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► ILC.109/Report I (C)

► Reports of the Chairpersons of the Governing Body for the periods 2019–20 and 2020–21

International Labour Conference
109th Session, 2021

Report I(C)

▶ **Reports of the Chairpersons
of the Governing Body for the
periods 2019–20 and 2020–21**

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▶ Contents

	Page
Introduction.....	9
I. Institutional Section.....	10
1. Agenda of the International Labour Conference.....	10
1.1. Agenda of future sessions of the Conference.....	10
1.2. Arrangements for the 109th Session of the Conference (2021).....	11
2. Matters arising out of the work of the 108th Session (2019) of the International Labour Conference.....	12
2.1. Follow up to the resolution concerning the elimination of violence and harassment in the world of work.....	12
2.2. Follow-up to the resolution on the ILO Centenary Declaration for the Future of Work: Proposals for including safe and healthy working conditions in the ILO's framework of fundamental principles and rights at work.....	13
2.3. Analysis of the measures taken to promote the effective functioning of the Conference.....	14
3. ILO Research Strategy.....	14
4. ILO-wide strategy for institutional capacity development.....	15
5. Decent work for sustainable development.....	15
6. Mid-term report on the implementation of the ILO Action Plan for Gender Equality 2018–21.....	16
7. Update on the United Nations reform.....	17
8. ILO disability inclusion policy and strategy.....	17
9. Follow-up to the resolution on the ILO Centenary Declaration for the Future of Work: Proposals aimed at promoting greater coherence within the multilateral system.....	18
10. Report of the tripartite working group on full, equal and democratic participation in the ILO's tripartite governance in the spirit of the Centenary Declaration.....	19
11. Complaints made under article 26 of the ILO Constitution.....	19
11.1. Complaint concerning non-observance by Bangladesh of the Labour Inspection Convention, 1947 (No. 81), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), made under article 26 of the ILO Constitution by several delegates to the 108th Session (2019) of the International Labour Conference.....	19

	Page
11.2. Complaint concerning non-observance by Chile of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Maternity Protection Convention (Revised), 1952 (No. 103), the Workers' Representatives Convention, 1971 (No. 135), and the Labour Relations (Public Service) Convention, 1978 (No. 151), made under article 26 of the ILO Constitution by a delegate to the 108th Session (2019) of the International Labour Conference	20
12. Report of the Commission of Inquiry appointed to consider the complaint alleging the non-observance by the Bolivarian Republic of Venezuela of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) and reply of the Government of the Bolivarian Republic of Venezuela to the report.....	21
13. Follow-up to the decision adopted by the Governing Body at its 334th Session to support the National Tripartite Agreement of November 2017 aimed at implementing the road map: Progress report by the Government of Guatemala on action taken.....	22
14. Annual progress report on the technical cooperation programme agreed between the Government of Qatar and the ILO	23
15. Progress report on the follow up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013).....	23
16. Representations submitted under article 24 of the ILO Constitution	25
17. Reports of the Committee on Freedom of Association: 389th, 390th, 391st, 392nd, 393rd and 394th Reports and third and fourth annual reports	27
18. Report of the Board of the International Training Centre of the ILO, Turin.....	28
19. Report of the Director-General	28
19.1. First Supplementary Report: Update on the status of ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO and follow-up to paragraph 3 of the resolution on the ILO Centenary Declaration for the Future of Work, 2019.....	28
19.2. Report of the Meeting of Experts on Cross-Border Social Dialogue (Geneva, 12–15 February 2019).....	29
19.3. Report of the Technical Meeting on Achieving Decent Work in Global Supply Chains	29
19.4. Mid-term review of the implementation of the Bali Declaration adopted by the 16th Asia and the Pacific Regional Meeting (Bali, 6–9 December 2016)	30
19.5. The response of the International Labour Office to the COVID-19 pandemic.....	31

	Page
19.6. Appointment of a Deputy Director-General and an Assistant Director-General.....	31
19.7. Follow up to Governing Body decisions.....	32
20. Composition, agenda and programme of standing bodies and meetings.....	32
21. Calendar of actions to be taken regarding the election of the Director-General	32
22. Resolution concerning maritime labour issues and the COVID-19 pandemic	33
II. Policy Development Section	34
A. Employment and Social Protection Segment	34
1. The ILO’s response to HIV and AIDS: Accelerating progress for 2030.....	34
2. The role of the ILO in addressing climate change and a just transition for all	35
3. Renewing commitment to youth employment by endorsing a follow-up plan of action on youth employment for the period 2020–30.....	35
4. Follow-up to the Strategy on indigenous peoples’ rights for inclusive and sustainable development, including implementation of the strategic plan for engagement with the United Nations system bodies and relevant regional organizations regarding the Indigenous and Tribal Peoples’ Convention, 1989 (No. 169)	36
5. Decent work and productivity.....	37
B. Social Dialogue Segment	37
6. Sectoral meetings held in 2019 and proposals for sectoral work in 2020	37
7. Sectoral meetings held in 2020 and proposals for sectoral work	38
8. Sectoral meetings in 2021 and proposals for sectoral work in 2022–23.....	38
C. Multinational Enterprises Segment.....	39
9. Promotional activities concerning the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and related developments outside of the ILO	39
D. Development Cooperation Segment	40
10. Enhanced programme of development cooperation for the occupied Arab territories	40
11. Update on the costed and time-bound integrated strategy to address decent work deficits in the tobacco sector	41
12. ILO Development Cooperation Strategy 2020–25	41
13. Update on preparations for the V Global Conference on Child Labour	42

	Page
III. Legal Issues and International Labour Standards Section	43
A. Legal Issues Segment.....	43
1. Comprehensive review of the Standing Orders of the Conference: Draft consolidated text.....	43
B. International Labour Standards and Human Rights Segment	43
2. Fifth Meeting of the Standards Review Mechanism Tripartite Working Group (Geneva, 23–27 September 2019).....	43
3. Second evaluation of the functioning of the Standards Review Mechanism Tripartite Working Group	44
4. Choice of Conventions and Recommendations on which reports should be requested under article 19, paragraphs 5(e) and 6(d) of the ILO Constitution in 2021	44
5. Proposed form for reports requested under article 19(5)(e) and 19(6)(d) of the Constitution in 2022 on the instruments concerning equality of opportunity and treatment	45
6. Proposed form for reports on the application of ratified Conventions (article 22 of the Constitution): The Violence and Harassment Convention, 2019 (No. 190).....	45
IV. Programme, Financial and Administrative Section.....	46
A. Programme, Financial and Administrative Segment.....	46
1. Programme and Budget for 2020–21: Programme of Work and Results Framework	46
2. ILO programme implementation 2018–19	46
3. The ILO's Strategic Plan 2020-25	47
4. The Director General's Programme and Budget proposals for 2022-23.....	47
5. Implications of COVID-19 for delivery of the Programme and Budget for 2020-21	47
6. Update on the headquarters building renovation project	48
7. Proceeds from the sale of the ILO Brussels office	48
8. Update on building questions: Headquarters building renovation project and ILO-owned premises in Abidjan.....	49
9. Programme and Budget for 2018–19: Financial report and audited consolidated financial statements for the year ended 31 December 2019	49
10. Scale of assessments of contributions to the budget for 2022	50
B. Audit and Oversight Segment.....	50
11. Evaluations.....	50
12. Report of the Independent Oversight Advisory Committee	51
13. Matters relating to the Joint Inspection Unit	52

	Page
C. Personnel Segment	52
14. Composition and structure of ILO staff: Action plan for improving the diversity of the ILO workforce.....	52
15. Update on the Human Resources Strategy 2018–21.....	53
16. Judgment of the Administrative Tribunal of the ILO concerning the decisions of the International Civil Service Commission regarding the revised post adjustment index for Geneva.....	53
17. Financial implications of the judgment of the Administrative Tribunal of the ILO concerning the decisions of the International Civil Service Commission (ICSC) regarding the revised post adjustment index for Geneva	54
18. Appointment to the ILO Staff Pension Committee (United Nations Joint Staff Pension Board).....	55
19. Report of the Board of the Special Payments Fund.....	55
20. Matters relating to the Administrative Tribunal of the ILO.....	55
V. High-Level Section	57
Strategic Policy Segment	57
COVID-19 and the world of work	57

► Introduction

This report on the work of the Governing Body is submitted to the International Labour Conference in accordance with paragraph 5.6.1 of the Standing Orders of the Governing Body.¹ It focuses on the highlights of the sessions concerned and does not cover any matter otherwise before the Conference.

