arabia said that in the face of the current economic and political difficulties, which had been exacerbated by the pandemic, the group looked forward to strengthening its cooperation with the ILO through technical assistance programmes and other development policies to provide assistance to labour markets in the Arab region. The group also looked forward to discussing the Programme and Budget proposals for 2024–25, which would set the tone for the Organization's work, and the proposed Global Coalition for Social Justice.
23. **A Government representative of Sweden**, speaking on behalf of the Governments of Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway and Sweden, said that as the struggle for decent work and peace, social justice and a better world was at the foundation of the ILO, it must act, within the scope of its mandate, when peace and social justice were threatened, as was the case with the Russian aggression against Ukraine and the consequences of the pandemic. She welcomed the Director-General's commitment to gender balance within his management team and to reaching gender parity in senior positions in the ILO by 2025, and urged him to strengthen gender equality in the world of work through the ILO's work, including in the form of dedicated resources and actions.
24. **A Government representative of Brazil** welcomed the Director-General's initiative to launch a Global Coalition for Social Justice as part of an integrated strategy for renewed

multilateralism. The ILO must adopt a leadership role in advancing social justice, decent work and productive employment and must contribute to the efforts of the UN system to expedite the delivery of the 2030 Agenda. As Member States continued to recover from the pandemic, the Director-General's initiatives would help the ILO to engage other actors in restoring and improving the job market while fostering sustainability, respect for human rights and the rights of vulnerable groups, gender equality and effective tripartism. He looked forward to the increased role of South–South cooperation as one of the drivers of the Coalition and in the other work of the ILO.

25. **A Government representative of China** said that his country stood ready to work with other ILO Member States and the social partners to support the Director-General in delivering on his vision to preserve social justice and seek new solutions to challenges and opportunities in the changing world of work.
26. **A Government representative of the Dominican Republic** noted that the post-pandemic crisis had led to significant changes in labour relations, including an exponential increase in the gig economy, which had created alternatives to traditional forms of employment for workers, but had also resulted in a significant increase in workers in the informal economy and own-account workers. That presented an immediate threat to the sustainability of social security systems, which could bring about crisis without recent precedent that could impoverish citizens by depriving them of healthcare, pensions and occupational safety and health. In addition to its traditional areas of work, in order to be forward-looking, the ILO should examine the possibility of regulating the rights of workers who worked remotely for an enterprise based in another country and were not covered by social protection in their country of residence to ensure that they were entitled to social benefits.

## 1. Approval of the minutes of the 344th and 345th Sessions of the Governing Body (GB.346/INS/1)

### Decision

27. **The Governing Body approved the minutes of its 344th and 345th Sessions, as amended.**  
(GB.346/INS/1, paragraph 3)

## 2. Agenda of future sessions of the International Labour Conference (GB.346/INS/2)

28. The Governing Body had before it two amended versions of the draft decision, which had been circulated by the Office to all groups. In the first version, the Employers' group proposed the deletion of the subparagraph (e).

In the second version, the Workers' group proposed the addition of a new subparagraph (b), to read:

- (b) decided to place on the agenda of the 113th Session (2025) of the Conference an item on decent work in the platform economy and requested the Office to provide a normative gap analysis to the Governing Body at its 347th Session (March 2023) to inform its decision-making on the nature of the item to be placed on the agenda of the Conference in 2025 and, as appropriate, in 2026;

The Workers' group also proposed that the original subparagraph (e) should be amended to read:

- (fe) requested the Office to take into account the guidance provided in preparing proposals for a tripartite technical meetings on access to labour justice and a tripartite meeting of experts on protection of workers' personal data in the digital era; and

29. **The Worker spokesperson** said that, since the International Labour Conference was the Organization's highest political organ, it was important to secure enough resources for it to discharge its constitutional responsibilities. It was also important to be bold in deciding which challenges in the world of work urgently needed revised or new regulations. Those decisions were made by the Governing Body, drawing on the technical advice and support of the Office; therefore, the document needed to suggest possible avenues even more clearly in the future. A strategic and coherent approach was more important than ever to maintain the relevance of the ILO in shaping minimum standards at the national level and providing universal principles, standards and guidance at the multilateral level.
30. Reiterating that follow-up to the recommendations of the Standards Review Mechanism Tripartite Working Group (SRM TWG) was a matter of institutional priority, she recalled that the Governing Body had previously called for the preparation of a series of standard-setting proposals relating to occupational safety and health at the earliest possible opportunity. However, only one such proposal, on the issue of biological hazards, had been placed on the Conference agenda. The remaining proposals on ergonomics and manual handling, chemical hazards and guarding of machinery should be addressed without delay. She supported the Office's procedural road map as set out in paragraph 43 of the document.
31. Referring to subparagraph (a) of the draft decision, she said that she preferred the second option, to convene a preparatory technical conference on the consolidation of instruments on chemical hazards in 2024, with a view to submitting a consolidated instrument to the Conference at its 114th Session (2026) for adoption under a single discussion procedure. A double discussion would not be needed on that item, since a large amount of preparatory work had already been carried out and the proposed outcome was a Protocol to the Chemicals Convention, 1990 (No. 170). In the SRM TWG, both the Employers and Governments had expressed support for innovative approaches to standard-setting and the update of standards on chemical hazards presented an opportunity to trial a such an approach. She requested the Office to provide further clarification of the procedure to be followed. In her view, technical preparatory work should be carried out only in the context of such a preparatory conference, since any other type of meeting would not be sufficiently inclusive and would not lead to the necessary decisions required to make progress towards holding a single discussion. She agreed that invitations to participate in the preparatory conference should be issued to all ILO Member States, leaving each country to decide for itself whether it wished to be represented, provided that they consulted on the matter with the social partners. She was in favour of following past practice in accordance with which delegations would consist of one Government delegate, one Employers' delegate and one Workers' delegate, with advisers as necessary. She suggested that the modalities for ergonomics and manual handling and the guarding of machinery should be considered only after those for chemical hazards had been decided on and once lessons could be drawn from the preparatory conference on that item.
32. Her group stood by the reasoning behind the adoption of recurrent discussions as part of the follow-up to the ILO Declaration on Social Justice for a Fair Globalization (2008), as amended in 2022 (Declaration on Social Justice). However, while recurrent discussions had yielded helpful guidance on various elements of the Decent Work Agenda, links to standard-setting had not been strengthened. Furthermore, no real progress had been made in strengthening

interaction with other multilateral actors in those discussions. It would be a good idea to conduct in due course a review to assess how to improve methods of follow-up to the Social Justice Declaration and identify potential synergies with the establishment of the Global Coalition for Social Justice. A tripartite technical meeting should not conduct such a review, since the Governing Body and the International Labour Conference must retain responsibility for decision-making on that topic. Given that the Governing Body discussions would have an impact on the recurrent discussions schedule, in view of the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work as part of follow-up to the Social Justice Declaration, a decision should be made as to how best to proceed. The list of priority Conventions should be reviewed as it had not been possible on the occasion of the evaluation of the Social Justice Declaration in 2016.

33. It would be wise to link a review of the Social Justice Declaration to the World Social Summit envisaged for 2025. She therefore suggested holding Governing Body discussions on follow-up to the Social Justice Declaration in relation to the Global Coalition for Social Justice over the period 2024–25, and waiting until 2026 to decide on how to proceed with recurrent discussion items. A decision to that effect would free a slot on the Conference agenda for 2025.
34. She reiterated her strong support for a standard-setting item on decent work in the platform economy in 2025. Her group was explicitly seeking a Convention that would cover *in-situ* and online platform work and apply to all platform workers in the broadest sense of the term. Many aspects of platform work were not adequately covered by the current body of international labour standards, which resulted in a clear regulatory gap that needed to be filled with a new Convention. Her group had therefore proposed the addition of a new subparagraph (b) to the draft decision, which took into account suggestions from the Government and Employers' groups to request the Office to provide a normative gap analysis in March 2023.
35. Tripartite technical meetings on access to labour justice and on the protection of workers' personal data could contribute to further standard-setting. Her group's proposed amendment to the original subparagraph (e) clarified that a tripartite technical meeting would be most appropriate for discussions on access to labour justice, and the protection of personal data should be discussed in an expert meeting format. Since access to labour justice was key to ensuring that workers' rights were effectively enforced, she was in favour of holding a tripartite technical meeting in 2024 in order to pave the way for consolidated ILO guidance in that area and to feed into the standard-setting discussion on platform work. Such a meeting would provide an important contribution to the future review of the four international labour standards that had been included in the SRM TWG's programme of work. She recalled that a decision still needed to be made as to when to place the item on the protection of whistle-blowers on the Conference agenda with a view to standard-setting and that the item should be included in the document to be examined by the Governing Body in March 2023.
36. She disagreed with the proposal by the Employers' group to delete subparagraph (e) of the draft decision. The issue of labour dispute prevention and resolution had been discussed as a possible future Conference agenda item for many years and a technical meeting was required to establish consolidated and up-to-date guidance on the matter.
37. **The Employer spokesperson** said that the Organization should adopt a strategic approach to agenda-setting, with short- and long-term perspectives in mind. The Conference agenda should not be set too far in advance in order to allow flexibility for the consideration of any pressing or unexpected issues that might arise. The Employers' firm position was that dealing with two standard-setting items in one year was not feasible or practical in terms of resources and time management and diverged from the ILO's standard practice.

38. Her group supported the first option in subparagraph (a) of the draft decision because a double discussion was the default option for standard-setting items in accordance with paragraph 5.1.4 of the Compendium of rules applicable to the Governing Body of the International Labour Office. In the past, single discussion procedures had been used only on rare and exceptional occasions. She did not see any urgency or special circumstances that warranted a discussion of chemical hazards under such a procedure. On the contrary, the complexity of the topics merited thorough examination because the standards on chemical hazards needed to be coherent with many international treaties on the manufacture, transport, use and disposal of chemicals. Furthermore, the matter touched upon occupational safety and health, and was politically sensitive owing to the weight of the chemicals industry in many Member States. The Governing Body had previously agreed that biological hazards should be included on the agenda as a double discussion, and it was illogical to diverge from that approach for chemical hazards. The second option would be counterproductive, since holding a preparatory technical conference would place a heavy burden on the Office and constituents. A tripartite technical meeting, as proposed in the third option, would help prepare an item for the Conference agenda but would not alleviate the need for a double standard-setting discussion at the Conference. The Employers' group was flexible with the timing for the standard-setting item: it could be 2026 or later, or the decision setting the date could be deferred until March 2023.
39. Her group supported the recommendations adopted by the SRM TWG at its seventh meeting to place an item regarding the abrogation and withdrawal of various Conventions and Recommendations on the agenda of the 121st Session of the Conference in 2033. As she had stated in the discussion on document GB.346/LILS/1, instruments classified as outdated should be swiftly abrogated. It made little sense to abrogate an outdated Convention a decade later, which was incompatible with the objective of ensuring an up-to-date body of standards as set forth in the ILO Centenary Declaration for the Future of Work (Centenary Declaration).
40. With regard to subparagraph (d) of the draft decision, she supported the proposal to place an item on the renewed evaluation of the Social Justice Declaration on the Conference agenda in 2025, since it would provide a good opportunity to consider how best to incorporate the new fundamental principle on a safe and healthy working environment into the framework of recurrent discussions and to consider changes since the first evaluation in 2016. Her group had proposed the deletion of subparagraph (e) because no decision had yet been taken on proposals for tripartite technical meetings on access to labour justice and the protection of workers' personal data, and she did not see the need to make plans for a tripartite meeting at the current time. She expressed her disappointment that the three topics that her group had put forward in March 2022 for inclusion on the agenda for future sessions, namely education and training systems, productivity and tackling informality, had not been elaborated in the document. She strongly reiterated her request for the Office to include those items to allow a thorough discussion at the Governing Body session in March 2023.
41. Discussions on access to labour justice were not urgent and no decision should be taken before the Governing Body was presented with the results of the study undertaken by the Office, which was ongoing. No further action should be taken regarding the protection of whistleblowers in public service until the outcome document of the technical meeting was formally adopted at the next Governing Body session. The topic of the protection of workers' personal data in the digital era was more appropriate for discussion at a technical meeting than by the Conference, but care should be taken to avoid having an excessive number of items for discussion by technical meetings. The Governing Body should decide whether the ILO code of practice on the protection of workers' personal data, which had been adopted in 1996, was still

relevant before the matter was discussed at a meeting of experts. Her group continued to support the inclusion of an item on harnessing the fullest potential of technology to achieve decent work and sustainable development on the Conference agenda, provided that it be amended to address the opportunities and challenges related to the use of technology. She supported the inclusion of an item on amendments to specific provisions of 15 instruments consequential to the inclusion of a safe and healthy working environment in the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022, on the Conference's agenda in 2023. She requested clarification from the Office as to whether the item would be a matter for the General Affairs Committee, a technical committee or the plenary of the Conference.

42. Referring to the proposal by the Workers' group to add a new subparagraph (b) to the draft decision, she said that the request for the Office to conduct a normative gap analysis should be included in the relevant decision under the Policy Development Section and not in the draft decision under consideration. Furthermore, the second part of the proposed subparagraph should be deleted because the Governing Body needed to decide what types of action should be taken by the Office before deciding on the inclusion of an agenda item for 2025. She wished to see how discussions evolved before taking a position in that regard.
43. **Speaking on behalf of the Africa group**, a Government representative of Niger said that the question of the agenda of future sessions of the International Labour Conference was of vital importance to his group. Measures should be taken at the global level to address the current challenges facing the world of work. The attainment of the SDGs and objectives related to decent work, social protection and labour justice should be placed at the top of the Conference agenda. It was time to engage in serious discussions on access to social justice for all, job security and platform work in line with the Social Justice Declaration. Genuine progress should be made on the inclusion of safe and healthy working conditions in the ILO's framework of fundamental principles and rights at work and discussions on standard-setting should be placed on the agenda as soon as possible, in accordance with the recommendations of the SRM TWG. Recurrent discussions on employment and social protection should be held, since the current cycle would end in 2024. He supported the draft decision and would prefer the first option in subparagraph (a).
44. **Speaking on behalf of GRULAC**, a Government representative of Colombia said that a clear, robust and up-to-date body of international labour standards that responded to the changing patterns of the world of work was needed. GRULAC therefore attached particular importance to the discussion on the technical items that were included annually on the agenda of the Conference, because of the implications as to whether those items would be addressed with a view to standard-setting, a general discussion or a recurrent discussion. GRULAC preferred the first of the three options presented in subparagraph (a) of the draft decision, as a double discussion would provide the time needed to prepare a revision of the regulatory framework, would ensure greater participation by Member States and was ultimately more cost-effective than holding a preparatory technical conference.
45. She supported the Workers' proposal to introduce a new subparagraph (b), which was consistent with GRULAC's position that the Governing Body should make every effort to prioritize normative work on decent work in the platform economy. She also supported subparagraphs (b) and (c) of the original draft decision, which were consistent with the discussions and recommendations of the SRM TWG. In relation to the original subparagraph (e), she agreed to the organization of tripartite technical meetings on access to labour justice and on the protection of workers' personal data in the digital era; those meetings



should be held at a time that allowed for other related discussions within the framework of the Conference.

46. **Speaking on behalf of ASPAG**, a Government representative of Australia supported a clear and strategic approach to setting the Conference agenda that ensured institutional coherence, flexibility, adequate preparation and full tripartite engagement. With respect to the three options in subparagraph (a) of the draft decision, ASPAG preferred the second option because the specialist nature of the subject made the organization of a preparatory technical conference on the consolidation of instruments on chemical hazards in 2024, followed by a single standard-setting discussion in 2026, the most suitable approach. However, in the interest of reaching consensus, she would be open to considering the third option and looked forward to hearing the views of other Governing Body members in that regard. With respect to the abrogation and withdrawal of ILO instruments, and in order to ensure that international labour standards remained relevant, coherent and up-to-date, she reiterated her group's support for the implementation of the recommendations of the SRM TWG; accordingly, ASPAG supported subparagraphs (b) and (c).
47. The best use of resources would be to schedule the possible evaluation of the Social Justice Declaration for 2030, following a second round of recurrent discussions. That would allow for important further discussions to take place before the next evaluation and would also align with the schedule of the review of the 2030 Agenda. Before that, the Office should provide a practical document on lessons learned from the recurrent discussions in 2025. ASPAG would welcome meetings of experts on access to labour justice and on the protection of workers' personal data in the digital era and took note of the range of other subjects under preparation. Recalling the guidance that her group had already provided in the discussion of document GB.346/POL/2, she said that ASPAG was in favour of the Office conducting further research on the issue of decent work in the platform economy, including a normative gap analysis. She looked forward to discussing in March 2023 how the work in that regard could be developed further.
48. **Speaking on behalf of IMEC**, a Government representative of Sweden supported the strategic and coherent approach to setting the Conference agenda: institutional coherence and adequate preparation time balanced with adequate flexibility and full tripartite engagement were essential to ensure effective, relevant and visible thematic discussions and tripartite results, including within the multilateral system. The Conference agenda should take into account the changes in the world of work, the priorities indicated by the Director-General and the results of the Standards Review Mechanism. He welcomed the return to face-to-face meetings, which allowed for high-quality discussions. On subparagraph (a) of the draft decision, he expressed a clear preference for the third option, which appeared to be a more flexible, agile and efficient option than holding a preparatory technical conference. He encouraged the broad participation of governments and the social partners in that process. IMEC supported the principle and functioning of the Standards Review Mechanism and fully supported the follow-up of its recommendations as set out in subparagraphs (b) and (c) of the draft decision.
49. Welcoming the inclusion of a safe and healthy working environment into the framework of fundamental principles and rights at work, he said that IMEC wished to see a new cycle of recurrent discussions without prior evaluation that maintained the sequence of strategic objectives adopted for the current cycle, with the aim of carrying out an evaluation in 2030. However, IMEC was open to a partial review by the Governing Body, with further information to explain the practicalities of a split review for occupational safety and health. IMEC would welcome meetings of experts on the resolution of labour disputes and on the protection of

workers' personal data, as it was essential that the ILO could respond, in both its normative and non-normative actions, to the new challenges of the world of work.

50. In the light of the huge impact that technology was having on the world of work, IMEC supported the inclusion of an agenda item on the platform economy in 2025 and beyond, as appropriate. He requested a normative gap analysis by March 2023 to allow the Governing Body to accurately assess what aspects of platform work were already covered by existing standards and where gaps existed. He also requested the Office to identify any other preparatory work that might be needed. IMEC supported the draft decision.
51. **Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that Albania, the Republic of Moldova, North Macedonia, Montenegro, Serbia, Ukraine and Georgia aligned themselves with his statement. Reiterating his group's strong support for a strategic and coherent approach to setting the Conference agenda, he said that institutional coherence and adequate time for preparation, balanced with the required flexibility and full tripartite engagement, were key to ensuring topical and timely discussions and effective tripartite results that were both relevant and visible within the broader multilateral system. When taking decisions in that respect, the Governing Body must take into account: the fast-changing nature of the world of work; the need to ensure social justice by supporting the transition from the informal to the formal economy and the role of the ILO in the multilateral system; the tasks associated with the Standards Review Mechanism; and the return to in-person sessions of the Conference and the aim for smoother, better-quality discussions. He noted that the Governing Body could return to the item and take a final decision at its March 2023 session.
52. Regarding subparagraph (a) of the draft decision, he expressed a preference for the third option. A tripartite technical meeting was more cost-efficient and flexible than the alternatives; furthermore, any disadvantages of that option might be offset, on an exceptional basis, by allowing for broader participation and the possibility to reflect majority views in the draft instrument sent to the Conference. He expressed support for subparagraphs (b) and (c). On subparagraph (d), he suggested initiating a new cycle of recurrent discussions without prior evaluation while maintaining the sequence of the strategic objectives adopted for the current cycle. The aim would be to conduct an evaluation at the end of that cycle in 2030. However, he was open to a partial review by the Governing Body before then. He considered the discussions on labour disputes and the protection of workers' personal data referred to in subparagraph (e) to be long overdue and highly relevant in the context of an increasingly digitalized world of work. He therefore supported the proposal to convene meetings of experts on those items at the earliest opportunity, and at the latest before the 2025 session of the Conference.
53. The discussions of the meeting of experts on decent work in the platform economy had pointed to opportunities for employment creation but also to critical decent work deficits that must be bridged. The inclusion of an agenda item on the platform economy in 2025 and beyond, as appropriate, was therefore welcome. A detailed normative gap analysis by March 2023 would allow for an accurate assessment of which aspects of platform work were already covered by existing standards and where gaps existed. Other preparatory work that might be needed should also be considered. He supported the draft decision.
54. **A Government representative of Barbados** expressed appreciation of the fair, balanced and human-centred approach to development promoted by the ILO's normative functions and supervisory bodies. The ILO must urgently address the need to ensure decent work in the platform economy. Many of the gains achieved over the years risked being reversed if guidelines were not provided and standards set soon. The ILO's assistance to Member States

in building and improving systems that provided access to labour justice was crucial. Barbados thanked the Office for the opportunity to help pilot a diagnostic self-assessment tool intended to be a part of that process, and for recognizing that the tool must benefit from the realities of a range of Member States, including small island developing States. He said that a future session of the Conference must move the process forward: weak systems for the provision of labour justice would exacerbate social and economic instability. There could be no social justice or decent work without access to strong institutions of labour justice, underpinned by the appropriate standards.

55. **A representative of the Director-General** (Assistant Director-General for the Governance, Rights and Dialogue Cluster), synthesizing the positions expressed by the different groups, said in relation to the standard-setting item on chemical hazards, that the Employers, the Africa group and GRULAC had expressed their support for having a double discussion, beginning in 2026, while the Workers, ASPAG, the EU and IMEC had expressed support for holding the standard-setting discussion in 2026, preceded by either a technical conference or a technical meeting. Further discussion was therefore needed, as positions remained split.
56. On subparagraphs (b) and (c), she said that there was overall support for placing the abrogation of Conventions and withdrawal of Recommendations on the agenda in 2030 and 2033, while acknowledging that the Employers would have liked the items to be discussed earlier. On subparagraph (d), both the Employers and the Africa group had expressed support for the evaluation of the Declaration on Social Justice, by the Conference in 2025, whereas the Workers' group, ASPAG, the EU and IMEC considered that it would be important to have such an evaluation in 2030, in order to enable a second round of discussions to take place, and in view of the World Social Summit in 2025. On that question, too, further discussion was needed.
57. The Workers' group, ASPAG, the EU, GRULAC and the Africa group had indicated their support for access to labour justice and the protection of workers' personal data in the digital era being candidates for a tripartite technical meeting or a tripartite meeting of experts. The Employers' group had indicated that, in particular with regard to access to labour justice, the decision should be deferred pending presentations to the Governing Body at its 347th Session on the results of the Office's ongoing research on access to labour justice. As the meetings were not intended to take place until 2024 or 2025, a final decision could perhaps wait until March 2023.
58. The Workers' group had indicated their preference for an expert meeting on the protection of workers' personal data, while the Employers had highlighted the need for an assessment by the Office of whether the existing code of practice remained relevant, although all the Governments and the Workers were in support. A document on the continued relevance of the code of practice on the protection of workers' personal data might also be prepared.
59. The Employers' group had subamended the Workers' amendment regarding the inclusion of an item on decent work in the platform economy for 2025, to say that it should request the Office to provide a normative gaps analysis to the Governing Body at its 347th Session, without making explicit reference to whether or not such an item should be placed on the agenda for the 2025 session. The Employers' group and ASPAG wished to wait for the results of that analysis. All other Government groups had expressed support for an item on decent work in the platform economy to be placed on the agenda of the 2025 session and for a decision on the nature of the item to follow discussions at the 347th Session.
60. **A representative of the Director-General** (Director, International Labour Standards Department) said that the discussion concerning the adoption of a Convention and a Recommendation with a view to introducing amendments to specific provisions of

15 instruments following the adoption of occupational safety and health as a fundamental principle and right would take place in the General Affairs Committee.

61. **The Worker spokesperson** said she was disappointed by the lack of flexibility shown by the Employers given their usual emphasis on the need for innovative approaches and greater speed. It was only they who were not prepared to accept two standard-setting items on one Conference agenda, and they preferred a double discussion on any standard-setting issue relating to occupational safety and health. She noted that biological hazards were entirely different to chemical hazards, including in terms of challenges for the Organization. Biological hazards certainly required a double discussion, while a different approach would be appropriate for chemical hazards. She questioned awareness of the relevance of holding a technical preparatory conference.
62. She had not explicitly agreed to the item relating to the abrogation of instruments; she had remained silent because her group was always faithful to the SRM TWG recommendations, which were then confirmed in the Governing Body. She expressed the reservation that, if every decision on standard-setting were to be postponed to the 347th Session, that must include the decision on the abrogation of instruments.
63. Clarifying her position regarding the recurrent discussions, she said that a decision should be taken only once there was a better understanding of how ILO activities under the Declaration on Social Justice, would relate to the UN World Social Summit 2025 and the UN Global Compact. She had not indicated a type of evaluation nor a date. Decisions should first be finalized under the present agenda item before discussing issues under the item relating to the report of the Meeting of Experts on decent work in the platform economy.
64. **The Employer spokesperson** said that her group and Government groups insisted on standard-setting on the basis of a double discussion for chemical hazards because it was a complex issue requiring expertise. The many and complex existing treaties on chemical hazards interfaced with and had repercussions on the health and safety discussion. Time and technical expertise on chemical hazards and their implications for occupational safety and health were required to allow the Office to prepare for a thorough discussion and to work on policy coherence and implications in terms of occupational safety and health. She did not accept the argument that chemical hazards were substantially different from biological hazards and urged governments to consider the extreme complexity of the issue, as attested to by the challenges posed by the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) regulation within the EU, lent further complexity by the consequences of Brexit. She cautioned against the assumption that it would be a simple matter that could be dealt with at a single Conference session. A double-discussion standard-setting procedure, as per usual ILO practice, was thus required if the process was to lead to an up-to-date, reasonable, consensus-based document. It was essential for agreement to be reached on that point.
65. Regarding the Workers' group comments concerning decent work in the platform economy, she had indicated the Employers willingness to accept part of the Workers' amendments tabled, including the request for a normative gap analysis. She emphasized that "normative" referred both to the regulations and to their actual implementation, and both aspects had to be examined.

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

66. The Governing Body had before it an amended version of the draft decision, which had been proposed by the Employers' and Workers' groups and circulated by the Office, which read:

44. The Governing Body:

(a) ~~decided to place on the agenda of the 114th Session (2026) of the Conference an item on the consolidation of instruments on chemical hazards for standard-setting on the basis of a double discussion either on the agenda of the 114th (2026) and 115th (2027) sessions or the 115th (2027) and 116 (2028) sessions of the Conference, to be determined by the Governing Body at its 347th Session (March 2023);~~

OR

~~decided to convene a preparatory technical conference on the consolidation of instruments on chemical hazards in 2024 with a view to submitting a consolidated instrument to the Conference at its 114th Session (2026) for possible adoption under a single discussion procedure, and to request the Office to take into account its guidance in preparing detailed arrangements, including standing orders and a budgeted proposal, for consideration at its 347th Session (March 2023);~~

OR

~~decided to convene a tripartite technical meeting on the consolidation of instruments on chemical hazards in 2024 with a view to submitting a consolidated instrument to the Conference at its 114th Session (2026) for possible adoption under a single discussion procedure, and to request the Office to take into account its guidance in preparing detailed arrangements, including its composition, place and date, duration, costs and financing, for consideration at its 347th Session (March 2023);~~

(b) ~~decided to place on the agenda of the 113th Session (2025) of the Conference an item on decent work in the platform economy and requested the Office to present to the 347th Session (March 2023) of the Governing Body a normative gap analysis to inform its decision-making on the nature of the item to be placed on the agenda of the Conference in 2025 and, as appropriate, in 2026;~~

(cb) decided that an item on the abrogation of Conventions Nos 24 and 25 and the withdrawal of Recommendation No. 29 be placed on the agenda of the 118th Session (2030) of the Conference;

(de) decided that an item on the abrogation of Conventions Nos 17, 18 and 42 and the withdrawal of Recommendations Nos 22, 23 and 24 be placed on the agenda of the 121st Session (2033) of the Conference;

(ed) requested the Office to take into account the guidance provided in preparing a document concerning a possible evaluation of the ILO Declaration on Social Justice for a Fair Globalization (2008), as amended in 2022, for the 347th Session (March 2023) of the Governing Body;

(f) ~~requested the Office to present to the 347th Session (March 2023) of the Governing Body a proposal for an item on innovative approaches to tackling informality and promoting transitions towards formality to promote decent work, to be placed on the agenda of the 113th (2025) or 114th (2026) Session of the Conference as an item for general discussion;~~

(ge) requested the Office to take into account the guidance provided in preparing proposals for a tripartite technical meetings on access to labour justice and a meeting of experts on protection of workers' personal data in the digital era for a decision by the Governing Body in 2023; and

(hf) requested the Office to take into account the guidance provided in preparing the document concerning the agenda of future sessions of the Conference for the 347th Session (March 2023) of the Governing Body.

67. **The Worker spokesperson** recalled the linkages between the current item and the Policy Development Section item relating to the outcomes of the Meeting of Experts on decent work in the platform economy (GB.346/POL/2). She welcomed the constructive consultations with the other constituents to try to identify a compromise solution to the unresolved issues. Turning to the amended draft decision, she said that the flexibility provided in subparagraph (a) reflected the fact that the decision on the nature of the item on decent work in the platform economy had yet to be made. Despite differing views, it had been agreed that the item on the consolidation of instruments on chemical hazards should be the subject of a double-discussion standard-setting procedure. It was regrettable that the Governing Body was not prepared to convene a preparatory technical conference, which would have provided an opportunity to test that modality.
68. Once the Governing Body had decided whether the item on decent work in the platform economy would be a general discussion or a standard-setting discussion, it could determine the allocation of items for the 113th Session (2025), 114th Session (2026) and 115th Session (2027) of the International Labour Conference. That decision would be made at the 347th Session of the Governing Body.
69. Subparagraph (b) of the amended draft decision incorporated the proposal made by IMEC in respect of GB.346/POL/2. The Office should conduct the normative gap analysis referred to in subparagraph (b) prior to the Governing Body's 347th Session to allow it to make an informed decision on the nature of the item on decent work in the platform economy and to allow the discussion to be placed on the agenda of the correct session of the Conference.
70. The content of the subparagraphs now labelled as (c), (d) and (e) of the amended draft decision remained unchanged. Further discussions would still be necessary on the future of recurrent discussions. She reiterated her earlier proposal that no recurrent discussion should be included on the agenda of the 113th Session (2025) of the Conference, in order to free up space on the agenda.
71. The general discussion on innovative approaches to tackling informality and promoting transitions towards formality to promote decent work, proposed in subparagraph (f) of the amended draft decision, could therefore be placed on the agenda of either the 113th Session (2025) or 114th Session (2026) of the Conference.
72. Concerning subparagraph (g) of the amended draft decision, she recalled the wide support for a tripartite technical meeting on access to labour justice and a meeting of experts on the protection of workers' personal data in the digital era. Therefore, the Governing Body called on the Office to develop a proposal in that regard, taking into account the questions that had been raised.
73. **The Employer spokesperson** welcomed the discussions that had led to the amended draft decision. She reiterated her group's firm conviction that standard-setting items should always be the subject of double discussions, and that two standard-setting discussions should not occur in one year. Consequently, her group had supported the first option under subparagraph (a) of the amended draft decision. Tripartite technical meetings or technical conferences could not replace a full Conference discussion and would limit the participation of constituents. She was open to beginning that standard-setting discussion in either 2026 or 2027, as indicated in subparagraph (a).
74. Turning to subparagraph (b) of the amended draft decision, she highlighted the ongoing discussions under GB.346/POL/2 and the steps that would need to be taken prior to the adoption of a decision in that regard, including the proposed normative gap analysis which

should encompass a formal analysis of current international labour standards and an analysis of their implementation in practice. The item should not be discussed without the outcome of that analysis being provided. She reiterated her group's preference for that item to be discussed in a general discussion.

75. Welcoming the Workers' group's acceptance of subparagraph (f) of the amended draft decision, she reiterated the need for the ILO to take urgent action on the basis of the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), as more than 60 per cent of workers worldwide worked in the informal sector. A general discussion at the Conference would help to focus on practical areas for ILO action based on innovative approaches, successful experiences and lessons learned.
76. She welcomed the Workers' proposal to remove a recurrent discussion from the agenda of the 113th Session (2025) of the Conference in order to lighten the workload in a year in which the United Nations World Social Summit would also be held.
77. Finally, concerning subparagraph (g) of the amended draft decision on items for a tripartite technical meeting on access to labour justice and a meeting of experts on protection of workers' personal data in the digital era, she said that research on those items was still ongoing and that her group would prefer to wait for the results of that research before deciding on a date and format for those meetings. She therefore agreed to the proposal to make that decision in 2023.
78. **The Worker spokesperson** noted the preference of the Employers' group that two standard-setting items should not be placed on the agenda of one Conference session. However, she took it that all constituents had agreed that the decision to be adopted at the 347th Session of the Governing Body could exceptionally lead to the second standard-setting discussion on the consolidation of instruments on chemical hazards and the first standard-setting discussion on decent work in the platform economy occurring in the same year. She urged constituents to accept the compromise that had been reached. Recalling that the situation had arisen previously, she highlighted that the discussions would not be on similar subjects and would therefore involve different experts and Office departments.
79. **The Employer spokesperson**, recalling the general rule that two standard-setting discussions should not take place in the same year, said that her group would not oppose a decision that led to that situation occurring exceptionally in 2025.
80. **Speaking on behalf of IMEC**, a Government representative of Sweden welcomed the new amended draft decision. He supported holding tripartite technical meetings on access to labour justice and on the protection of workers' personal data in the digital era, and was flexible regarding the format those meetings should have. On the consolidation of instruments on chemical hazards, he reiterated his group's preference for a tripartite technical meeting followed by a single standard-setting discussion; however, he could accept a double standard-setting discussion as proposed in subparagraph (a).
81. The ILO Standards Initiative and the work of the SRM TWG were essential to ensure the continued relevance of international labour standards and, as such, recommendations of the SRM TWG should be implemented as an institutional priority. As a general rule, IMEC considered that the Conference should not hold two standard-setting discussions in one session. However, given the backlog of items, it was prepared to accept that approach in 2025, as long as the subjects of those discussions were not similar. The Office should also be mindful of the capacity of constituents and should explore ways to ensure maximum participation.

82. Considering the amended draft decision as a whole, he said that the number of items to be placed on the agenda of the International Labour Conference in 2025 and 2026 seemed to exceed the recommended number. In addition, the amendment included a proposed general discussion on innovative approaches to tackling informality and promoting transitions towards formality to promote decent work. Prior to accepting that proposal he asked the Office to clarify the scope and feasibility of operationalization of such a discussion, particularly in light of the fact that Recommendation No. 204 had been included in the General Survey 2020–2021.
83. **Speaking on behalf of ASPAG**, a Government representative of Australia welcomed the amended draft decision. Placing two standard-setting discussions on the agenda of one Conference session would require considerable resources and may pose challenges for smaller delegations. Should the draft decision be adopted, the Office should provide support to promote flexibility and maximum participation. She agreed to including an item on decent work in the platform economy; however, the Office should conduct further research on that topic and take into account the results of the planned normative gap analysis. She welcomed the proposal for an item on innovative approaches to tackling informality and promoting transitions towards formality to promote decent work, which was a key priority for her region. With those comments, her group was prepared to accept the amended draft decision.
84. **Speaking on behalf of GRULAC**, a Government representative of Colombia appreciated the efforts of the social partners to reach the new amended version of the draft decision, which incorporated the preferences expressed previously by her group. She noted the inclusion of subparagraph (f) concerning a general discussion on informality, which was a priority for her region. Although that was a new proposal, and as such her group had had little time to discuss it, she accepted the amended draft decision.
85. **The Worker spokesperson** expressed concern about possible inconsistency between two Governing Body decisions. Subparagraph (g) of the decision on the first item of the Legal Issues and International Labour Standards Section (GB.346/LILS/1) related to placing an item concerning the abrogation of certain Conventions on the agenda of the 121st Session (2033) of the Conference and an evaluation of progress made in that regard to be carried out in 2028. The amended draft decision currently before the Governing Body also referred, in subparagraphs (c) and (d), to the abrogation of certain Conventions. She asked the Office to clarify whether the amended draft decision before the Governing Body contradicted the decision adopted on GB.346/LILS/1 or whether one complemented the other.
86. **The representative of the Director-General** (Director, International Labour Standards Department) recalled the content of subparagraph 5(g)(i) and (ii) of the decision on GB.346/LILS/1. Footnote 43 of the document currently under discussion referred to the evaluation to be held by the SRM TWG in 2028. The current amended draft decision could therefore be adopted on the understanding that an evaluation would take place in 2028 within the SRM TWG, which may affect the year in which the abrogation of the relevant Conventions would be discussed.
87. **The Worker spokesperson** suggested that the footnote could be reproduced in the draft decision to ensure consistency between the texts.
88. **The Employer spokesperson** said that no further changes to the draft decision were necessary; it was understood that the Governing Body adopted coherent decisions, and the draft decision was fully compatible with the decision adopted on GB.346/LILS/1. The amended draft decision should therefore be adopted, on the understanding that the evaluation would be carried out.



89. **Speaking on behalf of IMEC**, a Government representative of Sweden sought clarity as to the content of the proposed discussion on informality and assurances that the sequence of agenda items would be feasible in terms of Office capacity.
90. **The Employer spokesperson** explained that the aim was to involve all constituents in the International Labour Conference's work to address informality in a tangible manner as a matter of urgency, given the rise in informal work seen in recent years.
91. **The Worker spokesperson** recalled that informality was a major issue; in some countries the overwhelming majority of work was informal and the status of a great many workers in the informal economy was unclear, depriving them of, for example, social protection. The Office should undertake consultations to further explore the issue of informality, building on previous developments in the area and taking into account existing standards and challenges. That work must not be limited to formalization, but should address the extension of protections, such as social protection and freedom of association, to workers in the informal economy.

## Decision

### 92. The Governing Body:

- (a) **decided to place an item on the consolidation of instruments on chemical hazards for standard-setting on the basis of a double discussion either on the agenda of the 114th (2026) and 115th (2027) sessions or the 115th (2027) and 116th (2028) sessions of the Conference, to be determined by the Governing Body at its 347th Session (March 2023);**
- (b) **decided to place on the agenda of the 113th Session (2025) of the Conference an item on decent work in the platform economy and requested the Office to present to the 347th Session (March 2023) of the Governing Body a normative gap analysis to inform its decision-making on the nature of the item to be placed on the agenda of the Conference in 2025 and, as appropriate, in 2026;**
- (c) **decided to place on the agenda of the 118th Session (2030) of the Conference an item on the abrogation of the Sickness Insurance (Industry) Convention, 1927 (No. 24), and the Sickness Insurance (Agriculture) Convention, 1927 (No. 25), and withdrawal of the Sickness Insurance Recommendation, 1927 (No. 29);**
- (d) **decided to place on the agenda of the 121st Session (2033) of the Conference an item on the abrogation of the Workmen's Compensation (Accidents) Convention, 1925 (No. 17), the Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18), and the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42) and withdrawal of the Workmen's Compensation (Minimum Scale) Recommendation (No. 22), the Workmen's Compensation (Jurisdiction) Recommendation, 1925 (No. 23) and the Workmen's Compensation (Occupational Diseases) Recommendation, 1925 (No. 24);**
- (e) **requested the Office to take into account the guidance provided in preparing a document concerning a possible evaluation of the ILO Declaration on Social Justice for a Fair Globalization (2008), as amended in 2022, for the 347th Session (March 2023) of the Governing Body;**
- (f) **requested the Office to present to the 347th Session (March 2023) of the Governing Body a proposal for an item on innovative approaches to tackling informality and**

**promoting transitions towards formality to promote decent work, to be placed on the agenda of the 113th (2025) or 114th (2026) Session of the Conference for general discussion;**

- (g) **requested the Office to take into account the guidance provided in preparing proposals for a tripartite technical meeting on access to labour justice and a meeting of experts on protection of workers' personal data in the digital era for a decision by the Governing Body in 2023; and**
- (h) **requested the Office to take into account the guidance provided in preparing the document concerning the agenda of future sessions of the Conference for the 347th Session (March 2023) of the Governing Body.**

(GB.346/INS/2, paragraph 44, as amended by the Governing Body)

### 3. Matters arising out of the work of the 110th Session (2022) of the International Labour Conference

#### 3.1. Follow-up to the resolution concerning the third recurrent discussion on employment (GB.346/INS/3/1)

- 93. **The Worker spokesperson** commended the fact that the proposed plan of action was based on the six areas of work for the ILO identified in the [conclusions concerning the third recurrent discussion on employment](#). On component 1, greater coherence in macroeconomic and sectoral policies and a strong focus on sustainable structural transformation were a prerequisite for decent job creation. The group welcomed the inclusion of ILO technical assistance on public investment for job creation; support for formalization, especially in rural areas; recognition of the role of social protection; and research taking both decent work and inequalities into account. However, research should examine in greater detail the linkage between productivity growth and wage growth. The group urged caution in collaboration with private employment agencies, as in some countries they contributed to an increase in precarious work; hence, the conclusions stated that any possible collaboration should consider "the complementary role of private employment agencies, when adequately regulated".
- 94. With regard to component 2, the Office should remove the reference to additional research into the impact of social security on productivity, as it had not been included in the conclusions. and could be interpreted as if the main objective of social security was to enhance productivity. A plan of action on social security, including research, had, however, been proposed in the 2021 conclusions of the recurrent discussion on social protection (social security).
- 95. On component 3, the Workers' group fully supported the emphasis on groups in vulnerable situations, and on young workers in particular. More details would be appreciated on how the Youth Employment Action Plan 2020–30 and the Global Initiative on Decent Jobs for Youth might be further guided by the 2022 conclusions. Greater emphasis on macroeconomic policies, including structural transformation, and on inequalities, discrimination and workers' rights in the context of youth employment was particularly important. Furthermore, the group was pleased to note the confirmation of the annual publication of the new flagship *Social Dialogue Report*.
- 96. Strengthening standards-related action, under component 4, was a key topic and should include the fundamental principles and rights at work. Without freedom of association and the right to collective bargaining, the participation of workers in employment policies was at risk.

Moreover, point 8 of the conclusions included other instruments that should be integral to the plan of action, such as the Employment Relationship Recommendation, 2006 (No. 198).

97. Under component 5, strengthening partnerships on employment policies through the Global Accelerator on Jobs and Social Protection for Just Transitions was already included in component 1 and overlapped with component 6 on reaffirming the ILO's mandate and leadership. Coherence between the establishment of partnerships and the implementation of the Global Accelerator was required in the plan of action.
98. On component 6, action to improve multilateral coherence on employment policies, including with international financial institutions, was welcome, particularly in conjunction with the proposed Global Coalition for Social Justice. Furthermore, the inclusion of specific activities on living wages was a priority area for the Workers' group, especially in the context of the cost of living crisis; however, the focus should be on living wages, and the difference between living wages and living incomes should be clearly made.
99. As the conclusions underlined the importance of policies and regulations to address insecure forms of work, the Office should include activities related to supporting Member States in that area in the plan of action. Overall implementation of the plan of action must be supported with additional financing, where necessary. On the understanding that its comments would be taken into consideration, the Workers' group supported the draft decision.
100. **The Employer spokesperson** welcomed the fact that the proposed plan of action benefited from synergies with other plans of action adopted by the Governing Body and those to be discussed during the current session. The six components of the plan provided a coherent approach to respond to the global economic and social consequences of the COVID-19 pandemic, and would remain relevant to future crises.
101. The Employers' group supported the design of coherent policies and strategies for sustainable enterprise development as a main driver of employment creation and the achievement of the SDGs; the aim to produce evidence-based research in a number of areas; and the role of the International Training Centre of the ILO (Turin Centre) in providing assistance to constituents in the design and development of policies to enhance productivity and ensure a fair share of productivity gains. The group also supported the Office's collaboration with other UN agencies, but noted that collaboration with organizations representing other stakeholders should be done in close consultation with the secretariats of the Workers' and Employers' groups. Engagement with the Global Initiative on Decent Jobs for Youth should also be coordinated with the tripartite constituents and not with external stakeholders.
102. The Employers' group attached great importance to component 2, in particular the attention to productivity growth in micro, small and medium-sized enterprises (MSMEs) and enhancing the productivity of informal economic units as a key driver of formalization. It was surprising that the Workers' group had questioned the linkage between social protection and productivity, since workers covered by social protection were more productive; the Employers' group opposed the removal of that work item.
103. Under component 3, the lack of a reference to an enabling environment for sustainable business in its implementation was regrettable, since it was key to enhancing the quality of employment.
104. The Employers' group supported component 4, noting that special attention should be paid to ensuring the effective implementation of up-to-date standards and providing technical support, even for countries that had not yet ratified the relevant Conventions.

105. On component 5, he requested more information on the Office's plans in connection with the strengthening of partnerships for implementation, including through the Global Accelerator, and stressed the need for close consultation with the Employers' and Workers' secretariats.
106. The Employers' group supported the draft decision, on the understanding that its comments would be taken into consideration.
107. **Speaking on behalf of the Africa group**, a Government representative of Gabon was pleased to note that the main concerns that the group had expressed during the third recurrent discussion on employment had been taken into account in the six components of the plan. She welcomed the fact that component 1 provided for technical support to constituents on human-centred, inclusive, gender-responsive policies for recovery and job creation based on social dialogue. The group also welcomed the rapid assessments, employment diagnostics and capacity-building for constituents and public employment services outlined in the plan.
108. With regard to component 2, the Africa group looked forward to receiving the Office's proposals on the advice and technical support it would provide on how to implement policies and institutional and regulatory interventions to improve the enabling environment for more sustainable and productive enterprises and to tackle existing obstacles. The group also supported the priority given to productivity growth for MSMEs and to formalization. On component 3, the group agreed with the proposal to offer technical support to constituents in areas relating to the quality of work. The group welcomed the priority given to the implementation of the ILO's Youth Employment Action Plan (2020–30), and highlighted the need to take the Abidjan Declaration and national priorities into account.
109. Under component 4, the Africa group supported the proposed promotion of relevant international labour standards through campaigns and capacity-building. Under component 5, the group also welcomed the strengthening of technical support facilities to provide more responsive support on policy implementation and diagnostics, where the Turin Centre could play a crucial role. On component 6, the group hoped that implementation would involve stronger collaboration between the ILO and the other multilateral or regional organizations and international financial institutions concerned. The Africa group supported the draft decision.
110. **Speaking on behalf of GRULAC**, a Government representative of Colombia supported the six interrelated components of the plan. Component 1 was very important for her region; there needed to be comprehensive interventions to promote rural employment through active labour market policies, respect for the fundamental principles and rights at work, actions to encourage formalization and the extension of social security coverage, encouragement of partnerships and entrepreneurship, and building an enabling macroeconomic environment for sustainable enterprises.
111. Component 3 needed to be implemented urgently, as the pandemic had resulted in increased unemployment, particularly among workers in the informal economy without access to contributory unemployment insurance. Creating decent jobs would ensure access to social protection. Digital skills were increasingly required, so vocational training should be strengthened to help bridge the skills gap among young people, who were in a particularly vulnerable situation. Policies should address gender inequalities to tackle the challenges faced by young women in particular.
112. She reiterated the importance of technical capacity-building for regional offices, which would also help with the enhanced implementation support under component 5, taking into account the needs and realities of each country. The technical assistance the Office provided to

constituents was vital. Having the tools to adopt policies through social dialogue would enable States to take a holistic approach to their challenges in overcoming the crisis. GRULAC supported the draft decision.

- 113. Speaking on behalf of ASPAG**, a Government representative of Pakistan said that, as Asia and the Pacific was the largest region representing the world of work and developing countries, the group welcomed the availability of ILO technical support and capacity-building on request to help develop policies for a human-centred recovery and job creation. Building an enabling environment for sustainable enterprises while tackling inequality and ensuring quality of employment remained an important policy priority. He requested the Office to conduct evidence-based research and assessments, including sharing good practices, on the development of tools and programmes to help alleviate rising inequalities and support debt-stressed countries. He encouraged the social partners to engage constructively in the implementation of the plan of action. ASPAG supported the draft decision.
- 114. Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that the Republic of Moldova, North Macedonia, Montenegro, Serbia, Türkiye, Ukraine, Iceland and Norway aligned themselves with his statement. He noted that the proposed plan of action would be implemented in a complex period of global uncertainty, alongside long-lasting challenges for the labour market, both in terms of the level and quality of employment. He strongly supported the achievement of the objectives of the proposed action plan and the six interrelated components. He underlined the strategic role of the plan in supporting Member States and strengthening the role of the social partners in addressing the complex economic, social and energy crises, together with the numerous challenges and changes in the labour market. The plan used all the ILO's means of action and built on previously agreed actions and commitments, in line with the ILO's results framework. Taking into account the option that possible adjustments might be needed related to evolving national, regional and global priorities, the EU and its Member States supported the draft decision.
- 115. A Government representative of Bangladesh** said that developing countries were suffering the most as a result of the COVID-19 pandemic and geopolitical crises. Her Government had adopted a number of initiatives, including a national employment policy, an education master plan and a national skill development authority, which aligned well with the proposed plan of action. She suggested that the plan of action should include the introduction of flagship programmes for skilling and reskilling of workers and the promotion of strong global partnerships and adequate market access.
- 116. A Government representative of Argentina** said that it was essential in the current circumstances to promote macroeconomic and sectoral policies for a human-centred recovery and job creation, just transitions towards the formal economy, and improved productivity. With the support of the Office, constituents should establish committees to monitor and evaluate the impact of public policies on the quantity and quality of employment. Policies for building an enabling environment for more sustainable and productive enterprises should take MSMEs into account, and investment in innovation and technology, the environment and productivity should be reviewed through social dialogue. In many countries, continued work on the transition to formal employment was crucial and public services played a fundamental role in tackling inequalities. Promotion of prompt and appropriate application of international labour standards was necessary, particularly on the fundamental rights at work. The Office played a key role, together with the tripartite constituents, in promoting and strengthening coherent and comprehensive policies to promote decent and productive employment.

- 117. A Government representative of India** said that the six components of the proposed plan of action were important since they provided a road map for the key issues the world was facing. Her Government had created a database of workers in the informal economy and was providing them with social security benefits, linking them to the national career service portal and the skills portal. As a result, India's employment rates had surpassed pre-pandemic levels; the country would be happy to share its experience with other Member States. She recommended creating a network of bodies to work on skills equivalence and map skills gaps globally. She supported the proposed plan of action and the draft decision, and would welcome further dialogue, international cooperation and technical support to guide Member States on policy development.
- 118. A Government representative of the United States of America** agreed that policies for recovery and job creation under component 1 should be based on strong social dialogue. Under components 2 and 3, she supported the plans to promote an enabling environment that created quality and sustainable jobs to ensure decent work and protect workers' rights. She asked how the activities proposed under component 5 would differ from those already undertaken by the Office with regard to the provision of technical assistance and capacity-building on designing employment policies. As to component 6, she welcomed the proposed action to reaffirm the ILO's mandate in the light of the deteriorating global economic outlook and market stresses, and noted the Director-General's call for increased minimum wages and guaranteed social benefits to protect the most vulnerable. She looked forward to updates on the actions taken and resources expended under the plan of action, and supported the draft decision.
- 119. A representative of the Director-General** (Director, Employment Policy Department) said that the proposed plan of action differed from ongoing work by the Office in that it placed great emphasis on: macroeconomic, sectoral and industrial policies; integrated policy solutions; the quality aspects of job creation; evidence-based policy development; work with constituents to secure fiscal space for the policies; gender-responsiveness; and capacity-building for governments and the social partners on macroeconomic and finance issues.
- 120.** The Office had noted the concerns expressed by the Workers' group, particularly on collective bargaining, private employment agencies and living wages, and would be guided by the record of the comprehensive discussion at the International Labour Conference. The purpose of the research under component 2 on social security and productivity was to seek to facilitate access to social security for workers in MSMEs, especially in connection with efforts towards formalization. He noted that the plan of action on social protection resulting from the 2021 recurrent discussion on the matter also referred to productivity in connection with social security. The Office would also be guided by the Governing Body's discussion on promoting productivity ecosystems for decent work under agenda item INS/9.
- 121.** With regard to the Office's work on youth, a group had been set up within the Office to review the Youth Employment Action Plan (2020–30), one of the cornerstones of which had been a new approach to address labour supply and demand.
- 122.** The Office would also take on board the comments of the Employers' group on the importance of engaging in social dialogue on all aspects of employment policies, including the Global Initiative on Decent Jobs for Youth and the Global Accelerator. It would ensure that strengthening the enabling environment for more sustainable and productive enterprises was appropriately reflected in the plan of action. The Conference discussion had underscored the importance of strengthening the connection between productivity and inclusive economic

growth and labour income, and elements related to job quality in the context of productive employment were reflected in the plan of action.

- 123.** As to the comments by the Africa group, the Office had endeavoured to reflect the main elements of the Abidjan Declaration, but would review the plan of action to ensure that it was properly aligned with the Declaration. Responding to comments from GRULAC, he noted that the Office indeed worked closely with regional offices in the development of region-specific strategies, since circumstances varied greatly between countries and regions. On skills, the Office would scale up its interventions through the Global Programme on Skills and Lifelong Learning, and was also working on skills gaps and taxonomy as a potential contribution to the G20 discussion in 2023. The Office would also be guided by the Governing Body's discussion on skills under agenda item INS/4. Several members had commented on the transition to the formal economy; there was a strong focus in the plan of action on the structural dimension of informality and digital technology, and the Office would address new aspects discussed at the 2022 recurrent discussion on employment, as well as the Recommendation No. 204.
- 124. The Worker spokesperson** asked why research was needed on social security and productivity, rather than in connection with insecure forms of work; he would appreciate more detailed information on that research, including the objectives.
- 125. The representative of the Director-General** (Director, Employment Policy Department) responded that the Office would provide further details on the research objectives and ensure that the concerns of the Workers' group were taken into account.

## Decision

- 126. The Governing Body requested the Director-General to take into account its guidance in implementing the plan of action on employment for 2022–27 as set out, including the corresponding financial implications, while seeking to meet additional financing requirements, to the extent possible, by reprioritizing within existing budgets and/or through renewed resource mobilization efforts.**

(GB.346/INS/3/1, paragraph 51)

## 3.2. Follow-up to the resolution concerning decent work and the social and solidarity economy (GB.346/INS/3/2)

- 127. The Worker spokesperson** said that the social and solidarity economy (SSE), as had recently been defined by all constituents, presented an alternative to the dominant economic model and placed people and the planet above mere profits. The conclusions concerning decent work and the social and solidarity economy adopted by the International Labour Conference in June 2022 acknowledged that there were crucial interactions between the SSE and the public sector and that the SSE was a tool for social inclusion.
- 128.** Although she supported the ambitious strategy and action plan, she stressed the need for the rights-based approach to be at its core. Rights should not be taken as mere guiding principles; they should be promoted, implemented and realized to ensure equality and social and environmental justice. The Office's proposed strategy and action plan were a fair reflection of the Conference's conclusions and incorporated many of the priorities set by the Workers' group during the discussions. Given that the successful implementation of the strategy and action plan, and output 3.1 in particular, was contingent upon the allocation of sufficient resources, the strategy should be accounted for in the Programme and Budget for 2024–25.

129. In paragraph 8 of the document, emphasis should be placed on identifying good practices that contributed to the attainment of decent work within SSE entities and not simply those that created a favourable environment, in order to better reflect the conclusions of the Conference. She would appreciate references to the Home Work Convention, 1996 (No. 177), the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), and the Recommendation No. 198, which were of particular importance to the fundamental principles and rights at work. In paragraph 13 she noted the use of the word “including” to stress that the approaches to capacity development were not restricted solely to online tools, since many vulnerable workers had limited access to digital technologies. Noting that many elements that were key for workers’ organizations had been included in the strategy but omitted from the action plan, she requested the Office to provide clarification as to how the action plan would interact with the strategy, given that they should complement each other in giving effect to the Conference’s conclusions.
130. She welcomed the establishment of an Office-wide Network on Decent Work and the SSE since ensuring effective collaboration across ILO departments would be key to the successful implementation of the strategy and action plan. The conclusions negotiated and adopted in June 2022 gave hope to the millions of people who worked in the SSE and offered a glimpse of a better future of work. Achieving social and environmental justice for all meant putting workers’ rights, needs and aspirations above all else and keeping people at the heart of economic, social and environmental policies. With the foregoing comments in mind, the Workers’ group supported the adoption of the draft decision.
131. **The Employer spokesperson** said she welcomed the fact that the strategy contained important elements from the conclusions adopted at the most recent session of the International Labour Conference and that the strategy and the action plan would raise awareness and provide statistics on the SSE. Increasing capacity to promote decent work and the SSE at the national level was a necessary measure. Since a large part of the SSE was geared towards local development, local authorities would play a key role in the implementation of the relevant policies. The five key operating principles of the strategy and action plan should be taken into account in all outcomes in order to fully and effectively reflect the Conference conclusions.
132. The strategy should set out a clear and specific outcome on support for ILO constituents in pursuing the work on an enabling environment for sustainable enterprises, including SSE entities. Providing a favourable environment for all enterprises was of utmost importance for boosting productivity, enhancing competencies development, fostering entrepreneurial spirit, promoting the creation of quality jobs for all and ensuring a safe and healthy work environment, as were support measures for vulnerable groups. As the Employers’ group had reiterated during the general discussion in June 2022, the SSE did not work as an alternative to, or in isolation from, the private and public sectors. SSE entities faced many of the same challenges as micro, small and medium-sized enterprises. All SSE entities should aim for long-term sustainability and viability.
133. The strategy omitted key areas contained in paragraph 16(a) of the conclusions, such as the need to support ILO constituents in addressing productivity challenges, skills development and access to quality education and training. She strongly supported the Office’s proposal to promote decent work and the SSE in the informal sector and to address the root causes of informality. The Office must harness synergies between SSE entities and other enterprises to build the capacities of all constituents and promote decent work in cooperation with the Turin Centre, the Bureau for Employers’ Activities (ACT/EMP) and the Bureau for Workers’ Activities (ACTRAV).



- 134.** It was essential to harmonize the strategy with the productivity ecosystem strategy and the work carried out by ACT/EMP to identify obstacles to a favourable environment for sustainable enterprises. Improving understanding of the SSE in line with objective 1 of the strategy and action plan was important, but so too was promoting and reinforcing understanding of the complementarity between the SSE and traditional enterprises. She was pleased to note that the proposed strategy and action plan clearly reflected the significance of strengthening social dialogue and tripartism to allow constituents to respond to the concerns of SSE entities and enterprises, in line with the Conference conclusions. She would like to have additional information concerning the proposal to establish an Office-wide Network on Decent Work and the SSE and to know more about the Network's proposed structure, the composition of its members and its scope, activities, strategies and plans of action. She would appreciate further details from the Office regarding the identification of priority outputs in case of insufficient resources, and asked to be consulted during the process of selecting such outputs, should the need arise.
- 135.** She was confident that the strategy and action plan would provide the necessary tools to promote decent work and sustainable development and contribute to economic growth and job creation. On the understanding that the Office would take her concerns and comments into account, she supported the draft decision.
- 136. Speaking on behalf of ASPAG,** a Government representative of Bangladesh said that, since the SSE was in its formative stages, enablers should be created for the implementation of the strategy. The Office should encourage Member States to gather relevant data to inform decision-making, and to develop the relevant guidance. That would avoid additional expenditure on data collection. Support systems could be set up in country offices to help migrant workers obtain skill certificates. It would be useful to have more information on the role that the Office would play in the development of curricula and syllabuses on social and cultural issues in the Member States.
- 137.** He welcomed the adoption of gender equality and non-discrimination as an operating principle that underpinned the strategy and action plan. The Office should include in the action plan measures for enhanced support, assistance and cooperation among Member States in the transition from the informal to the formal economy. He encouraged the Office to implement the action plan in a cost-effective manner and he wished to know what expenditure other than administrative costs had been estimated. His group supported the draft decision.
- 138. Speaking on behalf of GRULAC,** a Government representative of Colombia said that, given the relevance of the SSE to the Organization's mandate, it was essential for the Organization to consolidate its leadership role in promoting the SSE within the UN system. She welcomed the proposal to strengthen normative action for achieving social justice under objective 2. An inclusive, integrated and gender-sensitive approach to the promotion of the SSE should be a priority. GRULAC supported the proposed strategy and action plan and the draft decision.
- 139. Speaking on behalf of IMEC,** a Government representative of the United States said that he supported the promotion of an SSE that advanced decent work and sustainable and inclusive economic growth. The strategy and action plan were particularly timely given the relevance of the SSE to recovery from the COVID-19 pandemic. He welcomed the fact that the strategy and action plan were grounded in international labour standards and social dialogue, and that they contained measures to further advance gender equality and non-discrimination in and through SSE entities at all levels. He supported the focus on promoting the collection and compilation of comparable and harmonized data on the SSE, which would enable constituents

and the Office to better understand the SSE and pursue decent work and sustainable development more effectively.

140. He welcomed measures under the strategy and action plan to promote policy coherence on the SSE in the multilateral system. Achieving policy coherence on the SSE within the Organization would require linking its work on the SSE with the five action programmes in key policy areas specified in the Programme and Budget proposals for 2024–25. IMEC welcomed that the work on the SSE was receiving the resources required to implement the Conference resolution and the follow-up strategy and action plan. He encouraged the Office to conduct regular reviews to ensure that progress was being achieved toward the outputs and objectives. The Office should examine the possibility of establishing an international observatory in accordance with the Conference conclusions. He supported the draft decision.
141. **Speaking on behalf of the Africa group**, a Government representative of Nigeria said that the qualitative and quantitative research mentioned under the outputs for objective 1 should not be confined to a desktop literature review but should extend to an inclusive and participatory exercise, based on assessed needs, taking constituents' diverse contexts into consideration. Mutual cooperation between constituents and the benefiting partners at national and regional levels should produce authentic, timely and harmonized statistics. He welcomed the listed outputs and the specific targets and timelines indicated in the action plan and requested a more detailed breakdown of the US\$15.6 million estimated financial requirement for implementation of objective 1, US\$17.2 million for objective 2 and US\$4.7 million for objective 3. The research findings, improved statistics and knowledge products must be fit for all purposes in order to enhance proper understanding of the realities and needs related to decent work and the SSE at all levels.
142. He welcomed the improved capacity development proposed in output 2.1, and the enhanced capacity development differentiated at the organizational level presented in output 2.2: a one-size-fits-all approach would not give the desired results. He welcomed the proposed development and dissemination of educational and training materials under output 2.3.
143. Enhanced coherence was particularly important to the Africa group. An overarching approach to policy, programmes and budgetary coherence was critical for the overall success of the strategy and action plan. Many Member States had lost economic development opportunities as a result of inconsistent policies and programmes. He pledged support for the Director-General's Global Coalition for Social Justice initiative: proper coordination and constructive engagement with the institutions involved would create a focused platform for meaningful dialogue to improve policy coherence with and among Member States regarding decent work and the SSE.
144. Effective sensitization, promotion of instruments and mainstreaming of decent work into national economic policy were critical for the SSE. Implementation of all the outputs as outlined should lead to a review of Member States' Decent Work Country Programmes (DWCPs), which were at different stages. Country programmes were expected to prioritize the strategic results framework of the ILO in relation to national economic realities. As of September 2022, Africa had approximately 23 active DWCPs, with 13 others in the region at different stages of the drafting process; early completion of those drafts should be facilitated so that Member States could be equipped with the essential policy instruments through which the Office would deliver its support to them and their constituents. He supported the draft decision.

- 145. Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that Albania, North Macedonia, Montenegro, Serbia, Türkiye, Georgia and Iceland aligned themselves with his statement. The resolution and conclusions represented a step forward for the development of the SSE. The definition of the SSE had been a major achievement. It aimed to reflect the specific features of the SSE and the diversity of entities and companies it brought together and complemented existing definitions.
- 146.** The European Commission had adopted a new action plan on the social economy in December 2021, which had improved recognition of the social economy and proposed concrete measures to help mobilize its full potential. The social economy comprised 2.8 million organizations and entities in Europe, accounting for more than 13 million paid jobs and 6.3 per cent of the workforce. The SSE offered concrete and innovative solutions and contributed to social innovation and social inclusion at every level, including by integrating marginalized groups into the labour market and society at large and improving gender equality. The ILO could play a key role in promoting it through support and training services, assistance and advice to Member States, and strengthening collaboration with the relevant partners.
- 147.** The ILO's leading role in promoting the SSE within the UN system also supported the strategy's objectives to improve understanding, increase capacities and enhance coherence with related areas, such as the care economy. Enhanced research and technical assistance in collaboration with social partners could help to promote the SSE and should follow an inclusive, gender-responsive approach. He asked whether the Office thought mobilizing the necessary additional resources was realistic and how actions would be prioritized if resources proved to be insufficient. He asked the Office to examine the potential of establishing an international observatory in accordance with the conclusions. He supported the draft decision.
- 148. A Government representative of Barbados** said that small island developing States recognized that their governments lacked the capacity to provide all the services their populations needed, which was why entities in the SSE space were vital: they differed from other private sector enterprises in that they existed to make a difference in the lives of ordinary people. Given the varied situation of the SSE across Member States, context specificity should also include the stage of development of the systems and entities. The focus on the transition from informal to formal work was critical, as were the need to protect workers in the sector and ensure social protection, just digital and environmental transitions, and the support that entities gave to improving the level of existence in those areas. Coherence in policy and practice at the local level was at the core of interventions to ensure that the work of all SSE entities was aligned with addressing the existential threats faced by wider society. He looked forward to the Office building on the practices and successes of the traditional institutions. Given the importance of the sector to the development of small island developing States, he urged the ILO to ensure that sufficient resources were allocated to that work.
- 149. A Government representative of Argentina** said the topic must be mainstreamed in all areas of the ILO and included on future agendas to enable further discussion. The ILO must step up its leadership in promoting the SSE within the UN system, through normative action and by promoting instruments that created a conducive legal framework. He welcomed the fact that the strategy and action plan were underpinned by the key operating principles and adequate resources. He endorsed the three objectives in the strategy. Pursuing stronger normative action for achieving social justice required a legal framework, policies and a proper regulatory framework, adapted to the nature and diversity of SSE. It was wise to mainstream it in national development strategies for development recovery and employment. He supported the draft decision.

- 150. A representative of the Director-General** (Head, Cooperatives Unit) said the guidance of the Governing Body would be taken into account. The strategy and the action plan were intended to be read together as one document: the action plan presented concisely what needed to be done to implement the strategy. All elements were fully aligned with the five operating principles and the Conference conclusions. The second column of the action plan indicated the corresponding points in the conclusions for each output.
- 151.** The action plan had been phrased to allow for context specificity – which involved responding to the diverse needs of constituents, identified in a consultative and participatory manner – and adaptability, which related to changing opportunities and challenges, including the availability of staff and non-staff resources. The “One ILO” approach would be critical to optimizing the use of ILO resources in implementing the strategy and action plan.
- 152.** The structure, membership, scope, activities and work plan of the proposed Office-wide Network on Decent Work and the SSE would be developed in a consultative manner, taking on board good practices and lessons learned. The proposed resource mobilization plan for implementation of the strategy and action plan would be developed with inputs from the Network, including ACTRAV and ACT/EMP, in consultation with ILO constituents, potential resource partners, beneficiaries and other multilateral partners as needed. The Office would use inputs from the Network to develop and apply a set of prioritization criteria, which might include relevance, coherence, impact and sustainability. The development and use of capacity-building approaches and tools, including legal, policy and statistical guidelines, was likely to be a priority, while additional criteria could involve complementarity with other initiatives. The Office would aim to mainstream decent work and SSE concerns into other related areas of work.
- 153.** In the proposed strategy and action plan, the Office had adopted a step-by-step approach to SSE data, beginning with the development of a conceptual and methodological framework. Output 1.2 referred to the Office and the ILO constituents collaborating with national statistics institutes and SSE institutional representatives in that regard. The Office would support existing national and regional initiatives on measuring the SSE, taking into account context specificities and international comparability. The Office was scheduled to make presentations on the statistics of the SSE at the 21st and 22nd International Conferences of Labour Statisticians in 2023 and 2028, with a view to further developing the concepts and methods. The Office would aim to fulfil the functions expected of an international observatory on SSE data. The potential for establishing a distinct entity would depend on the progress made on the conceptual and methodological levels, the interest from the constituents and the resources available.

## Decision

- 154. The Governing Body endorsed the proposed strategy and action plan on decent work and the social solidarity economy and requested the Director-General to consider its guidance in implementing the strategy.**

(GB.346/INS/3/2, paragraph 30)

### 3.3. Follow-up to the resolution on the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work (GB.346/INS/3/3)

155. The Governing Body had before it an amendment, which had been proposed by ASPAG and circulated by the Office, to delete subparagraph (c) of the draft decision, on the consideration of further amendments to the Declaration on Social Justice.
156. **The Employer spokesperson** emphasized that the inclusion of a safe and healthy working environment in the ILO's framework of fundamental principles and rights at work represented a landmark decision, and that all constituents and the Office had a responsibility to realize it. The Employers' group supported the draft Convention and the draft Recommendation to partially revise the seven Conventions, one Protocol and seven Recommendations that required limited amendments, and the proposal to place an item on the agenda of the 111th Session (2023) of the International Labour Conference to adopt the necessary changes to those instruments. The group also supported the consequential amendments to the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration).
157. In relation to the amendments to the Social Justice Declaration, the Employers' group supported option A, to examine the two occupational safety and health (OSH) Conventions that had been newly recognized as fundamental and the related Recommendations under the strategic objective of fundamental principles and rights at work, and the remaining OSH standards under the strategic objective of social protection (labour protection). The subject of occupational safety and health was broader than the two fundamental Conventions, and the discussion of OSH standards risked being limited if it took place solely under the strategic objective of fundamental principles and rights at work. Option A would create a meaningful division of OSH instruments between the two recurrent discussions, and would be more consistent with the grouping used by the Standards Review Mechanism Tripartite Working Group. The Employers' group also supported subparagraphs (d), (e) and (f) of the draft decision. In relation to the review of the Global Strategy on Occupational Safety and Health, it would be crucial to ensure that the Office was properly equipped to support Member States in the progressive realization of the new fundamental principle and right at work, and the group encouraged the Office to engage in informal consultations when preparing the Strategy.
158. **The Worker spokesperson** agreed on the fundamental importance of the decision to make a safe and healthy working environment a fundamental principle and right at work. The Workers' group supported the proposal to place the revising Convention on the agenda of the 111th Session of the Conference and for the Office to circulate a succinct report by 31 December 2022, inviting comments from constituents by 30 March 2023. The group also endorsed the proposed text of the revising Convention and Recommendation proposed in Appendix I to document GB.346/INS/3/3. As it was essential to ensure that those changes were enforced as soon as possible, the group supported the submission of the draft resolution in Appendix II to the Conference for adoption. The four consequential amendments to the MNE Declaration in Appendix III were straightforward and the Governing Body should approve them at the current session.
159. The Workers' group maintained its position that the proposal to delete the reference to "healthy and safe working conditions" from the description of the strategic objective of social protection under Part I(A) of the Social Justice Declaration and place it instead under the strategic objective of respecting, promoting and realizing fundamental principles and rights at

work constituted a substantive decision with broad implications on a number of institutional matters. Concerning the recurrent discussions held under the follow-up to the Social Justice Declaration, the Workers' group agreed that option A could be a logical solution that reflected the changed status of the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and would limit the discussion to those two general OSH Conventions and the related Recommendations. Nevertheless, the group preferred option B, as it would allow a coherent approach to OSH instruments that provided a general framework, notably by maintaining the connection between Convention No. 155 and its Protocol of 2002 and by including the Occupational Health Services Convention, 1985 (No. 161), which had important implications for the implementation of the fundamental right to a safe and healthy working environment. Option C was not feasible, as having all 41 OSH standards under the strategic objective of fundamental principles and rights at work would overburden it and undermine the other standards under it, even if two separate recurrent discussions were held on the subject. The group was keen to hear the views of other Governing Body members on the options.

- 160.** In relation to reporting under article 22 of the Constitution, the Workers' group supported the proposal to apply a three-year cycle for Conventions Nos 155 and 187, as that would ensure consistency among the fundamental Conventions. Regarding Member States that had not ratified Convention No. 155 or Convention No. 187, the group agreed that the Office should prepare a consolidated report form to be considered by the Governing Body at its 347th Session (March 2023). Furthermore, the elevation of those two Conventions to the status of core labour standards called for increased efforts to promote ratification, including by stressing the ambition to achieve universal ratification of the fundamental Conventions. Those efforts should be a priority for the Office, and reflected as such in the revised Global Strategy on Occupational Safety and Health, which should be discussed under a dedicated agenda item at the next session of the Governing Body. Member States would require increased technical assistance to support both ratification and effective implementation of the fundamental OSH Conventions. Lastly, she supported the proposed amendment to delete subparagraph (c) of the draft decision. Given that any further amendment of the Social Justice Declaration would only take place under option C, which did not currently appear to be the favoured option, the subparagraph was unnecessary.
- 161. Speaking on behalf of ASPAG,** a Government representative of Indonesia endorsed subparagraph (a) of the draft decision, whereby the Office would circulate a succinct report with the draft texts. However, in relation to the draft resolution concerning prompt ratification of the Convention on consequential amendments in Appendix II, he stressed the need to respect Member States' domestic mechanisms for ratifying international agreements. ASPAG also supported the consequential amendments to the MNE Declaration. The group wished to retain the reference to "healthy and safe working conditions" under Part I(A) of the Social Justice Declaration, as occupational safety and health was crucial for decent work, and a major part of social protection; it should therefore be part of the recurrent discussion on social protection (labour protection) in 2023. A focused, comprehensive discussion of fundamental principles and rights at work could then be held in 2024, while avoiding the introduction of an additional agenda item at the Conference in 2025. ASPAG therefore preferred option A, where only the fundamental OSH Conventions and related Recommendations would be moved to the strategic objective of fundamental principles and rights at work.
- 162.** The group supported the proposal to alter the reporting cycle for Conventions Nos 155 and 187 and to adapt the current reporting arrangements. It also supported the proposal to review the Global Strategy on Occupational Safety and Health, emphasizing that the review should

take into account national contexts, particularly those of developing countries, provide for enhanced ILO assistance for the implementation of the Strategy and consider the relevance of the Strategy to other international agreements, including the 2030 Agenda. ASPAG therefore supported all subparagraphs of the draft decision except (c), as under option A, no additional consequential amendments to the Social Justice Declaration would be required, hence the proposed amendment to delete it.

- 163. Speaking on behalf of the Africa group**, a Government representative of Senegal said that his group supported the proposal to place an item on the agenda on the Conference concerning the adoption of the consequential amendments, and for the Office to prepare a report with proposed texts for discussion at the next session of the Governing Body. The group also supported the request for the Office to prepare a document containing proposals and a road map for the review of the Global Strategy on Occupational Safety and Health. The Africa group favoured option A in relation to the distribution of OSH standards between strategic objectives.
- 164. Speaking on behalf of GRULAC**, a Government representative of Colombia agreed with the proposal to submit a draft Convention and Recommendation on consequential amendments for discussion and approval by the Conference. The group supported the Office's proposal to delete the words "healthy and safe working conditions" from the description of the strategic objective of social protection in Part I(A) of the Social Justice Declaration and place them instead under the strategic objective of respecting, promoting and implementing fundamental principles and rights at work. Moving only Conventions Nos 155 and 187 and the related Recommendations to the strategic objective of fundamental principles and rights at work (option A) would give the greatest order to the recurrent discussions. She supported applying the same reporting cycle to those Conventions as to the other fundamental Conventions, and agreed on adapting article 22 reporting arrangements for Members that had ratified them. GRULAC welcomed all measures to strengthen OSH policies within the framework of a coherent, systemic ILO policy, including the provision of the necessary assistance to Member States, with a view to promoting the ratification of Conventions Nos 155 and 187 and the progressive realization of the new principle. The group also supported the request to the Office to provide proposals and a road map for the review of the Global Strategy on Occupational Safety and Health. GRULAC supported the draft decision, and could also support the proposed amendment to delete subparagraph (c), the Governing Body selected option A.
- 165. Speaking on behalf of IMEC**, a Government representative of Sweden supported placing an item on the agenda of the 111th Session of the Conference concerning a revising Convention and Recommendation, along with a resolution encouraging the prompt ratification of the revising Convention at the same session. The group thus supported the circulation by the Office of a report by 31 December 2022 and the invitation to constituents to comment on the text by 30 March 2023. Her group was in favour of the consequential amendments to the MNE Declaration to align it with the amended 1998 Declaration. IMEC group members had differing positions concerning the proposed options for the distribution of OSH standards between strategic objectives, but the group considered it important for the link with the social protection pillar to be maintained, including in recurrent discussions. IMEC supported the proposals in the draft decision concerning reporting arrangements, but emphasized that the deadline for the submission of the first reports under the amended 1998 Declaration should be for late 2024 at the earliest, to give governments sufficient time to prepare them. IMEC supported the proposal to revise the Global Strategy on Occupational Safety and Health. The group supported the draft decision as amended by ASPAG.

- 166. Speaking on behalf of ASEAN**, a Government representative of Indonesia endorsed the proposal to place an item on the adoption of a revising Convention and Recommendation on the agenda of the 111th Session of the Conference, and for the Office to circulate a succinct report by 31 December 2022. The group also supported amending the reporting cycle for Conventions Nos 155 and 187 to three years, in line with the cycle for the other fundamental Conventions. ASEAN supported the draft decision as amended by ASPAG.
- 167. Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that Albania, the Republic of Moldova, North Macedonia, Montenegro, Serbia, Ukraine, Georgia and Norway aligned themselves with the statement. His group supported placing an item on the agenda of the next session of the Conference concerning the adoption of a revising Convention and Recommendation to introduce consequential amendments and a resolution encouraging prompt ratification of the revising Convention. Regarding the options for the distribution of occupational safety and health standards between strategic objectives, the EU and its Member States remained flexible on the practical arrangements, but emphasized that occupational safety and health must remain linked with the strategic objective of social protection. The group supported the consequential amendments to the MNE Declaration, the proposals for the reporting cycle and the revision of the Global Strategy on Occupational Safety and Health.
- 168. A Government representative of the United States** supported the draft decision as amended by ASPAG. She strongly supported having the discussion of the OSH instruments under both the fundamental principles and rights at work pillar and the social protection pillar. In relation to the Governing Body's review of the Global Strategy on Occupational Safety and Health at its next session, it should examine the links between the different references to the implementation of occupational safety and health contained in multiple key ILO documents, in order to ensure cohesion across the Organization. Informal consultations on the Strategy in advance of the 347th Session of the Governing Body would be welcome.
- 169. A Government representative of India** emphasized that Member States, in particular developing countries, must be granted ample time and space to adapt and amend their laws and systems to promote the Conventions newly classified as fundamental and the consequent changes, due to differing levels of institutional strength and available resources.
- 170. The Employer spokesperson** requested clarification from the Office on the implications of deleting paragraph (c) from the draft decision, as proposed by ASPAG.
- 171. The Worker spokesperson** asked whether the draft decision should be changed to reflect the option chosen by the Governing Body in relation to recurrent discussions.
- 172. A representative of the Director-General (Legal Adviser)** stated that if subparagraph (c) were deleted from the original draft decision, the situation as regards the cycle of recurrent discussions under the 2008 Declaration would stay the same, with all OSH standards remaining under the strategic objective of labour protection. However, the Governing Body had expressed a preference for option A, which meant that Conventions Nos 155 and 187 and the related Recommendations would be moved to the strategic objective of fundamental principles and rights at work. As noted by the Worker spokesperson, it would therefore add clarity to the decision if subparagraph (c) were amended to state that the Governing Body did not wish to make any further amendments to the Social Justice Declaration, and that it decided that the two Conventions and related Recommendations should be discussed under the strategic objective of fundamental principles and rights at work. He added that the succinct report containing the proposed text was ready and would be sent by 22 December 2022.



- 173. The Worker spokesperson** welcomed the suggestion of the Legal Adviser. She noted that her group was the only one to explicitly favour option B, but having listened to the Governing Body's discussion, the group could also accept option A.
- 174. The Employer spokesperson** agreed that the Governing Body's choice of option A should be reflected in the decision.
- 175. The Chairperson** proposed that the amended subparagraph (c) could read:
- (c) not adopt any further amendments to the ILO Declaration on Social Justice for a Fair Globalization (2008) and include the two new fundamental Conventions, the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and their accompanying Recommendations, under the strategic objective of fundamental principles and rights at work for the purposes of future recurrent discussions;
- 176. The Employer spokesperson** supported the amended subparagraph; however, it was unnecessary to state what the Governing Body would not do, so the wording "not adopt any further amendments" was unnecessary.
- 177. The representative of the Director-General** (Legal Adviser) agreed that since the Governing Body had selected option A, it was implicit that it would not adopt any further amendments to the Social Justice Declaration; as the Office document expressly indicated, consequential amendments to the Declaration would only have been required if the Governing Body had chosen option C.
- 178. The Worker spokesperson** emphasized that the Office should invest more human and financial resources in OSH. Future discussions on areas such as the programme and budget should also reflect on how to deliver effectively on all the ambitions voiced in relation to the adoption of an additional fundamental principle and right.

## Decision

- 179. The Governing Body decided to:**
- (a) place on the agenda of the 111th Session (2023) of the International Labour Conference an item concerning the adoption of a Convention and a Recommendation with a view to introducing amendments to specific provisions of 15 instruments, consequential to the inclusion of a safe and healthy working environment in paragraph 2 of the ILO Declaration on Fundamental Principles and Rights at Work (1998), and invite the Office to circulate a succinct report to that effect, by 22 December 2022, including the proposed texts for the instruments;
  - (b) adopt the consequential amendments to the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) set forth in Appendix III to document GB.346/INS/3/3;
  - (c) include the two new fundamental Conventions, the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and their accompanying Recommendations, under the strategic objective of fundamental principles and rights at work for the purposes of future recurrent discussions;
  - (d) apply a three-year cycle to reports requested under article 22 of the Constitution for Conventions Nos 155 and 187, as from 2024;

- (e) request the Office to submit to the Governing Body at its 347th Session (March 2023) proposals to adapt the current reporting arrangements under article 22 of the Constitution for Members that have ratified the new fundamental Conventions Nos 155 and 187 and a proposed report form for Members that have not ratified one or both Conventions under the follow-up to the 1998 Declaration;
- (f) request the Office to prepare a document for its 347th Session (March 2023) containing proposals and a road map for the review of the Global Strategy on Occupational Safety and Health adopted at the 91st Session of the Conference and the promotion of a safe and healthy working environment as a new fundamental principle and right at work.

(GB.346/INS/3/3, paragraph 38, as amended by the Governing Body)

### 3.4. Analysis of the measures taken to ensure the effective functioning of the Conference (GB.346/INS/3/4)

- 180. The Employer spokesperson** said that while meetings in hybrid format allowed the participation of delegates who would not otherwise be present, they had a significant impact on working time and the flow of discussions and made it difficult to hold informal consultations, which were necessary to move negotiations forward. The hybrid format had also led to major challenges in terms of accreditation, as shown by the complaints considered by the Credentials Committee, whose views should be highlighted and taken into account in the future, in particular if the hybrid format was to be reapplied.<sup>1</sup> His group noted with concern the information about the number of accredited delegates who had not registered in any committee and wondered whether that had remained constant regardless of the format. The political impact of the hybrid format should also be considered, since in-person attendance allowed common topics of interest for tripartite delegations to be addressed and provided an opportunity to have a rich exchange of experience at the global level. He took note of the measures adopted to address space limitations and requested that detailed information regarding the space limitations to be faced in 2023 be provided as soon as possible so that the appropriate decisions and measures could be taken in good time.
- 181.** In principle, the International Labour Conference should be held in person and be based on Geneva working hours, with the possibility for delegates and advisers who were unable to participate actively to join remotely. Remote participation should remain the exception and those attending online could have some kind of passive participation. A procedure should be established to authorize online participation for a limited number of delegates and each group should ensure that most of its members attended in person. The proposal to share links for remote connections with all accredited delegates should be considered with caution and limited to plenary sittings.
- 182.** Votes in committees should always be held in person and non-governmental organizations (NGOs) should only be allowed to participate in person. The opening sitting of the Conference should continue to be held on the first Monday of the session, given the challenges faced by the Employers' and Workers' groups in nominating their Officers. The World of Work Summit

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<sup>1</sup> After considering the complaint, the Committee expressed the view that the obligation for delegates and advisers to the Conference to travel to Geneva to attend the Conference in person generally continued to apply to a hybrid session and that Governments had the corresponding obligation to cover their travel and subsistence expenses, while the use of remote access should be limited to "situations where extraordinary circumstances, such as public health-related restrictions linked to the pandemic, make travelling or in-person attendance impossible" (ILC.110/Record No. 2B, paras 97–98).

could be held in the morning of the Thursday of the second week and the outcomes of committees adopted in plenary sittings in the afternoon of the same day and on the following day. The post-Conference session of the Governing Body should return to being held on the Saturday immediately after the Conference.

- 183.** The measures described in paragraph 38 of the document that had already helped improve time management in technical committees should continue to apply. However, committees' web pages should be used solely to distribute official information. He did not support the proposal to replace the points for discussion with a detailed outline of the possible outcome document and was not in favour of foregoing the drafting group exercise. His group could not support the plan of work outlined in figure 2 of the document, which included two days with no work for committee members. The Office should make greater efforts to present brief, concise and consensus-based tentative conclusions and make them available within a shorter time frame to allow committee members enough time to consider the conclusions in their entirety.
- 184.** The Credentials Committee and the General Affairs Committee should meet in person only. Delegates and accredited participants attending the Committee on the Application of Standards in person should be given priority and those connecting remotely should be allowed to give their statements only after all in-person participants had delivered theirs. Remote participation in the technical committees should be limited to plenary sittings of the committee; drafting groups should meet in person only.
- 185.** In plenary sittings of the Conference, he was in favour of limiting the statements by Government representatives to one per Member State and reducing the time limit for speeches from five to four minutes. The possibility of sending pre-recorded video statements should not be retained, since it discouraged ministers and high-level officials from attending in person. The Officers of the Conference should decide on the use of pre-recorded videos in exceptional cases. The practice of holding a single voting session should be maintained. While he recognized the usefulness of holding more information sessions prior to a vote, he could not agree to devoting 30 minutes of a plenary sitting to that purpose; the Office could instead send information and reminders to delegates with voting rights. Steps should be taken to ensure that the new voting system was more intuitive and provided users with guidance. He could support the draft decision, pending a response to the issues he had raised.
- 186. The Worker spokesperson** said that tripartite consultations and preparatory meetings were very helpful in improving understanding, particularly for a crucial event like the International Labour Conference. Additional resources for such meetings were welcome, but should not replace the resources allocated to the session itself. Regarding the nomination of Officers of committees, the Workers' group was unable to determine the final composition of its spokespersons until the initial in-person group meetings in Geneva and, while attaining regional and gender balance should be a goal, that should not limit the group's autonomy in nominating its Officers.
- 187.** She welcomed the Credentials Committee's clear statement on the obligation to register tripartite delegations in Geneva. In-person presence was necessary for representative negotiations and active participation. She agreed that emails had been a major challenge; the Office should clarify in advance that only a single, personal email address should be used for all communications. She expressed concern that accredited delegates from 38 countries had not registered in any committee and asked the Office to determine the reasons and consider measures to overcome future obstacles.

188. Regarding plenary sittings, while maintaining online access for Conference formalities could be beneficial, her group stressed the need to be able to organize several preparatory meetings. Thanking the Office for preparing a table of the number of speakers by gender, she requested a further breakdown by group to gain insight into the balance among constituents.
189. Her group recognized the Credentials Committee's important work and agreed that nominating a substitute early would better guarantee continuity. Concerning the Committee on the Application of Standards, it was deeply concerning that 31 cases had not been examined in the previous three-year period. The Committee should resume normal operations in 2023 with at least 24 cases. The outcome of the General Affairs Committee had been welcome, but the flexibility of the Committee needed to be safeguarded to allow it to respond to urgent issues such as resolutions and separate committees should be established to deal with substantial discussions. The Workers' group was in favour of both international NGOs and international organizations attending technical committee discussions in person. Her group could agree to moving the World of Work Summit to the Friday of the second week if needed; however, the Office should make early and additional efforts to secure high-level participation. Regarding the suggestion to move the post-Conference session of the Governing Body, her group preferred to keep it on the Saturday immediately after the Conference.
190. Concerning technical committees, the higher number of sittings had been appreciated, and it would be important to always allow flexibility for extra sittings if necessary; however, evening sittings should be avoided as much as possible. Regional statements from governments were welcomed but should not limit the participation of individual governments in discussions. Like the Employers' group, her group did not support the proposal to replace the points for discussion with a possible outcome document from the outset. Without the initial discussions, constituents would be forced to react immediately to the outcome document, and early and firm disagreement with elements of the draft outcome document by certain groups might limit the Office's space to prepare a balanced and negotiable text on the basis of the discussion. However, the Workers' group disagreed with the Employers' group that a draft outcome document would only contain points of consensus, as the text provided by the Office needed to reflect the main lines of the discussion and seek points for convergence. The option presented in figure 2 of the document implied a return to the programme of work in place prior to the establishment of drafting groups, which had been introduced precisely to facilitate the process of drafting an agreeable text for consideration by the committee. In her group's view, limiting the drafting exercise to the plenary sittings of committees might reduce coordination among governments; it would be therefore useful to hear their views. The Workers' group would prefer to keep the current practice of drafting groups and insisted that, whatever the format, the possibility of establishing smaller breakout groups to draft consensus-based language should be maintained.
191. Her group was in favour of maintaining voting stations for electronic voting. However, votes should not be scheduled during other Conference activities, and information sessions on voting should be continued and repeated closer to any vote. Data protection in voting was also key. Concerning further considerations for future sessions, the Workers' group agreed that Geneva business hours should continue to be applied, and that more video tutorials and information on proceedings would be helpful. She supported the draft decision.
192. **Speaking on behalf of the Africa group**, a Government representative of Eswatini said that the return to predominantly in-person participation had been welcome. Physical presence at the Conference facilitated effective participation, including through group preparations, consultative engagements and collaboration within groups and with the social partners. In-person interactions played a key role in facilitating consensus-based outcomes. Noting with

regret that accredited delegates from 38 countries had not registered to participate in any committee, he requested information on the reasons, and an indication of the number of such countries by region, in order to inform the Governing Body's review of whether to retain the hybrid format of the Conference. Effective participation in the Conference required exclusive, dedicated and uninterrupted commitment, which could become challenging when participating remotely.