As a consequence of the deferral of the 109th Session of the Conference from 2020 to 2021, this report covers the 336th (June 2019), 337th (October–November 2019), 338th (March 2020), 340th (October–November 2020) and 341st (March 2021) Sessions of the Governing Body. Due to the exceptional circumstances caused by the COVID-19 pandemic, it was decided not to hold the 338th Session of the Governing Body originally scheduled for 12–26 March 2020, and to cancel the 338th bis and 339th Sessions, originally scheduled for 25 May and 6 June, respectively. Arrangements were put in place for the Officers of the Governing Body and the members of the Screening Group to handle the most urgent items on the agenda of those sessions, and to incorporate other items into the agendas of other Governing Body sessions, so that the activities of the Organization could be carried forward effectively. The Governing Body made a certain number of decisions by delegation of authority and by correspondence.

In view of the ongoing COVID-19 situation, the 340th and 341st Sessions were conducted online in accordance with the special arrangements described in documents [GB.340/INS/1\(Rev.1\)](#) and [GB.341/INS/1](#). To ensure that members from different time zones could participate, only one sitting was held each day and not all items on the agenda were considered during the sittings. For a number of items, decisions were made by correspondence.

¹ *Compendium of rules applicable to the Governing Body of the International Labour Office.*

▶ I. Institutional Section

1. Agenda of the International Labour Conference

1.1. Agenda of future sessions of the Conference ²

1. At its 337th Session, the Governing Body took a number of decisions in relation to the agenda setting of the Conference beyond 2019. ³
2. Firstly, it decided to place an item related to skills and lifelong learning (general discussion) on the agenda of the 110th Session of the Conference (2021). Secondly, it deferred to its next session the decision on the final technical item to complete the agenda of the 110th Session of the Conference, deliberating between: (i) decent work and the social and solidarity economy (general discussion); or (ii) a just transition of the world of work towards environmentally sustainable economies and societies for all (standard-setting discussion or general discussion); or (iii) any other item based on the discussion at the 337th Session.
3. Thirdly, following up on recommendations of the Standards Review Mechanism Tripartite Working Group (SRM TWG), it decided to place on the agenda of the 110th Session of the Conference an item related to the withdrawal of the Fee-Charging Employment Agencies Convention, 1933 (No. 34). It also decided to place an item on the abrogation of the Fee-Charging Employment Agencies Convention (Revised), 1949 (No. 96) on the agenda of the 119th Session (2030) of the Conference. Lastly, it provided guidance on the setting of the Conference agenda beyond 2020 as regards the strategic approach and the subjects under consideration.
4. The 338th Session of the Governing Body, which was originally scheduled from 12 to 26 March 2020, did not take place in view of the restrictions to meetings and travel in place since early March 2020 as a result of the COVID-19 pandemic. The Governing Body delegated to its Officers the authority to make decisions, in consultation with the tripartite Screening Group, on several items, or made decisions by correspondence. The Governing Body decided, through a vote by correspondence, to defer the 109th Session of the International Labour Conference from 25 May–5 June 2020 to June 2021. ⁴ It also took a decision by correspondence concerning Member States reporting obligations and the work of the Committee of Experts on the Application of Conventions and Recommendations and the Committee on the Application of Standards as a result of the deferral of the 109th Session of the International Labour Conference to 2021. ⁵

² GB.337/INS/2, GB.341/INS/3/1(Rev.2) and GB.341/INS/3/2.

³ GB.337/PV, para. 52.

⁴ Minutes of the meetings of the Screening Group held in preparation of decisions made by correspondence by the Governing Body between March and October 2020 (Minutes (Rev.5)), para. 101.

⁵ Minutes(Rev.5), para. 353.

I. Institutional Section

5. At its 340th Session, the Governing Body decided by correspondence ⁶ to approve a number of adjustments to the agenda of the 109th Session of the International Labour Conference (2021) so that it would consider the following items:
- I. the Reports of the Chairperson of the Governing Body and of the Director-General;
 - II. the draft Programme and Budget for 2022–23, the audited and consolidated financial statements for 2019 and for 2020; and other administrative matters, including the composition of the Administrative Tribunal of the ILO and of the ILO Staff Pension Committee;
 - III. information and reports on the application of Conventions and Recommendations, inviting the Committee on the Application of Standards to examine in 2021 both the General Survey entitled “Promoting employment and decent work in a changing landscape” and the 2020 General Report and observations concerning particular countries, as updated by the Committee of Experts on the Application of Conventions and Recommendations at its 91st Session in December 2020;
 - IV–VI. the Reports providing the background to a general discussion on Inequalities and the world of work; a recurrent discussion on the strategic objective of social protection (social security); and a general discussion on skills and lifelong learning. Reports prepared for the deferred 109th Session of the Conference (2020) would be updated to reflect the developments emerging from the COVID-19 crisis and its impact on the world of work; and
 - VII. the Withdrawal of the Fee-Charging Employment Agencies Convention, 1933 (No. 34) in addition to the abrogation of eight international labour Conventions and withdrawal of nine international labour Conventions and 11 international labour Recommendations.
6. At its 341st Session, the Governing Body took a number of decisions in relation to the agenda of future sessions of the Conference. ⁷ First, it decided to place a general discussion item related to decent work and the social and solidarity economy on the agenda of the 110th Session of the Conference (2022). Second, it decided to place on the agenda of the 112th and 113th Sessions (2024–25) of the Conference a standard-setting item related to occupational safety and health protection against biological hazards (double discussion). Third, it requested the Office to convene a tripartite meeting of experts on the issue of “decent work in the platform economy” in the course of 2022. Finally, it confirmed the following sequence of recurrent discussions with a view to completing the remaining part of the five-year cycle: employment (110th Session of the Conference (2022)); social protection (labour protection) (111th Session of the Conference (2023)); and fundamental principles and rights at work (112th Session of the Conference (2024)).

1.2. Arrangements for the 109th Session of the Conference (2021) ⁸

7. Following extensive tripartite consultations, the Governing Body reached agreement at its 341st Session on holding the 109th Session of the International Labour Conference in a fully

⁶ Decision concerning the agenda of the 109th Session of the International Labour Conference (June 2021).

⁷ GB.341/INS/PV, para. 35.

⁸ GB.341/INS/3/2.

virtual format, given the continuing uncertainties relating to travel and safety and health conditions brought on by the pandemic. It also agreed to retain the full agenda that had already been set by the Governing Body. Additional consultations were held to reach consensus on necessary adjustments to the working methods and procedures in order to ensure efficient and effective Conference proceedings, notwithstanding the constraints of a virtual Conference and taking into account different time zones and connectivity standards.

8. The Governing Body decided that, after a formal opening on 20 May 2021, the items on the agenda would be discussed in two separate periods: standing items and the Recurrent Discussion on social protection to be held between 3 and 19 June, and the two general discussions (on Inequalities and the world of work and on Skills and lifelong learning) to take place at a resumed session later in the year. At the resumed session, the Conference plenary would be reconvened to adopt the reports and conclusions of the working parties responsible for these two items and formally close the 109th Session.⁹

2. Matters arising out of the work of the 108th Session (2019) of the International Labour Conference

2.1. Follow up to the resolution concerning the elimination of violence and harassment in the world of work¹⁰

9. At its 108th Centenary Session (2019), the International Labour Conference adopted the first-ever standards on the elimination of violence and harassment in the world of work, namely the Violence and Harassment Convention (No. 190), and Recommendation (No. 206), 2019.¹¹ Alongside the new instruments, the Conference also adopted the resolution concerning the elimination of violence and harassment in the world of work.¹² This resolution invites the Governing Body to request the Director-General to develop a comprehensive strategy for the wide ratification of the Convention and effective implementation of the instruments. Following that request, the Office, in consultation with its Bureau for Employers' Activities (ACT/EMP) and Bureau for Workers' Activities (ACTRAV) and based on an assessment of ILO constituents' needs, outlined a comprehensive six-year strategy, which envisages actions in three main areas:
 - (a) promotion of the ratification and effective implementation of the instruments;
 - (b) support to constituents through awareness-raising initiatives, promotional materials, research and technical assistance; and
 - (c) promotion of international cooperation and partnerships and resource mobilization.
10. At its 337th Session, the Governing Body discussed the strategy and requested the Director-General: (a) to take it into consideration, together with the guidance given during its

⁹ GB.341/INS/PV, para. 87.

¹⁰ GB.337/INS/3/1.

¹¹ The texts of Convention No. 190 and Recommendation No. 206 can be found on the ILO website ([NORMLEX database](#)).

¹² ILO, [Resolution concerning the elimination of violence and harassment in the world of work](#), International Labour Conference, 108th Session, Geneva, 2019.

discussion, in the implementation of the Programme and Budget for 2020–21, as well as when preparing the next strategic framework and future programme and budget proposals and facilitating extrabudgetary resources; and (b) to review the implementation of the strategy and report back to the Governing Body on a regular basis.¹³

2.2. Follow-up to the resolution on the ILO Centenary Declaration for the Future of Work: Proposals for including safe and healthy working conditions in the ILO's framework of fundamental principles and rights at work¹⁴

- 11.** At its 337th Session, the Governing Body discussed proposals for including safe and healthy working conditions in the ILO's framework of fundamental principles and rights at work. The Governing Body initiated its consideration of such proposals following the declaration by the Conference that "[s]afe and healthy working conditions are fundamental to decent work".¹⁵ As a first step, the Governing Body considered the contextual elements relating to a right to safe and healthy working environment, as well as those relating to the ILO's framework of fundamental principles and rights at work. The Governing Body decided to approve a procedural road map as a planning tool, which could be modified based on progress made. This road map included the consideration of:
- (1) substantive questions resulting in the identification of possible building blocks;
 - (2) process-related questions and possible forms of the decision of the Conference; and
 - (3) the elements of a possible draft outcome document for consideration at the 110th Session (2021) of the Conference and arrangements for the Conference discussion.¹⁶
- 12.** At its 340th Session, the Governing Body was informed of substantive questions in relation to including safe and healthy working conditions in the ILO's framework of fundamental principles and rights at work, in accordance with the procedural road map approved at the 337th Session. The paper explained the similarities between fundamental principles and rights at work and the right to safe and healthy working conditions. It also explained that the formulation of a fundamental principle relating to occupational safety and health could draw on specific rights and obligations in up-to-date Conventions, namely the Occupational Safety and Health Convention, 1981 (No. 155) and its Protocol of 2002, the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and the Occupational Health Services Convention, 1985 (No. 161).
- 13.** The paper identified the two possible options to include the right to safe and healthy working conditions in the framework of fundamental principles and rights at work. Firstly, by amending the 1998 Declaration or, secondly, by adopting a separate declaration. The Governing Body was informed by the Office that the recognition of safe and healthy working conditions as a fundamental principle and right at work would not create new obligations for Members, and it would not automatically affect the scope and content of Free Trade

¹³ GB.337/INS/PV, para. 77.

¹⁴ GB.337/INS/3/2 and GB.341/INS/6.

¹⁵ ILO Centenary Declaration for the Future of Work, para. II(D).

¹⁶ GB.337/INS/PV, para. 115.

Agreements. This recognition would nonetheless imply reporting obligations from Member States on their efforts to respect, promote and realize the fundamental principles and rights at work. It would also call for further ILO technical support to Member States that may lack the technical capacity to fully realize the new fundamental principle and right at work.

14. At its 341st Session, the Office presented a revised version of the paper that had been submitted as GB.340/INS/4 addressing the substantive questions that had arisen at the 337th Session, namely the building blocks to consider the right to a safe and healthy work environment as a fundamental principle and right at work, possible forms of the declaration, and implications for Member States. The paper was updated with information on the impact of COVID-19 on the safety and health of workers and sustainability of businesses. It also proposed an adjustment to the procedural road map. The Governing Body adopted the decision approving the revised road map and requested the Director-General to take into account the guidance provided during the discussion.¹⁷ The Governing Body will be asked at its 342nd Session (June 2021) to consider process-related questions and possible forms of the decision, including placing a technical item on the agenda of the International Labour Conference in 2022. It will also be invited to consider at its 343rd Session (November 2021) the elements of a possible draft outcome document to include the right to a safe and healthy work environment in the ILO's framework of fundamental principles and rights at work.

2.3. Analysis of the measures taken to promote the effective functioning of the Conference

15. At its 337th Session, the Governing Body analysed the effectiveness of the arrangements implemented at the 108th (Centenary) Session (2019) of the Conference and explored further areas where improvements could be considered, taking into consideration the Office's experience, and the comments and feedback received from constituents.
16. The 108th Session (2019) was the fifth session of the Conference held within the two-week format, but the first in that format to have a standard-setting item comprising two possible instruments: a Convention and a Recommendation. In addition, the Conference faced new challenges specific to the Centenary Session, such as the organization of a continuous plenary throughout the two weeks of the session to accommodate the visit of some 40 dignitaries, a series of thematic debates, some of which were held in a new format, and the negotiation of a Centenary Declaration in a relatively short time span. Despite those many challenges, all the ambitious objectives of the Centenary Session were achieved in two weeks. While that success was the result of the unique joint effort of constituents and the Office, it confirmed that the two-week format, as adjusted and improved over the previous five years, had demonstrated its viability.

3. ILO Research Strategy

17. At its 337th Session, the Governing Body discussed the ILO's proposed Research Strategy for the period 2020–21.¹⁸ Building on the existing commitments outlined in the Knowledge

¹⁷ GB.341/INS/PV, para. 124.

¹⁸ GB.337/INS/7.