193. He expressed great concern at the extent to which many committees had had to stretch themselves to complete their work within the two-week format of the Conference. That must not be normalized: the decency of work must be enhanced. Committee discussions should not be extended far into the night, as doing so placed unreasonable strain on participants and Office staff. He proposed a 9 p.m. limit in order to allow adequate rest, preparations for the next day's business and safe transportation, and that there should be no Conference activities on Sundays. Concerted efforts should be made to ensure that delegates enjoyed a better work-life balance that supported their future mental health and productivity. Queues for the collection of badges were also an area with room for improvement.
194. He expressed confidence in the ingenuity of the Office to create ways to improve the effective functioning of the Conference, which might include intensifying the level of pre-Conference preparations. He thanked the Office for its undertaking to seek ways to better integrate the work of the Drafting Committee into the overall programme of work of the Conference. The Africa group supported the draft decision.
195. **Speaking on behalf of GRULAC**, a Government representative of Colombia, said that her group had been active in the tripartite consultations to prepare for the 110th Session (2022) of the Conference; she acknowledged the efforts made by the entire team to ensure that the Conference could proceed successfully in the face of the additional challenges posed by renovation work and COVID-19-related restrictions.
196. Holding the formal opening of the Conference the day before the committees began their work was welcome, as was holding the June session of the Governing Body on the Monday after the Conference session closed, as that would provide more time for the work of the technical committees. Acknowledging that the biggest challenge for some committees was the process for preparing their draft conclusions, GRULAC thanked the Office for presenting options to improve that process and was open to hearing the views of the other groups and receiving more information about the proposals in paragraphs 41 and 42 of the document. Her group was favourable to ensuring that committee discussions were broad and inclusive.
197. Noting the difficulties mentioned in relation to electronic voting, she expressed the hope that the alternative system that was being worked on to ensure the security and integrity of the process would also implement a more user-friendly or easily accessible voting system for delegates.
198. She stated GRULAC's preference for the hybrid format, as many countries from the region needed the option of participating remotely. Acknowledging that in-person attendance was ideal, she therefore advocated for sessions to be held in person, with remote access for those who needed it, and good practices that enabled inclusive participation. Remote access should not mean a reduction in the time available for substantive discussions. More information and training sessions for Conference participants should be provided, including on aspects related to access to the Zoom platform, to ensure participation was on a level playing field for all constituents. GRULAC stressed the importance of the upcoming discussion in the Governing Body on the lessons learned from measures implemented during the pandemic in order to enable the Governing Body to discuss which practices should be retained and which should

not, in terms of format, time management, decision-making methods and voting, among others, all of which were interrelated. She supported the decision.

- 199. Speaking on behalf of IMEC,** a Government representative of Canada welcomed the success of most improvements trialled and the proposals for further improvements to be implemented at the 2023 session of the Conference. IMEC appreciated the format of an in-person meeting with the option for virtual participation, while observing Geneva working hours for the duration of the session. She supported continuing with in-person meetings, which were indispensable for negotiating and achieving consensus-based outcomes and was open to retaining an option for remote attendance, which allowed for greater inclusivity. However, it should be ensured that the approach did not add significantly to the cost or burden of the Conference. She requested further information on the relative logistical and financial impact of the options available for online attendance.
- 200.** IMEC supported increasing the number of online or hybrid briefings and training sessions on Conference proceedings. More video tutorials should be made available, especially for remote participants. Full tripartite consultations and preparatory meetings open to all Member States prior to the Conference session were important for building consensus and facilitating discussions in committees. She welcomed the successful use of time management practices during plenary sittings for statements concerning the reports of the Director-General and the Chairperson of the Governing Body, as well as for the adoption of committee reports. However, it was also important that all Member States were able and welcome to make national statements as they saw fit. She noted with regret that only 25 per cent of plenary speakers had been women and called on all constituents to make efforts to ensure greater gender diversity in high-level speakers at future sessions.
- 201.** If the format of the Conference continued to allow remote participation, the Office would need to develop specific instructions for committee chairpersons to ensure smooth and consistent functioning of committees with remote participation in a manner that ensured that those attending virtually could also intervene. Alternatively, it would need to be made clear that those connecting remotely could only observe and not intervene. The opening sitting should be in person, with remote participation available. Given the political importance of advancing social justice and the Decent Work Agenda, it was important to have a clear high-level statement to allow for high-level participation.
- 202.** She noted that the Committee on the Application of Standards had only discussed 22 cases due to its hybrid format and called for a return to the full complement of 24 cases in 2023. She highlighted the importance of publishing the shortlist of country cases before the session, as that allowed the Governments concerned to submit additional information that could be taken into account in statements, and allowed better analysis and proper consultations.
- 203.** Regarding the preparation of draft conclusions in recurrent and general discussion committees, of the two options proposed by the Office, IMEC would recommend foregoing the drafting group exercise and going directly to the submission of amendments to the draft conclusions to be considered by the committee. That would mirror the process applied by standard-setting committees, which had generally worked well. Establishing a smaller working group similar to the drafting committee formed for standard-setting discussions could be considered to review the language and syntax of the conclusions.
- 204.** She commended the Office's efforts to maximize the use of technology and social media platforms to support its communication and outreach strategies and encouraged it to continue to explore all possible communication channels to extend its reach and improve awareness of the ILO and its work. IMEC's preference would be to return to in-person voting without special

arrangements. In-person voting remained the most efficient and secure method and avoided unnecessary time losses. The Office should ensure clear communication on how voting would take place and who would be eligible to vote, if that was different from in-person participation. She confirmed IMEC's continued support for making further enhancements.

- 205. A Government representative of Cuba** said that the proposals outlined in the document would undoubtedly improve the functioning of future sessions of the Conference. Decisions taken by the Governing Body should be inclusive and ensure effective operations. The Office had a duty to ensure the equal participation of all constituents, particularly if meetings were held in a hybrid format. A number of Member States were the subject of unilateral sanctions that unfairly restricted the use of electronic platforms: the blockade by the United States on Cuba meant that it could not participate in events and meetings from its national territory through Zoom and other digital platforms. She therefore thanked the Office for the efforts made to ensure the participation of Cuban constituents by virtual means.
- 206. A representative of the Director-General** (Director, Official Meetings, Documents and Relations Department) thanked the Governing Body for its valuable advice, which would help the Office to fine-tune various aspects of the Conference. He recalled that the 2022 session had been rather exceptional as the pandemic was still not over. After the cancellation of the 2020 session and the purely virtual format of the 2021 session, the hybrid format of the 2022 session had been experimental.
- 207.** The ILO was not alone in considering what should be retained from the experience with virtual meetings in recent years and with the hybrid format in 2022. Many others in the UN system and the broader world were considering whether to continue to provide remote access and, if so, by what means and for what purpose and whether it should be limited to certain aspects of a conference. The reflections of the Governing Body had therefore been particularly helpful. The Office would examine more closely the diverse views it had heard and take them into account in the document to be presented to the 347th Session of the Governing Body on arrangements for the 111th Session (2023) of the Conference, which would draw on the lessons learned and the advice given by the Governing Body. The Office would engage in informal consultations on the matter in early 2023.
- 208.** Responding to the question of why accredited delegates from 38 countries had not registered in any committee, he said that the figure was in line with previous numbers and did not appear to be linked to the format; the Office would, however, examine the data from previous years in more depth. With regard to the 2023 Conference session, he could confirm that, due to delays in the renovation work at the Palais des Nations, it would in fact be possible to hold the session there, but it was not yet known whether the Assembly Hall would be available.
- 209. The Worker spokesperson** welcomed the news that the Palais de Nations would be available for the 2023 session. She expressed strong doubts about the benefits, and concerns about the risks, of continuing to allow online participation. Online observers would be welcome, however, if that was useful in certain situations. One risk was that enabling online participation could be too readily perceived as an end to bringing tripartite delegations to Geneva, which would be a matter of great concern. With regard to scheduling the Governing Body on the Monday after the Conference session closed, she said that it should be taken into account that most Worker and Employer participants travelled from afar and would prefer to return home promptly after the intense two weeks of the Conference session.

- 210. The Employer spokesperson** said that he had no further comments but reserved the right to participate in discussions about the detailed programme of work that was to be prepared for the 347th Session of the Governing Body. He applauded the high level of agreement between the Employers' and the Workers' groups.

## Decision

- 211. The Governing Body requested the Office to prepare for its consideration at its 347th Session (March 2023) a detailed programme of work for the 111th Session (2023) of the International Labour Conference taking into account the views expressed during the discussion of the measures implemented during the 110th Session (2022) of the Conference.**

(GB.346/INS/3/4, paragraph 59)

## 4. Follow-up to the resolution concerning skills and lifelong learning adopted by the International Labour Conference at its 109th Session (2021): The ILO strategy on skills and lifelong learning for 2022–30 (GB.346/INS/4)

- 212.** The Governing Body had before it an amended version of the draft decision, which had been proposed by the Workers' group and circulated by the Office, which read:

The Governing Body ~~endorsed~~ took note of the proposed strategy on skills and lifelong learning for the period 2022–30 and the plan of action for the period 2022–25 and requested the Director-General to consider its guidance in ~~implementing the strategy~~ preparing a revised action plan to be presented at its 347th Session (March 2023).

- 213. The Worker spokesperson** said that although the document largely reflected the conclusions and the resolution adopted by the International Labour Conference at its 109th Session, her group had concerns over the proposed strategy on skills and lifelong learning for the period 2022–30 and the plan of action for the period 2022–25. She asked the Office to clarify why there had been no mention of collective bargaining despite the repeated references to the concept in the Conference resolution; the proposed strategy should be significantly enhanced in that regard to rectify that grave omission.
- 214.** She welcomed the proposal to engage in a ratification campaign for the Human Resources Development Convention, 1975 (No. 142), but called on the Office to integrate the promotion of lifelong learning into the proposed strategy in line with the most recent instrument on the matter: the Human Resources Development Recommendation, 2004 (No. 195). The level of financing allocated to component 5 was very low compared to the other components. Her group was disappointed by the lack of a clearer, stronger link to employment policy frameworks. Relevant skills development and lifelong learning systems must be integrated into employment policy frameworks to support the creation of full, productive and freely chosen decent work for all and to ensure equitable and inclusive labour markets in the context of just transition planning.
- 215.** It was regrettable that the proposed strategy did not devote sufficient attention to the core skills described in the Conference resolution, nor to the promotion of equitable access to skills development and lifelong learning in response to individual needs, including in the informal economy. Furthermore, decent work had not been emphasized in pillar 5 on quality apprenticeships and work-based learning, and labour market needs appeared to take precedence over the needs of people and society in pillar 4. The reference in the document to



“social partners” as skills providers was inadequate, as it was trade unions that were the main providers of training and learning in many countries. Although capacity development for constituents was covered in component 1, the Office should integrate that work more broadly throughout the proposed strategy and plan of action.

216. Her group’s main concerns related to the level of resources provisionally allocated to the proposed strategy and plan of action. She asked the Office to explain how it had arrived at the figure of US\$225 million to fund the proposed strategy over the period 2022–25 and to confirm that those resources would indeed be allocated. Other priorities discussed at the 109th Session of the Conference also required follow-up and had not received the level of resources proposed in the document; her group was therefore concerned that the proposed strategy would take precedence over those other priorities in the ILO’s work. The document had suggested the potential need for further resource mobilization if some outputs could not be delivered owing to insufficient resources; however, it would be for the Governing Body, not the Office, to identify the priority outputs in that scenario. Furthermore, the document did not provide a prioritization of work, and the proposed plan of action lacked detail in terms of time frames.
217. The Governing Body could not adopt the draft decision in an informed manner as the proposed strategy and plan of action were insufficiently clear and detailed; her group therefore wished to receive a revised plan of action in March 2023.
218. **The Employer spokesperson** commended the Office’s efforts to reflect the guidelines and principles enshrined in the International Labour Conference resolution in the proposed strategy. Her group supported the five pillars and the theory of change, which linked to the relevant SDGs. The proposed strategy would set the ILO on track to become a global leader in skills development and lifelong learning. However, achieving that goal would depend on the allocation of sufficient resources and adequate staffing to the area. Adequate funding would strengthen lifelong learning systems to become more relevant, inclusive, resilient and responsive to changes in the world of work. The Office should give the subject the attention it deserved.
219. Skills and lifelong learning were the bedrock of development and decent work in the knowledge and digital economies. The proposed strategy would benefit those transitioning from the informal to the formal economy, address motivational barriers, promote openness to learning and enable the Office to work coherently with other multilateral organizations on the skills agenda. It was encouraging that the proposed plan of action was consistent with the programme and budget, as ensuring sufficient resources would help to address unemployment and pervasive skills mismatches and shortages on the ground.
220. She commended the Office on its recognition of the important role of private training providers and public–private partnerships in innovation and digital strategies; however, she sought clarification on the structure and operation of the ILO Skills Innovation Facility, including regarding the role envisaged for social partners, and asked whether a cost-benefit analysis had been conducted. She also requested further information on the Global Partnership for Education and the ILO Global Programme on Skills and Lifelong Learning.
221. She requested the Office not to use the term “employment services” in the proposed strategy, but to always mention “private employment services” explicitly, in line with the conclusions adopted by the Conference in 2021 (2021 conclusions). She suggested moving the proposed output “joint initiatives and campaigns launched on international labour standards related to skills development and lifelong learning” from component 5 to component 4 of the proposed plan of action, as it concerned standards-related actions. Regarding the concern raised by the Workers’ group on the term “collective bargaining”, she recalled that “collective bargaining and

tripartite cooperation” had been identified as accepted language by constituents. It was not clear to her group where a reference to collective bargaining should be incorporated into the proposed strategy, or what kind of support the Office could provide in that regard.

- 222.** Her group supported the draft decision as proposed by the Office, but did not support the amendment proposed by the Workers’ group. The proposed strategy mirrored the Conference resolution and was consistent with the Centenary Declaration and the Global Call to Action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient (Global Call to Action); there was therefore no need to postpone its endorsement. Moreover, Member States and social partners urgently needed the technical assistance envisaged therein.
- 223. Speaking on behalf of the Africa group,** a Government representative of Uganda welcomed the proposed strategy and plan of action, the success of which would depend on the participation of all stakeholders. Her group supported the emphasis on skills development that promoted human development, productive employment and decent work for all, and she endorsed the five pillars, which recognized the importance of skills in enabling individuals and countries to thrive in an increasingly complex, interconnected and rapidly changing world. It was also positive to see a focus on enhancing the productivity and sustainability of micro, small and medium-sized enterprises and the informal economy, and on the need for governments to design and deliver policies to tackle skills development in a holistic way.
- 224.** Increased funding was needed to promote research and development, human capital, productivity and innovation and to combat the effects of social exclusion. Structured resource mobilization would be needed to support countries in developing national implementation plans. Given the high levels of youth unemployment globally, particular attention should be given to financing research to identify skills that could support the transition from school to work, to understand why challenges persisted and to gather national and regional best practices. Efforts to address supply-side challenges through skilling should be complemented by demand-side interventions, including supporting constituents to develop job growth strategies. However, the Office should avoid taking a one-size-fits-all approaches, as countries were at different stages and took different approaches to skills and lifelong learning. The group supported the original draft decision and did not wish to defer the adoption of the proposed strategy and plan of action.
- 225. Speaking on behalf of GRULAC,** a Government representative of Colombia expressed appreciation for the proposed strategy’s overall goal of enabling the development of resilient systems based on social dialogue that would provide inclusive access to high-quality skills development and lifelong learning opportunities. She also welcomed its explicit links to Recommendation No. 195 and SDGs 4, 5 and 8. Her group appreciated the Office’s efforts to take into consideration its views, notably in terms of including vulnerable groups; promoting the participation of women in science, technology, engineering and mathematics training; emphasizing social dialogue in policy development; recognizing learning as a right that should not be limited to early life; promoting informal learning systems; and considering skills development in rural areas. However, the proposed strategy should take into account digital platform workers. She supported the original draft decision.
- 226. Speaking on behalf of ASPAG,** a Government representative of China welcomed the Office’s efforts to promote skills development and lifelong learning through the development of the proposed strategy and plan of action. He endorsed the five pillars, stressing that impactful engagement and efficient coordination at the global, regional, national and local levels would be key to ensuring policy coherence during implementation. The focus on skills identification

and anticipation based on social dialogue and informed by needs on the ground was particularly welcome, as was the promotion of an inclusive approach to learning that gave special attention to women, young people, migrants and other persons and groups in vulnerable and disadvantaged situations. He requested the Office to closely follow the guidance provided during the ongoing International Labour Conference discussions of a new international labour standard on quality apprenticeships.

- 227.** In the implementation of the proposed plan of action, the Office should enhance its efforts to provide technical assistance suited to country contexts, conduct evidence-based research and engage in knowledge management and dissemination. Furthermore, the ILO should reach out to other key stakeholders to build up impactful engagement. The success of the proposed strategy and plan of action called for resources commensurate with the ambitions expressed; although his group had accepted that the programme and budget would no longer contain a dedicated outcome on skills and lifelong learning, resource allocations to that area should not be compromised. The Office should also step up its efforts to mobilize extrabudgetary resources, including through South–South and triangular cooperation. He requested further information on the ILO Global Programme on Skills and Lifelong Learning, including the rationale behind its resource allocation. He supported the original draft decision.
- 228. Speaking on behalf of IMEC,** a Government representative of the United States said that his group strongly agreed with the need to strengthen the ILO’s work on skills and lifelong learning, which were central to preparing labour markets for the future; enabling decent work, productivity and sustainability; and ensuring that workers and enterprises could benefit from the ongoing transformation of the world of work. The involvement of social partners in skills development and lifelong learning systems was crucial; linking them to governance, funding and training processes would result in robust, adaptable systems. Stable tripartite relationships, effective social dialogue and a common awareness of the strategic importance of skills and lifelong learning for society were also important. His group therefore supported the inclusion of outputs on capacity development for employers’ and workers’ organizations in the proposed plan of action.
- 229.** He highlighted the importance of non-financial incentives such as organizational, pedagogical and administrative support in the context of vocational education and training, and supported the promotion of integrated approaches for learners from vulnerable groups. The inclusion of measures to reduce the digital divide was also welcome, although the digital skills of teachers, trainers and students should also be taken into account. He commended the focus on cooperation with other international and regional actors in the proposed plan of action, and called for coordination with other relevant UN organizations such as The United Nations Educational, Scientific and Cultural Organizations. He supported the focus on quality apprenticeships and asked how the conclusions on apprenticeships adopted by the International Labour Conference at its 110th Session would be incorporated into the proposed strategy. His group endorsed the original draft decision and reserved its judgement on the amendment proposed by the Workers’ group.
- 230. Speaking on behalf of ASEAN,** a Government representative of Indonesia drew attention to an ASEAN initiative to promote skilling in order to increase the competitiveness of the regional workforce, highlighting the importance of inclusivity in such efforts. He supported the proposed strategy and plan of action, and called on the Office to ensure that their implementation would contribute to the realization of SDGs 4, 5 and 8. The ILO should promote further discussions within the multilateral system on issues such as worker competitiveness and should work with regional organizations on relevant joint initiatives with a view to

accelerating the implementation of the proposed strategy and plan of action. He supported the original draft decision.

- 231. Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that Albania, the Republic of Moldova, North Macedonia, Montenegro, Serbia, Türkiye, Georgia, Iceland, Norway and Armenia aligned themselves with the statement. It was encouraging that pillar 1 of the proposed strategy, on improved policies, governance and financing, also sought to ensure equitable access to skills, training and lifelong learning for all. Investing in robust, resilient and adaptive skills and lifelong learning systems would be crucial in helping people to navigate the changing world of work; pillars 3 and 4 were therefore also welcome, although the Office should further reflect on how technology could provide new labour opportunities for persons with disabilities and those living in remote locations, among others.
- 232.** His group supported close cooperation with stakeholders, especially social partners and public-private networks. Skills needs assessments would be useful in the identification of local labour market demands, particularly the needs of micro, small and medium-sized enterprises. It would be important to mainstream gender considerations across all pillars of the proposed strategy and take into account the rights of persons with disabilities, especially under pillar 4. He welcomed the concrete proposals for strategic partnerships under pillar 5 and encouraged the Office to explore possible synergies with the Global Accelerator on Jobs and Social Protection for Just Transitions. The Turin Centre could also play a role in strengthening capacity-building of tripartite constituents. Further efforts were needed to fully implement the Worst Forms of Child Labour Convention, 1999 (No. 182), and ensure that every child could access free quality education. He encouraged the Office to include clearly defined targets in future plans of action. His group endorsed the draft decision and could potentially accept the amendment proposed by the Workers' group.
- 233. Speaking on behalf of the Gulf Cooperation Council**, a Government representative of Oman expressed support for the statement made by the representative of Indonesia on behalf of ASEAN. He commended the Office's efforts to give effect to the 2021 conclusions and supported the five pillars of the proposed strategy. He underscored the need for the Office to provide technical assistance and engage in consultation with stakeholders to gain a deeper understanding of challenges facing social partners at the national and regional levels, while also supporting countries in designing programmes in line with country contexts. In addition, he called on the Office to grant due importance to the Arabic language in research carried out in regard to the proposed strategy. He highlighted the success of regional initiatives in the field of skills development carried out in collaboration with the ILO Regional Office for the Arab States and the Turin Centre and suggested that they could be shared as best practices. He supported the original draft decision.
- 234. A Government representative of India** welcomed the reference made in the proposed plan of action to the ILO's tripartite structure and ability to address the demand and supply sides of labour markets in a holistic manner. Old skills were becoming outdated as new skills emerged; priority should therefore be given to mapping and anticipating skills needs and to planning lifelong learning systems accordingly to support growth over the coming decades. To that end, the five pillars of the proposed strategy would require close attention, especially pillar 2, on strengthened skills-needs intelligence. She called for the harmonization of qualifications across countries and an analysis of the issues in that regard. Strong links should be built with education systems, and particular attention should be paid to vulnerable groups. Her Government supported the proposed strategy and plan of action.

- 235. A Government representative of the Lao People's Democratic Republic** said that, in implementing the proposed strategy and plan of action, the Office should provide technical assistance to enable capacity-building in technical and vocational education and training, including by promoting effective public-private partnerships to tackle unemployment and respond to labour market needs. There should also be a focus on the digital transformation as part of measures to support businesses and promote education. Lastly, awareness-raising campaigns were needed to boost inclusion and ownership in skills development and lifelong learning schemes. He supported the original draft decision.
- 236. A Government representative of Indonesia** said that his Government shared the concern that the pandemic had changed the world of work and its dynamics. Workers needed to continuously upgrade their skills through lifelong learning to sustain their livelihoods. He therefore fully supported the draft decision.
- 237. A Government representative of Bangladesh** said that the strategy and action plan should take into account the disproportionate challenges faced by developing and climate-vulnerable countries due to the COVID-19 pandemic, climate change and technological advancement. Skills gaps must be minimized to facilitate adaptability to the new work culture and reap the benefits of technological advancement. Therefore, the Office should develop a mechanism to promote skills recognition, particularly for migrants and migrant workers, in source and destination countries, and provide technical support to developing countries in that regard. Pillar 1 should include enhanced policy coherence to promote adaptability and employability in the new work environment. Skills should be recognized in such a way that workers' backgrounds did not prevent them from enjoying work opportunities. An objective on enriching curricula and syllabuses in Member States could be included in the strategy and plan of action in order to assist Member States with skills development and recognition. Under pillar 3, the reference to the promotion of basic digital skills could include relevant new technologies and knowledge. Pillar 4 should take into account inequalities within and among societies. The first three components of the plan of action should include a reflection of skills recognition among Member States. Furthermore, the Office should mobilize resources to promote skills recognition. He supported the draft decision.
- 238. The representative of the Director-General** (Director, Employment Policy Department), in response to comments, said that the implementation of the strategy would be fully aligned with the wording of the 2021 conclusions. He confirmed that the Office would – as requested during the discussion – put more emphasis on some areas of the conclusions, including informality, clarifying the concept of lifelong learning in line with Recommendation No. 195, core skills, skills related to environmentally sustainable economies, digital skills and linking skills development to employment strategies, taking into account the discussion on the follow-up plan of action on employment. The Office would put more emphasis on the role of the social partners in skills development and lifelong learning. The Office would also support countries in undertaking skills gap analyses and skills mapping exercises. Finally, the Office would put more effort into the work on standard-related activities as well as into reinforcing strategic partnerships, including with international financial institutions. The latter would be part of the work of the Global Accelerator on Jobs and Social Protection for Just Transitions. On innovation facilities, the ILO Skills Innovation Facility had been launched in January 2020; it was managed by the Skills and Employability Branch and, although internal, could be used by ILO constituents and external partners as a good example. After a pilot phase, fully-fledged methodologies were developed in close collaboration with all other departments, and innovative ideas from those departments and academia were encouraged. The Office was ready to fully align its innovation actions with the ILO Skills Innovation Facility. Regarding the

Global Programme on Skills and Lifelong Learning, the ILO's global technical team on skills brought together experts from headquarters and field offices. Its purpose was to reinforce and complement the work of the Office to ensure better delivery of the programme and budget and to provide better support in countries. The Global Programme placed particular emphasis on engaging workers' and employers' organizations in skills governance at both the regional and country level. It was also used to leverage the ILO's influence in UN-related work and the technical capacity of the Turin Centre, the Inter-American Centre for Knowledge Development in Vocational Training (ILO-CINTERFOR) and other development partners. Through the Global Programme, the Office sought to develop and implement country-specific intervention strategies with the tripartite partners, avoiding a one-size-fits all approach.

- 239.** The Global Partnership for Education was a multi-stakeholder partnership and funding platform that brought together developing and donor countries, multilateral agencies, non-governmental organizations and representatives from the teaching profession and the private sector. Further to commitments made at the UN Transforming Education Summit, engagement with the Global Partnership was being envisaged, particularly on the issues of digital skills and skills related to environmentally sustainable economies. Concerning apprenticeships, subject to the outcome of the subsequent Conference discussion the Office would fine-tune and provide further details of the strategy for the implementation of the new international labour standard, if adopted. Regarding the time frame for the implementation of the plan of action, the document listed the high-level outputs to be implemented during the first phase from 2022–25, which included various activities with different time frames. In terms of ILO staffing for skills and lifelong learning, there were nine regular staff members at headquarters, 11 professionals in the field and three staff members at ILO-CINTERFOR. The estimated cost of US\$225 million given in the document reflected the total resources required to fully implement the strategy. The regular budget resources mobilized for the current biennium totalled US\$42 million, with extrabudgetary resources amounting to US\$76 million. For the next biennium, the US\$65 million needed was within the range of the resources mobilized annually by the Office in recent years. Lastly, the purpose of paragraph 33 was to express the Office's commitment to continue monitoring and assessing the available resources and determine the need for additional resource mobilization, and to the outputs to be delivered.
- 240. A Government representative of Argentina,** with regard to pillar 1, emphasized the importance of establishing comprehensive frameworks to link the different training and learning tools and of ensuring greater interaction and complementarity with other policies, so that the different mechanisms built institutional capacity and included the social partners. Under pillar 2, better information on skills needs was key and should be adequately reflected in sectoral surveys on productive, technological and vocational changes and skills. Regarding pillar 4, it was relevant to highlight disparities in the world of work and existing social, educational, technical and productive gaps. In that regard, training, learning and skills development mechanisms should be considered as ways of developing skills for the most vulnerable labour market segments. Under pillar 5, the links established between quality apprenticeships and work-based learning should be integrated into a virtuous cycle combining productivity with employability and social inclusion. Tripartism, strategic alliances and a holistic perspective on the functioning of the world of work was a key factor for governance in the area of skills and lifelong learning. She supported the draft decision.

**241. The Worker spokesperson** said, with respect to the alignment of the strategy with the wording of the Conference conclusions, that the compromise reached during the discussion on the conclusions had been to focus on tripartite cooperation when referring to collective bargaining and social dialogue. The Workers therefore preferred to use the term “tripartite cooperation”. In light of the explanations provided by the Office, the Workers wished to withdraw their proposed amendment. However, the Office should continue discussions with the tripartite constituents and provide further detail on the financial commitments made at the Governing Body session in March 2023.

## Decision

**242. The Governing Body endorsed the proposed strategy on skills and lifelong learning for the period 2022–30 and the plan of action for the period 2022–25 and requested the Director-General to consider its guidance in implementing the strategy.**

(GB.346/INS/4, paragraph 34)

## 5. Follow-up to the resolution concerning inequalities and the world of work (2021): Comprehensive and integrated ILO strategy to reduce and prevent inequalities in the world of work (GB.346/INS/5)

**243. The Employer spokesperson** welcomed the fact that the proposed comprehensive and integrated ILO strategy to reduce and prevent inequalities in the world of work built on the elements included in the conclusions concerning inequalities and the world of work adopted at the 109th Session (2021) of the International Labour Conference. Those were: sustainable employment creation and the use of diverse forms of work as a stepping stone to employment and more inclusive labour markets; an enabling environment for sustainable enterprises that could generate economic growth, increase productivity and close productivity gaps; investment in sustainable enterprises, workforce, research and development, technological improvements and innovation; gender equality; access to quality education, training and lifelong learning aligned with labour market needs so as to ensure equal employment opportunities, facilitate labour market transitions and help to achieve gender equality and social inclusion; a phased approach to the formalization of the economy; and the promotion of international trade.

**244.** He welcomed the mutually reinforcing axes of international and country-level action described in the proposed strategy. He asked for more information on the proposed criteria to be used for the selection of the five pilot countries in which the proposed strategy could be pursued, as well as on the funding that would be required and how the social partners would be engaged in that process. The proposed strategy must build on the ILO’s existing extensive work on inequalities in the world of work in a coordinated and coherent manner. It should be evidence-based and should take into account all the root causes of inequality.

**245.** Therefore, the operationalization of the proposed strategy should focus on seven key areas. First, the proposed strategy should seek to provide an enabling environment for sustainable enterprises by promoting the creation of jobs and enterprises, and should include a specific reference to scaling up that enabling environment to fight poverty and address inequality. That focus should also be considered during negotiations on the Programme and Budget proposals for 2024–25. Second, formalization was key to ensuring that all elements of the proposed strategy had the desired impact, as informality was the primary root cause of poverty, human rights deficits and inequalities in the world of work. The proposed strategy should focus on the

development of comprehensive national strategies to implement Recommendation No. 204. Third, a comprehensive strategy on productivity should be embedded within the proposed strategy in order to support entrepreneurship and enterprises to increase productivity and enable job creation. All constituents should be engaged in the development of such a strategy, which should integrate productive development policies and institutions at the enterprise, sectoral and macro levels, to ensure its rapid implementation. Fourth, the proposed strategy should strengthen the ILO's support for the design, delivery and monitoring of gender-sensitive and youth-inclusive employment policies. Fifth, the proposed strategy should place more emphasis and resources on skills as a separate priority area. Skills development and lifelong learning were key enablers of human development, employment and enterprise creation, productivity improvement and sustainable development, and key drivers for the reduction of inequalities. Sixth, there should be adequate support structures to mitigate economic inequalities and the implementation of the Social Protection Floors Recommendation, 2012 (No. 202), at the same time as reducing inequality. Seventh, the Office should enhance support to Member States to set up adequate minimum-wage-setting systems in line with the Centenary Declaration and the Minimum Wage Fixing Convention, 1970 (No. 131). The strategy should also include actions to promote trade and growth, reaffirming the need for an enabling environment for sustainable business.

246. Concerning the proposed publication of a report on the state of social justice, he said that that proposal merited further discussion by the Governing Body. The Office should also hold additional consultations with the constituents on the linkages between the proposed strategy and the Global Accelerator on Jobs and Social Protection for Just Transitions. It was important to ensure policy coherence without any duplication or overlap of work. The proposed strategy must take into account the comments made by all constituents to ensure that it effectively addressed the issue of inequalities in the world of work.
247. **The Worker spokesperson** emphasized that the proposed strategy, and the current discussion in the Governing Body, should focus only on those elements that had clearly been agreed at the 109th Session of the International Labour Conference. That did not include discussion of “diverse forms of work” as referenced by the Employer spokesperson. His group would not accept that term, and called on constituents to refer to “insecure forms of work” as had been previously agreed. Furthermore, he recalled the discussions at the 344th Session of the Governing Body regarding a proposed plan of action on inequalities in the world of work for the period 2022–27. He asked the Office to confirm that the proposed plan of action, including the guidance provided by the Governing Body at its 344th Session, had been integrated into the proposed strategy that the Governing Body had before it.
248. Since the previous discussion, the increase in the global cost of living had exacerbated the inequality crisis. He supported the dual objective set out in the proposed strategy, to promote the social justice agenda at the international level and to contribute to national efforts to combat inequalities. He emphasized that the proposed strategy did not capture all the Conference conclusions and the follow-up action plan within the sections entitled guiding principles and priority policy areas, and care should be taken to ensure that no key elements were missed. He reiterated that the proposed strategy should focus primarily on vertical inequalities and thus dedicate sufficient attention and funding to the development, promotion and implementation of a strategy to promote collective bargaining, address insecure forms of work, conduct research on declining labour share, and promote structural transformation.
249. He noted that the guiding principles referred to in the proposed strategy related to the Conference conclusions. However, the term “principles” was confusing; the promotion, realization and respect of labour rights was a duty, not a principle, and labour rights violations



constituted the root causes of inequalities. Compliance should be an integrated part of the proposed strategy. The focus on wage equality and collective bargaining should be balanced with redistribution through all forms of taxation and transfers. In line with the Conference conclusions, an additional guiding principle should be added to reflect the need for cooperation and solidarity. A political commitment to social justice and to implementing the proposed strategy was essential.

- 250.** The seven priority policy areas in the proposed strategy reflected the Conference conclusions. However, new elements had emerged since that Conference session that should also be integrated. The area on employment creation should be expanded to take into account the need for labour protection and an adequate minimum wage, as well as the need to strengthen social dialogue and collective bargaining and to address insecure forms of work. He recalled the Conference discussion on the importance of a living wage and called on the Office to carry out peer-reviewed research in that regard. The ILO should support Member States in their efforts to develop living wages, especially in the current cost of living crisis and falling real wages, as a central component of any strategy to reduce inequalities. However, the discussion on wages should be kept separate from the need to ensure social protection, as his group had said in the discussion on the Programme and Budget proposals for 2024–25. Rising inflation should be addressed in the context of wage-setting machinery and collective bargaining, to avoid deepening inequalities. The proposed strategy should recognize the link between increases in unionization and decreases in inequality. The proposed strategy should also recognize that the global slowdown and the resulting stagflation and debt crisis would affect all economies. International financial institutions should extend real debt relief for developing countries, which were most at risk.
- 251.** Turning to the operationalization of the proposed strategy, he reiterated that its implementation should be closely linked to the implementation of the Global Coalition for Social Justice. Using the seven priority policy areas as part of the Global Coalition would further the ILO's work to combat inequalities. He supported the proposal to expand knowledge on policy areas, which should include employment impact assessments, peer-reviewed research on living wages and other knowledge generation activities, in addition to engaging in multilateral coordination and cooperation, including with international financial institutions and other relevant organizations. He asked for more information regarding the proposed publication of a report on the state of social justice in the world and the contribution that such a report could also make to the Global Coalition for Social Justice in view of the 2025 World Summit for Social Development and World of Work summits in upcoming Conference sessions. Care must be taken to ensure the relevance of such a report, for example by measuring progress in all seven priority policy areas and incorporating data from existing reports, such as the World Employment and Social Outlook report and the flagship report on social dialogue, particularly the updates on collective bargaining.
- 252.** Turning to the country strategies, he said that the capacities of constituents should be strengthened and proposed that technical and economic training should be provided in order to build economies for social justice. Country strategies should be reflected in DWCPs, including with regard to vertical and horizontal inequalities. Both those aspects, and the linkages between them, should be integrated into the ILO's work. Criteria for selecting countries should include well-functioning social dialogue and the respect of freedom of association and collective bargaining.
- 253.** While only some countries could benefit from ILO technical support, all governments and regional organizations should implement the proposed strategy. A midterm review of the

implementation of the proposed strategy in 2025 would be essential to measure progress and ensure the sustainability of funding. His group supported the draft decision.

- 254. Speaking on behalf of the Africa group**, a Government representative of Namibia recalled the ILO's role in eliminating inequalities within and between countries. He recognized that the current proposed strategy took into account the comments previously made by his group and said that the ILO should draw on lessons learned from the inequalities seen in the distribution of COVID-19 vaccines.
- 255.** He took note that the operationalization of the proposed strategy recognized the need to address the root causes of inequality, including the high levels of international debt faced by developing countries which impeded their ability to invest in social protection and job creation. That was compounded by the lack of access to loans from international financial institutions and private banks on equitable terms. He also noted that those factors should be considered during the implementation of the strategy. He noted the core policy measures for each of the seven interconnected priority policy areas, which were broadly satisfactory. However, the proposed policies for employment creation should include a reference to tackling youth unemployment, and the direct involvement of young people in policymaking and planning for employment should be specified. Employment should be at the centre of all social economic development planning and budgeting, and the mainstream use of employment impact assessments should be promoted. Within the priority policy area on trade and development, policies should ensure fairness in global supply chains. DWCPs should be updated to include an outcome on the elimination of inequalities with measurable and publicly announced goals. Resources should be allocated to skills development, sustainable enterprise development and job creation in developing countries. The proposed strategy should have at its heart a call for global solidarity, which must include proposals to enhance support for socio-economic strategies and programmes in developing countries, especially in his region. The Global Coalition for Social Justice, and the call for international debt relief measures contained therein, would become a vehicle for reducing inequalities in the world of work. He supported the draft decision.
- 256. The Government representative of Namibia**, speaking in his national capacity, highlighted the inequalities in the world of work in his country and requested that his country be considered as a "pilot" country for the implementation of the proposed strategy.
- 257. Speaking on behalf of GRULAC**, a Government representative of Colombia highlighted that the ILO's tripartite structure rendered it well placed to address inequality. Her group welcomed the goals and guiding principles of the proposed strategy, particularly the attention to root causes, social dialogue and tripartism and country-specific approaches, as well as the document's general guidelines on priority policy areas and their interconnectedness. However, more details on the development of policy measures were required. In the area relating to gender equality and non-discrimination, equality for all, diversity and inclusion, she requested that explicit reference be made to groups that were particularly vulnerable. GRULAC would welcome further information on possible funding sources for the strategy's activities on cooperation with the multilateral system and clarification as to whether the US\$2.5 million mentioned in paragraph 29 of the document included the \$500,000 cost of the activities in each pilot country.
- 258.** The proposed strategy would play an important role in helping the constituents address inequality at the global and national levels and positioning the ILO as a key actor in the multilateral system in support of the Global Coalition for Social Justice. She therefore reiterated her group's call for a specific policy outcome on gender equality and inclusion to be added to

the Programme and Budget proposals for 2024–25; that policy outcome's cross-cutting component could be one of the five priority areas under outcome 7, on gender equality, non-discrimination and inclusion, thereby ensuring policy coherence. Her group supported the draft decision.

- 259. Speaking on behalf of ASPAG**, a Government representative of the Islamic Republic of Iran stated that the proposed strategy was crucial to sustaining momentum towards social justice and should therefore be based on the ILO's century of experience in that area and a thorough understanding of current and emerging inequalities in the world of work. The long-term strategies on skills and lifelong learning, employment and the social and solidarity economy currently being considered by the Governing Body, as well as the Global Coalition for Social Justice proposed by the Director-General, should incorporate an inequality-reducing component to ensure policy integration from the outset.
- 260.** His region, which suffered high levels of income inequality both between and within countries, was home to 60 per cent of the world's population, yet was not fairly represented at the ILO. The democratization of the Organization, including by achieving geographical balance, would help ensure that the proposed strategy was adapted to the specific needs of each region and country. Greater focus should be placed on inequalities between countries as they were closely linked to inequalities within countries and were equally important in terms of their impact on the world of work, and the strategy must therefore pay particular attention to them. His group supported the draft decision.
- 261. Speaking on behalf of ASEAN**, a Government representative of Indonesia drew attention to the importance of reducing inequalities in the world of work as a means of creating more sustainable, inclusive and safe working environments. The Governments of his group had addressed the matter through several initiatives, including a joint statement by labour ministers on strengthening worker protection. ASEAN supported the full implementation of the proposed strategy in the seven priority policy areas, which were key to addressing the many multifaceted forms of inequality. The ILO should engage with regional organizations and other relevant stakeholders to accelerate the strategy's implementation in the spirit of equality, diversity and inclusivity. His group supported the draft decision.
- 262. Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that Albania, the Republic of Moldova, North Macedonia, Montenegro, Serbia, Ukraine, Iceland and Norway aligned themselves with his statement. In the year since the adoption of the resolution concerning inequalities and the world of work, economies and societies had experienced further socio-economic disruption. The COVID-19 pandemic had affected some regions and socio-economic groups disproportionately, exposed social protection gaps and, along with the war in Ukraine, had aggravated inequalities. The EU and its Member States strongly supported the ILO's efforts to develop a strategy on inequalities in the world of work and particularly welcomed the two-pronged approach, which would position the ILO as a key actor in the multilateral system while assisting the constituents in developing comprehensive, integrated policy frameworks and measures.
- 263.** While globalization had helped millions to escape poverty, income inequality within countries had increased, and shared prosperity should be prioritized. The strategy would optimize the ILO's efforts to ensure decent work and compliance with labour standards in global supply chains. Nevertheless, drivers of equality outside the labour market, such as education and housing, should be bolstered. The Office's efforts to position the ILO at the heart of UN initiatives on inequality were therefore welcome, and it should consider all such drivers in

coordination with multilateral systems, based not only on data and evidence, but also on policy regulation and guidance through country strategies.

- 264.** Further clarification of the proposed strategy would be welcome, for example with regard to the criteria for selecting the five pilot countries and its financial implications, particularly in terms of additional funding. It would also be useful to hear about the priorities, opportunities and implementation challenges identified during the Office-wide consultations announced at the Governing Body's 344th Session, as well as about the strategy's interconnectedness with the Global Accelerator on Jobs and Social Protection for Just Transitions and the Global Coalition for Social Justice. Pending those clarifications, the EU and its Member States supported the draft decision.
- 265. A Government representative of Bangladesh** noted that access to emerging technology could reduce inequality in the world of work; indeed, disparities in access to technology during the COVID-19 pandemic and ongoing geopolitical crises had affected employment and livelihoods worldwide, and improved access to information and communications technology formed part of his Government's action to reduce inequality.
- 266.** The Office should intensify its work on rural human resource development and technological innovation and redouble its efforts to protect migrant workers from discrimination, racism and intolerance by prioritizing the implementation of the Global Compact for Safe, Orderly and Regular Migration. Furthermore, it should tackle the challenges posed by new technologies by helping countries to develop young workers' technological skills, as well as assisting in creating enabling environments for small and medium-sized enterprises. Low-cost tools and the sharing of good practices would be vital to improve social protection in developing countries, and the Office should continue to assist in strengthening regional cooperation and integration to achieve the Decent Work Agenda. His Government supported the draft decision.
- 267. A Government representative of Cuba** stressed the need to tailor the proposed strategy to the needs of each country. The COVID-19 pandemic had increased persistent inequalities across the globe, particularly in developing countries such as her own. The Cuban Government had dealt with the pandemic effectively, despite the unjust and illegal economic, trade and financial blockade imposed upon it by the United States that had a harmful effect on the Cuban labour market. Nevertheless, her Government was working to progress the 2030 Agenda and had adopted a range of measures to reduce inequality, including efforts to incorporate young persons, women and vulnerable persons into the labour market. The ILO played a specific role in preventing and reducing inequality and could use its tools and working methods to bring about structural transformation in developing countries.
- 268. A representative of the Director-General** (Assistant Director-General for the Governance, Rights and Dialogue Cluster) said that the first criterion for selecting the five pilot countries would be the countries' willingness to participate. Following consultations, further criteria had been devised to determine eligibility if the number of countries expressing willingness exceeded the Office's capacity. They included existing activities supported by the Office in several of the priority policy areas and existing partnerships with the UN and international financial institutions, including in the context of DWCPs, or with regional organizations.
- 269.** The social partners' involvement in designing and implementing the proposed strategy was vital. Given that levels and patterns of inequality differed between countries and contexts, the social partners and governments would be engaged throughout the process to develop a shared understanding of the types of inequality that merited attention in a particular country, identify the root causes and agree on the measures to be adopted to address them. Equally

important was the monitoring and documentation of actions at the national level to inform subsequent policy measures.

- 270.** The cost of the work in the pilot countries would vary according to, for example, the ambition of the country strategy, the availability of domestic resources and activities already supported by the Office; activities implemented in addition to ongoing initiatives would require dedicated funding so that patterns of inequalities could be identified and impact assessments and monitoring undertaken. The figure of US\$500,000 represented an estimated average that was not included in the US\$2.5 million, which would be used to develop a communication strategy, produce a report on social justice around the world and gather data relating to the priority policy areas. The content of that report was yet to be finalized, although it would draw on existing statistical information and ILO flagship reports to identify trends in key inequality indicators in each of the priority policy areas, propose national inequality-reduction initiatives, and showcase pilot country initiatives.
- 271.** The consultations undertaken by the Office had revealed a desire to ensure that the ILO's recent initiatives added value, rather than diverting resources and attention away from existing work. Those initiatives were intended to achieve greater overall impact by building upon, and connecting with, existing commitments. The ILO occupied a central position in debates on inequality within the international community, and it was important to maximize the impact of its initiatives by uniting and coordinating its work in the priority policy areas, establishing mechanisms to facilitate cooperation and coordination among governments to address structural issues more comprehensively. The consultations had also highlighted insufficient domestic resources to address structural problems in some countries. Participants had, however, commended the proposed strategy's multidimensional and integrated nature, which would facilitate engagement with other UN agencies.
- 272. The Worker spokesperson** asked the Office to respond to his request for a midterm review of the proposed strategy in 2025 and suggested that the respect and realization of the fundamental principles and rights at work be a basic prerequisite for the selection of pilot countries. Turning to the guiding principles of the proposed strategy, he asked that solidarity and regional cooperation be included. Finally, he sought reassurance that the US\$2.5 million to be spent on producing a report on the state of social justice would not adversely affect other existing flagship reports.
- 273. The representative of the Director-General** (Assistant Director-General for the Governance, Rights and Dialogue Cluster) said that the Office took note of the Workers' group's suggestion to hold a midterm review in 2025, its request to include solidarity and cooperation as a guiding principle of the proposed strategy, and its emphasis on the importance of the observance of the fundamental principles and rights at work. She reassured the Workers' group that the report on the state of social justice would not detract from work on existing flagship reports.