Strategy 2018–21, the document under examination set out five goals for the proposed Research Strategy and identified the specific actions and evaluation mechanisms required in order to achieve them, including a consultative process to increase the relevance of ILO research to constituents' needs in conformity with the ILO Centenary Declaration for the Future of Work. Following its discussion, the Governing Body endorsed the proposed Research Strategy for the period 2020–21 and requested the Director-General to take into account its guidance in implementing the strategy.¹⁹

4. ILO-wide strategy for institutional capacity development²⁰

18. As a follow-up to the decision taken by the Governing Body at its 329th Session,²¹ the Office presented the Governing Body with the new ILO Institutional Capacity Development Strategy at its 335th Session. The document proposed a holistic approach to developing the capacity of ILO constituents on the basis of the lessons learned in recent years and the 2018 high-level evaluation of the ILO's capacity-development efforts during the period 2010–17.²² Numerous interventions during the Governing Body session stressed that the discussion was timely, considering the context of rapid transformation in which the ILO and its constituents needed to operate and deliver on their mandates. The Governing Body provided additional guidance to the Office on the proposed steps for implementation and on the overall content of the proposed strategy. The initial steps of the implementation process needed to include consultations with the secretariats of the Workers' and Employers' groups and the strategy should be integrated into the Programme and Budget proposals for 2020–21. The Office also provided clarification on a number of questions raised by the Governing Body with regard to the three main pillars referred to in the document on the new strategy.²³ The Governing Body endorsed the proposed strategy and requested the Office to implement it, taking into account the detailed comments received from the Governing Body during the discussion.²⁴

5. Decent work for sustainable development²⁵

19. At its 335th Session, the Governing Body held a high-level discussion on the ILO's contribution to the theme of the 2019 forum "Empowering people and ensuring inclusiveness and equality" and to the Sustainable Development Goals (SDGs) under review, namely: SDG 4 (quality education); SDG 8 (decent work and economic growth); SDG 10 (reduced inequalities); SDG 13 (climate action); and SDG 16 (peace, justice and strong institutions). The ILO's contribution in relation to other SDGs, including SDG 17 on "means of implementation and partnerships" as a cross-cutting goal was also discussed.
20. The Governing Body welcomed the background document and provided additional recommendations for the forum's discussion. These included: (i) highlighting the

¹⁹ GB.337/INS/PV, para. 288.

²⁰ GB.335/INS/9.

²¹ GB.329/PV, para. 35.

²² ILO, *An independent evaluation of ILO's capacity development efforts 2010–2017*, Evaluation Office (Geneva, 2018).

²³ GB.335/INS/PV.

²⁴ GB.335/INS/PV, para. 381.

²⁵ GB.335/INS/11.

importance of international labour standards, the supervisory mechanism and industrial relations institutions in the realization of the 2030 Agenda for Sustainable Development (2030 Agenda) objectives and to use the forum as a platform to invite Member States to ratify and implement “enabling rights” Conventions; (ii) promoting a balanced approach towards the economic, social and environmental aspects of development, in which sustainable enterprises played a key role in implementing and sustaining decent work; and (iii) reiterating the importance of formalization of the informal economy, promotion of skills, occupational safety and health regulations, access to social protection and collective bargaining, improving national statistical systems, providing guidance and capacity building in implementing social protection policies and the transition to a green economy.

6. Mid-term report on the implementation of the ILO Action Plan for Gender Equality 2018–21

21. At its 340th Session, the Governing Body reviewed the mid-term report on the implementation of the ILO Action Plan for Gender Equality 2018–21.²⁶ Governing Body members welcomed that the monitoring of the Action Plan coincided with that of the UN system-wide Action Plan on Gender Equality and the Empowerment of Women and that positive programmatic steps had been taken. Examples included dedicated policy outcome (outcome 6) in the Programme and Budget for 2020–21 and 2022–23, and the introduction of a gender equality and non-discrimination marker for all eight policy outcomes. Also commended was the progress reported on enhanced institutional transparency; making Decent Work Country Programmes gender-responsive; and attaining gender parity among ILO staff in grades P1 to P4.
22. The review also focused on several areas concerning the Action Plan’s targets that had remained unmet, including on indicators on leadership, accountability and oversight. Other areas warranting further attention were: gender-responsiveness of development cooperation and, in four regions, human and financial resources linked to gender equality and non-discrimination in country programmes. Further progress was also called for regarding gender parity in the Office’s senior posts (P5 and above), as well as in delegations to the International Labour Conference and regional meetings. The Governing Body requested the Director-General to redouble efforts to implement the 2020–21 phase of the ILO Action Plan and improve results, taking into account the Governing Body’s guidance and lessons learned. The Director-General was also requested to identify concrete measures and steps to accelerate action in specific indicators, including on leadership and staffing and to provide these for information to the Governing Body as soon as possible. The Governing Body also asked that a report on the results of an evaluation of the Action Plan 2018–21 be submitted to it, alongside the proposed approach of the subsequent Action Plan, in early 2022, with a view to a heightened strategic positioning of the ILO in the United Nations reform.²⁷

²⁶ GB.340/INS/7(Rev.1).

²⁷ GB.340/PV, para. 16.

7. Update on the United Nations reform ²⁸

23. At its 341th Session, the Governing Body discussed the continued engagement of the Office in the restructuring of the United Nations Development System and reviewed the status of the Office Plan of Action 2019–20 to maximize the opportunities of the United Nations development system reform for the ILO and tripartite constituents endorsed at its 335th Session (March 2019).²⁹ The implications of the UN General Assembly Resolution of December 2020³⁰ on ILO engagement in UN reform were also covered.
24. Constituents commended the Office's efforts, expressing appreciation for the Office's active involvement in UN reform processes to advance the Decent Work Agenda in the context of the Sustainable Development Goals, and for its timely response in producing innovative tools to assess the early socio-economic impacts of the COVID-19 pandemic. The new framework agreement with the United Nations Development Programme was welcomed. Many highlighted the importance of continued focused engagement to ensure that the ILO's tripartite governance structure and normative mandate, including its supervisory system, were acknowledged as intrinsic to UN reform and partnerships with other UN organizations, and were adequately reflected in country-level activities. The Office was encouraged to participate fully in the ongoing restructuring at the regional level.
25. Both Employer and Worker spokespersons noted both successes and continued challenges in engaging with Resident Coordinators, and they called on the Office to further support constituents' meaningful participation in UN country-level planning processes. Concerns were expressed about the increased workloads experienced by ILO officials as members of UN Country Teams, continued competition among agencies and the sustainability of the funding arrangements for the Resident Coordinators system. The Office's approach to participation in common back offices and common premises at country level on a case-by-case basis was generally supported.
26. The Governing Body requested that the Office next report on the UN reform process at its 349th Session (November 2022).³¹

8. ILO disability inclusion policy and strategy ³²

27. At its 340th Session, the Governing Body discussed a document entitled "ILO disability inclusion policy and strategy". This document presented the rationale for, and a proposal on, an ILO policy on disability inclusion, including a framework for multiannual strategies that would implement such a policy. As an appendix, the document contained the text of a proposed ILO policy on disability inclusion. The Governing Body strongly supported the proposed policy and adopted a revised draft decision relating to the policy and strategies.³³ In adopting the decision, the Governing Body: (a) requested the Director-General to finalize

²⁸ GB.341/INS/7.

²⁹ GB.335/INS/10.

³⁰ UN Resolution [A/RES/75/233](#) concerning the Quadrennial comprehensive policy review of operational activities for development of the United Nations system.

³¹ GB.341/INS/PV, para. 186.

³² GB.340/INS/9. This was a revised version of GB.338/INS/8, which was prepared for the 338th Session of the Governing Body, but which was not presented because of the COVID-19 situation.