## Decision

- 274. The Governing Body requested the Director-General to take into account its guidance concerning the proposed comprehensive and integrated ILO strategy to reduce and prevent inequalities in the world of work, including the corresponding financial implications, while seeking to meet additional financing requirements to the extent possible by reprioritizing within existing budgets and/or through renewed resource mobilization efforts.**

(GB.346/INS/5, paragraph 31)

## 6. Follow-up to the resolution concerning decent work in global supply chains (2016): Report of the tripartite working group on options for ensuring decent work in supply chains (GB.346/INS/6 (Rev.1))

- 275. The Employer spokesperson** reiterated her group's support for the building blocks for the strategy, the commitment to action and the means of action to ensure decent work in supply chains. Given the long and challenging negotiations to reach consensus on the building blocks, she urged the Governing Body to adopt them and not reopen the debate. They presented opportunities that the Organization could implement without delay, which would have an immediate impact by leveraging existing mechanisms and promoting them further. For example, developing a coordinated research agenda on supply chains would require improved communication of the ILO's knowledge and good practices. Accessible platforms should make such work available so it could be streamlined and replicated. The data should support Member States in developing evidence-based policies to advance decent work. The Office should make better use of the MNE Declaration by facilitating dialogues on resolving country-level challenges and to support employers' and workers' organizations to promote the principles of the MNE Declaration and responsible business conduct. The UN Guiding Principles on Business and Human Rights and the MNE Declaration should be at the core of the comprehensive strategy. It must focus on those various mechanisms to swiftly maximize impact.
- 276.** She supported the proposal for the full integration of the building blocks into the action programme on decent work in supply chains for effective impact. The action programme should drive the strategy and its implementation and should also be instrumental in placing the ILO in a leadership position. To that end, it was important for the strategy and action programme to improve coordination between the different departments within the Office on decent work in supply chains. The ILO's tripartite composition offered an advantage to spearhead such work. Improved engagement with the multilateral system for joint collaboration and facilitated emergency support for employment, business continuity and social protection was also essential. Therefore, the Organization needed a clear strategy that took the building blocks into account as they had been negotiated. The Employers' group supported the draft decision.
- 277. The Worker spokesperson** recalled the action taken since the adoption of the resolution concerning decent work in global supply chains. Given the various meetings, including a technical meeting that had ended without any conclusions being adopted or discussed, she welcomed the progress that had resulted in the adoption of the building blocks. While much more progress should have been made in six years, her group commended the Office for its preparation and clear guidance, which had helped yield conclusions that aligned with the ILO's mandate and achieved coherence with the Office's programmes. The building blocks were a breakthrough and should revive the ILO's leadership role regarding labour rights due diligence in supply chains. She drew attention to the consensus reached on the building blocks for a comprehensive ILO strategy, which was the most difficult issue and a hard-fought compromise. Thanking the experts for their efforts, she said that all parties must advocate the strategy and try to put it into practice.
- 278.** The building blocks reaffirmed the outcomes of the resolution concerning decent work in global supply chains, previous expert meetings and the Global Call to Action crisis that is inclusive, sustainable and resilient, and also aligned with the Centenary Declaration. The Office consequently needed to use the opportunity to develop a comprehensive strategy to boost its global leadership on achieving decent work in supply chains. The building blocks recognized

the ILO's unique normative mandate and role and, in particular, mentioned the means of action to ensure decent work in global supply chains. When developed, the strategy must be sustainable with the necessary resources provided and regular monitoring and evaluation, accompanied by a communications strategy and measures for internal coherence. She appreciated the Director-General's commitment and plans for a dedicated team to implement the action programme to ensure that the strategy's objectives would be realized. Her group supported the draft decision.

- 279. Speaking on behalf of the Government group**, a Government representative of Germany said that the ILO should play a central role in promoting decent work in global supply chains. The impact of the COVID-19 pandemic, the uneven response to it and the recovery from it, together with recent global challenges with supply chains, made that all the more urgent. Challenges affecting human and labour rights required collective action, including dialogue between home and host countries of multinational enterprises.
- 280.** She commended the Tripartite Working Group for reaching consensus on the building blocks, which was a sound basis for a comprehensive strategy on achieving decent work in supply chains and eliminating inequities. The body of international labour standards was not systematically designed to address business relationships or responsible business conduct. The strategy should also recognize freedom of association and collective bargaining as enabling rights, and that social dialogue was central to the ILO's mandate. She encouraged further dialogue between all parties, including buyers and suppliers, to promote fair pricing. She further requested that the strategy take country and region-specific challenges into account. Gains and profits should be shared with employees to eliminate decent work deficits at all levels. Her group trusted that the action programme on decent work in supply chains would receive the necessary resources to effectively implement the ILO's strategy based on the building blocks. The Director-General should establish the action programme promptly, without waiting for the new programme and budget. Her group encouraged the Office to conduct tripartite consultations before the Governing Body's 347th Session to facilitate consensus-building on the strategy. She supported the draft decision.
- 281. Speaking on behalf of the Africa group**, a Government representative of Cameroon commended the Office and the Tripartite Working Group for the work they had done to create the building blocks for the strategy on decent work in supply chains. The strategy should take into account the Durban Call to Action on the Elimination of Child Labour and also identify how global supply chains could contribute to reducing inequalities in the world of work, particularly between developed and developing countries. His group supported the draft decision.
- 282. Speaking on behalf of GRULAC**, a Government representative of Colombia said that supply chains could only be sustainable if they were based on the principles of decent work. Concerted efforts were needed to improve social protection and provide safe and healthy working environments. Her group agreed on the need for a mix of national and international mandatory and voluntary measures to optimize the impact of the ILO's work to ensure decent work in supply chains, which should take place through social dialogue and collective bargaining. Given that informality hindered the application of labour rights, particular attention should be given to supporting Member States in collecting and analysing data, which would allow them to develop public policies to drive formalization and uphold those rights. Forced and child labour also had an impact on human and labour rights in global supply chains; a regional initiative and tool had therefore been developed to identify child labour risks in Latin America and the Caribbean.

- 283.** The resolution concerning decent work in global supply chains remained of utmost importance. She therefore agreed that better use should be made of the MNE Declaration by facilitating national dialogues to address challenges at the national level and by supporting employers' and workers' organizations. In addition, continued emphasis should be placed on respect for the fundamental principles and rights at work, including by strengthening labour inspection systems to ensure due diligence and assess compliance with labour regulations. She endorsed the draft decision.
- 284. Speaking on behalf of ASPAG,** a Government representative of Bangladesh said that finalizing a comprehensive strategy on decent work in supply chains would be a positive step towards addressing the issues identified in the report. The building blocks adopted by the Tripartite Working Group would provide a sound basis for that work, which should take into account the diverse challenges faced by Member States. He agreed that the strategy should encourage better use of the MNE Declaration to enable Member States to improve labour conditions in global supply chains; in that respect, interlinkages among cross-border actors, inequalities within and between societies, and gaps in normative and non-normative measures must be taken into account to ensure that both binding and voluntary measures would be effective.
- 285.** The sharing of roles and responsibilities among actors such as buyers and suppliers would be key to overcoming supply chain challenges. Indeed, the COVID-19 pandemic had demonstrated the serious impact of order cancellations on supply chains and had highlighted the lack of redress mechanisms. Profits should also be shared fairly with employees, especially in labour-intensive industries. It was encouraging that consumers had become more informed about labour rights. The differences between consumer and producer profiles should now be recognized in order to bridge the gaps between the host and destination countries of multinational enterprises. Labour rights should be viewed as human rights, with employers and importers taking equal responsibility in that regard. An objective approach should be taken when identifying goods and services to be targeted in the strategy, and consultation should be undertaken with the World Trade Organization (WTO) and other relevant bodies to ensure policy coherence. Further discussions on the strategy should be held within the Tripartite Working Group prior to finalization in order to protect the interests of all stakeholders in global supply chains.
- 286. Speaking on behalf of IMEC,** a Government representative of Canada said that while global supply chains could have a positive impact on job creation, poverty reduction, entrepreneurship and formalization, failures within them had contributed to decent work deficits and undermined labour rights. The ILO needed to play a leadership role in realizing decent work in global supply chains. The ILO's body of standards had not been designed systematically to address business relationships or conduct, nor their impact on Member States' obligations to uphold the fundamental principles and rights at work. In circumstances where purely voluntary approaches could not sufficiently address the challenges of cross-border supply chains in relation to implementation of national labour laws and regulations, global supply chain transparency should be improved and initiatives should be developed to complement international labour standards, pending further evidence on the effectiveness of voluntary and mandatory measures.
- 287.** She strongly supported the ILO's more prominent role in promoting fair and rules-based international trade that respected labour rights, and encouraged the Office to strengthen its support regarding labour provisions in trade and investment agreements. Technical assistance based on sound research could help governments to align law and practice with their trade and investment obligations. Her group looked forward to contributing to the development of the strategy on decent work in supply chains.



- 288. Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that Albania, North Macedonia, Montenegro, Serbia, Türkiye and Norway aligned themselves with the statement. Failures to ensure decent work in supply chains had become a central policy issue at the national and international levels. It was therefore encouraging to see consensus regarding the need to systematically address labour rights issues in global supply chains. The ILO should play a leadership role in that regard through a comprehensive strategy on decent work in supply chains that reflected a smart mix of national and international mandatory and voluntary measures and envisaged a stronger link between the ILO's supervisory mechanisms and its technical assistance and research.
- 289.** The building blocks adopted by the Tripartite Working Group represented a good basis for further development of the strategy, including through action to analyse and assess the growing regulatory and non-regulatory initiatives addressing decent work deficits in supply chains. The Office's commitment to learn from that work to inform the development of initiatives to complement the body of international labour standards was particularly welcome; such an exercise would ensure a level playing field and lead to further discussions on addressing gaps in the ILO's normative and non-normative measures. He also commended the proposals to strengthen the ILO Helpdesk for Business; develop practical tools to strengthen the means of labour inspection in supply chains; and strengthen development cooperation on promoting decent work in all tiers of global supply chains. He strongly encouraged active engagement with the private sector, including multinational companies, and welcomed the inclusion of a dedicated action programme on decent work in supply chains in the preview of the Programme and Budget proposals for 2024–25. He supported the draft decision.
- 290. A Government representative of Barbados** said that, thanks to their wealth and their role as major employers, multinational enterprises often exerted pressure on small island developing States to neglect actions that could drive decent work. He supported the Office's approach to developing the strategy on decent work in supply chains, notably the emphasis placed on its sustainability. Strengthening development cooperation through DWCPs would allow an integrated approach to addressing challenges faced by Member States, while the specific focus on South–South and triangular development cooperation would enable countries to build their capacity to engage with multinational enterprises on an equal footing. He supported the draft decision.
- 291. A Government representative of India** acknowledged the importance of global supply chains in helping workers to move to better jobs and enabling the mutual exchange of technology and knowledge between countries. It should be recalled, however, that legislation on decent work in global supply chains was a matter for Member States. Emphasis should be given to strengthening domestic policy frameworks through appropriate technical assistance, while avoiding a prescriptive approach. Given the divergence in the development levels and core competencies of Member States, their participation in global supply chains varied significantly and developing countries faced many obstacles in increasing their participation, including low productivity and difficulties in leveraging competitive pricing. The focus should be on promoting the ratification and implementation of existing international labour standards by Member States and strengthening their core capabilities. International governance on global supply chains should not necessarily take the form of universal rules; instead, countries should take on common but differentiated responsibilities. The ILO should take a leading role in providing technical assistance and supporting capacity-building to enable Member States to participate fully in global supply chains.
- 292. A Government representative of China** expressed support for the draft decision and highlighted several national measures taken to uphold human rights, including rights at work,

and to support businesses in fulfilling their social responsibilities. However, she strongly objected to the imposition of unilateral sanctions on the pretext of protecting human rights; such actions severely disrupted global supply chains, harmed the legitimate interests of businesses and workers and ran counter to the ILO's goal of promoting social justice and decent work.

- 293. A Government representative of Mexico** said that, in the development of the strategy on decent work in supply chains, it would be important to recall that the most acute decent work deficits occurred in the early stages prior to product marketing, including extraction, transformation, transportation and administration. Consideration should also be given to the relationship between large enterprises and small and medium enterprises with a view to promoting the shared responsibilities of suppliers and vendors in trade agreements. In the context of international trade, it was vital to promote freedom of association; recognition of the right to collective bargaining; cross-border social dialogue; due diligence in global supply chains; and the elimination of forced, compulsory and child labour and discrimination in respect of employment and occupation. He supported the draft decision.
- 294. A representative of the Director-General** (Assistant Director-General for the Governance, Rights and Dialogue Cluster) acknowledged the unanimous support for the building blocks, as well as the guidance to be considered by the Office when developing the strategy on decent work in supply chains, including on the importance of policy coherence within the ILO and within the multilateral system. The action programme on decent work in supply chains, investment and trade envisaged under outcome 7 of the Programme and Budget proposals for 2024–25 would drive the implementation of the strategy, while mobilizing additional resources to ensure its sustainability. She noted the requests to put the action programme into place before 2024. The Office would engage in consultations with all groups in the following months while preparing the strategy.
- 295. The Employer spokesperson** said that it was essential to look at all supply chains and not only global supply chains in order to make changes on the ground. Research had shown that a significant amount of child labour and forced labour took place in national supply chains and often in the informal economy, where there were no controls or transparency. To improve the situation, the root causes of decent work deficits in supply chains needed to be addressed, which would involve supporting Member States to implement labour standards and reduce informality. The shift in focus from global supply chains to supply chains in general was evident from the title of the agenda item under debate, which demonstrated an evolution in the Governing Body's discussion of the matter.
- 296. The Worker spokesperson** said that the decision to use the term "supply chains" instead of "global supply chains" did not mean that the Governing Body had agreed to shift its focus from global supply chains. While her group did not deny that there were other supply chains, the major issue to be addressed by the ILO concerned cross-border supply chains and the specific challenges that they created, since they could not be tackled at the national level. She disagreed that addressing the root causes of decent work deficits in supply chains should centre on the national application of labour standards.
- 297. The Employer spokesperson** clarified that her group's position was simply that national supply chains should be taken into account in addition to, and not instead of, global supply chains.

## Decision

**298. The Governing Body requested the Office to finalize an ILO strategy on decent work in supply chains based on the building blocks adopted by the Tripartite Working Group, and to present it for its consideration at the 347th Session (March 2023).**

(GB.346/INS/6(Rev.1), paragraph 13)

## 7. Report on the implementation of the ILO Disability Inclusion Policy and Strategy (2020–23)

*(The document under this item was submitted for information only as GB.346/INS/INF/5.)*

## 8. Update on the United Nations reform (GB.346/INS/8)

**299. The Employer spokesperson** said that the UN reform process offered many opportunities for constituents to broaden their influence through active engagement in UN Sustainable Development Cooperation Frameworks (Cooperation Frameworks), stronger engagement with UN resident coordinators and enhanced ILO involvement in UN country teams. However, more needed to be done to harness those opportunities; she therefore asked how the Office intended to enhance understanding among resident coordinators and the UN leadership of the role of employers' organizations. The Office must also raise the importance of tripartism at the highest levels of the UN system, particularly in view of the forthcoming convening of several significant UN summits. Stronger engagement of the social partners in the voluntary national review process, for example, would be critical to improving its impact, effectiveness and legitimacy.

**300.** The Office must set clear accountabilities and report to the Governing Body at its 347th Session on progress in implementing its updated internal policy guidance on UN reform. She noted the increase in contributions to the ILO from the UN system in connection with the increase in joint programmes, emphasizing that such programmes must involve the social partners. While joint programming was a welcome development, the Office must remain mindful that the primary purpose of DWCPs was to serve constituents and their priorities.

**301.** She noted that some ILO staff members were being selected for resident coordinator assignments and would welcome further investment in increasing their number. She urged the Office to enhance its staff capacity-building programmes, particularly for country directors, to enable staff members to more effectively participate in UN country teams while promoting the ILO agenda and the role of ILO constituents.

**302.** Many of the priorities in the UN Secretary-General's report, *Our Common Agenda* fell within the ILO's core mandate. It was therefore regrettable that the Governing Body had not had the opportunity to discuss the report and assess its relevance and implications for the ILO. She encouraged the Office to adopt a leadership position in the implementation of the report's social and employment-related priorities; the launch of the Global Coalition for Social Justice could play an important role in that regard. The Governing Body must be fully involved in the implementation of *Our Common Agenda*, particularly in the context of the Global Accelerator on Jobs and Social Protection for Just Transitions, more information on which would have been welcome. The Office should fully engage with constituents in its development, promotion and implementation, including by holding a full discussion at the 347th Session of the Governing Body on how the Office could be involved in the process. The Office must also set measurable targets and identify tangible action towards their achievement.

**303.** In that connection, she proposed amending the draft decision to read:

The Governing Body:

- (a) took note of the current status of the reform of the United Nations development system and invited the Director-General to develop an action plan, taking into consideration the view expressed by the Governing Body, to strengthen ~~in~~ the ILO's continued engagement in and implementation of the reform and in supporting tripartite constituents in engaging in UN Sustainable Development Cooperation Frameworks and Common Country Analyses; and
- (b) requested the Director-General to provide the draft action plan (2023–2025) ~~a further report on the UN reform process and the measures taken by the Office at its 347<sup>th</sup> Session (October–November~~ March 2023).
- (c) requests the Director-General to provide the Governing Body at its 347<sup>th</sup> Session (March 2023) with an update on the Global Accelerator on Jobs and Social Protection for Just Transitions as well as the implementation of the "Our Common Agenda" of the UN Secretary-General and the ILO's engagement in these initiatives.

**304. The Worker spokesperson** welcomed the progress made on the UN development system reform while noting the areas requiring further work identified in the document. She welcomed the ILO's continued strong engagement in the UN reform process and its important role within the UN framework in the context of the immediate socio-economic response to the COVID-19 pandemic. However, she stressed the importance of the ILO taking a central position in thematic groups at the regional and country levels, ensuring the increased engagement of constituents. Trade unions must be included in discussions on policy priorities and implementation modalities and receive continued support in engaging in joint UN-system initiatives at the national level. Seeking assurances that the ILO's engagement in UN reform would not adversely affect its ability to serve its constituents, she requested more information on the impact of that engagement on the ILO's day-to-day operations, particularly in country offices.

**305.** While some progress had been made in the involvement of the social partners in UN processes such as Cooperation Frameworks, major challenges remained. Many trade unions continued to be either excluded from the development of such processes at the national and regional levels, sometimes as a result of a lack of understanding among UN resident coordinators or country teams of the ILO's tripartite governance structure. Where unions were consulted, there was not always sufficient evidence that their issues and concerns had been incorporated into the final document or that their priorities would be addressed. In addition, trade unions continued to be classified in many countries as civil society groups rather than social partners, a long-standing problem that required continued attention. Finally, the political sensitivity of common country analysis processes in some countries was an issue. The Office must continue its efforts to improve the situation, including through capacity-building activities and outreach to resident coordinators. The ILO's normative mandate must be emphasized, as must the shared goal of leaving no one behind.

**306.** A related issue was the exclusion of trade unions in countries where the ILO was not resident. She requested the Office to devise a tailored strategy for such countries that firmly established the primacy of DWCPs and was based on lessons learned from aligning the new generation of DWCPs with the Cooperation Frameworks. The Office should also dedicate more efforts to negotiating for more new resident coordinator positions to be filled by staff with an ILO background, and should develop a dedicated internal staff development programme to achieve that goal.

- 307.** She noted with concern that recommendations from human rights mechanisms and the ILO supervisory bodies were often not translated into programmatic opportunities and requested the Office to increase its efforts to resolve that shortcoming. The Global Accelerator on Jobs and Social Protection for Just Transitions could prove a useful tool to that end; given the social partners' central role in its implementation strategy, it could help resident coordinators to appreciate their added value and expertise in promoting integrated employment and social protection policies aligned with ILO standards.
- 308.** She supported the draft decision proposed by the Office. Regarding the amendments proposed by the Employers' group, the group considered the specification of an action plan to be unnecessary and was wary of overloading the agenda of the 347th Session of the Governing Body.
- 309. Speaking on behalf of the Africa group,** a Government representative of Rwanda commended the Office on the role that it continued to play in the UN reform process to ensure that the Organization's values were an integral part of the UN development system. He noted with appreciation the findings of the Quadrennial Comprehensive Policy Review, in particular the fact that over half of UN resident coordinators were now women, as well as the improvements in disability inclusion, efficiency and the data and results reporting platform. The Office's active participation in UN reform had fostered alignment of DWCPs with Cooperation Frameworks, thus providing opportunities for enhanced uptake of the Decent Work Agenda and constituents' priorities.
- 310.** He expressed the hope that UN reform would continue to provide the Office with opportunities for building capacities, forging partnerships and mobilizing resources, and that ILO constituents would continue to be engaged in the resident coordinator system at the country level with a view to achieving more synergies. He also expressed the hope that the reform process, in particular the reformed resident coordinator system, would help to achieve the desired levels of efficiency and effectiveness across the UN development system. In that context, he commended the Office for its efforts to improve internal efficiency and effectiveness. His group supported the draft decision as presented by the Office.
- 311. Speaking on behalf of ASPAG,** a Government representative of Japan noted with appreciation the ILO's active engagement in UN reform and called on the Office to enhance its participation to ensure that the UN development system could provide coherent and concrete support to help countries to achieve the 2030 Agenda. He highlighted the importance of transparency and accountability towards Member States in UN governance. Close coordination between the ILO and relevant UN entities was required to further streamline agency-specific programming instruments, business practices and processes with a view to enhancing efficiency and avoiding duplication of efforts.
- 312.** He expressed appreciation for the update regarding strengthened cooperation at the regional and country levels and for the Office's cooperation with other agencies to provide support to countries without an ILO office. The innovative practices employed in each region to overcome disparities were also welcome. He requested the Office to improve regional- and country-level coordination to fulfil the objectives of UN reform on the ground. The Office should also enhance its efforts to build bridges between the priorities of tripartite constituents and the work of the UN development system, and should continue capacity-building efforts and outreach to UN resident coordinators to ensure effective constituent participation in that regard.

313. He expressed support for the draft decision as proposed by the Office and requested further clarification regarding the amendments to subparagraphs (a) and (b) proposed by the Employers' group. His group could support the amendment to subparagraph (c), but was flexible about the timing mentioned therein.
314. **Speaking on behalf of IMEC**, a Government representative of the United Kingdom of Great Britain and Northern Ireland said that the ILO was uniquely positioned to render the UN more coherent, efficient and effective and noted that the Organization continued to play a prominent role in UN reform. It was reassuring that evaluations and surveys had shown that governments were satisfied overall with the more integrated and collaborative UN country teams and the leadership role of UN resident coordinators in supporting national plans and priorities. It was also pleasing that over half of resident coordinators were women, that disability inclusion at resident coordinator offices had improved, and that the ILO had re-joined the UN Network on Racial Discrimination and Protection of Minorities and assumed the lead of its Intersectionality Pillar. He underscored the importance of long-term sustainability of funding for the resident coordinator system, and recommended training by the Turin Centre for resident coordinators on ILO policies and processes.
315. While the Office's efforts to raise awareness of UN reform among the social partners were welcome, there was still scope to improve their involvement in, and awareness of, UN processes at the country level. He encouraged the Office to continue exploring ways to strengthen their capacity to participate in the Cooperation Frameworks and processes related to the SDGs. The progress achieved in coordinating activities and improving effectiveness and efficiency in response to socio-economic challenges demonstrated the ILO's crucial role in the UN system. He supported the draft decision, including the amendment to subparagraph (c) proposed by the Employers' group.
316. **A Government representative of Indonesia** expressed the hope that the UN resident coordinator in his country would ensure more agile, coherent and demand-driven programmes through strategic planning. However, there were many areas for improvement, including in ensuring regional capacity to provide country-level support, enhancing evidence-driven interventions, and improving efficiency, transparency and accountability. He supported the ILO's continued engagement in implementing UN reform and enabling tripartite constituents to engage in the Cooperation Frameworks and common country analysis. He supported the draft decision.
317. **The Worker spokesperson** reiterated her group's view that the proposals in the amendments to subparagraphs (a) and (b) of the draft decision would not be appropriate at that stage. However, her group did not oppose the proposed amendment to subparagraph (c). She asked the Office whether there were already plans to provide information on the Global Accelerator on Jobs and Social Protection for Just Transitions and *Our Common Agenda* in a report to the Governing Body; if not, the Office should clarify whether the deadline of March 2023 would be feasible, or whether November 2023 would be more appropriate.
318. **The Employer spokesperson** withdrew her group's proposed amendments to subparagraphs (a) and (b) of the draft decision since they lacked sufficient support. However, her group maintained its proposed amendment to subparagraph (c), which had achieved broad support and aligned with the overall strategy regarding the Global Coalition for Social Justice and the need for the ILO to raise its profile in the context of UN reform.
319. **A representative of the Director-General** (Director, Multilateral Cooperation Department) said that in its efforts to implement UN reform, the Office would continue to prioritize capacity-building among tripartite constituents. Noting the comments regarding awareness-raising

among UN resident coordinators, he said that the Office was already undertaking efforts in that regard through a decentralized approach: specifically, regional offices had taken several opportunities to raise awareness and share information with resident coordinators. At the global level, the Director-General had recently raised awareness of the ILO's mandate, normative function and tripartite structure at the 2022 Global Resident Coordinators' Meeting and had emphasized the importance of social dialogue as a driver for governance in sustainable development. The Office sought to encourage resident coordinators to consult the ILO on matters relating not just to the labour market, but also social dialogue. The Office was also working with resident coordinators on more thematic activities.

- 320.** The Global Accelerator on Jobs and Social Protection for Just Transitions had been discussed at the Global Forum for a Human-centred Recovery in February 2022, as well as at the 341st Session (March 2021) of the Governing Body. However, the Office would remain available to provide any more information needed. In that regard, a series of briefing sessions for the respective groups was planned on the margins of the current Session.
- 321.** The UN Secretary-General's report *Our Common Agenda* was the result of extensive consultations within the UN system, with other multilateral institutions as well as civil society at large. Discussions on the implementation of its ambitious agenda had been held at the UN General Assembly and would continue, including through a series of intergovernmental summits, including the Transforming Education Summit held in September 2022 with strong involvement from the ILO as well as the Summit of the Future planned for September 2024. In that regard, he noted that the High-Level Advisory Board on Effective Multilateralism, established by the UN Secretary-General as a contribution to the 2024 Summit, had shown particular interest in the ILO's governance, tripartite structure and normative function. The Office would continue to engage with the High-Level Advisory Board with a view to fostering discussions in advance of the Summit of the Future. The Office would also pay close attention to discussions at the UN General Assembly regarding the holding of a World Social Summit in 2025, which would be of great importance for the ILO, the 2030 Agenda and the Global Coalition for Social Justice.
- 322. The Worker spokesperson** in relation to the proposed amendment to subparagraph (c) of the draft decision, asked the Office to clarify whether an update on the Global Accelerator on Jobs and Social Protection for Just Transitions and *Our Common Agenda* would be covered in one of the other reports already on the agenda of the Governing Body or would require a specific report. In the latter case would it be feasible for the Office to prepare such a document for November 2023 rather than March?
- 323. The representative of the Director-General** (Director, Multilateral Cooperation Department) said that the suggested deadline of March 2023 for a document containing an update on the Global Accelerator and *Our Common Agenda* would indeed be early. The Office would be able to provide a better overview of the situation in November 2023 following the intergovernmental discussions to be held over the coming year in relation to *Our Common Agenda* implementation, taking into account also, future developments linked to the Global Coalition for Social Justice.
- 324. The Worker spokesperson** suggested that the proposed amendment to subparagraph (c) could be subamended to allow the Office until November 2023 to update constituents on the Global Accelerator and *Our Common Agenda*.
- 325. The Director-General** said that the Office's update on the Global Accelerator should be separate from the Office's regular reporting on UN reform. The first report would ideally be submitted to the Governing Body in November 2023 instead of March to ensure that the Office

had time to reflect on discussions regarding *Our Common Agenda* held in the context of the UN Secretariat. The Office could provide regular, perhaps even annual, updates on the Global Accelerator thereafter.

- 326. The Employer spokesperson** agreed with the proposal made by the Workers' group if it would allow the Office the opportunity to provide more concrete information. She stressed the importance of including an item on the Global Accelerator and *Our Common Agenda* on the Governing Body's agenda to ensure the full participation of constituents in discussions in that regard.
- 327. The Worker spokesperson** proposed a subamendment to subparagraph (c), which would read "requested the Director-General to provide the Governing Body at its 349th Session (October–November 2023) with an update on the Global Accelerator on Jobs and Social Protection for Just Transitions, as well as requested to regularly report on the implementation of 'Our Common Agenda'". That wording would allow the Office to determine when to report to the Governing Body on *Our Common Agenda*.
- 328. The Employer spokesperson** said that November 2023 would be an appropriate time for the Office to report on both the Global Accelerator and *Our Common Agenda*.
- 329. The Director-General** suggested that the Governing Body might wish to further subamend subparagraph (c) to read "requested the Director-General to provide the Governing Body at its 349th Session (October–November 2023) with an update on the Global Accelerator on Jobs and Social Protection for Just Transitions, as well as requested to regularly report, starting in November 2023, on the implementation of 'Our Common Agenda'".
- 330. The Employer spokesperson** suggested replacing "as well as requested to regularly report" with "and to report regularly," in subparagraph (c).
- 331. The Worker spokesperson** noted that there was now broad agreement regarding subparagraph (c).
- 332. Speaking on behalf of GRULAC**, a Government representative of Colombia supported the draft decision as subamended.

## Decision

### **333. The Governing Body:**

- (a) **took note of the current status of the reform of the United Nations development system and invited the Director-General to take into consideration the views expressed by the Governing Body in the ILO's continued engagement in and implementation of the reform and in supporting tripartite constituents in engaging in UN Sustainable Development Cooperation Frameworks and Common Country Analyses;**
- (b) **requested the Director-General to provide a further report on the UN reform process and the measures taken by the Office at its 349th Session (October–November 2023); and**



- (c) **requested the Director-General to provide the Governing Body at its 349th Session (October–November 2023) with an update on the Global Accelerator on Jobs and Social Protection for Just Transitions and to report regularly, starting in November 2023, on the implementation of “Our Common Agenda” of the UN Secretary-General and the ILO’s engagement in those initiatives.**

(GB.346/INS/8, paragraph 61, as amended by the Governing Body)

## 9. Promoting productivity ecosystems for decent work (GB.346/INS/9)

- 334. The Employer spokesperson** said that the document rightly identified the relevance of productivity drivers and acknowledged the importance of focusing on them at the enterprise level, particularly MSMEs. Many MSMEs were caught in a low-productivity trap, which hindered aggregate productivity growth, decent job creation and socio-economic development. Enterprises needed to be effective and efficient in order to achieve sustainability; sustainable enterprises were key to economic growth and the creation of decent and productive jobs. Without sustainable enterprises, there was no hope for decent and productive jobs to be created in the private sector. While her group noted the importance of structural transformation and sector-specific interventions as described in the document, it was mindful that such transformation might produce varying results in different regions. The ILO therefore needed to find ways to offer spaces or platforms for policy discussions and conversations on productivity and decent work where Member States and social partners could share best practices and lessons learned. Interregional dialogue that drew on expertise from national and regional productivity organizations could be helpful.
- 335.** The proposed “One ILO” approach to addressing barriers to better jobs and productivity growth made sense and offered opportunities for constituents to leverage the ILO’s unique position as a tripartite organization and to embed that uniqueness within the UN family. No other international organization had a systemic model on productivity, to the Employers’ group knowledge. It also offered opportunities for constituents to leverage unique ILO positioning as a tripartite organization, and to embed such uniqueness among the UN family. Productivity was not a one-off intervention but a culture; continuous improvement and learning should be a goal for all. Nor was productivity solely about cutting costs; well-designed and implemented productivity strategies could benefit all tripartite constituents at the national level. The mention of premature deindustrialization in the document was concerning, especially when developing countries had not gone through a process of structural change to transition from agricultural to industrial and services-based economies. Productivity was a key enabler of the transition from the informal to the formal economy. Governments and employers’ and workers’ organizations must work collectively to combat informality by implementing productive development policies to increase and address productivity growth as a top priority. It was essential to embrace productivity as a lever of socio-economic development.
- 336.** The piloting of the “productivity ecosystems for decent work” approach in Ghana, South Africa and Viet Nam was welcome. Beyond consultations, it was critically important for the Office to engage employers’ and business member organizations at the early stages of that project, in close collaboration with ACT/EMP, across regions. The Office could count on the Employers’ Group to support the project implementation at the national level, and the International Organization of Employers (IOE), together with ACT/EMP, were at the Office’s disposal. Governments and social partners in the pilot countries needed to be on the same page with regard to productivity. Measuring productivity, especially at the sector and enterprise level, was of paramount importance. The Office should therefore improve its data collection and development of productivity indicators at macro, sectoral and enterprise levels. It should also

help constituents by providing data-driven evidence through productivity measurements to promote competitiveness and foster a meaningful dialogue on issues important to employers and workers. The productivity ecosystem should be placed at the heart of the overall ILO strategy, including through the programme and budget. The Employers supported the draft decision.

- 337. The Worker spokesperson** said that it was difficult to see, in the productivity ecosystem approach presented in the document, any convincing answers to the key challenges that prevented the virtuous cycle between productivity and decent work from happening. The document referred to the importance of collective bargaining and social dialogue in maintaining and strengthening a positive cycle between productivity and working conditions. However, there was no mention of collective bargaining in the productivity ecosystem, and no proposal on how to strengthen it in the plans. She asked the Office how it would address the issues regarding the relationship between informality and productivity in the productivity ecosystem approach. It was important to examine the acceleration of new technologies and remote forms of work, including platform work, where productivity and profits were soaring but not translating into quality employment, proper wages or social protection.
- 338.** The document raised fundamental questions concerning differences in productivity between women and men, which her group considered should be more precisely formulated as “differences in productivity between male-dominated and female-dominated jobs and sectors”. New questions on how to address such differences should also be asked. It was high time to challenge current definitions of productivity and ways of measuring, taking into account the lessons learned during the pandemic, when mostly women in so-called low-productivity public and private sectors such as care and retail had provided essential services. She would like more information on the consequences of the notion that unpaid care work was not captured in productivity measurements, despite the fact that productivity was “indirectly subsidized” by unpaid work, and on the action that the Office would take on that issue. The Workers also wished to know how the key issue of the environment would be addressed as part of the productivity ecosystem approach. Regarding the reference to renewed attention to productivity and decent work among constituents, she clarified that her group stood ready to work on the issue of productivity, but only provided that it was clearly linked to the ILO’s mandate and the Decent Work Agenda and framed in the proper macroeconomic, employment and distributional frameworks, as one of several economic factors.
- 339.** The three levels defined for the analysis of productivity involved dimensions of productivity which, in the Workers’ group view, were indivisible. While the proposed approach could systematize the analysis and definition of indicators and variables to consider, other factors and issues needed to be included to ensure that it lived up to the aspiration outlined in the document. The efforts of the Office to involve the social partners in the pilot project in three countries were appreciated and should continue. Unions in those countries should be included at all stages, not only informed. In the section on the role of productivity organizations in promoting productivity and decent work, it was unclear whether the reference to national productivity organizations included social dialogue institutions and actors. Since such promotional departments, if public, were not necessarily open to social dialogue, efforts at the macro level should be directed at economic and employment policies.
- 340.** When it came to looking ahead, the whole picture of structural transformation for decent jobs and just transitions should be considered. Since many studies showed that differences in the sectoral reallocation of labour within countries drove productivity growth differences among regions, it was crucial to have pro-employment macroeconomic policies in place that created decent employment opportunities in productive and growth sectors. When measuring

productivity, total factor productivity should be measured. The ILO should develop its work on productivity and decent work further in a more open manner, challenging sometimes intrinsic ideological concepts and the negative effects on wages and working conditions of current business models, to promote inclusive economic growth with the aim of full employment. Distributional effects must be included. An important element in the discussion must also be the fact that labour productivity and the employment elasticity-to-growth ratio had an inverse effect due to their arithmetic nature.

- 341.** The paragraph on the actions required to accelerate the pace of structural transformation in order to promote productivity and decent jobs should include a reference to the relevance of strengthening labour market institutions and collective bargaining, combined with the message that efforts to promote productivity must not advance at the expense of the environment. To that end, the focus should be on the macro level and aligned with the proposed ILO strategy to reduce and prevent inequalities in the world of work and plan of action on employment. The implementation of the proposal required strong cooperation and synergy between the Employment Policy Department and the Enterprises Department, both of which should be highly involved. Economic and employment policies aimed at reducing inequalities and redistributing the gains of work to the workers who produced the value should be the goal of any ILO work on productivity.
- 342. Speaking on behalf of the Africa group,** a Government representative of Namibia said that his group shared the view that productivity growth was an important driver of economic growth, development and improved living standards. However, it was also mindful that the slowdown of structural transformation and increased informality in many developing countries undermined the objective of achieving higher productivity. He therefore called on the Office to redouble its efforts to strengthen support to Member States through approaches that boosted productivity through diversity and innovation, particularly in the Africa region, which continued to bear the brunt of inequalities. The Africa Group welcomed the ILO proposal of the systemic and holistic “One ILO” approach to addressing barriers to better jobs and productivity growth. He recalled that the Implementation Plan supplementing the Abidjan Declaration called on national productivity centres to adopt the ILO’s integrated approach. The Office should incorporate such an approach in its plan. The organization by the Turin Centre of a two-week online course on the productivity ecosystems for decent work approach was welcome. The Office should continue to provide such vital training, both online and in person, for all ILO constituencies. His group proposed that all productivity measurements should take into account unpaid work, for informed policymaking. He supported the draft decision.
- 343. Speaking on behalf of IMEC,** a Government representative of Belgium welcomed the comprehensive update on the productivity ecosystems for decent work approach. The Governing Body’s endorsement of that approach at its 341st Session underscored the relevance of a holistic and human-centred approach to promoting responsible productivity growth for the ILO’s tripartite constituents.
- 344.** At the macro level, productivity growth was a key driver of formalization and competitiveness in global markets, and the mutually reinforcing virtuous circle between productivity and decent work could provide a response to the multiple crises facing humanity. At the same time, productivity could only drive positive and sustainable change if basic conditions were met, such as putting decent work and social dialogue at the centre and ensuring that productivity gains were not at the expense of equality and the environment. Further articulation and examples of how gender equality could be realized as a focus at the micro level were needed, particularly in view of the negative impact of the COVID-19 pandemic.

345. IMEC strongly supported the integrated policy framework through the “productivity ecosystem for decent work” approach and welcomed its inclusive, demand- and context-driven nature, which promised to address the root causes of low productivity and high informality, which were both the cause and consequence of structural decent work deficits. IMEC also welcomed the development cooperation programme set up to pilot the approach in three countries and encouraged the Office to build on interventions that were sustainable in the long term. The group looked forward to learning more about the best practices that emerged from the programme. The Office should take advantage of experiences in the field to deepen its data collection and analytical work in order to better understand the factors that influenced the virtuous circle of productivity and decent work, with lessons learned integrated into recommendations for policy frameworks.
346. IMEC further welcomed the efforts to ensure the consistency of the approach within the Organization’s broader mandate, as well as the close collaboration between departments. The Office should continue in that vein and commit to further partnerships within and beyond the UN system, putting the ILO in a leadership position on the issue. While IMEC welcomed the efforts to support capacity-building for governments and social partners, the impact of current measures could be amplified by increasing outreach and communication efforts.
347. **A Government representative of China** said that increasing productivity was a determining factor in promoting sustainable development for enterprises, creating jobs, reducing poverty, improving workers’ lives and promoting decent work, and played an important role in economic and social development. His Government supported the ILO’s leading role in achieving a virtuous circle between productivity and decent work. It also supported a human-centred approach by promoting high-quality economic development and safeguarding and improving people’s livelihoods through development. His Government would be willing to work closely with the Office and other relevant parties to exchange experiences and to jointly facilitate productivity growth and achieve decent work. He welcomed the Office’s efforts to build productivity ecosystems for decent work and called for the necessary technical support to be provided to Member States and social partners. He encouraged governments, social partners and other stakeholders to work together to enhance productivity in order to achieve the triple win of decent work, sustainable development and economic growth.
348. **A representative of the Director-General** (Head, Small and Medium Enterprises Unit) thanked the Governing Body for its useful comments and suggestions. Productivity was a primary source of improvements in living standards, poverty reduction and competitiveness, but not an end in itself. It was important for productivity growth to have a positive impact on social justice, poverty reduction, environmental sustainability and economic growth. Through the productivity ecosystems for decent work approach, the ILO would focus on boosting productivity growth and equitable distribution with a view to the achievement of decent work and address those challenges while supporting capacity-building for constituents.
349. The productivity ecosystems for decent work approach was demand-driven. Given the strong demand from constituents, a robust, holistic implementation model based on constituents’ priorities and needs and that led to equitable outcomes was needed. The approach promoted and strengthened social dialogue at the national, sectoral and enterprise levels, as the key platform for delivering improvements in working conditions and productivity. Additionally, it was systemic and context-specific, which meant that root causes of problems must be identified before comprehensive solutions could be found. Furthermore, the approach was founded on ILO principles and based on a coherent labour market framework for creating decent jobs. The support of constituents was crucial to its successful implementation and the

ILO counted on them to display leadership, commitment and, ideally, a shared national vision on productivity and a decent work road map.

- 350.** Since official measurement of aggregated and sectoral productivity growth was key to informing and evaluating the performance of employment, wages and industrial policies, the Office would support statistical offices and engage with governments and social partners to enhance the production and use of high-quality productivity statistics.
- 351.** In response to comments, he noted that the ILO, through its Better Work and Sustaining Competitive and Responsible Enterprises (SCORE) programmes, was helping to identify drivers of gender-based discrimination and tackle them in context-specific ways. The SCORE gender equality training module had been developed in 2021, and preliminary results showed that identifying and addressing practices that improved women's participation, representation, retention and engagement stood to improve working conditions and increase productivity gains.
- 352.** With regard to the suggestion on enhancing internal and external collaboration, he noted that the Office was collaborating with the Turin Centre, regional structures and national productivity organizations. A productivity ecosystem assessment would soon be launched in the Arab States. His department had reached out to others and planned to establish an internal working group on productivity and decent work across the Organization and to deepen engagement with ACTRAV and ACT/EMP. A global strategic advisory committee would provide overall strategic guidance for the project; the Organisation for Economic Co-operation and Development (OECD), the World Bank, the UN Conference on Trade and Development, the International Trade Union Confederation (ITUC) and the IOE were all members of the committee, along with the Swiss State Secretariat for Economic Affairs and the Norwegian Agency for Development Cooperation. The OECD had also expressed interest in partnering with the ILO on joint resource mobilization and joint programme implementation. Furthermore, the G20 Employment Working Group, under the Indonesian presidency, had recently highlighted a productivity ecosystem for decent work in its policy recommendation document for small and medium-sized enterprises.
- 353.** He acknowledged the importance of documenting best practices and key lessons learned from the pilot programmes, and would ensure that they were shared.
- 354.** With regard to comments on unpaid care work, he concurred that such work was the foundation of all other productive work but was often neglected in labour market and other analyses. The 19th International Conference of Labour Statisticians in 2013 had adopted a resolution concerning statistics of work, employment and labour underutilization; its implementation by national statistical offices would constitute an important step towards measuring unpaid care work.
- 355.** Turning to the question of why the productivity ecosystems for decent work approach referred to social dialogue at the three levels and not specifically to collective bargaining, he noted that the intention was that collective bargaining would be included in meaningful social dialogue. With regard to whether productivity organizations were tripartite and how effective they were, he said that some were tripartite, and research had shown those to be even more effective.
- 356.** Achieving environmental sustainability in productivity ecosystems was a major challenge, particularly since a large number of small and medium-sized enterprises contributed considerably to pollution, hence it was difficult to bring them on board. However, various modalities were being examined and implementation models and tools developed in order to see how to do so.