³³ GB.340/PV, para. 74.

and implement the policy; (b) instructed the Office to put in place multiannual strategies to implement such policy, beginning in 2020–23, in the light of the United Nations Disability Inclusion Strategy (UNDIS); (c) instructed the Office to conduct monitoring coinciding with the reporting period for implementation of the UNDIS accountability framework, and to provide to the Governing Body a report for information, on a biennial basis, starting in its 346th Session, on progress and areas for improvement, including a summary of UNDIS implementation; (d) requested the Director-General to pursue the ILO's mandate to promote disability inclusion in the implementation of current and future ILO strategic plans and corresponding programmes and budgets, and to facilitate extrabudgetary resources. The Director-General would take into account the guidance of the Governing Body in the preparation of the policy and in related programming and budgeting.

9. Follow-up to the resolution on the ILO Centenary Declaration for the Future of Work: Proposals aimed at promoting greater coherence within the multilateral system ³⁴

- 28.** At its 341st Session, the Governing Body reviewed the Office's collaborative relationships and engagements within the United Nations and the wider multilateral system and discussed proposals aimed at greater policy coherence within the multilateral system.
- 29.** Governing Body members underscored that the objectives of the Centenary Declaration were more relevant than ever in the context of inclusive and sustainable recovery from the COVID-19 pandemic. The need for greater collaboration had been made abundantly clear. They felt that the ILO had a lead role to play in ensuring that social justice and decent work were central to multilateral system concerns and that the UN Secretary-General's vision for a new social contract was an important opportunity for the Office to advance this.
- 30.** While numerous and substantive, some constituents noted the uneven nature of the Office's engagements with other multilateral agencies and the international financial institutions in particular. Policy divergences and some unfruitful past coherency efforts with the latter were cited. Governing Body members saw value in pursuing new institutional collaborative arrangements as called for in the Centenary Declaration resolution to try to address this. Increased engagement with the WTO and the UN human rights treaty bodies were considered particularly promising. Many highlighted the potential of multi-stakeholder partnerships, like Alliance 8.7 and the Global Partnership for Universal Social Protection as important examples in promoting coherent policy approaches.
- 31.** The document prepared by the Office identified a number of priority issues for multilateral engagement drawn from the resolution. These were broadly supported by Governing Body members. The COVID-19 crisis had placed a spotlight on social protection, skills and occupational health and safety, to name a few. The Employers felt that a focus on productivity and tackling informality were missing elements, however. The proposal to convene a major policy forum on a resilient and sustainable human-centred recovery from the COVID-19 crisis was also supported. There was consensus that this needed to be linked

³⁴ GB.341/INS/8.

to the outcome document on a global response for a human-centred recovery from the COVID-19 crisis proposed for the 109th Session of the International Labour Conference.

- 32.** The Governing Body requested the Director-General to take the necessary action in accordance with its guidance to enhance the ILO's role in the multilateral system by reinforcing its cooperation and developing institutional arrangements with other organizations to promote policy coherence in pursuit of its human-centred approach to the future of work.³⁵

10. Report of the tripartite working group on full, equal and democratic participation in the ILO's tripartite governance in the spirit of the Centenary Declaration³⁶

- 33.** At its 341st Session, the Governing Body took note of the report of the tripartite working group on the full, equal and democratic participation in the ILO's tripartite governance which the Governing Body had established at its 337th Session (October–November 2019).³⁷ The purpose of the working group was to serve as a platform for focused dialogue and for developing proposals on the full, equal and democratic participation in the ILO's tripartite governance, in the spirit of the ILO Centenary Declaration for the Future of Work and the accompanying Resolution. The Governing Body also decided to transmit the resolution on the principle of equality among ILO Member States and fair representation of all regions in the ILO's tripartite governance to the 109th Session of the Conference, for possible adoption; extend the duration of the tripartite working group for a period of 12 months; and request the tripartite working group to present a progress report and a final report for its consideration at the 343rd (November 2021) and 344th (March 2022) Sessions, respectively.³⁸

11. Complaints made under article 26 of the ILO Constitution

11.1. Complaint concerning non-observance by Bangladesh of the Labour Inspection Convention, 1947 (No. 81), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), made under article 26 of the ILO Constitution by several delegates to the 108th Session (2019) of the International Labour Conference³⁹

- 34.** This article 26 complaint was filed by several Workers' delegates to the 108th Session of the International Labour Conference. At its 337th Session, the Governing Body took note of the complaint and declared it admissible. It requested the Director-General to forward the

³⁵ GB.341/INS/PV, para. 229.

³⁶ GB.341/INS/9.

³⁷ GB.337/PV, para. 449.

³⁸ GB.341/INS/PV, para. 246.

³⁹ GB.337/INS/13/1, GB.340/INS/14(Rev.1) and GB.341/INS/11(Rev.1).

complaint to the Government of Bangladesh, inviting it to communicate its observations on the complaint by 30 January 2020, and decided to include this item on the agenda of the 338th Session of the Governing Body.⁴⁰

35. At its 340th Session,⁴¹ the Governing Body, taking into account the information provided by the Government: (a) requested the Government to develop, with the support of the Office and of the secretariat of the Workers' and Employers' groups, and in full consultation with the social partners concerned, a time-bound road map of actions with tangible outcomes to address all the outstanding issues mentioned in the complaint; and (b) requested the Government to report on progress made in that regard.⁴²
36. At its 341st Session, the Governing Body noted the progress made by the Government with regard to the development of a time-bound road map of actions with tangible outcomes to address all the outstanding issues mentioned in the complaint, with the support of the Office and of the secretariats of the Workers' and Employers' groups, and in full consultation with the social partners concerned. Therefore, the Governing Body: (a) requested the Government to submit the final road map for the information of the Governing Body in June 2021; (b) requested the Government to report on progress made with the timely implementation of the road map at its 343rd Session (November 2021); and (c) decided to defer the decision on further action in respect of the complaint to its 343rd Session (November 2021).⁴³

11.2. Complaint concerning non-observance by Chile of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Maternity Protection Convention (Revised), 1952 (No. 103), the Workers' Representatives Convention, 1971 (No. 135), and the Labour Relations (Public Service) Convention, 1978 (No. 151), made under article 26 of the ILO Constitution by a delegate to the 108th Session (2019) of the International Labour Conference⁴⁴

37. This article 26 complaint was filed by a Workers' delegate to the 108th Session of the International Labour Conference. At its 337th Session, the Governing Body took note of the complaint and declared it admissible. It requested the Director-General to forward the complaint to the Government of Chile, inviting it to communicate its observations on the complaint by 30 January 2020, and decided to include this item on the agenda of the 338th Session of the Governing Body.⁴⁵

⁴⁰ GB.337/INS/PV, para. 524.

⁴¹ This item was deferred from the 338th Session (March 2020) of the Governing Body.

⁴² GB.340/PV, para. 293.

⁴³ GB.341/INS/PV, para. 381.

⁴⁴ [GB.337/INS/13/2](#).

⁴⁵ GB.337/INS/PV, para. 527.

12. Report of the Commission of Inquiry appointed to consider the complaint alleging the non-observance by the Bolivarian Republic of Venezuela of the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144) and reply of the Government of the Bolivarian Republic of Venezuela to the report ⁴⁶

- 38.** At its 332nd Session (March 2018), ⁴⁷ the Governing Body decided to establish a Commission of Inquiry to consider the complaint concerning the non-observance by the Bolivarian Republic of Venezuela of Conventions Nos 26, 87 and 144. At its 333rd Session, the Governing Body appointed Mr Manuel Herrera Carbuccia (Dominican Republic) to serve as Chairperson of the Commission, and Ms María Emilia Casas Baamonde (Spain) and Mr Santiago Pérez del Castillo (Uruguay) as members of the Commission. ⁴⁸
- 39.** At its 337th Session, the Governing Body took note of the report of the Commission of Inquiry, which had been sent to the Government of the Bolivarian Republic of Venezuela. ⁴⁹ At the time of writing, the Governing Body had not yet received a reply from the Government as to whether it accepted the recommendations contained in the report of the Commission and, if not, whether it proposed to refer the matter to the International Court of Justice.
- 40.** At its 340th Session (October–November 2020), the Governing Body examined the reply of the Government to the report of the Commission of Inquiry. In the absence of consensus on this item, the Chairperson of the Governing Body decided its discussion would be deferred to the 341st Session (March 2021). ⁵⁰
- 41.** At its 341st Session, the Governing Body, through a vote: (a) deplored the Bolivarian Republic of Venezuela's reply dated 10 August 2020 that it does not accept the recommendations of the Commission of Inquiry; (b) noted recent developments and urged the Bolivarian Republic of Venezuela to establish and convene, by May 2021, a social dialogue forum, in line with point 4 under paragraph 497 of the Commission of Inquiry's report; (c) requested the Office to work with the Bolivarian Republic of Venezuela on recognition and full implementation of the recommendations of the Commission of Inquiry and on the effective implementation of the related ILO Conventions; (d) requested the Director-General to inform the members of the Governing Body, by means of a written report, on or before 3 May 2021, regarding measures which the Bolivarian Republic of Venezuela has taken to comply with the recommendations of the Commission of Inquiry,

⁴⁶ GB.337/INS/8, GB.340/INS/13 and GB.341/INS/10(Rev.2).

⁴⁷ GB.332/PV, paras 284 and 289.

⁴⁸ GB.333/PV, para. 107.

⁴⁹ GB.337/PV, para. 304.

⁵⁰ GB.340/PV, para. 264.

together with details of any technical assistance requested or provided (e) acknowledged the possibility of a resolution at the 109th Session of the International Labour Conference on the developments mentioned in points (b) (c) and (d) if there is a continued lack of progress on the implementation of the recommendations of the Commission of Inquiry; (f) decided to include an item on the agenda of its 343rd Session (November 2021) entitled “Consideration of all possible measures, including those foreseen in the ILO Constitution, required to ensure the Bolivarian Republic of Venezuela’s compliance with the recommendations of the Commission of Inquiry within the required timeframe”; and (g) requested the Director-General to present an updated report to its 343rd Session (November 2021) on relevant actions taken, measures referred to in paragraphs (b) and (c), and relevant information on possible measures to ensure the Bolivarian Republic of Venezuela’s compliance with the recommendations of the Commission of Inquiry, including any progress made in implementing those recommendations.⁵¹

13. Follow-up to the decision adopted by the Governing Body at its 334th Session to support the National Tripartite Agreement of November 2017 aimed at implementing the road map: Progress report by the Government of Guatemala on action taken⁵²

- 42.** It is recalled that the article 26 procedure resulting from a complaint filed at the 101st Session (2012) of the International Labour Conference by several Workers’ delegates against Guatemala, for the violation of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) of the ILO, was closed by the Governing Body at its 334th Session (October–November 2018). On that occasion, the Governing Body had requested: (a) the Government of Guatemala to report on the further action taken at the Governing Body sessions of October–November 2019 and October–November 2020; and (b) the Office to implement a robust and comprehensive technical assistance programme to ensure the sustainability of the social dialogue process as well as further progress in the implementation of the road map aimed at addressing the issues raised the complaint.⁵³
- 43.** At its 337th Session, the Governing Body examined the action taken and progress achieved in the implementation of the road map. The Governing Body: (a) took note of the report sent by the Government and of the observations communicated by the trade union federations; and (b) recalled that, in accordance with the decision adopted at its 334th Session (October–November 2018), the Government of Guatemala would report at the Governing Body session of October–November 2020 on the further action taken.⁵⁴

⁵¹ GB.341/INS/PV, para. 350.

⁵² GB.337/INS/6(Rev.1) and GB.340/INS/10.

⁵³ GB.334/PV, para. 401.

⁵⁴ GB.337/INS/PV, para. 247.

14. Annual progress report on the technical cooperation programme agreed between the Government of Qatar and the ILO ⁵⁵

44. At its 331st Session (October–November 2017), the Governing Body decided to support the agreed technical cooperation programme between the Government of Qatar and the ILO, and its implementation modalities. This programme reflects the common commitment of the Government of Qatar and the ILO to ensure compliance with ratified international labour Conventions, as well as achieve fundamental principles and rights at work in the State of Qatar in a gradual manner during the period 2018–20. The programme rests on five pillars:

- improving the payment of wages;
- enhancing labour inspection and occupational safety and health systems;
- refining the contractual system that replaced the *kafala* system and improving labour recruitment procedures;
- increasing prevention, protection and prosecution against forced labour; and
- promoting workers' voice.

45. At its 337th Session, the Governing Body took note of the programme's second annual progress report. ⁵⁶ The Government, Workers' and Employers' groups welcomed the programme's achievements under each of the five pillars and encouraged the Government of Qatar and the Office to continue their efforts in light of the work remaining ahead. ⁵⁷

15. Progress report on the follow up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013) ⁵⁸

46. As a follow-up to the resolution concerning remaining measures on the subject of Myanmar, adopted by the 102nd Session of the International Labour Conference (June 2013), ⁵⁹ the Governing Body at its 337th Session acknowledged the progress made by the Government of Myanmar in that regard. Such progress included the new action plan on forced labour, the new Child Rights Law, and proposals to ratify the Minimum Age Convention, 1973 (No. 138). The Governing Body also encouraged the full implementation of the Decent Work Country Programme (DWCP). Regarding forced labour, it urged the Government to consult with social partners to establish a credible and effective national complaints mechanism that would include victim protection measures, and intensify cooperation with the ILO in

⁵⁵ GB.337/INS/5 and GB.340/INS/11.

⁵⁶ GB.337/INS/PV, para. 222.

⁵⁷ GB.337/INS/PV.

⁵⁸ GB.337/INS/9.

⁵⁹ ILO, Resolution concerning remaining measures on the subject of Myanmar adopted under article 33 of the ILO Constitution.

the process of receiving complaints. Furthermore, the Governing Body noted the ongoing work to reform labour legislation and called for further efforts to ensure genuine tripartite social dialogue take place as part of that process, so that the views of representative organizations of employers and workers be fully taken into account.⁶⁰