357. All other concerns raised and potential improvements proposed during the discussion would be followed up and evaluated. He emphasized the importance of social dialogue at all levels of the debate.
358. **A representative of the Director-General** (Officer-in-charge, Jobs and Social Protection Cluster), responding to comments by the Worker spokesperson, said that the intention behind the project was to make the relationship between productivity growth and decent work a reality in more places. The social partners had been involved from the outset and would remain on board. The Employment Policy Department was also very much part of the discussions and had been part of the team from the outset.
359. **The Employer spokesperson** said that the question of productivity gains was not an intellectual debate but a question of whether productivity or decent work came first. It did not have to be a zero-sum game or a trade-off; everyone could benefit from the opportunities presented, but substantial implementation in the field was needed, including capacity-building for social partners. She recalled that the words productive or productivity were used 11 times in the Centenary Declaration, so all could agree that it was important. It was time to implement that.
360. With regard to the decoupling of wages and productivity over the past 20 years, she noted that that was not the only problem. There was also the declining labour income share in gross domestic product (GDP), the challenges faced by enterprises during the COVID-19 pandemic and the difficulties that they faced in restarting their businesses. Such problems were behind her group's request for the Office to offer technical assistance and policy guidance for an enabling environment to help businesses grow, thrive and innovate.
361. Collective bargaining was not the remedy for all workplace issues. It is part of social dialogue, but that also included tripartite cooperation. Bilateral and workplace cooperation were also part of more encompassing social dialogue solutions. The earlier reference to collective bargaining for platform workers was slightly misleading. Her group respected the effective recognition of the fundamental right to collective bargaining. Nonetheless, that right was connected to the employment relationship of workers, and every employee in the platform economy should enjoy it. She welcomed the Worker spokesperson's recognition that productivity was an issue for both workers and employers. Indeed, done right, it could be a triple win for decent jobs, sustainability and economic growth.
362. **The Worker spokesperson** noted that the issue of women and female-dominated sectors and productivity related to so-called low value-added sectors was not one of individual discrimination, although that also existed. She was referring to persistent, centuries-old patterns relating to the value of women's work and that of men's work. Those patterns could not be addressed by looking at individual cases in a specific context. The underlying concepts were linked to structural issues, and her group wanted those to be addressed.
363. She welcomed the Employer spokesperson's recognition that there could be a mutually reinforcing virtuous circle when it came to productivity growth and decent work. It definitely needed to be a circle, because productivity could not come first.
364. Although collective bargaining was part of social dialogue, if social dialogue alone was mentioned that did not mean that collective bargaining was included. Both tripartite cooperation and workplace cooperation were addressed in the Centenary Declaration, but separately. Although workplace cooperation could be useful, it was not the same as collective bargaining and was not covered by the same scope of the fundamental principles and rights at work. Without wanting to embark upon a broader discussion on the fundamental rights of

workers in the informal economy, including in platform work, she noted that freedom of association and the effective right to collective bargaining were not limited to workers with a recognized employment relationship.

- 365. The representative of the Director-General** (Officer-in-charge, Jobs and Social Protection Cluster), responding to the point about women, said that he recognized the issue and that the Employment Policy Department was working on it, since the classification of jobs was its domain. Both gender and the environment were important components and would be factored into all work ahead, as well as being key drivers in the programmes at the field level.
- 366.** He had noted the comments about collective bargaining and would consider how to incorporate that matter in the work going forward. The social partners at the national level would play a critical role during the pilot programmes in entrenching it in the process.

## Decision

- 367. The Governing Body took note of the update on the Office's work on productivity ecosystems for decent work and requested the Director-General to take into account its guidance when implementing the approach.**

(GB.346/INS/9, paragraph 37)

## 10. Annual report on the implementation of the ILO technical cooperation programme “Strengthening the National Tripartite Committee on Labour Relations and Freedom of Association in Guatemala for the effective application of international labour standards” (GB.346/INS/10)

- 368. A Government representative of Guatemala** (Vice Minister of Labour Administration) welcomed the priority actions identified by the ILO, the IOE and the ITUC as a result of their joint mission to Guatemala in September 2022. Since then, there had been a number of developments: the National Tripartite Committee on Labour Relations and Freedom of Association (CNTRLLS or “Tripartite Committee”) had submitted an official communication to the President of the Congress of the Republic reiterating its desire for the approval by Congress of Bill 5508, requesting the incorporation therein of two amendments and also requesting a hearing to be able to present a statement on the importance of the bill and of compliance with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); the executive branch had presented a bill to Congress concerning the tripartite agreement of March 2018 on a package of reforms; and the CNTRLLS subcommittee on legislation had included in its work plan for September 2022 to August 2023 the tripartite agreements of August 2018 on guiding principles for reforming legislation on sectoral unions, sectoral bargaining and certain aspects of the right to strike. The CNTRLLS would meet on 11 November to address the schedule setting out the actions referred to by the mission. In closing, she thanked the Office for its technical support in the implementation of the road map and the EU for its financial support, and reiterated her Government's commitment to implementing it to enable it to meet its obligations under Convention No. 87.
- 369. Another Government representative of Guatemala** (Attorney General and Head of the Public Prosecutor's Office) reiterated the commitment of the Public Prosecutor's Office to settling cases involving trade union leaders and trade unionists. As part of those efforts, given the commitment made by the Public Prosecutor's Office to transform the Prosecution Unit for Crimes against Trade Unionists into a Special Public Prosecution Office for Crimes against

Judicial Officials and Trade Unionists, a significant annual budget has been allocated for its operation. It had incorporated, as recommended by the Committee on Freedom of Association, the criteria set out in Instruction No. 01 of 2015 into its investigative work so as to duly take into account the trade union background of each case. The Public Prosecutor's Office had also introduced an integrated case management system, which would reduce delays by allowing investigations on cases involving the deaths of trade unionists to begin promptly and setting clear deadlines for their completion. In addition, to ensure all acts and threats of violence against trade union leaders and members were investigated, and to identify and understand the underlying causes of the violence, the Public Prosecutor's Office had adopted a shift system to ensure that an official was always available to receive complaints and initiate investigative proceedings. Of the 98 cases mentioned by the Committee on the Application of Standards in the context of the application of Convention No. 87, 30 had been ruled on. The Public Prosecutor's Office remained committed to progressing in its investigative work, presenting strong cases to the judiciary and engaging in dialogue with workers' organizations on such cases. She deplored the death of each of the trade unionists; the Public Prosecutor's Office would continue to make every effort to ensure that Guatemala was a nation that respects the individuals' right to life and physical integrity.

- 370. The Worker spokesperson** noted that it had been ten years since the submission of the article 26 complaint against Guatemala and nine years since the adoption of the memorandum of understanding and the road map, yet Guatemalan trade unionists continued to be murdered. The Workers' group had anticipated that the murders, routine dismissals and other violations would continue unabated when the Governing Body decided at its 334th Session (October–November 2018) to close the complaint. Her group was deeply troubled by the fragility of the rule of law in Guatemala, as the legislative and executive branch had advanced laws making it more difficult to investigate and punish corrupt officials and for union leaders, activists and journalists to expose and denounce corruption. The holding of elections in 2023 created the potential for delays in the implementation of the priority actions, which could be jeopardized if there was a change in Government. She emphasized the importance of closely monitoring and verifying the timely implementation of the priority actions.
- 371.** Regarding labour law reform, she noted with concern that the Tripartite Committee had not informed trade unions of the submission of the bill containing the package of reforms agreed on in 2018, nor had it held the promised press conference to demonstrate support for it. Furthermore, she urged the Government to request a hearing to present a joint statement on Bill 5508 to formalize the Tripartite Committee, ensure the timely enactment of the legislation and the swift preparation and adoption of proposals promoting sectoral bargaining. Regarding anti-union violence, she deplored the continued murders and acts and threats of violence against trade unionists and the low levels of identification, arrest and prosecution of the perpetrators and instigators. She welcomed the agreement by the Public Prosecutor's Office to report to the trade unions at least twice per year information to demonstrate that it was using appropriate methodologies to investigate such cases. As dictated by Instruction No. 01 of 2015, such crimes must be recognized as being related to trade union activity unless there was strong evidence to the contrary; the unfounded belief that such crimes were simply part of the general high incidence of violence in Guatemala downplayed the risks for trade unionists. She took note of the measures recommended by the Government to address anti-union dismissals; however, numerous and frivolous appeals were causing significant delays to reinstatement. Her group welcomed a technical analysis by the Office to identify why the system was failing to provide labour justice for workers or hold employers accountable for implementing reinstatement orders and to propose suitable solutions. The Governing Body would be closely



monitoring the implementation of the priority actions and the road map; in the event of non-compliance, it would be compelled to review all of the options available to the ILO.

- 372. The Employer spokesperson** said that there was no reason to doubt that the problems in Guatemala were in the process of being resolved. He welcomed the fact that the Tripartite Committee had successfully maintained tripartite dialogue on the implementation of the road map, despite difficulties caused by the pandemic, and that the recent joint mission had observed broad tripartite consensus on the seven priority actions for the next 12 months. The next important step was agreement on a timeline, which had been proposed by an employers' chairperson of the CNTRLLS and would be presented for comment by the Government and the workers and for potential adoption at the next meeting of the Tripartite Committee. He applauded the Government of Guatemala for its efforts and commitment and emphasized that, for the process to be successful, all tripartite constituents must act proactively and in good faith. The Employers' group supported the draft decision.
- 373. Speaking on behalf of a significant majority of Latin American and Caribbean countries**, a Government representative of Colombia welcomed the results achieved by the joint mission, which had allowed the national tripartite constituents to identify priority actions to fully implement the road map. She encouraged the Guatemalan constituents to remain steadfast in their commitment and to continue to make progress towards achieving satisfactory results. The progress already made in legislative reforms to bring the country into line with international labour standards was to be lauded. She joined the Government of Guatemala in thanking the EU for its financial contribution to the ILO technical cooperation programme and recognized the Office's support, particularly the technical support provided to the Tripartite Committee and its subcommittees. She supported the draft decision.
- 374. Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that Albania, the Republic of Moldova, North Macedonia, Montenegro, Serbia, Iceland and Norway aligned themselves with his statement. He remained concerned by the lack of significant legislative progress in Guatemala since 2018. With respect to anti-union violence, the increase in reports of murders of trade unionists was particularly concerning. He encouraged the Government of Guatemala to increase the resources and strengthen the capacities of the Public Prosecutor's dedicated unit on crimes against judicial officials and trade unionists. At the same time, he commended the impetus given by the recent joint mission and the extensive action plan. He welcomed the success of the Tripartite Committee in maintaining active tripartite dialogue and called once again for the institutionalization of the Committee. Strengthening social dialogue would be essential to ensuring the effective realization of all labour rights in Guatemala, and all parties must be accountable and committed to implementing those rights. In particular, Guatemala must continue working towards the elimination of child labour and the reinforcement of the labour inspection capacity.
- 375.** The EU and its Member States continued to support the ILO technical cooperation programme in Guatemala. The Turin Centre played an important role by providing national tripartite constituents with training on the implementation of core labour rights and the realization of tripartism. He supported the seven priority actions, particularly those on institutional and legislative progress, and also the proposal for the ILO to conduct a comprehensive analysis into the issues inhibiting the enforcement of reinstatement orders. He reaffirmed the commitment of the EU to strengthening the technical cooperation capacities, including through financing, and to continue to work closely with the ILO and the national tripartite constituents on the achievement of the ILO technical cooperation programme's objectives. He encouraged the ILO to continue to engage closely with the UN to tackle wider human rights

violations in Guatemala, which were often linked to labour rights infringements. He supported the draft decision.

- 376. A Government representative of the United States** welcomed the Office's continued support for the technical cooperation programme. The Government of Guatemala's pledge to implement the road map adopted in 2013 and uphold Convention No. 87 was encouraging. She agreed with the priority actions identified by the joint mission. However, despite its recent efforts, the Government's lack of meaningful progress in the four years since the article 26 procedure had been closed was deeply concerning. She urged the Government to swiftly take all necessary measures to fully implement the commitments it had made in 2018, focusing on the priority areas. Effective implementation would require additional resources for the labour inspectorate to allow it to operate effectively in all regions of the country, particularly in the agriculture and *maquila* sectors, where violations of freedom of association and collective bargaining persisted. She urged the Government to work closely with the ILO and the social partners in implementing the long-standing recommendations. She supported the draft decision.
- 377. A representative of the Director-General** (Director, International Labour Standards Department) took note of the wide support for the ILO's technical assistance to support the implementation of the road map. The Office had a clear and time-bound programme of work for the year ahead, which would be guided by the Governing Body's encouragement. She had noted the importance the Governing Body attached to close monitoring and delivering results. The Office would indeed remain engaged with the UN at the national level.
- 378. A Government representative of Guatemala** (Vice Minister of Labour Administration) said that she had listened carefully to all the comments and her Government would make every effort to meet its commitments to apply international labour standards and comply with the road map. She expressed appreciation that some Governing Body members had acknowledged the achievements of the Government; it would continue to make the best possible use of the technical assistance provided by the Office.

## Decision

- 379. The Governing Body took note of the information provided by the Office in document GB.346/INS/10, and in particular the priority actions identified during the joint mission of the ILO, the International Organisation of Employers and the International Trade Union Confederation.**

(GB.346/INS/10, paragraph 17)

## 11. Report by the Government of Bangladesh on progress made on the implementation of the road map taken to address all outstanding issues mentioned in the article 26 complaint concerning alleged non-observance of Conventions Nos 81, 87 and 98 (GB.346/INS/11(Rev.2))

- 380. A Government representative of Bangladesh** highlighted his Government's efforts, despite the impact of the COVID-19 pandemic and the worsening global political situation, to implement the road map taken to address all outstanding issues mentioned in the complaint concerning alleged non-observance of the Labour Inspection Convention, 1947 (No. 81), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98). Since his previous

report to the Governing Body in March 2022, progress had been made in all four priority areas of the road map.

- 381.** Efforts towards labour law reform had continued despite the COVID-19 pandemic; the amended Bangladesh Labour Rules and the Export Processing Zones Labour Rules had been adopted and promulgated. The remaining observations of the Committee of Experts on the Application of Conventions and Recommendations (CEACR) would be addressed in future amendments to the Bangladesh Labour Act; proposals in that regard had been received and the amendment process should be completed in mid-2023. The amended Act would also be the applicable legislation in the Bangladesh Economic Zones. The amended Export Processing Zones Labour Rules would effectively address anti-union discrimination and the investigation of anti-union activities, the formation of workers' and employers' associations, Department of Inspection for Factories and Establishments inspections in export processing zones (EPZs), and gender-based violence and harassment.
- 382.** The trade union registration process had been digitalized to ensure accountability and transparency, and support was provided by the Department of Labour (DOL). The process would be further simplified taking into account feedback from the social partners. The training being provided to workers, employers and officials on the process had increased trade union registration, especially in the ready-made garment sector.
- 383.** Vacant posts in labour inspectorates were being filled, despite budgetary constraints; 192 new labour inspector posts had been created and 452 labour inspectors were in position. Additionally, the establishment of eight new field offices demonstrated significant progress towards the target in the road map. The number of factory level safety committees had increased to approximately 6,000 at the end of June 2022. He highlighted the web-based Labour Inspection Management Application system and the development of an annual Strategic Inspection Plan. Approximately 15,000 inspections had been carried out in the first half of 2022 and legal action taken to address violations, where appropriate. The DIFE had inspected 29 factories in EPZs, previously beyond their scope. The Complaint Management Cell had been established to follow up labour inspection cases and a complaints helpline launched to support workers in EPZs.
- 384.** Six new labour courts had been established to reduce the backlog of labour-related cases, and additional measures were being explored to reduce it further. The Committee on Freedom of Association was examining the last two court cases that were still pending against workers in the framework of Case No. 3263, and due process would be followed. Given the number of enterprises operating in Bangladesh, it would be impossible to eradicate such cases; however, ten had recently been settled.
- 385.** Standard operating procedures had been developed for the Conciliation and Arbitration Cell in the DOL, and 15 conciliators appointed. The DOL would continue to work with the Office and social partners to develop standard operating procedures for the arbitration of industrial disputes. Following ILO recommendations, a tripartite governance structure had been established to operationalize the Employment Injury Insurance Scheme through a pilot project and the necessary amendments made to the Bangladesh Labour Rules in order to implement that project.
- 386.** His Government had ratified the Minimum Age Convention, 1973 (No. 138), following the 344th Session of the Governing Body, demonstrating its commitment to ILO labour standards. It was also funding a project, carried out by non-governmental organizations, to eliminate child labour and withdraw children from hazardous forms of work. In the year to June 2022, approximately 4,000 children had been withdrawn from child labour.

387. He urged the Governing Body to note his Government's continued commitment and the progress made towards the implementation of the road map. It was unjust to continue adding elements to an ongoing case; furthermore, frequent reporting only delayed the possible closure of the case. The mention of a Commission of Inquiry was unjustified in light of the progress made. He requested that the present case be closed as soon as possible.
388. **The Worker spokesperson** said that the Government had still not taken concrete and decisive steps to end the widespread violations of freedom of association and collective bargaining and improve labour inspections. The current road map was the third road map the Government adopted in the past few years, but little progress had been made.
389. Regarding action point 1 on labour law reform, she noted that the amendments to the Bangladesh Labour Rules had been promulgated one year later than planned. Although the amendments had been prepared through tripartite dialogue, the issues raised by the CEACR and her group remained unaddressed. Additionally, some of the amendments contradicted one another or the Bangladesh Labour Act, which remained to be amended. Notably, the maternity provision set out in the Bangladesh Labour Rules had also been reduced. The trade union registration process had not been simplified, and no effort had been made to expedite labour court proceedings. Thus, the amendments to the Bangladesh Labour Rules did not meet the road map targets. Although the CEACR and the Office had clearly identified the legislative gaps, the amendment of the Bangladesh Labour Act had been inexplicably delayed. The Export Processing Zones Labour Act did not provide for the rights of workers, including the right to freedom of association and collective bargaining. Any protests led to dismissals rather than discourse, and some workers had been subject to excessive force. The newly issued Export Processing Zones Labour Rules, not developed in discussion with trade unions, had not been made available in English for her group to review. Only significant reform of legislation in EPZs, or bringing workers in EPZs under an amended Bangladesh Labour Act, would allay concerns.
390. Concerning action point 2 on trade union registration, she said that widespread bribery and collusion made it almost impossible to register a trade union. The new digital registration system was complicated and remained open to bribery. She urged the Government to work with the social partners to resolve the technical and administrative issues and root out corruption. The training described in the report would have no impact until the Bangladesh Labour Act and Rules were amended to simplify the registration process.
391. With regard to action point 3 on labour inspection and enforcement, she said that recent tragedies, including the fire in Chawk Bazar in August 2022 that killed six people, illustrated the lack of effective labour inspection. Constant workplace disasters were the direct result of a nearly absent labour inspection service. Although additional labour inspectors had been appointed, their number was wholly insufficient to protect the country's 70 million strong workforce. The introduction of the Labour Inspection Management Application was welcome, but technology alone was not the solution; the impact of that application should be monitored with tripartite consultation. No steps had been taken to promote and implement a national occupational safety and health system to complement the labour inspectorates. It was not clear whether the Strategic Inspection Plan had been discussed with the social partners. The selection of occupational safety and health committee members at the factory level must be undertaken in collaboration with workers' representatives. Additionally, workers did not trust that contacting the helpline provided would lead to an effective solution of their problem. Furthermore, inspectors in EPZs remained subject to the approval of the Executive Chairman of the Bangladesh Export Processing Zones Authority, a politically powerful entity that was not independent. Labour inspectorates must be empowered to work unimpeded if changes in working conditions were to occur. Restrictions on inspections in EPZs and failure to consult

with the social partners and provide information on unannounced visits contravened Convention No. 81.

- 392.** Regarding action point 4 on addressing acts of anti-union discrimination and violence against workers, she informed the Governing Body of reports of violence against protesting workers in September 2022, following widespread demonstrations against the rising cost of living. At its 344th Session, she had highlighted incidents of violence and the impunity of police officers when dealing with protestors. The Government had done nothing to hold the perpetrators accountable or to create a climate free from violence, pressure or threats against workers and union leaders. Offering training for police officers without first consulting trade unions would not produce meaningful change. She called on the Government to establish a dedicated committee to ensure and monitor the proper investigation of alleged cases of violence and harassment against workers.
- 393.** Trade unionists continued to be dismissed for trade union activity, and civil cases against the Government for unfair dismissal were not processed in a timely manner. She noted the efforts to eradicate the backlog in the labour courts and looked forward to receiving further information. Legislation should be changed to allow workers and trade unions to file unfair labour practice cases, which to date only Government representatives could file. The standard operating procedure for such cases was rarely respected. The training provided to employers, security personnel and industrial police officers was insufficient to address the lack of redress and absence of Government commitment. The Government should apply dissuasive sanctions to perpetrators. Reports of gender-based violence were of deep concern, and more needed to be done to ensure the safety of women workers and activists.
- 394.** In the Workers' view, the Government had not shown serious commitment to the implementation of the road map to address the issues raised in the article 26 complaint. If the road map was not implemented in a tangible, full, complete and timely manner, the Governing Body would be obliged to consider the establishment of a Commission of Inquiry. Her group supported the draft decision.
- 395. The Employer spokesperson** welcomed the timely information provided on the implementation of the road map and noted that many actions had been undertaken in consultation with the social partners, particularly concerning amendments to the Bangladesh Labour Act. She commended the Government's collaboration with ILO experts, and the fact that the amendment process was expected to be completed by June 2025, one year early. She noted the trainings and workshops for government and law enforcement agencies to address anti-union discrimination, unfair labour practices and violence and harassment. That training would build capacity for preventive measures and strengthen the labour inspection system. She expressed the hope that the Government would continue to engage with the Office and the social partners on the areas highlighted in the complaint, and address the comments issued by the ILO's supervisory bodies. She encouraged the Government to provide detailed and updated information on Committee on Freedom of Association Cases Nos 3203 and 3263 prior to that Committee's next meeting. Her group would continue to assist the Government of Bangladesh in the implementation of the road map and the Global Call to Action in the garment industry. She supported the draft decision.
- 396. Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that Albania, the Republic of Moldova, North Macedonia, Montenegro, Iceland, Norway and Switzerland aligned themselves with her statement. Her group supported the Office's continuing engagement in Bangladesh. She noted the adoption of the Bangladesh Labour Rules and the finalization of the Export Processing Zones Labour Rules in 2022. She

acknowledged the training provided to workers' representatives on the digital trade union registration system, the ongoing training of labour inspectors, and efforts to develop standard operating procedures for the conciliation and arbitration of industrial disputes.

- 397.** However, she expressed concern that the Government of Bangladesh was lagging behind on implementing several actions in the road map, including on labour law reforms. Further efforts were required to bring the Bangladesh Labour Rules into compliance with international labour standards. The remaining obstacles to unionization and the systematic refusal of workers' rights were of particular concern and she called on employers and the Government to ensure that those rights could be enjoyed. Emphasizing the importance of tripartite consultation, she underscored that it was the Government's responsibility to ensure that its laws and practices complied with international labour standards. The EU and its Member States would continue to cooperate with the Government of Bangladesh in that regard. Her group was monitoring the implementation of the National Action Plan on the Labour Sector of Bangladesh (2021–26), which complemented the road map. She called on the Government to implement all its commitments as presented in the four priority areas in order to address the core elements of the article 26 complaint. Significant actions remained to be taken and monitoring of progress should continue. The EU and its Member States supported the draft decision.
- 398. A Government representative of Nigeria** welcomed the commendable progress made in the four priority areas of the road map. The adoption of the amended Bangladesh Labour Rules and the Export Processing Zone Labour Rules demonstrated the Government's commitment to decent work. The digital trade union registration system had provided accountability and transparency, and significant progress had been made concerning freedom of association in the previous decade. He acknowledged the recruitment of additional labour inspectors, the creation of new labour inspector posts and the establishment of new labour courts. He also commended the training provided on conducting inspections in EPZs and on strengthening investigation into allegations of violence and harassment. The progress made to withdraw children from hazardous forms of work deserved specific mention. The ratification of Convention No. 138, in addition to the previous ratification of the Protocol of 2014 to the Forced Labour Convention, 1930, demonstrated the Government's commitment to improving the labour situation in Bangladesh. In view of the foregoing, he supported the request made by the representative of Bangladesh to close the case at the earliest possible opportunity.
- 399. A Government representative of Algeria** noted with satisfaction the Government's commitment to legislative and regulatory reform, as part of implementing the road map. She commended the adoption of the amended Bangladesh Labour Rules and the Export Processing Zones Labour Rules, ongoing tripartite consultations on amendments to the Bangladesh Labour Act, the launch of the digital trade union registration system, the recruitment and training of labour inspectors, the appointment of judges and conciliators in labour courts, and the organization of training workshops in collaboration with the ILO and the social partners. She welcomed steps taken to ensure occupational safety and health at work and to strengthen the related institutional mechanisms. She called on the Office to continue to provide technical support to the Government, especially for training and for developing the necessary structures to expedite the implementation of the road map. She encouraged the Government of Bangladesh to complete the labour law reform and to continue to collaborate with the Office so that the complaint could be closed. She supported the draft decision.
- 400. A Government representative of India** highlighted the need for the international community and the ILO to support the positive efforts of the Government of Bangladesh to implement the road map and improve labour conditions, such as its work to amend labour legislation and the

recruitment of additional labour inspectors. The commitment demonstrated by the Government of Bangladesh to implementing the road map should be taken into account when considering its request to conclude consideration of the complaint.

- 401. A Government representative of the United States** noted that the fundamental issues identified in the complaint and by the ILO supervisory system remained to be addressed and urged the Government of Bangladesh to strengthen its implementation of the road map. The amendments to the Bangladesh Labour Rules had been made one year later than set out in the road map and did not simplify the trade union registration process or expedite labour court proceedings, instead introducing new provisions that would delay trade union elections. She expressed regret at the failure to consult trade unions on the Export Processing Zones Labour Rules, which, like the Bangladesh Export Processing Zones Labour Act, prevented workers in EPZs from forming trade unions and engaging in collective bargaining. She urged the Government to bring forward its plans to amend that Act; those amendments, as well as the amendment of the Bangladesh Labour Act, would be a crucial test of the road map's implementation.
- 402.** While the improvements to the online trade union registration system and related training were welcome, independent unions reported that Department of Labour officials often failed to follow standard operating procedures and requested information that unions could not access; meanwhile, management-aligned unions registered without obstruction.
- 403.** Although steps had been taken to fill labour inspector vacancies and establish new labour courts, no progress had been reported in ensuring that penalties for labour violations were sufficiently dissuasive or reducing court backlogs. Similarly, while training on preventing anti-union discrimination and violations against workers had been introduced, the Government had not provided information on progress made in the investigation of alleged police violence and harassment against workers. Her Government remained committed to working with the Government of Bangladesh and all stakeholders to ensure full respect for workers' rights. She supported the draft decision.
- 404. A Government representative of Cuba** welcomed the will of the Government of Bangladesh to advance social dialogue and its cooperation with the ILO. Governments must be afforded the requisite time and space to work with stakeholders within their domestic legal frameworks to meet their obligations under the ILO instruments that they had ratified. The openness of the Government of Bangladesh to negotiation, assistance and cooperation must be borne in mind when considering whether to conclude the consideration of the complaint.
- 405. A Government representative of China** highlighted the positive impacts of the implementation of the road map by the Government of Bangladesh, including the significant increase in trade union registration and improvements to the effectiveness of labour inspection and enforcement. Those palpable achievements should be fully recognized by the Governing Body. He expressed hope that the ILO would maintain communication and coordination with the Government of Bangladesh so that the consideration of the complaint could be concluded without delay. He supported the draft decision.
- 406. A Government representative of Saudi Arabia** said that the progress made by the Government of Bangladesh towards implementing the road map reflected its commitment to improving socio-economic and working conditions as part of its development efforts.
- 407. A Government representative of Canada** acknowledged the efforts undertaken by the Government of Bangladesh to improve working conditions through labour law and policy reforms. While the progress described in the document was welcome, the pace of reforms to

the Bangladesh Labour Act and the Bangladesh Export Processing Zones Labour Act was slow. He urged the Government to be more ambitious in its timeline and to ensure that the amendments were aligned with Conventions Nos 87 and 98. In order to be meaningful and lasting, those legislative reforms must be undertaken in full consultation with all social partners, and constructive dialogue must include employers and independent unions, without discrimination, and benefit from the Office's assistance.

- 408.** The lack of meaningful progress on investigations into anti-union discrimination gave cause for grave concern, as did reports of continuing systematic violations of freedom of association. He therefore urged the Government of Bangladesh to act immediately to prevent anti-union discrimination, violence and harassment, to investigate incidents effectively and to impose deterrent penalties. The Governing Body should continue to monitor the implementation of the road map, and he therefore supported the draft decision. The Government of Bangladesh should continue to work towards full implementation of the road map, in close consultation with the Office and stakeholders.
- 409. A Government representative of the Islamic Republic of Iran** noted that the report submitted by the Government of Bangladesh clearly demonstrated its genuine commitment to improving labour standards and reflected the commendable progress achieved through tripartism and social dialogue, with the support of the Office. The new developments in the implementation of the road map deserved to be duly considered and viewed positively by the Governing Body.
- 410. A Government representative of Pakistan** expressed appreciation for the continued commitment of the Government of Bangladesh to meeting its responsibilities under the ILO Conventions. Its progress on the road map was encouraging, particularly given the financial limitations imposed by the COVID-19 pandemic. The ILO supervisory system should be used to promote compliance collaboratively. He encouraged the Government of Bangladesh to sustain its current momentum.
- 411. A Government representative of Morocco** commended the progress made by the Government of Bangladesh, the commitment and responsiveness of which were evident in its successive reports to the Governing Body. In particular, he welcomed the establishment of technical committees as part of labour law reform efforts, which had also included consultations with the social partners and other stakeholders. It was also positive that work to amend the Bangladesh Export Processing Zone Labour Act was due to be completed ahead of schedule. Other welcome steps forward included the digitalization of the trade union registration process, the recruitment of additional labour inspectors and enhancement of labour inspection processes, improvements to dispute resolution and complaint systems and the establishment of additional labour courts. His Government also appreciated the introduction of measures to prevent violence, harassment, unfair labour practices and anti-union acts. Encouraging the Government of Bangladesh to continue its efforts in line with Governing Body recommendations, he expressed support for the draft decision.
- 412. A Government representative of Oman** welcomed the swift response of the Government of Bangladesh to the Governing Body's previous decisions, its engagement in social dialogue to develop legislation and regulations and its fruitful cooperation with the ILO. His Government supported the measures adopted by the Government of Bangladesh and welcomed the progress achieved despite current challenges, including the economic crisis. He called on the Government of Bangladesh to continue its efforts to improve workers' rights and expressed hope that the ILO would continue to provide technical assistance.



- 413. A Government representative of the Russian Federation** noted the progress achieved in implementing the road map and the constructive dialogue aimed at improving working conditions and social protection, despite the negative impact of the COVID-19 pandemic. The steps taken to strengthen social dialogue, including within the legislative sphere, demonstrated the will of the Government of Bangladesh to improve conditions in the country. He therefore supported its request to conclude the consideration of the complaint as soon as possible.
- 414. A Government representative of Bangladesh** expressed concern at the Workers' claims that no progress had been made; many of their observations were based on outdated information. Since the complaint had been lodged, his Government had engaged with the ILO, development and social partners and other stakeholders to address the outstanding issues. He disagreed that his Government was not committed to implementing the road map; expecting it to deliver all the necessary actions in accordance with the original timeline was unfair in the light of the COVID-19 pandemic. Significant improvements had been made in terms of expediting investigations and the conclusion of labour law cases, as well as criminal proceedings against workers. Complaints of anti-union discrimination and of the denial of justice were frequently premature and based on hearsay rather than fact.
- 415.** Both allegations of the denial of union registration in Case No. 3203 before the Committee on Freedom of Association were factually incorrect; the registration of the unions in question had been ordered by a labour court and the Labour Appellate Tribunal. However, one of the enterprises involved had filed writ petitions, and the cases remained sub judice. The judiciary was independent, and, as such, the Government had no involvement in the proceedings. Two of the court cases examined by the Committee on Freedom of Association in Case No. 3263 remained sub judice, while the remaining eight had been dismissed without charges being brought against any workers. Following an investigation, Mr Babul Akter had been deemed to have been involved in inciting workers to violence in August 2021 and had been charged in February 2022. All accused persons in the case, including Mr Akter, had been granted bail, and the next hearing was scheduled for 26 December 2022. Compensation had been paid to victims of the labour unrest at the SS Power Plant in April 2021 and all wage claims had been settled. Of the 36 cases relating to non-payment of the minimum wage during December 2018 and January 2019, 32 had been withdrawn or dismissed, indicating that complaints of widespread non-payment were unfounded.
- 416.** Under the Bangladesh Export Processing Zones Labour Act, workers enjoyed the right to form workers' welfare associations, which also acted as collective bargaining agents, and such associations had been registered in most enterprises. EPZ workers had enjoyed the right to strike since 2014. Sixty counsellors had been appointed to advise workers on their rights and responsibilities and to facilitate alternative dispute resolution between workers and employers. Furthermore, three conciliators and three arbitrators had been recruited to provide legal support to workers and assist in resolving industrial disputes.
- 417.** It was unfortunate that the social partners at home and abroad drew on specific, rare cases to malign his Government, unfairly giving credence and legitimacy to unfounded cases to make generalizations regarding the labour situation in Bangladesh. The ILO must not allow cases relating to anti-union discrimination and unfair labour practices to continue. Labour issues were not isolated from other issues affecting the country, and labour cases must not, therefore, be singled out for rapid resolution; the judicial process must run its course, free from external influence. Given the current global crises, which had forced all countries to adopt austerity measures, consideration should be given to the direction, rather than the amount, of

progress made. Although frequent reporting would detract from its ability to accelerate the implementation of the road map, his Government did not disagree with the draft decision.

- 418. The Worker spokesperson** stated that her group, which was in regular contact with workers and trade unions in Bangladesh, was unconvinced by the Government's claims to have made progress. It was up to the Government to convince the Governing Body that its progress in all four priority areas of the road map was sufficient to fulfil its obligations.

## Decision

- 419. Taking note of the report submitted by the Government on progress made with the implementation of the road map of actions, the Governing Body, on the recommendation of its Officers, decided to:**

- (a) **request the Government of Bangladesh to report on further progress made in the implementation of the road map of actions to address all the outstanding issues mentioned in the article 26 complaint at its 347th Session (March 2023); and**
- (b) **to defer the decision on further action in respect of the complaint to that session.**

(GB.346/INS/11(Rev.2), paragraph 9)

## 12. Progress report on developments concerning the Social Dialogue Forum set up to give effect to the recommendations of the Commission of Inquiry with respect to the Government of the Bolivarian Republic of Venezuela (GB.346/INS/12(Rev.1))

- 420. A Government representative of the Bolivarian Republic of Venezuela** (Minister of People's Power for the Social Process of Labour) was authorized to speak in accordance with paragraph 1.8.3 of the Standing Orders on a matter concerning his Government. He reiterated his Government's strict adherence to inclusive social dialogue and its commitment to continue applying the Conventions that it had ratified, as he had stated during the second session of the Social Dialogue Forum held in Caracas in September 2022. He welcomed the technical support provided by the ILO at that meeting. He expressed his gratitude that the report and the draft decision recognized the progress made by his Government, highlighting that his Government had invited all employers' and workers' organizations that had previously engaged in the formal dialogue process to attend the Social Dialogue Forum. Discussions at the Forum had led to the update of the plan of action adopted in April 2022. His Government remained committed to seeking solutions to the problems facing the world of work in his country, with particular regard to enhancing compliance with the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).
- 421.** Highlighting the progress made between April and September 2022, he said that various bilateral, bipartite and tripartite dialogues had been attended by representatives of the social partners, including the Federation of Chambers and Associations of Commerce and Production of Venezuela (FEDECAMARAS) and the Federation of Craft, Micro, Small and Medium-Sized Business Associations of Venezuela (FEDEINDUSTRIA) and the four most representative trade union organizations: the Bolivarian Socialist Confederation of Urban, Rural and Fishery Workers of Venezuela, the Independent Trade Union Alliance Confederation of Workers of Venezuela, the Confederation of Workers of Venezuela and the General Confederation of Workers.

422. The following meetings had been held: a bipartite meeting on the development of a national register of employers' organizations between the Government and the employers' organizations FEDECAMARAS and FEDEINDUSTRIA; a tripartite meeting with workers' and employers' organizations on establishing a round table on methods for fixing the minimum wage and other elements of the application of Convention No. 26; and a tripartite workshop on indicators relating to the social process of labour. Procedures had been established for an annual consultation with social partners on the application of ILO Conventions and for writing the 2022 report on Convention No. 144. The public consultation with employers' and workers' organizations on the world of work had resulted in consultations with the social partners on the Homeworkers Act and the Workers with Disabilities Act.
423. Concerning the case of Mr Rodney Álvarez, he noted that due process had been followed, including with regard to the payment of all sums owed pursuant to his labour rights. He reiterated that it was not the duty of the Government to pay any compensation that may be owed to Mr Álvarez until a judge ruled in his favour in a private civil suit. Regarding the recent detentions mentioned in the Director-General's report, he stated that there had been no violation or restriction of trade union activity, and that the individuals in question were being investigated for criminal offences by the competent authorities. He highlighted that the separation of powers meant that the Government was unable to intervene at the current time. Further information would be provided on those cases when it became available.
424. His Government would continue to implement the updated plan of action, and had planned consultations and training with the social partners. He looked forward to receiving the assistance of the ILO in that regard. The third session of the Social Dialogue Forum was planned for 6 to 10 February 2023. His Government stood ready to work with the Office to make further progress, and it was regrettable that the technical cooperation requested with regard to the representativeness of employers' and workers' organizations had not been received.
425. Finally, he reiterated that the progress had been made in spite of the unlawful and unilateral coercive measures that were negatively affecting the Venezuelan society and the enjoyment of fundamental rights, including labour rights.
426. While it was not ideal, his Government was ready to accept the draft decision as it recognized the progress that had been made and would also facilitate further progress.
427. **The Employer spokesperson** highlighted that, three years after the Commission of Inquiry had published its recommendations, the Government of the Bolivarian Republic of Venezuela had still not accepted them formally. Doing so would be a positive step forward. He said that some of the actions taken could be tentatively considered to be progress. He took note of the round table to devise the methods for fixing the minimum wage, which was a good first step to tackling the elements highlighted by the Commission of Inquiry. That group should be formalized and its working methods should be agreed. He noted the increased coordination with the National Land Institute and the establishment of a focal point, which he hoped would speed up the resolution of the cases relating to land recovery identified by FEDECAMARAS. It was notable that the Government recognized the need for the Forum to work towards the implementation of the Commission of Inquiry's recommendations. He hoped that representatives of other representative workers' organizations that had been excluded from the most recent session of the Social Dialogue Forum would be invited to future meetings. He noted that the Minister of Labour had committed to increasing the number of meetings to review reports on Conventions, and expressed the hope that those meetings would be held earlier in the review process. Such positive actions would only be sustainable, however, if the

Government formally accepted and implemented the recommendations of the Commission of Inquiry.

- 428.** Despite some progress, many serious challenges and concerns remained. The Government's intention to use a single National Register of Trade Union Organizations to determine representativeness was worrying. The Government's understanding of the Workers' Production Councils as inoffensive or helpful was also of concern, despite the fact that the Government had committed to consulting trade unionists on the regulations for those Councils. The Council's power over elements of enterprise management gave their members certain guarantees and facilities. Furthermore, their mandatory nature and their lack of separation from the Ministry of Popular Power for the Social Process of Labour, among other aspects, could undermine the exercise of freedom of association, as highlighted by the Commission of Inquiry. For that reason, and in accordance with Convention No. 87, any measures or institutions of control should be eliminated, including the Workers' Production Councils and the single National Register of Trade Union Organizations.
- 429.** Furthermore, he drew the Governing Body's attention to paragraphs 21 to 23 of the document, which demonstrated the concerning situation facing free and independent workers in the Bolivarian Republic of Venezuela. Among the many concerns of his group, the rights of those workers should also not be forgotten.
- 430.** He said that he wanted to believe that the Venezuelan Government wished to work with the ILO and social partners to make progress in accepting and implementing the Commission of Inquiry's recommendations. However, in light of the information provided, his group's concerns remained valid. Therefore, the ILO's collaboration with the Government should be constant, and the Office should appoint a staff member to work from the country to encourage, promote and, where possible, verify progress. He requested that the Office should explore the feasibility of his suggestion and prepare a proposal in that regard to be discussed at the 347th Session of the Governing Body in March 2023.
- 431.** His group would have preferred a different draft decision, as in its view the progress made was insufficient and the challenges that remained for employers and workers were many. However, his group was prepared to accept the draft decision. He reiterated that accepting the recommendations of the Commission of Inquiry would be the clearest indication of the Government's true commitment towards realizing freedom of association and complying with its obligations under the Conventions it had ratified.
- 432. The Worker spokesperson** noted that progress had been made at the second in-person session of the Social Dialogue Forum, which had addressed some of the crucial points raised previously by the Governing Body. The updated plan of action on Conventions Nos 26, 87 and 144 addressed some of the most important recommendations made by the Commission of Inquiry in relation to Convention No. 87. The Venezuelan Government's agreement to bring forward the start of the preparatory work for the 2023 reports was crucial. She welcomed the fact that meetings had been held with all of the employers' and workers' organizations that had requested them and that trade unions had been able to convey their concerns openly to the National Electoral Council and other bodies, demonstrating the fluid communication between the ILO and the Government.
- 433.** The process of building social dialogue in the Bolivarian Republic of Venezuela had, however, suffered setbacks, including ongoing legal proceedings against several trade union leaders. Indeed, three trade union representatives had been detained while the Social Dialogue Forum was taking place, and she urged the Government to review those arrests and ensure that they

received fair trials and that due process was respected. The release of trade union leader Mr Rodney Álvarez illustrated how social dialogue could improve outcomes.

- 434.** Nevertheless, progress was gradually being consolidated. The Government had committed to a clear timetable to resolve the many outstanding challenges, and the social partners had expressed confidence that the plan of action would undergo further development. Several years after suggesting that the ILO might establish a presence in the Bolivarian Republic of Venezuela, her group continued to believe that an ILO representative in the country would be of assistance to the social partners and the Government. They could share their opinions on the matter at the third session of the Social Dialogue Forum, and the Office could consider exploring the possibility with the Government prior to further discussion at the Governing Body's next session.
- 435.** The decision adopted by the Governing Body should acknowledge the positive steps taken by the constituents and aim to resolve the outstanding issues regarding the implementation of the three Conventions, including through consistent technical and other assistance by the Office, which was highly appreciated by Venezuelan trade unions.
- 436. Speaking on behalf of the EU and its Member States,** a Government representative of Czechia said that Albania, the Republic of Moldova, North Macedonia, Montenegro, Ukraine, Iceland and Switzerland aligned themselves with her statement. The EU and its Member States lent their full support to the Director-General's efforts to promote tripartite consultation in the Bolivarian Republic of Venezuela. The Venezuelan Government should prioritize the institutionalization of the Social Dialogue Forum to ensure its continuity. The Forum would play an important role in ensuring the full implementation of Convention No. 144, and efforts should be made to build on the momentum of the social dialogue on Convention No. 26. The Government must commit to implementing the agreements and action plans resulting from the Forum and allow the ILO to continue its crucial work.
- 437.** She expressed concern at the situation of labour rights in the country, particularly in relation to freedom of association and collective bargaining. Trade unions and employers' organizations must enjoy independence, autonomy and protection, and the independence of the judiciary and the full implementation of the fundamental rights and principles enshrined in the Conventions ratified by the Bolivarian Republic of Venezuela were crucial. She called for the Government to clarify matters relating to compensation and reinstatement for persons declared innocent following judicial proceedings and urged it to work with the Office and to accept and implement the recommendations of the Commission of Inquiry. She welcomed the follow-up to, and updating of, the plan of action and the planned activities relating to the three Conventions, stressing the importance of social dialogue throughout that process. She supported the draft decision.
- 438. A Government representative of China** commended the measures adopted by the Venezuelan Government to fulfil its obligations under the Conventions. He encouraged the Government to build on the progress made at the second in-person session of the Social Dialogue Forum by engaging in further consultation and dialogue with the social partners and the ILO in order to enhance mutual trust and cooperation, thereby improving its capacity to implement the recommendations of the Commission of Inquiry; the Government must also receive the necessary technical assistance to improve that implementation.
- 439. A Government representative of Argentina** noted that the Venezuelan Government's progress towards social dialogue could be translated into concrete results within a framework of participation and cooperation among all relevant sectors and the ILO. The ILO's efforts to promote effective dialogue were therefore commendable. He supported the draft decision.