47. While the Governing Body's 338th Session was cancelled due to the COVID-19 pandemic, the report prepared for that session acknowledged that the Government of Myanmar had made significant progress in implementing the DWCP since March 2019.⁶¹ Such progress included the development of action plans on the national complaints mechanism, the adoption of the Child Rights Law, the parliamentary decision on the ratification of Convention No. 138 and the Occupational Safety and Health Law passed by the Myanmar Parliament in March 2019. The Government continued its efforts to cooperate with the ILO Liaison Office and social partners, in order to fully implement the DWCP.
48. That report also called on Member States to support resource mobilization efforts to enable the effective implementation of the DWCP in Myanmar, concerning in particular the elimination of forced labour and the worst forms of child labour, the establishment of a credible national complaints mechanism, the strengthening of the labour inspection system to ensure the effective enforcement of labour laws and, potentially, the implementation of the Better Work programme should it be introduced in Myanmar.
49. As a follow-up to the resolution concerning remaining measures on the subject of Myanmar, adopted by the 102nd Session of the International Labour Conference (June, 2013), the Governing Body, at its 341st Session,⁶² endorsed the statements of the Director-General on 10 and 23 February 2021 calling for the restoration of democratic order and civilian rule in Myanmar, for workers, including civil servants, and employers to be able to exercise their right to peaceful assembly, and for a halt to the intimidation of workers. It expressed profound concern about developments particularly since 1 February and called on the military authorities to respect the will of the people, respect democratic institutions and processes, and restore the democratically elected Government. It expressed its grave concern about the arrest, intimidation, threats, and acts of violence against trade unionists, as well as the declaration that 16 labour organizations were illegal, and called on the military authorities to immediately cease such activities, and to release from detention and drop any charges against trade unionists who have peacefully participated in protest activities. Grave concern was also expressed about measures or orders issued curtailing freedom of expression and freedom of peaceful assembly, recalling that freedom of peaceful assembly and freedom of opinion and expression are essential for the exercise of freedom of association. It called for the immediate repeal of such measures or orders and for guarantees of the freedom of the social partners to undertake their functions without threat of intimidation or harm. The Governing Body reaffirmed that all Member States have an obligation to apply fully, in law and in practice, the Conventions that they have voluntarily ratified and that Myanmar therefore has an obligation to comply fully with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). It urged Myanmar to uphold its obligations under Convention No. 87 and to ensure that workers and employers are able to exercise their freedom of association rights in a climate of

⁶⁰ GB.337/PV, para. 359.

⁶¹ GB.338/INS/10.

⁶² GB.341/INS/17.

freedom and security, free from violence, arbitrary arrest, and detention. It called for the Civil Services Personnel Law, the Settlement of Labour Disputes Law, and the Labour Organization Law to be amended without delay, once the democratically elected government has been restored, consistent with Convention No. 87, and urged Myanmar to respect and protect the status of the ILO Liaison Office in Myanmar (ILO–Yangon) and all ILO staff in Myanmar and to refrain from undue interference in its operations in keeping with the principles of the Convention on the Privileges and Immunities of the Specialized Agencies of 21 November 1947. The Office was requested to report to the Governing Body on what additional measures the ILO can take to promote a restoration of worker rights. The Governing Body requested the Director-General to report on developments in Myanmar to its 342nd Session (June 2021).⁶³

16. Representations submitted under article 24 of the ILO Constitution

50. Since June 2019, the 16 following representations made under article 24 of the Constitution **were declared receivable** by the Governing Body in its private sittings:

- representation alleging non-observance by Argentina of the Occupational Safety and Health Convention, 1981 (No. 155) and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187);⁶⁴
- representation alleging non-observance by Brazil of the Indigenous and Tribal Peoples Convention, 1989 (No. 169);⁶⁵
- representation alleging non-observance by Chile of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35), and the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37);⁶⁶
- representation alleging non-observance by Chile of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111);⁶⁷
- representation alleging non-observance by Ecuador of the Indigenous and Tribal Peoples Convention, 1989 (No. 169);⁶⁸
- representation alleging non-observance by Guinea of the Labour Inspection Convention, 1947 (No. 81), the Protection of Wages Convention, 1949 (No. 95), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187);⁶⁹

⁶³ GB.341/INS/PV, para. 505.

⁶⁴ GB.340/PV, para. 409.

⁶⁵ GB.337/PV, para. 531.

⁶⁶ GB.340/PV, para. 406.

⁶⁷ [GB.341/INS/14/Decisions](#).

⁶⁸ GB.341/INS/14/Decisions.

⁶⁹ GB.341/INS/14/Decisions.

- representation alleging non-observance by Indonesia of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); ⁷⁰
- representation alleging non-observance by Mexico of the Social Security (Minimum Standards) Convention, 1952 (No. 102); ⁷¹
- two representations alleging non-observance by Peru of the Hours of Work (Industry) Convention, 1919 (No. 1); ⁷²
- representation alleging non-observance by Peru of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Workers with Family Responsibilities Convention, 1981 (No. 156), and the Safety and Health in Mines Convention, 1995 (No. 176); ⁷³
- representation alleging non-observance by Poland of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), and the Collective Bargaining Convention, 1981 (No. 154); ⁷⁴
- representation alleging non-observance by Portugal of the Labour Inspection Convention, 1947 (No. 81), the Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Occupational Safety and Health Convention, 1981 (No. 155); ⁷⁵
- representation alleging non-observance by Portugal of the Nursing Personnel Convention, 1977 (No. 149); ⁷⁶
- representation alleging non-observance by Tunisia of the Labour Inspection Convention, 1947 (No. 81); ⁷⁷
- representation alleging non-observance by Uruguay of the Protection of Wages Convention, 1949 (No. 95), and the Social Security (Minimum Standards) Convention, 1952 (No. 102). ⁷⁸

51. Since June 2019, the five following representations made under article 24 of the Constitution **were closed** by the Governing Body in its private sittings:

- representation alleging non-observance by Colombia of the Protection of Wages Convention, 1949 (No. 95); ⁷⁹

⁷⁰ GB.337/PV, para. 530.

⁷¹ GB.340/PV, para. 411.

⁷² GB.340/PV, para. 410 and GB.341/INS/14/Decisions.

⁷³ GB.340/PV, para. 412.

⁷⁴ GB.341/INS/14/Decisions.

⁷⁵ GB.340/PV, para. 413.

⁷⁶ GB.340/PV, para. 415.

⁷⁷ GB.340/PV, para. 408.

⁷⁸ GB.341/INS/14/Decisions.

⁷⁹ GB.337/PV, para. 532.

- representation alleging non-observance by Chile of the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187); ⁸⁰
 - representation alleging non-observance by Nepal of the Indigenous and Tribal Peoples Convention, 1989 (No. 169); ⁸¹
 - representation alleging non-observance by Turkey of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Termination of Employment Convention, 1982 (No. 158); ⁸²
 - representation alleging non-observance by Uruguay of the Dock Work Convention, 1973 (No. 137). ⁸³
- 52.** Since June 2019, the two following representations made under article 24 of the Constitution **were declared non-receivable** in its private sittings:
- representation alleging non-observance by Cameroon of the Right of Association (Agriculture) Convention, 1921 (No. 11), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Termination of Employment Convention, 1982 (No. 158); ⁸⁴
 - representation alleging non-observance by Chile of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). ⁸⁵
- 53.** Since June 2019, the Governing Body also closed the representation before the Committee on Freedom of Association in Case No. 3165 (Argentina) following the withdrawal by the complainant. ⁸⁶
- 54.** The Governing Body also decided how each representation should be considered in substance. Document [GB.341/INS/INF/4\(Rev.1\)](#) contains a summary of the status of these and other pending representations submitted under article 24 of the Constitution.

17. Reports of the Committee on Freedom of Association: 389th, 390th, 391st, 392nd, 393rd and 394th Reports and third and fourth annual reports ⁸⁷

- 55.** During the four Governing Body sessions under review, the Committee on Freedom of Association examined 157 cases and, in 59 of them, followed up on the measures taken by

⁸⁰ GB.340/PV, para. 414 and GB.341/INS/14/Decisions.

⁸¹ [GB.341/INS/13/4](#).

⁸² [GB.341/INS/13/5](#).

⁸³ GB.337/PV, para. 478.

⁸⁴ GB.340/PV, para. 407.

⁸⁵ GB.337/PV, para. 529.

⁸⁶ [GB.337/INS/10](#), para. 15.