- 440. A Government representative of Algeria** noted with satisfaction the Venezuelan Government's commitment and progress towards implementing the recommendations of the Commission of Inquiry, as well as its willingness to engage in social dialogue. The outcomes of the second in-person session of the Social Dialogue Forum were welcome, particularly the agreement to update the plan of action and the consultation with employers' and workers' organizations on the Homeworkers Act. She also welcomed the Government's significant progress towards implementing the recommendations made at the first in-person session of the Forum and its readiness to continue discussions on the matters included in the timetable of activities. She called on the Office to increase its technical assistance to support the Venezuelan Government in implementing the recommendations of the Commission of Inquiry and honouring ratified Conventions and agreements made in the context of the ILO. She supported the draft decision.
- 441. A Government representative of Barbados** emphasized that the recommendations of the Commission of Inquiry must be implemented in order to respect the ILO's supervisory role and normative function. Much remained to be done in that regard, despite the commendable progress made through the Social Dialogue Forum. His Government expected that the Office would continue to provide support to the Venezuelan Government and that all parties would continue to accept that support in good faith. He called for all partners to be included in the process and for those partners to commit to decent work and a human-centred approach to national development. He supported the draft decision.
- 442. A Government representative of the United States** welcomed the decision taken at the second in-person session of the Social Dialogue Forum to update the plan of action and to hold a third session in February 2023, as well as the timetable of activities. Some of the information contained in the report was, however, deeply concerning, such as the gaps in the dialogue process and the exclusion of some independent unions from the Forum; future sessions must be more inclusive. Also disturbing were the reports of continued detention, aggression and intimidation against workers, and she called for the immediate release of Mr Emilio Negrín, Mr Reynaldo Cortés and Mr Gabriel Blanco. It was regrettable that Mr Rodney Álvarez's request for reinstatement and compensation remained pending.
- 443.** She reiterated her Government's call for the full acceptance and implementation of the recommendations of the Commission of Inquiry. The Venezuelan Government must take immediate and effective action to implement those recommendations and those of the ILO supervisory bodies; cease all violence, threats, persecution, stigmatization, intimidation and aggression against employers' and workers' organizations and ensure full respect for their independence; release all workers imprisoned for exercising their right to freedom of association; and maintain genuine and inclusive social dialogue for the effective implementation of Conventions Nos 26, 87 and 144. She supported the draft decision.
- 444. A Government representative of Pakistan** said that the steps taken by the Venezuelan Government to comply with the decisions adopted by the Governing Body at its 343rd, 344th and 345th Sessions were encouraging, including its ongoing engagement and cooperation with the ILO and its willingness to engage with the social partners. He supported the calls for the Office to provide the technical assistance requested by the Government and encouraged the Government to continue to cooperate with the ILO's tripartite framework. He supported the draft decision.
- 445. A Government representative of Canada** encouraged the Office to continue to provide support and technical assistance to the Venezuelan Government and social partners until the recommendations of the Commission of Inquiry had been implemented in full. She took note

of the Government's recent efforts to engage with the social partners, but drew attention to a number of persistent, serious shortcomings, including in the area of freedom of association, and hostility towards employers, workers and their organizations. She therefore urged the Government to accept the recommendations of the Commission of Inquiry so as to ensure comprehensive protection for the fundamental principles and rights at work. The expertise, impartiality and integrity of the ILO's supervisory system must be respected. She encouraged the Government to pursue inclusive, genuine tripartite social dialogue, to cease all hostility towards the social partners and their organizations, and to adopt the necessary measures to respect its obligations in cooperation with the Office. She supported the draft decision.

- 446. A Government representative of Saudi Arabia** noted the Venezuelan Government's genuine will to implement ILO Conventions and to cooperate with the ILO's supervisory system. He supported the draft decision.
- 447. A Government representative of Guatemala** welcomed the Office's efforts to secure the full implementation of the recommendations of the Commission of Inquiry. She urged the Office to submit to the 347th Session of the Governing Body, a report on any developments concerning the Social Dialogue Forum, taking into consideration the outcome of the follow-up session planned for February 2023. Her Government would support any decision intended to ensure that the recommendations of the Commission of Inquiry would be implemented at the earliest opportunity.
- 448. A Government representative of the Islamic Republic of Iran** expressed confidence that the Social Dialogue Forum could help to ensure continued improvement in the application of Conventions Nos 26, 87 and 144 on a tripartite basis and in accordance with the recommendations of the Commission of Inquiry. The Governing Body could play a pivotal role in that process by acknowledging the progress made since June 2022. He trusted that the Office would continue to fulfil its mandate by advancing further progress through the provision of technical assistance and cooperation. He supported the draft decision.
- 449. A Government representative of Cameroon** welcomed the progress made by the Venezuelan Government following the decisions adopted by the Governing Body at its 343rd, 344th and 345th Sessions. Inclusive social dialogue had been initiated, and the Government's intention to improve compliance with ratified Conventions was clear. With a view to facilitating the continuation of that progress, he urged the Governing Body to enable the Venezuelan Government to continue to benefit from ILO technical assistance. He supported the draft decision.
- 450. A Government representative of Namibia** expressed appreciation for the efforts made by the Venezuelan Government to implement the recommendations of the Commission of Inquiry. The Government had demonstrated its commitment to engaging in broad and inclusive social dialogue and improving compliance with ratified Conventions, including through its consultations with workers' and employers' organizations on Conventions Nos 26 and 144. He called upon the Office to continue providing technical assistance to support the process to update the plan of action. He supported the draft decision.
- 451. A Government representative of Niger** noted the considerable political will demonstrated by the Venezuelan Government despite the real difficulties the country was facing. In the light of the progress made, particularly on social dialogue, he encouraged the Office to continue to support the Government's efforts. He supported the draft decision.

- 452. A Government representative of the Russian Federation** noted the high level of dialogue between the ILO and the Venezuelan Government, which had enabled the Government to make considerable progress in strengthening social dialogue and implementing the recommendations of the Commission of Inquiry. He supported the draft decision, which he hoped would be adopted by consensus.
- 453. A Government representative of Cuba** said that there should no longer be any doubt regarding the will of the Venezuelan Government to comply with its obligations and commitments to the ILO. The Government had taken various steps to strengthen social dialogue, which had been recognized by the social partners. He noted that the Government continued to request technical assistance from the ILO to build on the results already achieved, and said that the ILO should offer technical assistance whenever requested by governments.
- 454.** He reiterated that the case should never have been brought before the ILO because of its political nature. His Government rejected the manipulation of multilateral organizations with the aim of intervening in the internal affairs of States and opposed the consideration by the Governing Body of the application of measures under the ILO Constitution to ensure compliance with the recommendations of the Commission of Inquiry. Even amid difficult circumstances resulting from the imposition of unilateral coercive measures, the Venezuelan Government had complied with the decisions adopted by the Governing Body and had reiterated its commitment to strengthening social dialogue. Any decision to be adopted by the Governing Body must be the result of broad and inclusive dialogue. It must also be grounded in information provided by the Venezuelan Government and adopted by consensus.
- 455. A Government representative of Malawi** took note of the progress made by the Venezuelan Government in the implementation of the recommendations of the Commission of Inquiry and encouraged the Government to fully implement those recommendations and continue engaging the social partners in inclusive social dialogue. He requested the Office to continue providing support to the Government and its social partners. He supported the draft decision.
- 456. A Government representative of the Bolivarian Republic of Venezuela** said that the constructive comments made by Member States strengthened his Government's resolve to continue progressing towards the improved social well-being of the Venezuelan people in harmonious cooperation with the social partners. His Government would continue to improve its compliance with Conventions Nos 26, 87 and 144 and to implement the plan of action in line with its legal framework and the situation on the ground. To that end, his Government hoped to continue to receive support and assistance from the Office. His Government would also continue to strengthen dialogue with the support of trade unions and a strengthened employer sector, and to provide the Governing Body with information on progress in its compliance with the aforementioned Conventions. He expressed gratitude for the broad consensus on the matter and supported the draft decision.
- 457. The Employer spokesperson** noted the consensus on the benefits of ILO technical assistance to the Venezuelan Government and on the need to continue its provision. However, it was regrettable that the Government had still not formally recognized and agreed with the recommendations of the Commission of Inquiry. He expressed the hope that the Government might do so at the 347th Session of the Governing Body and that constituents would have the opportunity on that occasion to make a decision on appointing a permanent representative to drive technical assistance in the country.
- 458. The Worker spokesperson** reiterated that having an in-country representative could be a useful option, but said that social partners in the country must be allowed to express their views on the matter before any decisions were taken by the Governing Body.



## Decision

### 459. The Governing Body, on the recommendation of its Officers:

- (a) recognized progress made while reiterating its call to the Government of the Bolivarian Republic of Venezuela to accept the recommendations of the Commission of Inquiry;
- (b) requested the Director-General to continue collaborating with the Government and the social partners of the Bolivarian Republic of Venezuela on the full implementation of the recommendations of the Commission of Inquiry and the effective application 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), in law and practice; and
- (c) requested the Director-General to submit to the 347th Session (March 2023) of the Governing Body a further report on any developments concerning the Social Dialogue Forum and the implementation of the agreed action plan to give effect to the recommendations of the Commission of Inquiry.

(GB.346/INS/12(Rev.1), paragraph 25)

## 13. Consideration of any further measures, including those foreseen in the ILO Constitution, to secure compliance by the Government of Belarus with the recommendations of the Commission of Inquiry (GB.346/INS/13(Rev.1))

- 460. A Government representative of Belarus said that there were no objective grounds for adopting measures against her Government under article 33 of the ILO Convention. The Governing Body's consideration of the matter was the result of lobbying by her Government's opponents, who wished to discredit and punish the Government for its geopolitical choices. Such action should not take place at the ILO and was pernicious to the entire UN system.
- 461. Throughout its 70 years as a Member State, her Government had actively promoted the ILO's principles, aims and objectives, integrated ILO standards on social dialogue and tripartism into its national legislation, and successfully applied those standards in practice. The Government had ratified 51 Conventions, including Conventions Nos 87 and 98, and was dedicating the necessary efforts to their implementation. The country had a fully functioning social dialogue system, wherein trade unions and employers' organizations partnered fully with the Government in developing and implementing socio-economic policy. As a result, the country had high labour and social protection standards.
- 462. Her Government had established a constructive dialogue on the implementation of the recommendations of the Commission of Inquiry and had fully implemented some, made significant progress on others and actioned all suggestions made by the direct contacts mission. Various ILO missions and experts had commented on the Government's progress, evidence of which could be seen in the country's omission from the list of Member States invited to appear before the Committee on the Application of Standards in 2017. The Government had always stood ready to engage in constructive dialogue with the ILO and would continue to do so.

463. It was therefore deeply regrettable that the ILO had been drawn into a policy – adopted by certain Western countries – of exerting unprecedented pressure on her Government following the Belarusian presidential election in 2020. Since then, the ILO supervisory bodies had fundamentally and rapidly changed their stance on the case, basing their views exclusively on complaints and information from politically motivated and dubious sources, while disregarding Government explanations. The Government was being called on to rectify alleged violations of trade union rights and freedoms by weakening its oversight of financial inflows from abroad; ignoring trade unions' liability for serious violations of legislation involving the holding of mass events; and dropping charges against citizens who had broken the law. The fact that those demands were not envisaged in the provisions of ILO Conventions and went beyond the mandate of the ILO was being deliberately ignored. The situation was unjust and unacceptable.
464. Persistent attempts to interpret prosecution as persecution of trade union activity were particularly concerning. The actions of certain trade unions had become extremely destructive and politicized, and in some cases these organizations had been suspended by a Supreme Court ruling based on compelling evidence of serious violations of the law. Lawful trade union activities had never been grounds for persecution in Belarus.
465. She called on the Governing Body not to support the draft decision. To do so would justify unlawful economic sanctions against her country, adversely affect workers worldwide and undermine the ILO's role as a platform for collectively resolving social and labour issues. The ILO must not serve the interests of certain countries and groups over others, and was no place for double standards.
466. **The Worker spokesperson** noted that since the presidential election in 2020, the Government of Belarus had intensified suppression of independent trade unions. In April 2022, the Belarusian authorities had launched a full-scale attack on all independent trade unions and had arrested leaders and activists. The Government had adopted a law on extremism that essentially banned independent views and had led to the dissolution of several trade union federations. Merely raising a complaint to the ILO could be considered extremism under the new law.
467. The Government of Belarus had not followed up on the recommendations of the supervisory mechanisms since the Governing Body's 345th Session. Prisoners had limited contact with others, no union leaders had been released or had their charges dropped, new arrests had been made and investigations had been prolonged. The Belarusian Congress of Democratic Trade Unions and affiliated trade unions had been outlawed by the Supreme Court. Furthermore, prosecutors had filed charges against the deputy chairman and accountant of the Congress, as well as its chairman Mr Aliaksandr Yarashuk – a member of the Governing Body – owing to his opposition to violations against trade union workers' rights and his submission of information to the ILO.
468. The Organization had exhausted all supervisory mechanisms, yet the situation had continued to deteriorate. As a last resort, the ILO must now invoke article 33 of the Constitution to maintain its credibility by demonstrating that persistent violations of international labour standards by Member States would not be tolerated. Further measures under article 33 could only be adopted by the International Labour Conference; the Governing Body must therefore consider at its 346th Session the specific measures to be proposed to the 111th Session of the Conference to ensure effective and timely compliance by the Government of Belarus. The Commission of Inquiry, the Committee on the Application of Standards and the Committee on Freedom of Association had been unanimous in their assessment of the need for the

application of measures under article 33. She therefore supported the draft decision and expressed the hope that the Governing Body would demonstrate its solidarity with trade unionists in Belarus.

- 469. The Employer spokesperson** expressed concern at the continued failure of the Government of Belarus to address and fully implement the recommendations of the Commission of Inquiry despite having been granted sufficient time and opportunities to do so. The new allegations of extreme violence in the repression of peaceful protests and the detention, imprisonment and torture of workers in custody since the presidential election in 2020 were also concerning. Full recognition of civil liberties and the right to a fair trial by independent courts were basic preconditions for the meaningful exercise of freedom of association. The severity of the allegations involved and the lack of effort by the Government to respond to the repeated requests of the ILO supervisory bodies justified the most serious action under article 33 of the Constitution to secure its effective and urgent compliance with the recommendations of the Commission of Inquiry. Her group supported the draft decision.
- 470. Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that Albania, North Macedonia, Montenegro, Ukraine, Iceland, Norway and Switzerland aligned themselves with her statement. The deterioration of human rights, including labour rights, in Belarus since the 2020 presidential election was deeply concerning. She condemned the ongoing attacks on rights and freedoms and the violence perpetrated by the Government of Belarus against peaceful protestors, and noted with regret the worsening violations of Conventions Nos 87 and 98 in the country. She expressed concern at the arbitrary arrests and ongoing detention of trade unionists and called for their immediate and unconditional release. She urged the authorities to investigate all human and labour rights violations in an independent, impartial manner and hold those responsible accountable. In particular, the order by the Supreme Court of Belarus on the liquidation of the Belarusian Congress of Democratic Trade Unions and its four affiliates must be urgently investigated. She called on the Government to honour its obligations as an ILO Member State that had ratified fundamental Conventions.
- 471.** The lack of meaningful progress towards the implementation of the recommendations of the Commission of Inquiry was regrettable, as was the Government's evident lack of commitment to its obligations under the ILO Constitution. She supported the application of article 33 of the Constitution and agreed that the matter should be placed on the agenda of the 111th Session of the International Labour Conference. The Office should provide a detailed background document outlining all possible measures well in advance of the Governing Body's 347th Session to allow for in-depth consideration by all constituents.
- 472. Speaking on behalf of Australia, Canada, Japan and the United Kingdom**, a Government representative of Canada said that, despite regular ILO monitoring of the application of Convention No. 87, the Government of Belarus had made no meaningful progress in the 18 years since the Commission of Inquiry; instead the situation was deteriorating. The situation demonstrated a lack of respect for the ILO's supervisory system and the Government's obligations under the ILO Constitution. Full and effective freedom of association required a climate free from harassment, intimidation or threats. The grave deterioration of human and labour rights and the repression of key civil liberties were deeply concerning. She urged the Government to grant the Office access to detained trade unionists as a priority, and to take immediate, concrete actions towards implementing all the recommendations of the Commission of Inquiry, the CEACR and the Committee on Freedom of Association, in full cooperation with the Office and the social partners. The persistent lack of progress meant that the Governing Body had no other option than to consider measures under article 33 of the

Constitution at its next session and to place the matter on the agenda of the 111th Session of the International Labour Conference. Invoking article 33 was the most serious measure provided for under the Constitution and was appropriate and proportionate for such an exceptional case. She supported the draft decision and strongly urged others to do so.

- 473. Speaking on behalf of Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway and Sweden**, a Government representative of Lithuania reiterated that the International Labour Conference had once again noted that the Government of Belarus had not only failed to address most of the Commission of Inquiry's recommendations, but over the last year had significantly intensified the repression of independent trade unions, their members and leaders. In addition, the Government's involvement in the Russian Federation's aggression against Ukraine and its persecution of opponents of the aggression had further undermined freedoms. As 25 years had passed since the matter had first been addressed by the ILO, the Organization had a duty to act. It was clear that the Government no longer tolerated any democratic and free movement of workers. He strongly supported the application of article 33 and the proposal to place the matter on the agenda of the 111th Session of the International Labour Conference.
- 474. A Government representative of the Russian Federation** said that the accusations that the Government of Belarus violated workers' rights and freedoms were unfounded. The measures contemplated in the draft decision went beyond the provisions of Convention No. 87 and, indeed, beyond the mandate of the Organization. Such an approach was politicized and destructive. The application of article 33 of the Constitution would cast doubt on the ILO's independence and competence. He called on the Governing Body to note the statement made by the Government of Belarus regarding its long history with the ILO and its many achievements with regard to social dialogue and tripartism. There were no grounds for the application of the sanctions proposed, and he expressed the conviction that the Government of Belarus would continue to work closely with the social partners and the ILO to implement the recommendations of the Commission of Inquiry. Offering support and working with the Government of Belarus would be better than imposing sanctions, which would only serve to politicize the situation further. He rejected such politicization and the application of article 33. He could not support the draft decision and called for a vote.
- 475. A Government representative of Algeria** reiterated the need for sustained discussions between representatives within the country and the Office to alleviate tensions and ensure the implementation of the recommendations of the Commission of Inquiry. She encouraged the Office to continue its technical assistance and dialogue with the Government of Belarus. The ILO should focus on its institutional mandate by promoting constructive social dialogue to restore a climate of trust among all parties while ensuring that the rights of all workers and employers – who would be the first to be affected by any sanctions – were preserved.
- 476. A Government representative of Cuba** noted that the additional information provided by the Government representative of Belarus on efforts to advance tripartite social dialogue in the country and collaborate with the ILO showed the Government's willingness to honour its commitments to the ILO. Negotiation, respectful dialogue, cooperation and assistance must be prioritized over coercive measures or punitive approaches, which would only harm the Organization. He emphasized the importance of tripartite dialogue and seeking consensus as fundamental principles of the ILO.
- 477. A Government representative of China** urged the Governing Body to acknowledge the significant progress that the Government of Belarus had made, as it had actively cooperated with the Office by taking steps to implement the recommendations of the Commission of

Inquiry and strengthen cooperation. Cases should be reviewed objectively, with full respect for the information provided by the Government concerned, and according to the principle of non-interference in the sovereignty and internal affairs of Member States. Politicization or instrumentalization of the standards supervisory system of the ILO must be avoided to maintain its credibility and the reputation of the Organization. He therefore called upon the tripartite constituents to take an impartial position on the current case and allow the Government of Belarus sufficient time. Specifically, the Office should strengthen communication with that Government and provide the technical assistance it needed to improve implementation of Conventions Nos 87 and 98. The Government of China was firmly opposed to the application of article 33 of the ILO Constitution for the purposes of destructive, rather than constructive, action. China did not support the draft decision, and agreed that it should be put to a vote.

- 478. A Government representative of Pakistan** noted the engagement of the Government of Belarus with the ILO to implement the recommendations of the Commission of Inquiry and previous decisions of the Governing Body. The Government had also introduced legislative and administrative measures to follow up on its commitments. As dialogue was the best way to promote international labour standards, he called upon all parties to address the concerns amicably in the spirit of tripartite cooperation, including by exploring alternatives to the application of article 33 of the ILO Constitution. He encouraged the Government of Belarus to continue its cooperation with the ILO.
- 479. A Government representative of Iraq** stressed her Government's commitment to working with the ILO to uphold the principles of the Organization, through technical assistance to Member States in implementing ILO Conventions, while avoiding any politicization of its decisions.
- 480. A Government representative of the Lao People's Democratic Republic** commended the continued cooperation between the Government of Belarus and the ILO, including the implementation of the recommendations made by the Commission of Inquiry in 2004. Notable progress had been made, including by simplifying the process to register trade unions, expanding the National Council on Labour and Social Issues, and raising awareness nationwide of the work of the ILO. Technical assistance from the Office was vital in the case of Belarus. Effective implementation of the recommendations of the Commission of Inquiry should be based on constructive dialogue and cooperation. The Governing Body must adopt its decision by consensus.
- 481. A Government representative of the Islamic Republic of Iran** called on the Governing Body to duly recognize the progress made by the Government of Belarus in implementing several recommendations of the Commission of Inquiry, notably measures to simplify the registration of trade unions, expand the composition of the National Council on Labour and Social Issues to include representatives of trade unions, and undertake awareness-raising campaigns on dealing with trade union complaints. He encouraged the Government of Belarus to continue its efforts to comply fully with the recommendations and work closely with the ILO and the social partners in the interests of further development based on social dialogue. It was vital for the Office to support the progress made by providing appropriate technical assistance.
- 482. A Government representative of the United States** drew attention to the lack of meaningful progress by the Government of Belarus towards fully implementing the recommendations of the Commission of Inquiry, and its outright rejection of some recommendations. As the situation of trade unionists in the country continued to deteriorate, her Government was deeply concerned that the Office had not been given access to detained trade union leaders

and members, despite repeated requests and the recommendation of the Committee on the Application of Standards. The decision of the Belarusian Supreme Court to dissolve the independent trade unions was deeply concerning, and demonstrated the backsliding of the regime's actions since the examination of the case in June 2022. The Office should consider all economic, institutional or other measures that could be taken to secure compliance by the Government of Belarus with the recommendations of the Commission of Inquiry. She encouraged the Director-General to reiterate the call for the immediate, unconditional release of trade union leaders and all others who had been unjustly detained, and urged him to contact other international organizations working on the human rights situation in Belarus, by March 2023, to coordinate actions aimed at securing the compliance of the Belarusian authorities with their international obligations and to inform the Governing Body's options for measures under article 33. It was vital to repudiate the flagrant violations by a Member State of the basic principles of the ILO to safeguard and uphold labour rights, and a united stand was necessary. Her Government supported the draft decision.

- 483. The Worker spokesperson** underscored the fact that the case concerned freedom of association, a core international labour standard that was binding on all Member States. The acknowledgements of progress and calls for further dialogue were surprising, as the Office document, the Committee on the Freedom of Association and the Committee on the Application of Standards had clearly stated that no progress had been made in Belarus. When unions were dissolved and their leaders imprisoned, there could be no further dialogue with the Government. Extensive efforts had already been undertaken to resolve the situation in accordance with ILO procedures through dialogue, technical assistance, supervision and other measures; those efforts had not worked. If the Organization failed to take action in the face of such gross violations, it would lose all credibility and all power to apply pressure in similar cases in future. If article 33 of the ILO Constitution was not applied in the current case, the Constitution would be rendered meaningless. The ILO needed to send a clear message that it would not accept actions of the kind seen in Belarus.
- 484. The Government representative of Belarus** reiterated that there was no objective basis for launching measures under article 33 of the ILO Constitution. Her Government met its obligations under Convention No. 87 in both law and practice. There was an effective system of social partnership in the country, with collective bargaining used to resolve labour relations issues. Certain Western countries were not viewing the situation fairly and objectively, instead using the ILO to exert political and economic pressure on Belarus and undermine its sovereignty, thereby undermining the credibility of the Organization. Application of article 33 would result in further discrimination and continuation of the Western policy of sanctions, to the detriment of workers and employers in Belarus and worldwide. The ILO should focus on cooperation rather than restrictions. Governing Body members should have the chance to express their positions on the matter by a vote. All countries had the right to select their own path for development, and the Government of Belarus was progressing in a way that promoted economic prosperity and peace.
- 485. The Worker spokesperson** clarified that she did not speak for "the West" or any other political group, but represented workers across the world. The ILO's unique tripartite nature contributed to its crucial role in safeguarding labour rights. Violations of fundamental labour standards must be addressed regardless of who committed them.
- 486. The Chairperson** noted that a large majority of representatives had declared themselves in favour of the draft decision, but strong views had also been expressed against it. As no consensus was likely to be reached, and having consulted with the other two Officers of the

Governing Body, she had decided to put the draft decision to a vote by show of hands, in accordance with paragraph 6.1.1 of Standing Orders of the Governing Body.

*(The decision was adopted with 43 votes in favour, 2 votes against and 8 abstentions.)*

- 487. The Employer spokesperson**, speaking on a point of order, expressed deep concern that photographs had been taken during the voting process, due to the risk that they could be used on social media against Governing Body members. She requested clarification of what was and was not permitted.
- 488. The Legal Adviser** said that although the meeting of the Governing Body was not private and the vote was not a secret ballot, Governing Body members should nonetheless abstain from taking photographs and using social media during votes for the reason given by the Employer spokesperson.
- 489. A Government representative of Belarus** said that launching an article 33 procedure against Belarus was a step towards a situation where Western countries used the ILO's mechanisms to justify their support for the unprecedented economic and financial sanctions introduced against her country and to drag other countries, particularly developing countries, into the unilateral coercive measures being applied against Belarus by the EU, the United States and their allies.
- 490.** The choice facing ILO Members was to work with Belarus, considering the country's interests and real needs, or to move forward in the mould imposed by Western Governments, which sought to isolate Belarus and punish its Government for choosing to pursue an independent policy course. The abstentions and votes against the adoption of the decision showed that some countries did not think it acceptable for the mechanisms of the ILO to be used in that way.
- 491.** The decision was unjust and reflected double standards and the politicization of the ILO. Double standards because examples of anti-union activity and the harassment of trade union officials in other countries – including the United States, Germany and Canada – were not addressed. Politicization because the decision was not based on solidarity, fairness or the interests of workers in all countries of the world. Certain countries were experiencing the impact of the policies they were pursuing, such as a twofold or threefold increase in the cost of fertilizer as they no longer had access to fertilizer from Belarus.
- 492.** The Belarusian Government did not agree with the decision taken by the Governing Body and retained its right to contest the legitimacy of the decision throughout the ILO and anywhere else the issue was raised. It would continue to fight for solidarity, multilateralism and the real interests of workers, and against the politicization of the ILO and interference in the right of Belarus to act as a sovereign State. She commended the Governments that had defended their sovereign right to defend their own path to development and that sought to craft their policies in a way that protected their own national interests. The development of relations among States had to be based on better understanding of one another; an iron curtain of sanctions did not bring that about. What was needed was openness and dialogue.
- 493. The Worker spokesperson** recalled that the case had begun long before as a complaint raised by workers and their unions and that the possibility of an article 33 procedure followed multiple attempts to bring the parties together. She emphasized that the Workers' group would always address violations of labour rights, wherever they occurred. She appreciated the broad support received from the Employers' group and many governments. She regretted that the matter would have to be addressed once again at the 347th Session of the Governing Body.

## Decision

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

- (a) deplored that no progress had been made by the Government of Belarus in implementing the recommendations of the 2004 Commission of Inquiry;
- (b) urged the Government to ensure full respect for freedom of association and, in particular, revoke all legislative and other measures directly or indirectly having the effect of outlawing independent trade unions or employers' organizations;
- (c) urged the Government to immediately release all trade union leaders and members arrested for participating in peaceful assemblies or arrested for exercising their civil liberties pursuant to their legitimate trade union activities and drop all related charges;
- (d) urged the Government to allow the ILO, as a matter of urgency, to ascertain the conditions of arrest and detention and the welfare of the above-mentioned trade unionists;
- (e) noted that the Committee of Experts on the Application of Conventions and Recommendations will be reviewing the application of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), in Belarus at its November–December 2022 meeting;
- (f) urged the Government to submit all information regarding the measures taken to implement all outstanding recommendations of the Commission of Inquiry and in respect of the more recent developments forming part of the complaint to the Committee on Freedom of Association for its examination at its March 2023 meeting;
- (g) requested the Director-General to submit to the Governing Body at its 347th Session (March 2023) a document detailing options for measures under article 33 of the ILO Constitution as well as other measures to secure compliance by the Government of Belarus with the recommendations of the Commission of Inquiry taking account of the views expressed;
- (h) decided to place on the agenda of the 111th Session (2023) of the International Labour Conference an item concerning measures under article 33 of the ILO Constitution to secure compliance by the Government of Belarus with the recommendations of the Commission of Inquiry.

(GB.346/INS/13(Rev.1), paragraph 15)

## **14. Report on developments relating to the resolution concerning the Russian Federation's aggression against Ukraine from the perspective of the mandate of the International Labour Organization (GB.346/INS/14)**

**495.** The Governing Body had before it an amended version of the draft decision, which had been proposed by the Government of the Russian Federation, seconded by the Government of China and circulated by the Office, which read:



In the light of the developments in Ukraine outlined in document GB.346/INS/14 ~~and the resolution on the Russian Federation's aggression against Ukraine from the perspective of the mandate of the International Labour Organization (ILO) adopted at its 344th Session (March 2022)~~, the Governing Body:

- (a) noted the information provided in the document;
- ~~(b) reiterated its most profound concern at the continuing aggression by the Russian Federation, aided by the Belarusian Government, against Ukraine and at the impact this aggression is causing to tripartite constituents — workers, employers and its democratically elected Government — in Ukraine, and to the world of work beyond Ukraine;~~
- ~~(c) urged the Russian Federation again to immediately and unconditionally cease its aggression;~~
- ~~(d) urged the Russian Federation to meet all the obligations following from its ratification of ILO Conventions, including the Maritime Labour Convention, 2006 (MLC, 2006), as amended, in particular in relation to the repatriation of seafarers and access to medical care, and the Radiation Protection Convention, 1960 (No. 115), in relation to the exposure of workers to ionizing radiations in the course of their work;~~
- (~~b~~e) noted the temporary suspension of technical cooperation and assistance to the Russian Federation, including the termination of the public-private partnership project, and invitations to attend all ILO discretionary meetings, including the training activities offered by the International Training Centre of the ILO in Turin;
- (~~c~~f) expressed sincere appreciation for the efforts of the ILO staff in Central and Eastern Europe and in Ukraine for their continued work to support the tripartite constituents in Ukraine, and for the support and volunteering efforts of workers' and employers' organizations in Ukraine;
- (~~d~~e) continued to express its unwavering support for the tripartite constituents in Ukraine, and requested the Director-General to continue responding to constituent needs in Ukraine and expand the ILO's resource mobilization efforts;
- (~~e~~h) noted the detailed options, including budgetary information, and the considerations made by the Director-General in relation to the temporary relocation of the Decent Work Technical Support Team and Country Office for Eastern Europe and Central Asia (DWT/CO-Moscow) and requested the Director-General to continue monitoring the operational capacity of DWT/CO-Moscow to safeguard the technical cooperation or assistance to all countries in the subregion; and
- (~~f~~i) requested that the Director-General continue monitoring the impact on the world of work of the ~~Russian Federation's aggression against~~ conflict in Ukraine and report to the Governing Body at its 349th Session (October–November 2023) on developments in the light of the resolution.

**496.** The Governing Body also had before it another amended version of the draft decision, which had been proposed by a group of countries and circulated by the Office, which read:

In the light of the developments in Ukraine outlined in document GB.346/INS/14 and the resolution on the Russian Federation's aggression against Ukraine from the perspective of the mandate of the International Labour Organization (ILO) adopted at its 344th Session (March 2022), the Governing Body:

- (a) noted the information provided in the document;
- (b) reiterated its most profound concern at the continuing aggression by the Russian Federation, aided by the Belarusian Government, against Ukraine and at the impact this aggression is causing to tripartite constituents – workers, employers and its democratically elected Government – in Ukraine, and to the world of work beyond Ukraine, and, in this regard, welcomed the Türkiye and UN-brokered Black Sea Grain Initiative, which allows the safe passage of commercial vessels and their crews;

- (c) ~~urged~~ reiterated its call upon the Russian Federation again to immediately and unconditionally cease its aggression, withdraw its troops from Ukraine, and reaffirmed that the Russian Federation's war of aggression against Ukraine is grossly incompatible with the aims and purposes of the Organization and the principles governing ILO membership;
- (d) urged the Russian Federation to meet all the obligations following from its ratification of ILO Conventions, including the Maritime Labour Convention, 2006 (MLC, 2006), as amended, in particular in relation to the repatriation of seafarers and access to medical care, ~~and~~ the Radiation Protection Convention, 1960 (No. 115), in relation to the exposure of workers to ionizing radiations in the course of their work, and the Forced Labour Convention, 1930 (No. 29), and its accompanying Protocol of 2014;
- (e) encouraged the Director-General to continue to monitor and take appropriate steps to safeguard the labour rights of workers in the parts of Ukraine that are temporarily controlled by the Russian Federation, including the Zaporizhzhia nuclear power plant (ZNPP), and to investigate possible labour rights violations in the ZNPP, including by coordinating with missions of the International Atomic Energy Agency;
- (f) noted the temporary suspension of technical cooperation and assistance to the Russian Federation, including the termination of the public-private partnership project, and invitations to attend all ILO discretionary meetings, including the training activities offered by the International Training Centre of the ILO in Turin;
- (g) expressed sincere appreciation for the efforts of the ILO staff in Central and Eastern Europe and in Ukraine for their continued work to support the tripartite constituents in Ukraine, and for the support and volunteering efforts of workers' and employers' organizations in Ukraine;
- (h) continued to express its unwavering support for the tripartite constituents in Ukraine, and requested the Director-General to continue responding to constituent needs in Ukraine and expand the ILO's resource mobilization efforts, including by providing information on the possible opening of a country office in Kyiv by the March session of the Governing Body;
- (i) ~~noted the detailed options, including budgetary information, and the considerations made by the Director-General in relation to the temporary relocation of the Decent Work Technical Support Team and Country Office for Eastern Europe and Central Asia (DWT/CO-Moscow),~~ invited the Director-General to remain seized of the matter, and requested the Director-General to continue monitoring the operational capacity of DWT/CO-Moscow to safeguard the technical cooperation or assistance to all countries in the subregion provide a comprehensive proposal, including budgetary information and implications of not extending the current lease of the DWT/CO-Moscow office premises, to transform the DWT/CO-Moscow into a country office serving only the Russian Federation, ensuring that other Member States concerned are covered by another ILO office for decision at the 347th Session (March 2023) of the Governing Body; and
- (j) called on the Director-General to continue the Organization's duty of care towards staff by providing flexibility for DWT/CO-Moscow staff who wish to work remotely or from another duty station outside of the Russian Federation;
- (k) requested the Director-General to ensure that Member States currently assigned to the DWT/CO-Moscow shall be transferred to another more appropriate and suitable ILO office, should the concerned tripartite constituents request it; and
- (l) requested that the Director-General continue monitoring the impact ~~on the world of work~~ of the Russian Federation's aggression against Ukraine on the world of work and to report in detail to the Governing Body at its 349th Session (March-October-November 2023) on developments in the light of the resolution and the issues raised in this decision.

**497. A Government representative of the Russian Federation** said that the aim of the amendment proposed by his Government was to bring much-needed balance to the draft

decision and remove political questions, which fell outside the ILO's scope and mandate. Such questions would not lead to social cohesion or improve the conditions of workers or tripartite constituents in Ukraine. Instead, the aim of the original wording was to punish his Government, which was unacceptable.

- 498. Speaking on behalf of Albania, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Ukraine, the United Kingdom and the United States**, a Government representative of Lithuania said that, for nine months, the lives and livelihoods of the Ukrainian people had been under attack. He called on the Government of the Russian Federation to immediately and unconditionally cease its aggression and abide by international law and the fundamental principles established in the ILO Constitution.
- 499.** The unjust war on Ukraine was having a severe impact on the world of work at the national and global levels. He welcomed the Black Sea Grain Initiative and commended the Office's efforts to mobilize partners to protect workers' rights in its implementation. He expressed concern at the allegations of abuse of the fundamental principles and rights at work in parts of Ukraine temporarily controlled by the Government of the Russian Federation, in particular at the Zaporizhzhia nuclear power plant. Across Ukraine, businesses were being destroyed or forced to stop operating, with workers forced to flee. He called for the protection of employers, workers and their families; in that regard, he commended ILO staff in Ukraine for their support to tripartite constituents and applauded the social partners in the country for supporting internally displaced persons and enterprises in relocating.
- 500.** The Office's report to the Governing Body had failed to mention that at least one country had not been fully served by the DWT/CO-Moscow for over a decade, resulting in a joint request from the Government and social partners of that country to move operations to another ILO office. Furthermore, travel restrictions to and from the Russian Federation were isolating ILO staff from their families. Staff must be protected from intimidation or retaliation, including through the implementation of confidentiality procedures. Given its concern regarding the suitability of the office, his group's amendment to the draft decision requested the Office to submit a proposal on transforming it into a country office serving only the Russian Federation, which should ensure continued access to ILO support for trade unions in the country and maintain avenues of dialogue with the Government, while allowing other Member States to be allocated to another subregional ILO office.
- 501.** He proposed further amending his group's amendment to the draft decision to insert "welcomed the work and considerations made by the Director-General" before "noted". His group opposed the amendment put forward by the Government of the Russian Federation.
- 502. The Employer spokesperson** strongly condemned any unilateral use of armed force. The catastrophic consequences on the economic and employment situation in Ukraine and repercussions in neighbouring countries were deeply concerning. She reaffirmed her group's solidarity with the people, businesses and workers of Ukraine, as well as its commitment to support those affected by war and conflict.

503. Business organizations in Ukraine had been severely affected by the situation. Employers' and workers' organizations had expressed the need for strengthened social dialogue and had requested ILO support to develop new services for their members. Strengthening the capacity of such organizations would be vital to the post-conflict transformation of the Ukrainian economy and society. She noted with satisfaction that the ILO remained actively engaged in the work of the UN country team and would provide support towards economic stabilization, job preservation and governmental reform in Ukraine. She welcomed the initiative to relocate small enterprises to safer areas and the Office's proposal to field a multidisciplinary mission to the country.
504. The resolution adopted at the Governing Body's 344th Session had mentioned the possible relocation of the DWT/CO-Moscow. She took note of the Director-General's view that there was no justification for temporary relocation at present since the office continued to provide services to constituents in the subregion without operational problems. The ILO's presence was important for employers and workers in countries with gaps in decent work; indeed, ensuring support in such cases was the Organization's *raison d'être*. The Chairperson of the Staff Union had told the Governing Body that relocation of the office would jeopardize its normal functioning and the provision of technical assistance, and would have severe consequences on its staff; as the house of social dialogue, the ILO should pay particular attention to those remarks. The Director-General should remain seized of the Organization's duty of care to all staff, in particular those in the Russian Federation and Ukraine, and should determine appropriate action if the situation were to deteriorate. The detailed options for the possible temporary relocation of the office provided a solid basis for appropriate decisions on the matter, should a decision become necessary.
505. She supported the draft decision as proposed by the Office, but wished to hear from the governments before commenting on the proposed amendments.
506. **The Worker spokesperson** reiterated her solidarity with and support for the people of Ukraine and condemned the Russian invasion, which was having devastating consequences both in Ukraine and worldwide. The economic problems caused by the war were affecting workers and families everywhere and exacerbating existing inequalities. As an increasing number of countries were drawn into the conflict, it had the potential to become another world war and a large-scale humanitarian catastrophe. She called for the immediate withdrawal of Russian troops from Ukrainian territory and an urgent diplomatic settlement. To that end, the UN's peacebuilding role should be strengthened, with the ILO contributing to that work in line with the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205).
507. Turning to the report, she expressed concern regarding the lack of attention given to the role of workers' organizations during the conflict. There had also been insufficient provision for the involvement of social partners in discussions on future recovery plans at both the national level and in the context of the Ukraine Recovery Conference. In addition, although EU efforts to mobilize funds to help rebuild Ukraine were commendable, it was concerning that support from the World Bank could entail reform of the social benefit and pension systems; the ILO should be involved in any policy reform processes that fell within its mandate in order to ensure that any changes made aligned with its standards and would benefit the people of Ukraine. Policy coherence – forged through the Global Coalition for Social Justice – would be needed, and the EU should allow the ILO to develop that initiative accordingly.

- 508.** She commended the efforts made by the Government of Türkiye to facilitate the Black Sea Grain Initiative and by the ILO to involve social partners in steps to uphold workers' rights on-board export vessels. Her group shared the concerns expressed regarding the situation at the Zaporizhzhia nuclear power plant; however, while the report had mentioned certain health and safety risks faced by staff continuing to work there, such as radiation and forced labour, there had been no mention of others, such as stress and long working hours. The ILO had the expertise and capacity to support investigations into all health and safety risks at the plant, and should engage with the International Atomic Energy Agency (IAEA) in that regard. The Organization should also engage with its worker and employer representatives at the IAEA's Radiation Safety Standards Committee to ensure that the views of social partners present at the plant were taken into account, and that any recommendations were aligned with ILO standards. She called on the ILO to be more vocal about the urgent need for the abolition of nuclear weapons; although the nuclear industry provided jobs, a just conversion strategy was urgently needed to shift from military investment to green and decent jobs in civil industries and money currently invested in war could instead be invested in the new social contract required for a peaceful, resilient future.
- 509.** She asked for further information on the work of the UN Global Crisis Response Group on Food, Energy and Finance, including on the ILO's role in the Group and whether there was a link to the work of the Global Coalition for Social Justice.
- 510.** The lack of financial support for the social partners in Ukraine was a serious concern, particularly given their work to deliver critical humanitarian services to internally displaced persons. In addition, it was disappointing that the report had failed to mention their efforts to support the integration of Ukrainian refugees into labour markets outside Ukraine. Although the ILO's financial contributions to the cause were welcome, that funding should be complemented by donations from governments as the attacks on critical infrastructure continued and reconstruction work began. She supported the Office's proposals to add technical and coordination capacity to the ILO team in Ukraine and to establish a multidisciplinary mission to aid in the reconstruction process. The ILO should engage in the recovery process outlined in the outcome document of the Ukraine Recovery Conference (the Lugano Declaration) to ensure that labour matters would be considered and social partners would be involved in the development and implementation of reconstruction plans. During reconstruction, the Organization should focus on ensuring decent wages and good occupational safety and health, as well as the establishment of an ambitious vocational training programme.
- 511.** Recent amendments to the Labour Code in Ukraine made in the context of martial law were short-sighted, counterproductive and violated international law as well as core ILO Conventions. Subjugating workers' dignity to unfettered market forces would ultimately debilitate the Government's capacity to rebuild the economy. She therefore urged the Ukrainian Government to repeal that legislation and follow ILO technical guidance to ensure compliance with the Organization's standards.
- 512.** She noted that the DWT/CO-Moscow was cooperating with the International Organization for Migration (IOM) country office for the Russian Federation on a survey on Central Asian migrant workers. Given its mandate, the IOM would likely favour the relocation or repatriation of those workers; however, many migrant workers might wish to remain in their host country. All cooperation with the IOM should take place in line with the relevant UN and ILO Conventions concerning migrant workers and the agreement between the ILO and the IOM of 23 October 2020. She requested the Office to provide further details on that collaboration in its next report to the Governing Body on the subject.

513. Her group would also appreciate more information about the new fundraising strategy for the DWT/CO-Moscow, which it agreed should not be closed. Indeed, it would be important to maintain diplomatic channels in the interest of future peace initiatives, job protection for staff working in that office and the continuity of services to Russian workers, unions and employers' organizations. However, there had been reports of foreign staff being unable to leave Moscow or work remotely. Technical cooperation projects had also been suspended as Western donors would not operate through Moscow, affecting service delivery to the region. It would be helpful to learn how the World Health Organization was working through its own country office for the Russian Federation. She praised the courage and commitment of all ILO staff continuing to serve constituents in the region.
514. The Workers' group opposed the amendment proposed by the representative of the Russian Federation in its entirety.
515. Turning to the amendment proposed by the group of countries, the Workers' group endorsed the proposals to amend subparagraphs (a) through (d). Subparagraph (e) was also acceptable; however, she proposed a subamendment to insert, after "workers", the wording "in Ukraine, including" to clarify that the labour rights of all workers in Ukraine should be safeguarded. The group could also accept subparagraph (h), although it should be borne in mind that the decision to open ILO offices was a matter for the Office and the Director-General to decide, rather than the Governing Body.
516. Other elements of that amendment were more problematic. Subparagraph (i) raised a number of issues that would have consequences for the staff of the DWT/CO-Moscow, as well as for the groups served by the ILO in the region. Furthermore, not all issues needed to be addressed in Governing Body decisions; it was assumed that the Office and the Director-General would continue to fulfil their duty of care towards staff, so subparagraph (j) was not necessary. The question of other Member States being served from a different ILO office, as covered in subparagraphs (i) and (k), should be dealt with on an exceptional basis, without setting a general precedent for reallocating Member States to other ILO offices. The group was therefore reluctant to endorse subparagraphs (i), (j) or (k) of the proposed amendment, but could support subparagraph (l). Her group remained open to suggestions regarding the draft decision.
517. **Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that Albania, the Republic of Moldova, North Macedonia, Montenegro, Georgia, Iceland and Norway aligned themselves with her statement. It was now seven months since the Governing Body had adopted the resolution concerning the Russian Federation's aggression against Ukraine. The subsequent deterioration of the situation, particularly the intensification of attacks against civilians and civilian facilities, was deeply concerning, and the wilful undermining of the rules-based international order was putting global peace and security at risk. The Government of the Russian Federation must immediately cease its military actions, withdraw its forces and military equipment from Ukraine, and fully respect Ukraine's territorial integrity, sovereignty and independence.
518. She commended the Office and its staff for its important role in supporting tripartite constituents in the region. Her group continued to support the ILO's response to the crisis, including through the humanitarian-development-peace nexus; the Organization should continue to cooperate with the wider UN system on a coherent policy response to the aggression. It was concerning to hear reports of attacks on and threats to fundamental human rights, including labour rights, in the regions of Ukraine illegally annexed by the Government of the Russian Federation; the possibility of forced labour occurring at the Zaporizhzhia nuclear

power plant was particularly worrying. She called on the Office to play an active role in the IAEA's mission to ensure that labour rights would be protected and social partners could continue to participate in efforts to resolve the critical situation. Reaffirming the need to remain seized of the rapidly developing situation, she expressed support for the amendment to the draft decision proposed by the group of countries.

- 519. A Government representative of China** acknowledged the negative impact of the crisis in Ukraine, which had brought instability to the region and further afield. His Government had taken a consistent position on the issue: the sovereignty and territorial integrity of all countries should be respected, the principles of the UN Charter upheld and the legitimate security concerns of all countries taken seriously. Every effort should be made to establish peace and security. He recognized the measures taken by the Office, governments, social partners and other UN organizations to provide emergency humanitarian assistance in conflict areas, protect workers' rights and strengthen the economy; however, he stressed that the ILO should focus on its mandate and avoid politicizing the issue. Parts of the original draft decision were not conducive to the easing of tensions; his Government therefore supported the amendment proposed by the Government of the Russian Federation.
- 520. A Government representative of the Russian Federation** expressed regret that the report had contained unfounded accusations against his Government, which complied with all ratified ILO Conventions, including those mentioned in the draft decision. In fulfilling those obligations, his Government appreciated the expert support of the Organization and attached particular importance to the uninterrupted operation of the DWT/CO-Moscow. Any decisions regarding the fate of that office should be based on the interests of the Member States it served and should not be politicized. He hoped that fruitful collaboration could continue with the ILO, which had always prioritized the rights of people throughout the world rather than the political interests of specific Member States. Both the original draft decision and the amendment proposed by the group of countries failed to take into account his Government's concerns; he therefore called upon Member States to support the amendment proposed by his Government.
- 521. A Government representative of Ukraine**, authorized to speak in accordance with article 1.8.3 of the Standing Orders, said that since the beginning of the brazen and unprovoked aggression by the Government of the Russian Federation, her country had suffered huge losses of human life and infrastructure. The war was destroying the Ukrainian labour market, increasing unemployment and emigration, and provoking a new economic crisis. The maritime trade in Ukraine was paralysed, and threats to destroy grain corridors were causing food price rises, which would lead to famine and increased instability in other countries. Furthermore, the rights of persons living and working in territories temporarily controlled by the Government of the Russian Federation were being brutally violated.
- 522.** The DWT/CO-Moscow operated on premises belonging to the Ministry of Foreign Affairs of the Russian Federation. Continuing to finance the lease to those premises would indirectly contribute to the funding of the military aggression; she therefore called for decisive steps to relocate the office to another country. The Government of the Russian Federation was violating the principles on which the ILO had been founded and which had become the standard for most Member States, and it therefore did not deserve a seat at the Organization. Her Government would continue to insist on the suspension of that Government from ILO membership and activities and on the limitation of its participation in ILO meetings and events. She called on the international community to impose the toughest possible sanctions against the Russian Federation in all respects, including the suspension of cooperation with the Government and Russian companies.

- 523.** She expressed gratitude for the support shown to the Ukrainian people and thanked the Office for providing systematic expert assistance. In the current context, the implementation of ILO projects in Ukraine should prioritize practical measures aimed at overcoming the consequences of the aggression by the Government of the Russian Federation, including stabilizing and developing the economy, preserving and creating jobs, and ensuring decent working conditions. Her Government was grateful for the Governing Body's firm position on the Russian aggression against Ukraine from the perspective of the ILO mandate.
- 524. A Government representative of Türkiye**, authorized to speak in accordance with article 1.8.3 of the Standing Orders, welcomed the ILO's humanitarian actions in support of tripartite constituents in Ukraine. His Government supported the consensus of the Governing Body Member States on the draft decision and was ready to provide assistance if the decision was made to relocate the DWT/CO-Moscow. Since the beginning of the tensions, his Government had been working hard to encourage all sides to settle the issue peacefully, including by brokering the Black Sea Grain Initiative with the UN. He commended both sides for their constructive approach in that regard. His Government strongly believed that diplomacy was the only way out of the crisis and would continue to explore ways to reopen diplomatic channels to ensure just and lasting peace on the basis of Ukraine's territorial integrity.
- 525. The Employer spokesperson** said that her group was not in a position to support the amendment put forward by the Government of the Russian Federation.
- 526.** Regarding the amendment proposed by the group of countries, she welcomed the amendment to subparagraph (b) and said that her group could accept subparagraph (c) pending clarification that it referred to the ILO's mandate. Her group had no objections to subparagraph (d). However, the Employers' group would only accept subparagraph (e) if a reference to business continuity was included in addition to the reference to workers' rights. She agreed with the subamendment proposed by the Workers' group to that subparagraph, and suggested that it should end after the words "Russian Federation" as it would be inappropriate to go into specific detail on a general issue. While the group agreed with the substance of subparagraphs (h) and (j) of the amendment, it was not the role of the Governing Body to micromanage the decisions and work of the Office; furthermore, remote and flexible forms of work should be possible everywhere and not only in one office. Her group was not in favour of the proposed wording of subparagraphs (i) and (k), but could support subparagraph (l).
- 527. A representative of the Director-General** (Regional Director of the ILO Regional Office for Europe and Central Asia) said that, regarding the situation in the occupied territories and in Zaporizhzhia, the Office had set up an internal task force and a task force involving the Office of the High Commissioner for Human Rights and the IAEA to analyse information and identify issues concerning compliance with Conventions Nos 29 and 115 and occupational safety and health.
- 528.** Duty of care to its staff was extremely important to the Office. Despite frequent missile attacks, ILO staff members in Ukraine were in safe locations and were working efficiently in cooperation with tripartite constituents in the country. There was an atmosphere of open communication at the DWT/CO-Moscow. The office was considered low risk and international staff were able to leave and visit their families, and to telework. Furthermore, the staff there felt that they could deliver technical assistance best from the office. From March to November 2022, the office had been active in around 80 missions to eight countries in the subregion. He had not heard that Western donors were withdrawing funding, as had been suggested. It was



clear that the ILO should increase its presence in Ukraine in order to begin reconstruction work; however, that decision was indeed a matter for the Director-General.

- 529. The Chairperson** took it that the Governing Body wished to reject the amendment proposed by the Government of the Russian Federation.
- 530. A Government representative of France** requested clarification by the Workers and Employers on the elements that they wished to be amended in subparagraphs (i), (j) and (k) of the amendment proposed by the group of countries.
- 531. The Worker spokesperson** said that her group wished to revert back to the text proposed by the Office for subparagraph (i) – which had been contained in subparagraph (h) in the original draft decision – and to delete subparagraphs (j) and (k) on the understanding that the Office would take into account the comments made in reference to those subparagraphs.
- 532. The Employer spokesperson** suggested that subparagraph (h) should be deleted or subamended to include wording that was compatible with the Governing Body's role.
- 533. The Worker spokesperson** agreed that subparagraph (e) should address the concerns of both workers' and employers' organizations; however, the issue of business continuity did not fall within the ILO's mandate.
- 534. A Government representative of Canada** asked for time to consider the new proposals.
- (The Governing Body resumed consideration of the item at a later sitting.)*
- 535.** The Governing Body had before it another amended version of the draft decision, which had been proposed by a group of countries and contained contributions from the Workers' and Employers' groups. It had been circulated by the Office, and read:

In the light of the developments in Ukraine outlined in document GB.346/INS/14 and the resolution on the Russian Federation's aggression against Ukraine from the perspective of the mandate of the International Labour Organization (ILO) adopted at its 344th Session (March 2022), the Governing Body:

- (a) welcomed the work and considerations made by the Director-General and noted the information provided in the document;
- (b) reiterated its most profound concern at the continuing aggression by the Russian Federation, aided by the Belarusian Government, against Ukraine and at the impact this aggression is causing to tripartite constituents – workers, employers and its democratically elected Government – in Ukraine, and to the world of work beyond Ukraine, and, in this regard, welcomed the Türkiye and UN-brokered Black Sea Grain Initiative, which allows the safe passage of commercial vessels and their crews;
- (c) ~~urged~~ reiterated its call upon the Russian Federation ~~again~~ to immediately and unconditionally cease its aggression, withdraw its troops from Ukraine, and reaffirmed that the Russian Federation's war of aggression against Ukraine is grossly incompatible with the aims and purposes of the Organization and the principles governing ILO membership;
- (d) urged the Russian Federation to meet all the obligations following from its ratification of ILO Conventions, including the Maritime Labour Convention, 2006 (MLC, 2006), as amended, in particular in relation to the repatriation of seafarers and access to medical care, ~~and~~ the Radiation Protection Convention, 1960 (No. 115), in relation to the exposure of workers to ionizing radiations in the course of their work, and the Forced Labour Convention, 1930 (No. 29), and its accompanying Protocol of 2014;
- (e) encouraged the Director-General to continue to monitor and take appropriate steps to safeguard the labour rights of workers and support the sustainability of enterprises in

Ukraine, including in areas that are temporarily controlled by the Russian Federation, and including in nuclear power plants:

- (fe) noted the temporary suspension of technical cooperation and assistance to the Russian Federation, including the termination of the public-private partnership project, and invitations to attend all ILO discretionary meetings, including the training activities offered by the International Training Centre of the ILO in Turin;
- (gf) expressed sincere appreciation for the efforts of the ILO staff in Central and Eastern Europe and in Ukraine for their continued work to support the tripartite constituents in Ukraine, and for the support and volunteering efforts of workers' and employers' organizations in Ukraine;
- (hg) continued to express its unwavering support for the tripartite constituents in Ukraine, ~~and~~ requested the Director-General to continue responding to constituent needs in Ukraine and expand the ILO's resource mobilization efforts, and welcomed the ongoing discussions on the opening of a Country Office in Kyiv;
- (ih) ~~noted the detailed options, including budgetary information, and the considerations made by the Director-General in relation to the possible temporary relocation of the Decent Work Technical Support Team and Country Office for Eastern Europe and Central Asia (DWT/CO-Moscow), and requested the Director-General to continue efforts monitoring the operational capacity of DWT/CO-Moscow to safeguard the technical cooperation or assistance to all countries in the subregion, and to monitor the evolving situation of DWT/CO-Moscow taking into account the views expressed during the discussion; and~~
- (ji) requested that the Director-General continue monitoring the impact ~~on the world of work~~ of the Russian Federation's aggression against Ukraine on the world of work, and requested the Director-General to report in detail to the Governing Body at its 347<sup>th</sup> Session (~~March October November~~ 2023) on developments in the light of the resolution and the issues raised in this decision.

- 536. The Worker spokesperson** said that the proposal was a faithful reflection of what she saw as an emerging possibility for consensus; she could therefore support the amended draft decision.
- 537. The Employer spokesperson** said that the amendments had been discussed and agreed jointly by the social partners. The Employers had agreed to accommodate the wishes of the group of countries and was ready to accept the draft decision.
- 538. Speaking on behalf of Australia, Canada, Guatemala, Iceland, Japan, Republic of Korea, Norway, the United Kingdom and the United States**, a Government representative of Canada expressed her support for the compromise amendment, which took into consideration the views of the Workers and Employers, and her thanks to constituents for their commitment to reach an agreeable proposal. There had been clear general recognition during the discussion that conflict and humanitarian emergencies were a threat, not only to economic and social progress, but also to securing shared prosperity and decent work for all. The Russian Federation's war of aggression against Ukraine was grossly incompatible with the mandate and values of the ILO. She urged the Russian Federation to immediately and unconditionally cease its aggression and withdraw its troops from Ukraine.
- 539.** Governing Body members had emphasized the duty of care towards ILO staff. She welcomed the Office's commitment to the well-being of its staff, especially those affected by conflict or difficult working conditions. She also welcomed the Director-General's commitment to making sure that the ILO played a key role in recovery efforts in order to ensure a focus on employment and social protection for the people of Ukraine and its neighbouring countries. Under the circumstances, it was important for the Director-General to discuss the transfer to another ILO

office of those Member States currently designated to the Moscow Country Office that so requested. She reaffirmed the steadfast support of the group of countries to the workers, employers and Government of Ukraine and thanked the trade unions and business community in Ukraine and around the world that were supporting Ukrainians and their families at that extremely difficult time.

- 540. Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that she was proud to rally behind the compromise text agreed with the Workers and Employers, which sent a strong signal to the ILO and the wider international community that the Governing Body stood with Ukraine.
- 541. A Government representative of the Russian Federation** said that the draft decision was still unacceptable. As he had already made clear, political matters such as the political structure and territorial integrity of countries and the classification of conflicts fell outside the scope of the ILO's mandate. Paradoxically, issues that fell within it, such as protecting social dialogue, the rights of workers and promoting social justice, seemed to have been set aside. The proposed draft decision comprised politicized, biased conclusions in support of the sanctions being applied against the Russian Federation. It could therefore not be seen as anything other than a political declaration, inappropriate to the Organization, and a biased and one-sided document. Neither the draft decision nor the report took into account the eight years of aggression by Ukraine against the populations of the Luhansk and Donetsk Peoples' Republics or the destruction of civilian infrastructure in those regions. If the concern was really for the fate of workers and work-related issues, the draft decision would have referred to the illegal Western sanctions that were having a considerable effect and causing a food and economic crisis. He therefore did not support the draft decision. He requested that it be put to a vote.
- 542. A Government representative of China** seconded the Russian Federation's motion for a vote on the draft decision.
- 543. The Worker spokesperson** expressed full confidence in the Director-General to deal with any outstanding issues regarding staff, which would need to be solved with staff and their unions in the context of the duty of care of the ILO as an employer. It was not appropriate for countries to indicate to which ILO Country Office they wished to be assigned. That had been a long-standing issue, in particular with Georgia, and she recommended that the Director-General look into the case to see if there was any flexibility to address the matter without setting a precedent.
- 544. The Chairperson** noted broad support for the amended draft decision. The Government representatives of the Russian Federation and China had expressed their disagreement. Given the broad support, she asked whether the Governing Body might be in a position to adopt the draft decision.
- 545. A Government representative of the Russian Federation** reiterated his request to put the proposal to a vote as the Governing Body did not have consensus on the item.

*(The decision was adopted with 41 votes in favour, 2 votes against and 6 abstentions.)*

## Decision

- 546. In the light of the developments in Ukraine outlined in document GB.346/INS/14 and the resolution on the Russian Federation's aggression against Ukraine from the perspective of the mandate of the International Labour Organization (ILO) adopted at its 344th Session (March 2022), the Governing Body:**

- (a) welcomed the work and considerations made by the Director-General and noted the information provided in the document;
- (b) reiterated its most profound concern at the continuing aggression by the Russian Federation, aided by the Belarusian Government, against Ukraine and at the impact this aggression is causing to tripartite constituents – workers, employers and its democratically elected Government – in Ukraine, and to the world of work beyond Ukraine, and, in that regard, welcomed the Türkiye and UN-brokered Black Sea Grain Initiative, which allows the safe passage of commercial vessels and their crews;
- (c) reiterated its call upon the Russian Federation to immediately and unconditionally cease its aggression and withdraw its troops from Ukraine, and reaffirmed that the Russian Federation’s war of aggression against Ukraine is grossly incompatible with the aims and purposes of the Organization and the principles governing ILO membership;
- (d) urged the Russian Federation to meet all the obligations following from its ratification of ILO Conventions, including the Maritime Labour Convention, 2006 (MLC, 2006), as amended, in particular in relation to the repatriation of seafarers and access to medical care; the Radiation Protection Convention, 1960 (No. 115), in relation to the exposure of workers to ionizing radiations in the course of their work; and the Forced Labour Convention, 1930 (No. 29), and its accompanying Protocol of 2014;
- (e) encouraged the Director-General to continue to monitor and take appropriate steps to safeguard the labour rights of workers and support the sustainability of enterprises in Ukraine, including in areas that are temporarily controlled by the Russian Federation, and including in nuclear power plants;
- (f) noted the temporary suspension of technical cooperation and assistance to the Russian Federation, including the termination of the public-private partnership project, and invitations to attend all ILO discretionary meetings, including the training activities offered by the International Training Centre of the ILO in Turin;
- (g) expressed sincere appreciation for the efforts of the ILO staff in Central and Eastern Europe and in Ukraine for their continued work to support the tripartite constituents in Ukraine, and for the support and volunteering efforts of workers’ and employers’ organizations in Ukraine;
- (h) continued to express its unwavering support for the tripartite constituents in Ukraine, requested the Director-General to continue responding to constituent needs in Ukraine and expand the ILO’s resource mobilization efforts, and welcomed the ongoing discussions on the opening of a Country Office in Kyiv;
- (i) noted the considerations made by the Director-General in relation to the possible relocation of the Decent Work Technical Support Team and Country Office for Eastern Europe and Central Asia (DWT/CO-Moscow), and requested the Director-General to continue efforts to safeguard the technical cooperation or assistance to all countries in the subregion and to monitor the evolving situation of DWT/CO-Moscow, taking into account the views expressed during the discussion; and
- (j) requested the Director-General to continue monitoring the impact of the Russian Federation’s aggression against Ukraine on the world of work and to report in detail

**to the Governing Body at its 347th Session (March 2023) on developments in the light of the resolution and the issues raised in this decision.**

(GB.346/INS/14, paragraph 47, as amended by the Governing Body)

## 15. Report of the Committee on Freedom of Association

### 400th Report of the Committee on Freedom of Association (GB.346/INS/15)

- 547. The Chairperson of the Committee on Freedom of Association** said that it was a privilege to be serving as the Chairperson of the Committee in its 70th year. The Committee had held its October–November 2022 session in hybrid form and had examined 20 cases on their merits, of which seven had been closed. The Committee was appreciative of the efforts made by governments to provide their observations in a timely manner. It had made an urgent appeal to the Governments of Angola, Ecuador, Haiti and Jordan for their respective observations and was awaiting the observations of the Government of Belarus. The deadline for the submission of additional observations by all governments was 3 February 2023. The Committee recognized the reporting challenges faced by some governments owing to internal conflict and had reached out to those concerned. It appreciated, in particular, the continued availability of the Permanent Mission of Haiti to engage in exchanges with the Committee. The Committee had examined 11 cases concerning the follow-up given to its recommendations and had concluded its examination with respect to nine of those cases.
- 548.** He drew attention to three serious and urgent cases. The first was Case No. 3263 (Bangladesh), which concerned allegations of arbitrary arrest, detention of trade union leaders and activists, death threats, physical abuse while in detention, false criminal charges, surveillance, retaliation, intimidation and interference in trade union activities as well as excessive use of force in policing peaceful protests and the lack of independent investigation of those allegations. The Committee had urged the Government to institute, without delay, independent inquiries into the allegations of excessive use of force during demonstrations and strikes. It had encouraged the Government to pursue its efforts with respect to training police officers, with the technical support of the Office and other relevant state actors, so as to ensure full respect for basic civil liberties, human rights and trade union rights during labour protests, as well as the full accountability of those responsible for any violations. It had also requested the Government to take the necessary measures to address and prevent all forms of retaliation, intimidation, harassment and surveillance of workers based on trade union membership or legitimate trade union activities and to remain vigilant towards allegations of all forms of anti-union discrimination so as to be able to take measures to rapidly and properly address such allegations. He appreciated the Government's openness to conversation.
- 549.** The second case was Case No. 2318 (Cambodia), which concerned the murder of three trade union leaders over 15 years ago and the prevailing situation of impunity in that country. The Committee had expressed its deep concern over the Government's apparent lack of effort to bring the requested investigations to a conclusion in a transparent and impartial manner and to report substantively to the Committee. It had reiterated its firm expectation that the Government should take meaningful action. In the light of the seriousness of the case, the Committee had invited the Government of Cambodia to attend its session in May 2023 in order to obtain first-hand, detailed information on the steps that the Government was taking.
- 550.** The case was Case No. 2508 (Islamic Republic of Iran), which was a long-standing case concerning acts of repression against the local trade union at a city bus company. The

Committee had noted with interest the steps taken by the Government towards the ratification of Conventions Nos 87, 98 and 144. It had expressed the hope that the process of ratifying those Conventions would soon be concluded, and that the expert and tripartite working groups within the Ministry of Labour would produce concrete proposals that would lead to the needed legislative reform and allow trade union pluralism at all levels in the country. The Committee had urged the Government to ensure that the trade union could function without hindrance through its de facto recognition pending legislative reform, and by ensuring that its officials and members were not arrested, detained and prosecuted for legitimate trade union activities. Furthermore, it had urged the Government to immediately release all the trade unionists that had been arrested and detained merely for having met and discussed matters of common workers' interest, including two French nationals. It had further urged the Government to ensure that all those arrested were provided with due process guarantees, including immediate consular assistance as appropriate, and to refrain from using solitary confinement as a tool of psychological pressure. He appreciated the Government's openness to conversation.

- 551.** The Committee continued to discuss its working methods and assess the impact of some of the decisions it had made in recent years. Maintaining dialogue with representatives of GRULAC was one example of good working practice, which was also extended on this occasion to the Africa group. He noted the demand for further support to the ILO constituents in order to address the root causes of labour conflict and foster the effective use of alternative dispute resolution mechanisms at the national level in a context of social dialogue. He expressed his appreciation to the members of the Committee for their commitment and unwavering efforts to find mutually acceptable solutions and to the Office for its support.
- 552. An Employer member of the Committee** thanked the Chairperson of the Committee for his agile leadership and the Office for ensuring the timely delivery of draft reports. Although the subcommittee that had been set up to improve the functioning of the Committee continued to work in a smooth and constructive manner, the Committee's caseload and the Office's capacity to provide the necessary support continued to be a concern. To date, 31 of 125 active cases were ready for discussion and 54 of 171 cases were ready for follow-up. At the current rate of review, it would take two years to clear the pending cases, without taking into account the inevitable inclusion of new ones. The Committee was making efforts to speed up the treatment of cases. More emphasis should be placed on admissibility criteria and the prioritization of serious cases that merited analysis at the international level; the Committee continued to receive cases for examination in which there was no evident violation of freedom of association, which could have been dealt with by the judicial and administrative machinery at the national level, or where there was no evident violation by a government. While the Committee's decisions did not constitute jurisprudence, they did indicate how the Committee resolved a situation. The compilation of decisions could be best used where it provided clear wording to enable more effective implementation at the national level. He reiterated his group's commitment to improve the functioning of the Committee and to participate in the consideration of the cases.
- 553.** He drew the Governing Body's attention to three cases. Case No. 2318 (Cambodia) was serious and urgent, and the Committee had noted the lack of progress made and the absence of information provided by the Government on various allegations. He called on the Government to take all necessary measures to observe the Committee's recommendations and to accept the invitation to appear before the Committee in May 2023 to provide more information.
- 554.** Case No. 3306 (Peru) concerned allegations involving the violation of the right to collective bargaining of a workers' union in the informal economy and alleged anti-union acts by an

enterprise in the fishing sector. The case highlighted the complexity of issues where the framework of collective bargaining was challenged through the presence of informality and the lack of identity of the bargaining agents involved.

- 555.** Case No. 3404 (Serbia) concerned allegations involving internal dissensions within a trade union organization. While those allegations fell outside the scope of the Committee's mandate, it was not clear how the Government could have intervened to ensure the exercise of trade union rights. National judicial bodies typically provided for the effective resolution of that type of dispute. However, in the current case, the Committee had requested to be kept informed.
- 556. The Worker Vice-Chairperson of the Committee** recalled that the Committee had examined three serious and urgent cases. Case No. 2318 (Cambodia) had been examined numerous times since 2005. She noted that the Government had not taken the steps recommended by the Committee and reiterated the Committee's request that the Government should appear before it in May 2023 to further discuss the case. Case No. 3263 (Bangladesh) concerned allegations of serious violations of freedom of association by the police. The Committee had set out its expectations, including for legal processes to be completed without further delay and for the Government to ensure an independent investigation. Case No. 2508 (Islamic Republic of Iran) had been lodged 16 years previously, and since the first consideration the Committee had urged the Government to ensure that the complainant trade union could register and organize its affairs without interference, and that its leaders were free to operate without arrest, detention and prosecution. Despite the Government's indication of progress towards the ratification of Conventions Nos 87, 98 and 144, new allegations had come to light concerning the arrests of Iranian trade unionists, and the detention and solitary confinement of two French workers. The Committee had urged the Government to release all trade unionists immediately, and to ensure due process and the right to a fair trial.
- 557.** Other cases highlighted principles of trade union rights that could be applied more widely. Case No. 3369 (India) concerned antagonistic industrial relations practices which had culminated in the loss of life and the arrest, detention and dismissal of many workers. A decade on, legal processes had not been completed. The Committee had asked for detailed information on the status of each of the court cases, reminding the Government that reinstatement without loss of pay was the applicable remedy for anti-union dismissals.
- 558.** Several cases concerned principles related to collective bargaining. In Case No. 3415 (Belgium), the Committee had asked for steps to be taken in relation to a system which placed an overall envelope within which bargaining could take place and, in Case No. 3408 (Luxembourg), the Committee had concluded that the most representative union of a number of unions must be able to represent its members, even if it did not have an overall majority; what could be seen as a dispute between unions could be a consequence of the national system in place. In Case No. 3219 (Brazil), the Committee had confirmed the importance of workers having the right to choose the union to represent them, and that the national system should accommodate that. In Case No. 3306 (Peru), the Committee had asked the Government to create an enabling environment for workers in the informal economy to exercise their rights to organize and bargain collectively.
- 559.** The Committee had held regular meetings to review its working methods, taking into account the different views that existed. The Committee had also continued to discuss its caseload; although there continued to be a backlog, the number of new cases had fallen significantly during the COVID-19 pandemic. The Committee would continue to monitor the number of cases and their regional distribution in order to assess the impact of the Committee's admissibility criteria. Lastly, she said that, during its 70 years, the Committee had made a

significant impact on the lives of workers and trade unionists and she thanked the current and former members of the Committee for their work.

- 560. Speaking on behalf of the Government group of the Committee**, which consisted of members appointed by the Governments of Argentina, Colombia, France, Japan, Namibia and Sweden, a Government member from Sweden recalled that the Committee had examined 20 cases on their merits and noted the constructive nature of the discussions with the Employers' and Workers' groups. The Committee had taken important decisions and had provided guidance to constituents on how to realize the Government principles of freedom of association and the effective recognition of the right to collective bargaining, enshrined in the ILO Constitution and in relevant standards, which were essential to achieving social justice and decent work. In addition, it had discussed ways to improve the complaints procedure and to ensure that the terminology used by the Committee was accurate and transparent. In the discussions in the Committee, her group was always guided by a commitment to safeguard the fundamental mandate given to the Committee 70 years previously. She thanked the Office for its support.
- 561. Speaking on behalf of GRULAC**, a Government representative of Colombia said that she welcomed the exchanges between the Chairperson of the Committee and her group, which allowed for more detailed discussion of the concerns of the Governments of her region and greater understanding of the Committee's work. It was pleasing to note that the Committee had addressed her group's concerns in its efforts to improve its working methods. Noting with satisfaction the Committee's application of admissibility criteria, she also welcomed the closure of cases for which no information had been received either from the Government or the complainant for 18 months and stressed the need for additional mechanisms to address and close such cases, which would reduce delays.
- 562.** Her group had always stressed the importance of voluntary conciliation in conflict resolution, and it was therefore gratifying to see that one of the cases subject to that mechanism involved a Government from her region. While welcoming the Committee's work to consider cases on their merits, she drew attention to the persistently high proportion of such cases that related to her region, despite its high rate of ratification of the fundamental Conventions of the ILO and ongoing dialogue with the social partners. She reiterated her group's commitment to providing the necessary information to the Committee and emphasized the need for the Committee to give sufficient consideration to all information provided.
- 563.** While her group did not aim to prevent cases from reaching the ILO's supervisory bodies, it would like to see more consideration given to national conflict resolution procedures so that only particularly relevant cases were accepted. She called on the Director-General to strengthen the regional offices by recruiting more specialists able to provide technical assistance to the constituents. National forums for dialogue would be strengthened only if the Office was able to meet States' needs. She therefore urged the Director-General to prioritize the significant broadening of the ILO's capacities in respect of social dialogue, collective bargaining and labour relations, and the relevant international labour standards. The ILO must assume a central role in building bridges between the constituents and increasing trust in national institutions.
- 564. A Government representative of France** thanked the Committee for its report on Case No. 2508 (Islamic Republic of Iran) and expressed full support for its conclusions. Her Government was deeply concerned by the failure of the Islamic Republic of Iran to respect its obligations under various Conventions, in particular with regard to the treatment of two French citizens, Ms Cécile Kohler and Mr Jacques Paris, who had been arbitrarily detained since



May 2022, as described in the Committee's report. Since their arrest, the Iranian Government had refused to grant them access to French consular assistance, ensure respect for their rights or inform their families and the French authorities of their detention conditions and state of health. Her Government demanded immediate and unconditional access to the two prisoners in line with the Iranian Government's obligations under the Vienna Convention on Consular Relations. She called on the Iranian Government to implement the Committee's recommendations without delay and to release Ms Kohler and Mr Paris immediately.

## Decision

**565. The Governing Body took note of the introduction to the Report of the Committee, contained in paragraphs 1–79, and adopted the recommendations made in paragraphs: 109 (Case No. 3263: Bangladesh); 149 (Case No. 3415: Belgium); 186 (Case No. 3413: Plurinational State of Bolivia); 205 (Case No. 3219: Brazil); 221 (Case No. 2318: Cambodia); 258 (Case No. 3281: Colombia); 301 (Case No. 3295: Colombia); 315 (Case No. 3309: Colombia); 380 (Case No. 3251: Guatemala); 406 (Case No. 3326: Guatemala); 438 (Case No. 3369: India); 478 (Case No. 3411: India); 518 (Case No. 2508: Islamic Republic of Iran); 538 (Case No. 3408: Luxembourg); 568 (Case No. 3076: Maldives); 592 (Case No. 3382: Panama); 623 (Case No. 3306: Peru); 651 (Case No. 3310: Peru); 688 (Case No. 3404 (Serbia); 746 (Case No. 3407: Uruguay), and adopted the 400th Report of its Committee on Freedom of Association as a whole.**

(GB.346/INS/15)

## 16. Report of the Board of the International Training Centre of the ILO: 86th Session of the Board (27–28 October 2022) (GB.346/INS/16)

**566. The Worker spokesperson** commended the positive achievements of the Turin Centre during the reporting period, which were due in large part to its close cooperation with the ILO; that interaction was critical. While blended training courses combining remote and in-person participation were appropriate in the current circumstances, urgent thought must be given, to avoid exacerbating inequalities, to an inclusion strategy and learning methodology that addressed the persistent digital divide whereby mostly participants from middle-income countries took advantage of digital learning. Although travel restrictions were easing, efforts to reduce travel must continue in order to mitigate climate change; therefore, learning would probably not return to how it was before the pandemic. Yet learning remained a social exercise, and careful consideration should be given to the importance of face-to-face interaction before methodologies were finalized and implemented.

**567.** Her group was committed to reinforcing the Centre's mandate and would like to see more workers trained in Turin, at the global and regional academies established through an agreement with the Trade Union Training Committee, and through the Centre's other programmes. Sufficient funding was required to ensure that education gave meaning to the ILO's strategies and programmes, including through the equitable redistribution of the Fellowship Fund according to countries' and constituents' circumstances to achieve equal outcomes leaving no one behind. Her group was satisfied with the work being done by the Centre and encouraged it to continue to make improvements.

**568. The Employer spokesperson** expressed satisfaction at the Turin Centre's implementation of its strategy and its agile response to the technical and financial challenges posed by the COVID-19 pandemic. The strategy was now benefiting constituents on the ground. The preliminary results on learning experiences and the Centre's budgetary surplus for the

biennium 2020–21, revenue and performance demonstrated the need to maintain the new strategy and business model and make continuous improvements to administration, training delivery and non-training services. There must never be a return to the old business model. As to the Fellowship Fund, there was no need to reopen the debate, which had been resolved through the Board's approval of the budget allocation in 2021. He commended the official opening of the Centre's Innovation Lab and looked forward to its integration into the Centre's work in the realm of new ways of learning, including through the use of technology and virtual reality, among others. He lauded the excellent performance of the Centre's staff, particularly those attached to the Programme for Employers' Activities.

- 569. Speaking on behalf of the Government group of the Board of the Turin Centre**, a Government representative of Nigeria conveyed his group's thanks to the representative of the Government of Italy, Mr Bianchi; the Mayor of Turin, Mr Lo Russo; and the representative of the Piedmont Region, Ms Chiorino, all of whom had expressed their strong support for the Turin Centre at the meeting of the Board. He welcomed the Centre's impressive performance for 2020–21, including the strong revenue and budgetary surplus, and commended the quality of its training and the total number of participants, which augured well for the coverage and variety of its programmes in the future. However, he urged the Centre to maintain those standards as it introduced more in-person programmes. He highlighted the need for programme design to be inclusive of participants from all groups and regions, including those where internet access was poor. His group therefore advocated for a greater number of in-person programmes, which would facilitate interaction among participants. He hoped to engage in further discussion of the Centre's scholarship programme based on an impact assessment to be provided at the next meeting of the Officers of the Board. The Centre should also continue to promote gender equality and balance in its training programmes and among its staff, and to engage with the Staff Union on work-related matters.
- 570. Speaking on behalf of the Africa group**, a Government representative of Namibia expressed confidence that the new Innovation Lab would prove to be a valuable asset, raising the Turin Centre's profile as a provider of innovative digital learning and cooperation among ILO constituents worldwide and across the UN system. She urged the Centre to optimize its digital transformation path and continue to position itself as a global innovation hub. She stressed the importance of increasing both in-person and online learning and decentralizing the Centre's programme in field offices. She also urged the Centre to increase its support for States and constituents with poor access to technology to ensure that they were not left behind.
- 571. Speaking on behalf of IMEC**, a Government representative of the United States welcomed the indications that the shift in the Centre's operational model had been successful and that the Centre was on track to achieve its performance targets for the 2022–23 biennium. She noted the budget surplus for the 2020–2021 biennium and encouraged the Centre to continue seeking additional funding streams and partners to ensure its continued financial health. The Centre should also continue its endeavours to strike an appropriate balance between in-person and virtual learning. While virtual learning would expand access to the Centre's training programmes, it should not substitute in-person learning and exchanges. As an overemphasis on the provision of virtual learning would risk leaving some constituents behind, she encouraged the Centre to explore in depth the proposal of establishing regional training hubs. She also encouraged the Officers of the Board to resolve, at their meeting in 2023, any issues impeding the full utilization of the Fellowship Fund, which was a critical resource for inclusive training opportunities. She expressed concern about the under-representation of women among participants at the Centre and the significant downsizing of the dedicated technical training programme on gender equality. She asked for additional information on the Centre's

plans for effectively contributing to gender equality and stressed that it should be pursuing gender parity within its own staff at all levels. She welcomed the intention to increase the involvement of the Centre in the ILO's work, as suggested by the numerous references to the Centre in the preview of the Programme and Budget proposals for 2024–25, and sought information on how that would affect the Centre's activities and strengthen the ILO's work. She also welcomed the increasing involvement of the Centre in the UN system more widely and encouraged the ILO to continue to consider ways in which the Centre might contribute to increased multilateral coherence.

**572. Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that Albania, the Republic of Moldova, North Macedonia, Montenegro and Norway aligned themselves with his statement. He commended the Centre for the exceptional results achieved during the 2020–21 biennium and its excellent digital services and remote learning offering. He supported the increased use of the Centre's services for ILO staff training and noted that the Centre was now considered as a point of reference for learning across the UN system. He took note of the Director-General's intention to strengthen the role of the Centre in the work of the ILO and also his interest in cooperating with the EU to further promote the fundamental principles and rights at work and the inclusion of a safe and healthy working environment in relation to training programmes.

**573. A representative of the Director-General** (Director ad interim of the Turin Centre) reassured the Governing Body that he had taken note of all the comments made. The Centre would continue its informal meetings with the Officers of the Board, including on a proposal on ways to utilize the Fellowship Fund. The Centre had its own internal committee on gender issues, which was analysing actions undertaken in the past biennium so as to inform the preparation of the Centre's action plan for 2023–25; moreover, the Centre's actions on gender were on track for the current biennium.

*(The Governing Body took note of the report of the 86th Session of the Board of the International Training Centre of the ILO.)*

## 17. Report of the Director-General

### Regular report (GB.346/INS/17(Rev.1)) and Addendum: Obituary (GB.346/INS/17(Add.1)(Rev.1))

**574. The Worker spokesperson** said that the ratification by China of Convention, No. 29, and the Abolition of Forced Labour Convention, 1957 (No. 105), was a significant and welcome signal expressing its commitment to address forced labour issues in line with recommendations made by the ILO supervisory system. She also welcomed the other ratifications, in particular those of the new fundamental Conventions, namely, the Violence and Harassment Convention, 2019 (No. 190), and of Conventions Nos 155 and 187. She encouraged all Member States to follow suit and called on the Organization to strengthen its work to promote all of the occupational safety and health Conventions. She supported the draft decision.

**575. The Employer spokesperson** also welcomed the new ratifications and supported the draft decision.

**576. A Government representative of Cuba** reaffirmed the importance that her Government placed on the entry into force of the Instrument for the Amendment of the Constitution of the International Labour Organisation, 1986 (the 1986 Amendment), noting that Cuba was among the States that had ratified it. Implementation of the 1986 Amendment would, among other things, ensure the equitable representation of all regions and make equality among Member

States an important principle of the Organization. She therefore called on the Member States of chief industrial importance that had not yet ratified the 1986 Amendment to do so, thereby demonstrating commitment to the good functioning of the Organization. She also called on the Office to redouble its efforts to achieve more ratifications of the Instrument.

## Decisions

**577. The Governing Body took note of the information contained in document GB.346/INS/17(Rev.1) regarding the membership of the Organization, progress in international labour legislation and internal administration.**

(GB.346/INS/17(Rev.1), paragraph 14)

## Obituary

**578. The Governing Body paid tribute to the memory of Ms Jean Perlin and invited the Director-General to convey its condolences to the family of Ms Perlin and to the Government of Canada.**

(GB.346/INS/17(Add.1)(Rev.1), paragraph 4)

## 17.1. First Supplementary Report: A Global Coalition for Social Justice (GB.346/INS/17/1)

**579. The Director-General** introduced document GB.346/17/1 and invited the Governing Body to provide guidance before the concept of a Global Coalition for Social Justice (Coalition) set out therein was finalized. At the current juncture in international geopolitics, it was essential for the international community to come together around an important issue where everyone recognized the need to step up action. His first priority in office was to bring international discourse on social justice to the same level as that on climate change, such that nobody could ignore it even if current efforts were below what was needed. The ILO's mandate was at the core of that endeavour. However, the issue of social justice far exceeded that mandate; while the ILO had an important role to play, it could not do so alone and should strive for greater coherence in the approach to and action on that issue in the international system, as well as in-house. He underscored that the aim of the initiative was not to create parallel undertakings.

**580.** In order to gather and maintain momentum in international discourse on social justice, it would be important to monitor progress at the country, regional and international levels, based on detailed research into the state of social justice around the world. Much of the necessary data already existed but could be consolidated to provide a snapshot of a given country in a single report that would function in a similar way to the Multilateral Organisation Performance Assessment Network reports in that no comparisons would be made of one entity with another. Each country would have its own data set on the status of the different components of social justice and could work on improving them, by stepping up existing initiatives or launching new ones. There was no one-size-fits-all solution. Furthermore, multilateral institutions should produce biennial reports on and be accountable for their commitments and actions to help individual Member States improve their social justice parameters.

**581.** One major pillar of the initiative related to inequalities, since social justice was necessarily based on equality of access to education, basic services, water and sanitation, as well as the basic human need to have a decent job. Another important dimension of the initiative was how to prepare communities to be more resilient. The COVID-19 crisis had shown the importance

of avoiding a two-speed recovery. That pillar would be one of several, some led by the ILO and others led by other agencies.

- 582.** He had recently met with the UN Secretary-General in New York in order to brief him on the proposal and prepare the ground. He had also held a virtual meeting with the Deputy Secretary-General in order to discuss how to proceed. The Governing Body's feedback would be integrated in a concept paper used to address the other agencies and gather a coalition of the willing to launch the initiative, with a view to paving the way to the second World Summit for Social Development in 2025.
- 583.** Concerns had been expressed as to whether the Coalition might duplicate work done under the Global Accelerator on Jobs and Social Protection for Just Transitions. In fact, such work would contribute to the objective of the Coalition and there would, therefore, be no duplication.
- 584. The Worker Spokesperson** congratulated the Director-General on the ambition of his initiative, which her group fully supported. The world needed a new social contract, or it would face deepening crises that would increase in scale and frequency while governments' ability to master or even anticipate them would continue to decline. It was time to bring together the key players committed to rebuilding the trust of working people in their governments by ensuring that they shared the benefits of the wealth that they helped create. The objective of the Coalition was indeed the essence of the ILO's mandate: poverty anywhere constituted a danger to prosperity everywhere. Continuous, concerted international efforts were needed to achieve social justice and it was the ILO's responsibility to examine all international economic and financial policies and measures against that objective.
- 585.** Inequality had grown to a critical level in recent decades. Global wealth was largely dependent on exploitative supply chains and, despite exponential growth in global GDP, the labour share of income continued to decline. Failure to regulate the labour market had resulted in high rates of informal and precarious work. Women, young people and migrant workers paid the highest price for the failure of governments to adequately regulate the labour market in every country, and minimum living wages and collective bargaining were under sustained attack from business and market forces. The Coalition would therefore need to take bold action. Its ambition should be no less than to achieve a paradigm shift in the global political economy and it must put the ILO in the lead of global governance to tackle social and economic challenges.
- 586.** The UN Secretary-General had initiated the Global Accelerator, putting the social contract at the heart of those initiatives along with supporting just transition and jobs as central to climate action. The ILO should take the opportunity to generate broad political support during the Summit of the Future proposed for 2024, which would require close engagement with the Secretary-General's High-Level Advisory Board on Effective Multilateralism, then work towards rising to the global stage at the World Summit for Social Development in 2025.
- 587.** The inclusion of the international financial institutions and the WTO in the initiative was welcome, as was the establishment of a socially sustainable anti-crisis framework. Social justice could not be realized if the Bretton Woods Institutions and the WTO continued to undermine labour rights and decent work. The Coalition would need to streamline or create better operational tools to implement multilateral initiatives in order to achieve real solutions for workers and their families. Such a structural transformation could only be achieved through coordinated action based on shared principles. Major political courage would need to be built with Government groups, including with developing countries that were too often faced with aggressive investment and trade policies. There was an urgent need to revisit trade policies

and agreements to minimize the negative impacts of globalization by ensuring a labour protection floor, for both competition and development. That included the fundamental principles and rights at work, minimum wages and maximum hours, as outlined in the Centenary Declaration.

- 588.** The current global economy was designed to produce inequality. Trade rules and capital movement put private interests over public policy, which limited the ability of governments to identify and pursue the most appropriate policies to achieve equitable, sustainable development in their own national contexts. Existing multilateral trade agreements restricted the development of industrial policy, which was critical for development, productivity and wages. Bilateral and regional trade agreements often restricted policy tools and could trap economies in low-value production. A rights-based approach was the key. It was therefore encouraging that the Office intended to strengthen support for countries negotiating free trade agreements that afforded labour protection. Investor agreements granted foreign investors the power to sue governments for policies that damaged their privileges, but there was no equivalent safeguard for workers' rights. The ILO should scale up its work on labour indicators to measure the impact of trade on rights, wages and employment in order to generate authoritative social impact assessments.
- 589.** The ILO had the mandate, responsibility and tools to develop a new social contract that included jobs with just transitions, fundamental rights and compliance, including due diligence, minimum living wages and strengthened collective bargaining, universal social protection, equality and inclusion. The Global Accelerator, with the ILO as the lead agency, could further extend the Organization's reach. It was intended to channel a wide array of investments into social protection and to help countries to expand their own fiscal space at the national level in order to build adequate universal social protection schemes progressively. That was an important lesson for the Coalition, which should build consensus starting with local and national needs and then move towards the challenging transformations of the world of work. It should intervene at various levels, including macroeconomic to industrial policies and the expansion of rights at work, and propose innovative solutions for the public and private sectors, the social and solidarity economy and the transition to the formal economy.
- 590.** Her group concurred that the Coalition should be strongly aligned with the ILO strategy on inequalities but noted that the document did not visibly address the necessary transformative agenda on gender equality.
- 591.** The structure of the Coalition posed a challenge. In order to be effective, it needed to engage with those who could make a real difference, notably the international financial institutions, the WTO and major investors and businesses. However, if they were not prepared to change their policies and practices to respect ILO standards, they would continue to exacerbate the problem rather than contributing to a solution. The Coalition would therefore need the institutional strength and rigour to ensure that any member or partner of the Coalition would not violate its principles.
- 592.** The references in the document to the gradual inclusion of various actors as well as constant monitoring of the impact of the initiative were welcome. Setting clear, achievable goals was a welcome prerequisite for any real policy coherence, as was embedding the Coalition's ambitions within the Organization's existing work. The ILO had a public-private partnership format and Alliance 8.7 had built-in safeguards for the selection of partners and a system for monitoring progress on commitments. Those would need to be strengthened, expanded and adapted to cover financing projects and credit schemes as well as public and private investment and business activities at home and abroad. The plan of action on inequalities and

the building blocks for the strategy on global supply chains could provide the common ground needed to kickstart that work.

- 593.** The Workers' group would strive to make the Coalition effective. They wanted a social justice coalition with tripartism and labour standards at its core, which included just transitions and a transformative agenda for gender equality, and actors bound to respect and promote the ILO's mandate and standards. The current multifaceted global crisis was a call to action, to lift the Organization to the next level. She therefore requested the Office to set up an internal high-level task force to meet regularly with representatives of the Office and the tripartite constituents to help further shape the initiative and help it to achieve its full potential.
- 594. The Employer Spokesperson** said that her group strongly supported efforts to strengthen policy coherence and promote collaboration on social justice within the multilateral system and with other stakeholders. The Coalition could play a leading role in that regard. While the SDGs had provided an essential platform for the ILO to anchor its agenda in the key global development framework, the momentum and commitment of the multilateral system appeared to have faded. Renewing interest by embracing a wider concept of social justice was important; however, she wished to know which UN agencies would be invited to join and how they would be integrated into the initiative, in view of their diverse objectives, mandates and priorities.
- 595.** While her group could agree to the publication of a periodic report on the state of social justice in the world, the Coalition's main focus must be on concrete activities with direct impact at the national level, so that it did not become merely a talking shop. Strong coordination with the Global Accelerator was key in that respect and the linkages between the two needed to be clarified, particularly with regard to potential donors.
- 596.** The document referred to the Coalition as the ILO's main contribution to the shaping of the new social contract. She requested the Office to clarify what that would actually mean, since no discussions on that matter had been held to date. It would be important to establish a proper governance structure for the Coalition, including the secretariats of the Employers' and Workers' groups at the highest level. The Governing Body should also be regularly consulted on Coalition matters. It was important for the tripartite constituents to have full ownership of the Coalition.
- 597.** Furthermore, the needs of businesses – particularly micro, small and medium-sized enterprises – must be properly reflected in the scope of the Coalition, as supporting them through the transition to a low-carbon and digital economy and strengthening their productivity would be key to promoting quality employment and addressing inequality. Other priorities in the UN Secretary-General's report, *Our Common Agenda*, fell within the ILO's mandate, including youth employment and gender empowerment; her group encouraged the Office to consider bringing those issues under the umbrella of the Coalition. Since the Organization would have to engage with other agencies on those issues it would be better to take the lead by doing so.
- 598.** The Coalition offered an opportunity to enhance and broaden existing initiatives and programmes. Duplication or fragmentation of the ILO's activities should be avoided. Furthermore, it was important that the Coalition focus on the world of work, since social justice was a broad term encompassing many areas outside the Organization's mandate.
- 599.** Stronger collaboration with WTO was of crucial importance, but the focus should be broader than the discussion of social measures in trade and investment agreements. The ILO's work on decent work in supply chains would benefit from the WTO's input, for instance. Policy

coherence was not a one-way street – the ILO itself could benefit from the expertise of other organizations.

- 600.** The Coalition was a bold and timely initiative with the potential to drive change, to promote the ILO's agenda and to enhance its role in the multilateral system. The next step was to develop a realistic and workable proposal with core substantive elements that supported action on critical areas for social justice, including productivity, skills and sustainable enterprise.
- 601. Speaking on behalf of GRULAC,** a Government representative of Colombia said that the economic and social crises of recent years affected all countries, irrespective of their level of development. The world was facing a situation that produced unrest so great that the peace and harmony of the world were imperilled, and social justice policies were the only appropriate response. A new social contract was required to prevent privilege from becoming entrenched and to bring about sustained and inclusive growth and development. Fair trade and additional external financial resources were required to spur industrial and technological development in countries of the global South and facilitate the transition to green jobs.
- 602.** The Coalition should play a central role in the Organization's strategy to reduce and prevent inequalities in the world of work, with a focus on gender equality and inclusion. He would welcome further details about the links between institutions of the Coalition, about the five priority areas contained in outcome 7 of the preview of the Programme and Budget proposals for 2024–25, and about the membership and structure of the Coalition. He called for a more human-centred approach to the focus areas outlined in the First Supplementary Report. His group was committed to the promotion of a dynamic, innovative and inclusive multilateral system that ensured social justice for all. His group supported the modalities and schedule proposed in paragraphs 27 and 28 and the draft decision.
- 603. Speaking on behalf of the Africa group,** a Government representative of Eswatini said that he welcomed the initiative to strengthen partnerships and enhance cooperation between the Organization, the wider UN system and other partners in order to promote policy coherence, which was central to the achievement of the SDGs, in the quest for social justice. The updated report on the establishment of the Coalition, to be considered by the Governing Body in March 2023, should clarify what was meant by "a new global social contract", given that the Centenary Declaration adopted in 2019 made no reference to such a contract. It should further clarify how the Coalition would be linked to DWCP and the UN Sustainable Development Cooperation Framework; what the governance structure of the Coalition would be and what its deliverables, output and financial impact would be with respect to the Organization; and how the Coalition would feed into existing coherence machinery such as voluntary national reviews and the SDGs Investment Fair. The report should also set out processes and working methods to improve policy coherence; determine the outcomes of consultations with the bodies that underpinned the Cooperation Framework; and specify the level of political approval required to establish the Coalition. With those suggestions in mind, his group supported the draft decision.
- 604. Speaking on behalf of ASPAG,** a Government representative of the Philippines said that although the Asia and the Pacific region had a high rate of economic growth and accounted for almost 40 per cent of global GDP, many countries in the region were among the world's least developed. The region had one of the highest levels of wealth inequality in the world, owing in part to economic globalization. However, if labour and resources could be globalized, so too could social justice and the wealth that they created. A successful Coalition could help ensure that ASPAG countries received a fair share of the wealth they created in order to



eradicate poverty and inequality and, also, to realize the rights set out in the International Covenant on Economic, Social and Cultural Rights.

- 605.** In order to achieve those aims, the Coalition must be grounded on four cornerstones. The first was the strong tripartism that allowed the Organization to bring together governments, employers and workers as equal and independent partners to ensure decent work, inclusive economic growth, better working conditions and sustainable enterprise. The second was full, equal and democratic participation within the Organization's system of governance in order to achieve social justice in all regions of the world. Third, strong policy coherence within the UN system should create synergies and ensure that policies and programmes were mutually reinforcing towards the achievement of the SDGs. In that vein, she wished to know how the Coalition would interact with various development initiatives of Member States and other relevant multilateral processes. The fourth cornerstone was global solidarity. Human-centred development was a solidarity right of poor countries and an obligation of the rich and, as outlined in the Declaration on the Right to Development, Member States should foster an international environment that facilitated the fair and inclusive distribution of the benefits of economic globalization.
- 606.** Considering the complexity of the relationship between trade, investment arrangements and decent work, she requested the Office to conduct comparative research on current practices and their implications for decent work. She would welcome further information regarding how the Coalition would function and would further be interested to know how the Coalition would be linked to the programmes and budgets for the current and next biennium. Lastly, she would appreciate a reliable estimate of the financial and human resources that the Coalition would require. Her group supported the draft decision.
- 607. Speaking on behalf of IMEC,** a Government representative of Belgium supported the idea of the Coalition. Contributions from key stakeholders were necessary to pave the way for a new global social contract. She welcomed the Director-General's promotion of a human-centred approach. She would appreciate more information about the plans to prepare a report on the state of social justice in the world. Any such report should draw on existing sources of information and established indicators. She would be interested in proposals that would support Member States in reducing inequalities and advancing social justice, rather than the creation of benchmarks. She strongly urged the Office to avoid duplication of existing reporting in that area. The Coalition should also be utilized as an internal policy tool to strengthen coherence between ILO departments and between headquarters and the field. It should seek to uphold ILO standards and promote social dialogue, with a focus on issues related to the world of work. The constituents should be informed of the key concepts and objectives behind the Coalition in the near future. Furthermore, she strongly supported the involvement of the constituents in the governance of the Coalition, and formal and informal consultations should be held in that regard. She wished to know whether the Office had sought to involve any other organizations in the governance of the Coalition and what commitments participation in the Coalition would entail.
- 608.** She invited the Office to elaborate on the value that the Coalition would add to existing efforts to promote social justice, how it would interact with initiatives such as the Global Accelerator and the measures that could be taken to address any overlap between those initiatives and the Coalition's mandate. The Coalition's goals should be based on the conclusions adopted by the International Labour Conference and on the implementation of the global social justice programme. She wished to know what the anti-crisis framework entailed, what role the Organization played in support mechanisms for countries negotiating social provisions in trade and investment agreements, how the Coalition would address the impact of climate

change on the world of work and how it related to the ILO Climate Action for Jobs Initiative and the Global Accelerator. Bearing in mind the aforementioned considerations, she supported the draft decision.

- 609. Speaking on behalf of the EU and its Member States**, a Government representative of Czechia said that the following countries aligned themselves with the statement: Albania, the Republic of Moldova, North Macedonia, Montenegro, Serbia, Türkiye, Ukraine, Georgia, Iceland and Norway. They aligned themselves with the statement made by IMEC. She welcomed the initiative to establish the Coalition. It was crucial to bring together various actors to tackle the challenges currently being faced and the ILO was well placed to take a leading role in the process. The Coalition should build on the Organization's previous action and initiatives, such as the conclusions on social protection and inequalities adopted by the International Labour Conference at its 109th Session (2021). In principle, she supported the guiding principles, main focus areas and the proposed schedule. Many questions remained open, however, including with regard to the format of the Coalition and its specific outcomes, its links to initiatives such as the Global Accelerator, and how duplications would be avoided with those initiatives. Furthermore, she would welcome discussions on the commitments expected of international financial institutions and the private sector, and additional information on the evidence-based minimum living income for all. Broad and inclusive consultations were important, and she encouraged cooperation with the High-Level Advisory Board on effective multilateralism established by the UN Secretary-General. On the assumption that her questions would be addressed satisfactorily, she supported the draft decision.
- 610. Speaking on behalf of the Gulf Cooperation Council**, a Government representative of Saudi Arabia said that his group aligned itself with the statement made by ASPAG. The events over the previous two years had exposed gaps in social protection both between and within countries, which affected vulnerable groups in particular. There was an urgent need to devise efficient mechanisms at the international level to tackle the challenges that were being faced in different sectors, including across supply chains. Furthermore, it was important to ensure a coherent multilateral approach to promote the fundamental rights of all workers, especially those from vulnerable groups, and to ensure social justice. Strong cooperation between ILO constituents, UN agencies and other international and regional organizations was needed in that regard. His group was keen to contribute to efforts to achieve social justice through such an approach. The Coalition must have clear and achievable objectives and must take into account disparities between countries. He supported the draft decision and reiterated his group's firm commitment to participating in an informal dialogue to lay the foundations of the Coalition.
- 611. A Government representative of Barbados** expressed strong support for the Coalition. Taking care of the most vulnerable in society was the core of good governance, which was why his Government had established a Social Justice Committee in 2018, comprising representatives of the Government and the social partners. The realization of social justice required all aspects and segments of society to be participants in the creation of policies to advance inclusive national development; at the international level, that equated to the need for involvement by and policy coherence across multilateral institutions. For small island developing States like Barbados to be able to realize their potential, the multilateral institutions with which they interacted must be moving toward the same goals. The countries of the Caribbean were contributors to global development, and demanded to be allowed to contribute more fully; for that, the multilateral regulatory, financial and development institutions must treat them in a manner that reflected a common understanding of their realities. He applauded the Director-General for his vision and agreed that the ILO, due to its

focus on a human-centred approach to development and its engagement of governments and social partners in all deliberations, was the organization best placed to drive the realization of that noble goal. Barbados intended to be a champion of the Coalition and supported the draft decision.

- 612. A Government representative of Brazil** expressed the firm belief that the Coalition would be a key element for the ILO's future work and would help to reduce the widening gaps in social justice and inequality. His Government was ready to engage strongly with the Office, other Member States and all partners to make the Coalition a reality. Furthermore, it was fully committed to promoting and improving South-South cooperation. Indeed, much remained to be done in that regard at the national, regional and global levels. The blatant inequality in access to medicines and vaccines revealed by the COVID-19 pandemic had been the latest example of unacceptable growing global inequality. Only by bringing all the relevant actors together would it be possible to set coherent strategies to overcome that negative trend among and within countries. Brazil fully supported the Director-General's call to involve relevant international actors – both private and public – in discussing and implementing the Coalition. It was crucial to discuss feasible plans of action, set achievable and realistic objectives, establish the expected role of each constituent group and consider the possible financial implications for ILO Members. He looked forward to taking part in future consultations and contributing further to the process. Brazil could be counted on to work hard for the invaluable cause of promoting social justice.
- 613. A Government representative of China** commended the vision of the Director-General to establish the Coalition. Noting that 2023 marked the mid-point in the implementation of the 2030 Agenda and SDGs, she said that the international community had arrived at a critical moment to get the SDGs back on track. The establishment of the Coalition was therefore timely and necessary. Given the ILO's experience of building consensus and its unique role in the pandemic response and economic recovery, the Organization should take the lead in the Coalition, promoting development partnerships in the multilateral system with a focus on achieving the SDGs and on mobilizing resources to provide new impetus to the inclusive, sustainable and resilient recovery of the world of work.
- 614.** She supported the objectives of the Coalition and encouraged the ILO to strengthen its cooperation with UN development agencies, the WTO and the international financial institutions with a view to achieving those objectives. Emphasis should also be given to strengthening policy coherence with multilateral cooperation mechanisms such as the G20 and to effectively aligning the development initiatives of Member States. She expressed the hope that the ILO would fully consult with all relevant parties, taking into full consideration the different contexts and development levels of Member States, and carry out discussions on the protection of labour rights in investment and trade agreements. China stood ready to continue the discussions on the item and supported the draft decision.
- 615. A Government representative of Gabon** said the ILO must continue to play a frontline role in the multilateral system, while preserving its unique position as an organization within which the tripartite constituents worked together to promote social justice. In making the establishment of the Coalition one of the five key components of his global social justice programme, the Director-General had demonstrated his attachment to the values that had motivated the creation of ILO and the need to tackle inequalities within and between Member States in the context of the COVID-19 recovery. He welcomed the fact that the Coalition would take into account aspects such as access to healthcare, education, food and housing in addition to those relating to the world of work, which was what necessitated the involvement of other partners and other international organizations. However, the Coalition must be embedded in

the ILO's values and principles of tripartism and social dialogue as well as in its standard-setting mandate. The Coalition should focus on clearly identified priorities and set achievable and realistic objectives and targets, accompanied by follow-up mechanisms.

- 616. A Government representative of the United States** said that the multilateral system was certainly being tested and the ILO's core values, including the importance of social dialogue, remained just as relevant as when the Organization had been founded. She thanked the Director-General for sharing his vision for the creation of the Coalition and welcomed its focus on driving coordinated action, grounded in international labour standards, to address inequalities. The constituents needed to work together to create a global economy that raised standards, responded to emerging challenges in the world of work and delivered opportunity and prosperity for all. That meant empowering workers at home and abroad and making sure that their voices were heard and incorporated in policies that promoted sustainable, resilient enterprises and supply chains, job creation and decent work.
- 617.** She encouraged the Director-General to ensure a central focus on promoting the enabling rights of freedom of association and collective bargaining, including by driving increased multilateral coherence in that area. She shared many of the questions raised about how the Coalition would function, how duplication of existing reporting would be avoided and what specific commitments participation in the Coalition would entail, but understood that much was yet to be defined. She supported the draft decision and looked forward to continued engagement as the Director-General continued to refine and give life to his vision.
- 618. A Government representative of Canada** said that, at a time when the rules-based international order was facing unprecedented threats, concerted global efforts were needed to ensure that the multilateral system remained effective, efficient, relevant and accountable, in order to address the challenges of the twenty-first century. Although the ILO had a key role to play due to its unique tripartite structure and normative mandate, it could not act alone. Canada supported the Coalition, which aimed to ensure greater coherence across the multilateral system.
- 619.** International labour standards were at the core of the ILO. Given the rapid changes in the world of work, there was an urgent need to assess the adequacy of the current body of international labour standards in support of the quest for social justice. Robust international labour standards were a useful tool when engaging with other actors, such as international financial institutions, in fighting inequalities at the global, regional and country levels. Canada particularly welcomed the Director-General's commitment to the priorities of gender equality, non-discrimination and inclusion, just transitions towards environmentally sustainable economies and societies, and decent work in global supply chains. The elimination of forced and child labour from supply chains was also a priority for Canada. He welcomed the alignment between the Coalition's areas of focus and the principles of inclusive trade, noting that trade and investment must not come at the expense of workers' protections. The initiative to establish a Coalition would require careful planning, coordination and cooperation to ensure that its ambitious objectives were achieved. He looked forward to receiving further information from the Office and engaging in further consultations to enable the development of concrete plans, leading to the official launch of the Coalition at the 2023 session of the International Labour Conference. Canada supported the draft decision.
- 620. A Government representative of Morocco** noted the relevance of the five priority areas identified by the Director-General and said that establishing the Coalition would be hard work but was imperative. Consideration would need to be given to the resources to be mobilized in order to meet the objectives. The discussions on the Coalition should reflect the

recommendations set out in the Centenary Declaration. With regard to universal social protection, he suggested that the Abidjan Declaration of 2019 might provide a basis for setting specific priorities for the African region. The role of the ILO needed to be strengthened in the context of development cooperation and in financial, trade and investment agreements in order to safeguard the interests of workers and to combat inequalities in terms of income and opportunities. He asked whether the report on the state of social justice in the world would take the form of a follow-up, policy or guidance document to be used by States, or a ranking index like that in the human development reports. Within the framework of the Coalition, the ILO's action in the field should be strengthened to better target its actions and priorities, and ensure more tangible assistance to constituents through its local and regional offices. The Coalition should also draw on the ILO's existing work and the recommendations of the Global Forum for a Human-centred Recovery. The solutions must be sustainable and take account of the delays in the implementation of the SDGs, by mobilizing additional funds. The modalities of the Coalition should be further explained in future documents to ensure it was guided by clear and achievable objectives. He supported the draft decision and the proposed approaches for the development of the Coalition, and appreciation for the consultation process.

- 621. A Government representative of India**, expressing appreciation for the proposed Coalition, said that all multilateral, national and regional organizations and bodies and Member States must act together with a joint vision and shared resources to achieve social justice in the world. However, the Coalition should cater to the requirements and needs of the developing States and must not become derailed from its objective of social justice by intertwining its functioning too closely with that of multilateral organizations such as the WTO and by mixing trade-related issues with labour issues.
- 622. The Director-General** thanked the Governing Body for the valuable guidance, which would be taken into account in developing the Coalition further. He gave his assurances that the issue of gender equality and inclusion would be one of the major pillars of the Coalition. He welcomed the proposal to set up an internal mechanism that would enable representatives of the Office to meet regularly with the tripartite constituents to help shape the initiative, and took note of the other requests to be kept informed through various formal and informal channels before the next session of the Governing Body. The initiative had generated a lot of interest among Member States that were not members of the Governing Body and among different institutions, which had expressed their desire to be associated with the work. It was clearly an evolving process.
- 623.** In response to a question about how the Coalition would be linked to the UN Sustainable Development Cooperation Framework, he reiterated that he saw no need to reinvent the wheel; the objective was not to duplicate initiatives that were already under way, but rather to achieve coherence between them. He acknowledged that the document needed to better spell out the linkages between the concept being discussed and the action on the ground. For example, if a report showed that a particular country was not meeting the objectives with regard to providing access to water, action would be taken through the UN resident coordinator system and through the existing Cooperation Framework to determine why insufficient progress had been made and what could be done to improve the situation. Similarly, if a lack of freedom of association was found to be impeding progress on social justice, the same interrogative approach would be taken by the ILO. The value added of the Coalition was thus to provide a way to maintain momentum in international discourse and to keep the political commitment high. The fact that those responsible would have to report on progress every two years would apply constructive political pressure to make sure that things were moving in the right direction.

624. He acknowledged that the concept of a “new social contract” was still poorly defined. However, in a political and multilateral environment, there could sometimes be general agreement about what was meant before there was formal agreement as to a definition. What he understood by the term was that the current international world economic and social business model was not working as it should be, and that there was a desire to change and improve the situation; the question of using an alternative term could still be debated.
625. He also acknowledged the point raised by the Employers about the inclusion of micro, small and medium-sized enterprises; indeed, entrepreneurs were at risk of being forgotten by the social protection response. Responding to another question, he said that he did not yet know which other UN agencies would be involved in the Coalition, as he had been waiting for the Governing Body’s guidance before approaching any potential partners in the UN system. Any multilateral partners would have to be fully committed to the Coalition, willing to report back on their progress every two years and to allocate resources to support countries in relation to the area of their mandate. He was reassured by the message from all Groups across the Governing Body that ILO must remain the lead agency owing to its comparative advantage.
626. He agreed that it was important to look at coherence in relation to other initiatives. He had recently met with the Deputy Secretary-General of the UN to discuss the ILO’s involvement in an upcoming commission on education. It was clear that access to education and lifelong learning was essential in terms of skill development and transitions. Transitions would be another important pillar of the Coalition, whether in relation to climate change, the digital economy or other areas; that point had been discussed a lot by the Transition Team.
627. In producing a report on the state of social justice in the world, consideration would need to be given to how the report fitted with existing ILO reports to ensure there was no duplication. His awareness of how much would need to be done had motivated him to create a special unit for that purpose and to involve different departments across the ILO in discussions on how to move forward. As mentioned previously, the Office would be producing a document in the coming weeks that would explain the concept in question, its objective and clear deliverables. The paper could be shared with the Governing Body through group representatives and then discussions could be initiated with other UN agencies. He would report back on those discussions before the March session of the Governing Body. Furthermore, he was in talks with various parties on the need for a strong launch campaign with a view to mobilizing the Governments and social partners to the maximum extent possible.
628. The document had been silent on the issue of governance because the answers were not yet known. It had been important to hold the present discussion with the Governing Body before making any decisions. It was clear, however, that any governance structure would involve the tripartite constituents. He envisaged a two-level structure comprising a high political level and a committee that would include different parties and that would monitor what was being done.
629. The anti-crisis framework mentioned in his proposal was something he wished to discuss further with colleagues at the International Monetary Fund; he expected it to be a difficult discussion but wished to discuss a reaction that would be automatically triggered when a crisis occurred. His intention was address the fact that some of the pandemic responses in 2020–21 had not focused on job creation, particularly in the informal economy. Lastly, he said that although the document referred to a “minimum living income”, he would ask the Governing Body to focus on the concept rather than the precise terminology, which the Office would find a way to handle satisfactorily.
630. **The Worker spokesperson** recalled that the term “new social contract” had been discussed by the Global Commission on the Future of Work. To her understanding, the purpose was to

reassure workers around the world that something was being done to ensure a better balance between the needs of workers, business and governments. She would have no objection to using a suitable alternative, if there was one.

- 631. The Employer spokesperson** clarified that she had no objection to the use of term.
- 632. The Director-General** said that had been consulting various sources, including academics, on the concept of “new social contract”. Even though a universally accepted definition did not yet exist, there seemed to be a general agreement that the term could be used and that an alternative would not be necessary.

## Decision

### **633. The Governing Body:**

- (a) **took note of the elements related to a Global Coalition for Social Justice contained in document GB.346/INS/17/1 and requested the Director-General to pursue his efforts and consultations, taking into account the guidance provided during the discussion;**
- (b) **requested the Director-General to present an updated report to its 347th Session (March 2023), addressing the issues raised during the discussion and providing additional information; and**
- (c) **requested the Office to organize informal consultations on the above matters prior to the 347th Session.**

(GB.346/INS/17/1, paragraph 29)

## 17.2. Second Supplementary Report: Follow-up to Governing Body decisions (GB.346/INS/17/2)

### Decision

- 634. The Governing Body requested the Office to prepare, for its 349th Session (October–November 2023), a supplementary report on the follow-up to the decisions adopted since November 2021.**

(GB.346/INS/17/2, paragraph 5)

## 17.3. Third Supplementary Report: Report of the Meeting of Experts for the tripartite validation of the technical guidelines on biological hazards (20–24 June 2022) (GB.346/INS/17/3)

- 635. The Employer spokesperson** welcomed the tripartite adoption of the guidelines and the definition therein of “biological hazards”. The preventive approach underlying the guidelines was practical and applicable to different workplaces in both developed and developing countries. He particularly welcomed the clear differentiation between situations where exposure to a biological agent in the workplace was the result of a pandemic and those where exposure was caused by an issue originating in the workplace. That distinction was important to ensure that obligations were clear and that suitable preventive measures could be put in place to protect workers’ health. In that vein, the group welcomed the treatment of a pandemic as an emergency situation rather than an everyday biological risk. Such treatment avoided any undue transfer of responsibility from the public health sector to the world of work. He looked

forward to the dissemination of the guidelines, which would support efforts to protect workers and employers from biological hazards and help employers to safeguard business continuity.

- 636. The Worker spokesperson** said that the guidelines were the result of hard-earned tripartite consensus on the fact that there was a regulatory gap in the protection of workers from biological hazards. However, the guidelines, while providing some specific advice, were not comprehensive. Specifically, the inclusion in the guidelines of wood dust as a biological hazard and of all economic sectors and their related biological hazards had not been finalized owing to time constraints and the dynamic of the Meeting of Experts. It was deeply regrettable that consensus had not been reached on the inclusion in the guidelines of psychosocial risks derived from the potential impacts of biological hazards. Despite their omission from the guidelines, such risks should nonetheless be taken into consideration during standard-setting discussions on biological hazards at the 112th (2024) and 113th (2025) Sessions of the International Labour Conference, for which the guidelines would form the basis. Those discussions should also use an expanded version of the table titled “non-exhaustive list of biological hazards associated with work activities” that included all economic sectors and professions. The Workers’ group supported the draft decision.
- 637. Speaking on behalf of the Africa group**, a Government representative of Morocco noted the importance of the guidelines, which were: the first of their kind; followed by the adoption at the 110th Session (2022) of the International Labour Conference of a resolution declaring Conventions Nos 155 and 187, to be considered as fundamental Conventions within the meaning of the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022; applied to all workers in all economic sectors; and would serve as a basis for discussions on occupational safety and health at future sessions of the International Labour Conference.
- 638.** The group welcomed the references in the guidelines to ILO standards and relevant codes of practice, and also the treatment of all aspects of biological risk management. Tripartite social dialogue within enterprises was an essential tool in devising any kind of occupational safety and health policy or system.
- 639.** It was important to distinguish between exposure to biological agents resulting from the nature of one’s work and that resulting from a pandemic. While workers in the health sector were well aware of the risks associated with their work, there was little awareness of work-related risks among workers in other sectors, such as agriculture and hospitality. The guidelines should therefore be not only published and disseminated, but also the subject of training and awareness-raising among constituents and all relevant parties. Further, the Africa group called on the Office to support constituents’ understanding of the scientific, technical, legal, institutional and procedural elements in the guidelines and to support the implementation of the systems and mechanisms recommended therein. The group supported the draft decision.
- 640. A Government representative of the United States** said that the guidelines would form an important technical basis for the standard-setting discussions on occupational safety and health to be held during the 112th (2024) and 113th (2025) Sessions of the International Labour Conference. She supported the draft decision.
- 641. A Government representative of India** invited the ILO to continue to provide technical guidance and capacity-building support to Member States for the protection of workers’ rights and welfare, particularly against biological hazards. He highlighted the need for swift action.



**642. A representative of the Director-General** (Director, Governance and Tripartism Department) expressed thanks to the experts who had participated in the Meeting in June 2022. The resulting guidelines would provide helpful guidance, the relevance of which remained clear in the wake of the pandemic. The Office had taken note of constituents' comments, which it would take into consideration in the lead-up to the discussions to be held during the 112th (2024) and 113th (2025) Sessions of the International Labour Conference.

## Decision

**643. The Governing Body:**

- (a) authorized the Director-General to publish and disseminate the Technical guidelines on biological hazards in the working environment adopted by the Meeting of Experts on 24 June 2022; and
- (b) requested the Director-General to take into consideration the Technical guidelines on biological hazards in the working environment for future work of the Office in this area.

(GB.346/INS/17/3, paragraph 7)

## 17.4. Fourth Supplementary Report: Documents submitted for information only (GB.346/INS/17/4)

**644. The Worker Spokesperson** thanked the Office for the report GB.346/INS/INF/3, which provided the background information needed to put an item on the agenda with some urgency in order to enable members of article 24 committees to deal with cases.

## Decision

**645. The Governing Body took note of the information contained in the following documents:**

- Approved symposia, seminars, workshops and similar meetings (GB.346/INS/INF/1);
- Report on the status of pending representations submitted under article 24 of the ILO Constitution (GB.346/INS/INF/2);
- Final report on the implementation of the ILO programme of action on decent work in global supply chains 2017–21 (GB.346/INS/INF/3);
- Update on the status of ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO (GB.346/INS/INF/4);
- Report on the implementation of the ILO disability inclusion policy and strategy (2020–23) (GB.346/INS/INF/5);
- Improving the rules governing the process of appointment of the Director-General (GB.346/INS/INF/6);
- Programme and Budget for 2022–23: Regular budget account and Working Capital Fund (GB.346/PFA/INF/1);
- Overview of ILO accommodation (GB.346/PFA/INF/2).

(GB.346/INS/17/4, paragraph 3)

## 17.5. Fifth Supplementary Report: Report of the Committee set up to examine the representation alleging non-observance by France of the Labour Inspection Convention, 1947 (No. 81) (GB.346/INS/17/5)

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

### Decision

**646. In the light of the conclusions contained in paragraphs 25 and 26 of the report on the issues raised in the representation, the Governing Body, on the recommendation of the Committee:**

- (a) approved the report contained in document GB.346/INS/17/5; and
- (b) decided to publish the report and declare closed the procedure resulting from the representation.

(GB.346/INS/17/5, paragraph 27)

## 17.6. Sixth Supplementary Report: Appointment of two Assistant Directors-General (GB.346/INS/17/6)

### Decision

**647. The Governing Body took note of the appointments made by the Director-General after having duly consulted the Officers of the Governing Body and invited Ms Manuela Tomei and Mr André Bogui to make and sign the prescribed declaration of loyalty as provided under article 1.4(b) of the ILO Staff Regulations.**

(GB.346/INS/17/6, paragraph 4)

*Ms Tomei and Mr Bogui made and signed the declarations of loyalty.*

\* \* \*

**648. The Chairperson** recalled that the Director-General, in his opening statement to the Governing Body, had referred to a proposal to discontinue regional meetings. The Director-General had discussed with the Officers of the Governing Body the possibility of including an additional item on the agenda of the session entitled "Cancellation of preparations for the holding of a regional meeting in 2023 and possible discontinuation of regional meetings". The Office was preparing a document containing the financial, legal and procedural repercussions of the proposal to be published as GB.346/INS/17/7.

**649. The Director-General** reiterated his belief that it was time to discontinue regional meetings, and to reallocate the financial resources gained from that decision to strengthening the ILO's operations on the ground and increasing technical cooperation to Member States, and, where it was justified, to opening new offices. He had investigated the feasibility of that proposal during the transition period; however, on taking office, he had noted that preparations for the 2023 regional meeting in Europe had already begun. He had spoken to the Minister of Labour of France, where the regional meeting was to be held, and the Minister had agreed to his proposal, on the understanding that all regional meetings would be discontinued following the Asia Pacific regional meeting in December 2022. As explained in document GB.346/INS/17/7,

the discontinuation of regional meetings could save approximately US\$3.2 million per biennium, which could be used to finance the priority action programmes and provide much needed services on the ground. In order to provide enough time for Governing Body members to duly consider the matter, he proposed that at the current session, the Governing Body made a decision to discontinue the preparations for the European Regional Meeting in 2023, and that the decision to discontinue all regional meetings be taken at the next session. Should that decision not be adopted, the next regional meeting would be held in 2024 in Europe.

*(The Governing Body agreed to delete item 18.1 of the agenda of the Institutional Section and to add item 17.7.)*

## 17.7. Seventh Supplementary Report: Cancellation of preparations for the holding of a regional meeting in 2023 and possible discontinuation of regional meetings (GB.346/INS/17/7)

- 650. The Chairperson** explained that an item had been added to the agenda following the proposal made by the Director-General, in his statement on the programme and budget preview, to discontinue the organization of regional meetings.
- 651. Speaking on behalf of the Africa group**, a Government representative of Eswatini noted that there had been 14 African regional meetings, which had included high-level political dialogues and had been instrumental in shaping the developmental trajectory of the region. The African regional meetings had also provided impetus for national programmes and policies as well as regional and global instruments, and enhanced collaboration with the Office both at headquarters and in the field. Major milestones had been achieved at the African regional meetings, including the recognition that economic growth alone was not sufficient to create employment; the need for all Member States to embrace the concept of social protection floors; a contribution to the inclusion of Goal 8 on decent work in the 2030 Agenda; and the realization of the importance of the potential for a future of work with social justice. The Africa group wished to continue to hold the meetings, as they provided a platform to assess the implementation of agreed declarations. Discontinuing them would have an adverse effect on programming and reverse the gains that had been made in bringing the region together. If, however, other regions considered that there was no longer a need for meetings of their region, they should be free to discontinue them. The Africa group took note of the potential savings from the discontinuation of regional meetings, but urged the Office to explore other innovative ways to mobilize resources to strengthen ILO field offices.
- 652.** With regard to the draft decision, the Africa group considered that cancelling all preparations for the holding of a regional meeting in 2023 was premature, since the Governing Body would discuss the matter further at its 347th Session (March 2023). The Africa group could, however, consider supporting the draft decision if subparagraph (a) was amended to add “European” before “regional meeting in 2023”, followed by the words “without prejudice to the possible organization of other regional meetings”, and if a subparagraph was added thereafter to read: “request the Office to conduct an exhaustive evaluation of the impact of such a measure, including a cost-benefit analysis of the regional meetings within the different regions before the 347th Session (March 2023)”.
- 653. The Employer spokesperson** noted that her group had had an initial discussion on the recent proposal to discontinue regional meetings and had considered that some form of regional activity should continue, with a more target-oriented approach to produce more substantive outcomes. The group would present alternative proposals at the March 2023 session. It was

useful to note that constituents valued the opportunity to meet to exchange experiences, learn from one another and provide feedback to the Office on their realities, needs and priorities.

- 654.** The Employers' group fully endorsed the objective to significantly improve the support provided to tripartite constituents, but more clarity was needed on the potential net savings that could be reallocated to other activities. As the figures presented showed that the majority of the costs of each meeting was for staff time, travel costs and miscellaneous costs, she asked whether the potential net savings would be sufficient for the creation of new field offices, and if so, which regions or countries would benefit. The group would appreciate further details about the alternative use of the resources allocated, and in particular whether they would be of substantive value if shared among 40 field offices. More important for the group was how those resources would substantially add to institutional capacity-building of employers' organizations, and how the Office would continue to ensure that the diverse realities, needs and priorities of the different regions was reflected in the ILO programme and budget.
- 655.** The group respected the decision of the Government of France no longer to pursue the hosting the 2023 European regional meeting if the ILO decided to discontinue regional meetings. However, the overall proposal to completely discontinue regional meetings deserved further consideration. The Employers' group therefore supported the amendment proposed by the Africa group.
- 656. The Worker spokesperson** said that the proposal to abolish regional meetings had not met with great enthusiasm in her group. Some regions, in particular those which did not have as many social dialogue structures as Europe, greatly valued the opportunity to meet at the regional level. The decision entailed more than just financial considerations; there needed to be a reflection within the Governing Body on the purpose of regional meetings. Furthermore, many other multilateral organizations were increasing their activities at the regional level. The Workers' group was ready to engage constructively with the Office on the matter at the 347th Session of the Governing Body.
- 657.** She welcomed the amendment proposed by the Africa group, but suggested subamending subparagraph (a) to read "future" rather than "other" regional meetings, to clarify that future European regional meetings were included. In subparagraph (b), the meaning of "an exhaustive evaluation" was not entirely clear, and it was also important that the evaluation was not only about money; she therefore suggested subamending it to read "an evaluation of the impact, including a cost-benefit analysis".
- 658. Speaking on behalf of GRULAC,** a Government representative of Colombia noted that, although under article 38 of the ILO Constitution the convening of regional meetings was optional, the meetings were an established practice that had enabled situations specific to each region to be handled in depth. The conclusions and declarations from American regional meetings had proven useful in identifying the region's shared priorities and challenges regarding the promotion of decent work and the fundamental principles and rights of work. She considered it premature to decide not only to suspend them but also to discontinue them entirely. She therefore requested that the Office report to be submitted to the Governing Body at its March 2023 session should include a detailed analysis, differentiated by region, of the impact of the regional meetings, their outcomes, the actors involved and the added value that they provided in terms of social dialogue and promotion of the specific priorities of each region; information on alternative forums at the regional level that would allow exchanges of good practices and cooperation between countries; and up-to-date information about the reallocation of resources and a cost-benefit analysis.

- 659.** As to the draft decision, subparagraph (a) should not prejudge a decision in March as to whether other regional meetings would be held; therefore, it was unnecessary to add “without prejudice to the possible organization of other regional meetings”. Under subparagraph (b), the Governing Body should assess whether to maintain or discontinue regional meetings based on the detailed report referred to in the last subparagraph (c). The amendment proposed by the Africa group reflected most of her group’s concerns, but she proposed subamending the proposed new subparagraph (b) to include, after “evaluation”, the words “differentiated by region”, and to delete the words “within the different regions”. Furthermore, in the subsequent subparagraph, she proposed replacing the words “possible discontinuation of” with the words “possibility to either maintain or discontinue”.
- 660. Speaking on behalf of the EU and its Member States,** a Government representative of Czechia said that the following countries aligned themselves with the statement: Albania, the Republic of Moldova, North Macedonia, Montenegro, Serbia, Iceland and Norway. He noted that regional meetings for Europe and Central Asia had traditionally served as a platform for fostering strong social partnerships, effective social dialogue and the exchange of knowledge and experience in the pursuit of decent work and social justice. However, he acknowledged the Office’s statement that regional meetings were no longer a cost-effective means to guide the Organization’s policymaking. He expressed appreciation to the Government of France for its preparations to date for the 2023 regional meeting and its flexibility in no longer pursuing the hosting it if the ILO decided to discontinue regional meetings. He did not support the amendment to subparagraph (a) proposed by the Africa group because it was ambiguous and could undermine the principle of equal treatment of all regions. He did, however, support the proposed amendment to subparagraph (b), since the question regarding the regional meetings merited in-depth discussions and assessments.
- 661. A Government representative of Japan** said that any discontinuation of regional meetings must not undermine the Organization’s work at the field level and the funding thus saved should be rechannelled to strengthen the Organization’s capacities on the ground. The Office report to the next Governing Body session should address the necessary measures to strengthen its capacities in the field and present alternative opportunities for sharing good practices and holding high-level dialogues between governments and social partners. He supported the draft decision.
- 662. A Government representative of Malawi** said that annual meetings of the employment and labour sector convened by the Southern African Development Community (SADC) had enabled the subregion to make great strides forward in the world of work, and the SADC Decent Work Programme had contributed to the achievement of the goals set by the African regional meetings. She supported the Africa group’s proposal to conduct an assessment of the impact of regional meetings across all regions to allow the Governing Body to make an informed decision, and emphasized the importance of consultations with all constituents on matters affecting the institution.
- 663. A Government representative of the United States** said that she was open to the possibility of reallocating resources from the regional meetings to the ILO’s field operations. She was interested in exploring the possible creation of new field offices to support the Organization’s actions at the regional and country level and the potential impact on the Office’s ability to respond effectively to tripartite constituents’ needs. At the same time, she supported the Office’s staged approach to the issue and was in favour of placing an item regarding the possible discontinuation of regional meetings on the agenda of the Governing Body session in March 2023. She supported the proposed amendments to the draft decision.

- 664. The Worker spokesperson** supported the subamendments to the draft decision, but proposed adding “adapt” to subparagraph (c), so that it read “either maintain, discontinue or adapt the regional meetings”.
- 665. The Employer spokesperson** supported the addition proposed by the Workers’ group for clarity.

## Decision

- 666. Having regard to the Director-General’s announcement in the context of the preview of the Programme and Budget proposals for 2024–25 that he intends to propose the discontinuation of regional meetings, the Governing Body decided to:**
- (a) cancel all preparations for the holding of a regional meeting in 2023;
  - (b) request the Office to undertake an evaluation, differentiated by region, including a cost-benefit analysis, of the impact of the regional meetings before the 347th Session (March 2023);
  - (c) place on the agenda of its 347th Session (March 2023) an item concerning the possibility to either maintain, discontinue or adapt regional meetings for its examination and decision; and
  - (d) request the Director-General to prepare a detailed report on this matter taking into account the views expressed at its 346th Session.

(GB.346/INS/17/7, paragraph 18, as amended by the Governing Body)

## 18. Reports of the Officers of the Governing Body

### 18.1. First report: Arrangements for the 11th European Regional Meeting (GB.346/INS/18/1)

*(This item was cancelled. See paras 648–649 above.)*

### 18.2. Second report: Conditions of appointment of the Director-General (GB.346/INS/18/2)

## Decision

- 667. The Governing Body took note of the decision of its Officers to increase the representation allowance of the Director-General to CHF50,000, in line with the decision adopted at the 313th Session of the Governing Body.**

(GB.346/INS/18/2, paragraph 5)

### 18.3. Third report: Complaint alleging non-observance by Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden of the Discrimination

## **(Employment and Occupation) Convention, 1958 (No. 111) and the Employment Policy Convention, 1964 (No. 122) (GB.346/INS/18/3)**

### **Decision**

**668. In light of the information contained in document GB.346/INS/18/3, and taking into consideration the recommendation of its Officers, the Governing Body decided that the complaint was not receivable.**

(GB.346/INS/18/3, paragraph 8)

## **18.4. Fourth report: Representation alleging non-observance by Romania of the Social Security (Minimum Standards) Convention, 1952 (No. 102) (GB.346/INS/18/4)**

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

### **Decision**

**669. In the light of the information contained in document GB.346/INS/18/4, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.**

(GB.346/INS/18/4, paragraph 5)

## **18.5. Fifth report: Representation alleging non-observance by Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and the Employment Policy Convention, 1964 (No. 122) (GB.346/INS/18/5)**

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

### **Decision**

**670. In light of the information contained in document GB.346/INS/18/5, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was not receivable.**

(GB.346/INS/18/5, paragraph 5)

## **18.6. Sixth report: Representation alleging non-observance by Spain of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) (GB.346/INS/18/6)**

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

### **Decision**

- 671.** In the light of the information contained in document GB.346/INS/18/6, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.

(GB.346/INS/18/6, paragraph 5)

### **18.7. Seventh report: Representation alleging non-observance by Serbia of the Minimum Wage Fixing Convention, 1970 (No. 131) (GB.346/INS/18/7)**

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

#### **Decision**

- 672.** In the light of the information contained in document GB.346/INS/18/7, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.

(GB.346/INS/18/7, paragraph 5)

### **18.8. Eight report: Representation alleging non-observance by Argentina of the Indigenous and Tribal Peoples Convention, 1989 (No. 169) (GB.346/INS/18/8)**

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

#### **Decision**

- 673.** In the light of the information contained in document GB.346/INS/18/8, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and to set up a tripartite committee to examine it.

(GB.346/INS/18/8, paragraph 5)

### **18.9. Ninth report: Representation alleging non-observance by Brazil of the Labour Relations (Public Service) Convention, 1978 (No. 151) (GB.346/INS/18/9)**

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

#### **Decision**

- 674.** In the light of the information contained in document GB.346/INS/18/9, and taking into consideration the recommendation of its Officers, the Governing Body decided that the representation was receivable and, as it relates to a Convention dealing with trade union rights, to refer it to the Committee on Freedom of Association for examination in accordance with articles 24 and 25 of the Constitution of the ILO.

(GB.346/INS/18/9, paragraph 5)



## 19. Composition, agenda and programme of standing bodies and meetings (GB.346/INS/19)

- 675. The Employer** spokesperson thanked the Office for implementing the revised procedure for appointing members of the Committee of Experts, which had been decided by the Governing Body at its 343rd Session (November 2021). The dedicated sitting to discuss the appointments had been particularly useful. She supported the draft decision.
- 676. The Worker spokesperson** noted that the already thorough procedure for the appointment of members of the Committee of Experts had been further improved. She welcomed the appointment of the three new members and wished them well in their important and impartial job. The resulting gender parity on the Committee of Experts and the increasing gender parity in high-level positions in the ILO, and its supervisory system more broadly, were particularly welcome. She supported the draft decision.
- 677. Speaking on behalf of the Africa group**, a Government representative of Malawi welcomed the fact that regional and gender representation had been duly considered in the appointment of the three new members of the Committee of Experts. His group took note of the Member States invited to nominate experts to attend the Tripartite Meeting of Experts in Labour Statistics on the Revision of the Standards for Statistics on Informality, and looked forward to the outcome of the meeting, as availability of up-to-date statistics was a long-standing challenge for many African Member States. His group also took note the programme of official meetings for the remainder of 2022 and for 2023 and hoped that the majority of those meetings would take place in person, with the option for remote participation. His group supported the draft decision.

### Decision

- 678. The Governing Body, upon the recommendation of its Officers:**
- (a) **appointed for a period of three years, three new members of the Committee of Experts on the Application of Conventions and Recommendations:**
    - (i) **Judge Benedict Kanyip (Nigeria);**
    - (ii) **Dato Ambiga Sreenevasan (Malaysia); and**
    - (iii) **Professor José Herrera Vergara (Colombia);**
  - (b) **endorsed the list of Member States to be invited to nominate experts to participate in the Tripartite Meeting of Experts in Labour Statistics on the Revision of the Standards for Statistics on Informality;**
  - (c) **endorsed the proposals made in relation to the invitation of intergovernmental and international non-governmental organizations as observers to the official meetings listed in the appendix to document GB.346/INS/19; and**
  - (d) **took note of the programme of meetings contained in Part II of document GB.346/INS/19.**

(GB.346/INS/19, paragraph 13)

## Closing remarks

**679. The Chairperson** expressed her thanks to all Governing Body members for their work over the two weeks. It had been a privilege for her to see social dialogue at work, including achieving consensus on difficult topics. She had also had the good fortune to accompany the new Director-General at his first session of the Governing Body in his post, and to hear his vision for the institution in the coming years.