⁸⁷ [GB.336/INS/4/1](#), [GB.336/INS/4/2](#), [GB.337/INS/10](#), [GB.340/INS/16](#), [GB.340/INS/16\(Add.1\)](#), [GB.341/INS/12/1](#), [GB.341/INS/12/2](#) and [GB.341/INS/12/1\(Add.1\)](#).

Member States to give effect to its recommendations. The Committee observed an important decrease in the number of new complaints against alleged violations of freedom of association submitted to the special procedure during this period as compared to previous years. Threats to trade union rights and civil liberties, the protection against anti-union discrimination and violation of collective bargaining rights were the topics most frequently examined by the Committee in 2019 and 2020. In June and November 2019, in November 2020 and in March 2021, the Governing Body adopted the recommendations set out in the 389th to 394th Reports of the Committee and also adopted the Reports as a whole.⁸⁸ The 390th and 394th Reports regarded the follow-up of the measures taken by the Government of the Republic of Belarus to implement the recommendations of the Commission of Inquiry.⁸⁹ The Governing Body also took note of the third and fourth annual reports of the Committee,⁹⁰ which would be presented to the Conference Committee on the Application of Standards in June 2021.

18. Report of the Board of the International Training Centre of the ILO, Turin⁹¹

56. The 82nd Session of the Board of the International Training Centre of the ILO was held in Geneva on 25 October 2019. The report of the meeting was submitted to the 337th Session of the Governing Body. The Governing Body took note of the report of the meeting.⁹²

19. Report of the Director-General

19.1. First Supplementary Report: Update on the status of ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO and follow-up to paragraph 3 of the resolution on the ILO Centenary Declaration for the Future of Work, 2019⁹³

57. At its 337th Session, the Governing Body continued reviewing the status of ratification of the 1986 Instrument for the Amendment of the Constitution of the ILO (the 1986 Amendment). The Governing Body requested the Director-General to continue promotional efforts for the ratification of the 1986 Amendment, and to report at future Governing Body sessions on the results obtained. Following-up on the Centenary Declaration on the Future of Work, the Governing Body also decided to establish “a tripartite working group to serve as a platform for focused dialogue and for developing proposals on the full, equal and democratic participation in the ILO’s tripartite governance in the spirit of the Centenary Declaration”. The Governing Body invited the Director-

⁸⁸ GB.336/PV, paras 54–55, GB.337/PV, para. 390, GB.340/PV, para. 315 and GB.341/INS/PV.

⁸⁹ GB.336/INS/4/2 and GB.341/INS/12/2.

⁹⁰ GB.340/PV, para. 316 and GB.341/INS/PV.

⁹¹ GB.337/INS/11.

⁹² GB.337/INS/PV, para. 397.

⁹³ GB.340/INS/18/1.

General to present proposals regarding the composition and mandate of the working group.⁹⁴

19.2. Report of the Meeting of Experts on Cross-Border Social Dialogue (Geneva, 12–15 February 2019)⁹⁵

58. At its 337th Session, the Governing Body considered the report and the conclusions of the tripartite Meeting of Experts on Cross-border Social Dialogue that took place in Geneva from 12 to 15 February 2019. The conclusions, which were unanimously adopted by the Meeting, included a set of recommendations by the experts aimed at enhancing the contribution of cross-border social dialogue to the promotion of decent work in an increasingly interconnected world of work. The conclusions also provided guidance on follow-up action to be taken by the ILO. The Governing Body approved the conclusions of the Meeting of Experts and authorized the Director-General to publish and disseminate them widely. Further, the Governing Body requested the Director-General to take into consideration the action recommended in the conclusions in the design and implementation of future programmes and budgets of the ILO.⁹⁶

19.3. Report of the Technical Meeting on Achieving Decent Work in Global Supply Chains⁹⁷

59. At its 341st Session, the Governing Body had before it a document that provided information on the technical meeting on achieving decent work in global supply chains that took place in Geneva from 25 to 28 February 2020.⁹⁸ The meeting did not adopt any conclusions. The Office therefore sought guidance from the Governing Body on the way forward, drawing on its discussion of the document.
60. The Governing Body acknowledged how the COVID-19 pandemic had highlighted both the challenges and opportunities for decent work that can arise in global supply chains. It noted that it was important for the ILO, based on the unique legitimacy of its tripartite structure, to play a central role in both global policy coherence and technical support to promote decent work in global supply chains. The Governing Body took account of the need to continue the work of the ILO in the framework of the programme of action on decent work in global supply chains, including the One ILO approach, and the desirability of a coherent strategy for ILO action in this field. It also noted the importance of implementing the conclusions of the discussion on global supply chains at the 105th Session (2016) of the International Labour Conference.
61. The Governing Body decided, in seeking the implementation of the 2016 International Labour Conference resolution concerning decent work in global supply chains, and the ILO programme of action on decent work in global supply chains, to adopt a two-step process.

⁹⁴ The Governing Body received further information on this matter in document [GB.341/INS/INF/6\(Rev.1\)](#), submitted for information only.

⁹⁵ [GB.337/INS/12/2](#).

⁹⁶ [GB.337/INS/PV](#), para. 469.

⁹⁷ [GB.341/INS/13/2](#).

⁹⁸ ILO, *Achieving decent work in global supply chains* (TMDWSC/2020).

- 62.** First, the Office will conduct an in-depth review to clearly identify if there are any gaps in the current body of normative and non-normative measures, including means of implementation and other measures. The review will be completed by November 2021, and considered by a tripartite working group which will be established by the Governing Body. Secondly, the tripartite working group will further develop, with the support of the Office, the building blocks for a comprehensive strategy on achieving decent work in supply chains. The working group's report will be considered by the Governing Body at its 344th Session (March 2022).⁹⁹

19.4. Mid-term review of the implementation of the Bali Declaration adopted by the 16th Asia and the Pacific Regional Meeting (Bali, 6–9 December 2016)

- 63.** At its 337th Session, the Governing Body reviewed the mid-term report on the implementation of the Bali Declaration, which was adopted at the 16th ILO Asia and the Pacific Regional Meeting (APRM) on 9 December 2016. The Asia and the Pacific region continued to face a number of challenges, such as rapid transformation of labour markets; persistent gender inequalities; challenges to social dialogue; growing inequalities within and between countries; and high vulnerability to climate change shocks. The priorities under the Bali Declaration were therefore increasingly relevant.¹⁰⁰
- 64.** The report outlined ten areas of ILO action to support implementation of the Bali Declaration, including:
- (a) Developing an implementation plan on supporting constituents to give effect to the Bali Declaration, to be reviewed every two years and submitted to the constituents and to the Governing Body.
 - (b) Designing and implementing DWCPs in consultation with the social partners. Country programmes should be actioned and regularly updated in line with the Bali Declaration, constituent needs and progress towards the 2030 Agenda for Sustainable Development.
 - (c) Initiating a campaign to promote the ratification and implementation of fundamental labour standards.
 - (d) Building capacity of constituents to effectively contribute to decent work for sustainable and inclusive development through enhanced social dialogue and collective bargaining.
 - (e) Promoting data-driven and evidence-based research to inform improved labour and employment policy development including on issues related to the future of work.
 - (f) Improving data collection and reporting on the status of the world of work, with particular emphasis on labour relations and employers' and workers' organizations.
 - (g) Providing technical advice to strengthen labour market institutions, in consultation with Member States and social partners.

⁹⁹ GB.341/INS/PV.

¹⁰⁰ The Bali Declaration.

- (h) Providing programmatic assistance to promote an enabling environment for the development and creation of sustainable enterprises.
 - (i) Strengthening capacity-building programmes for employers' and workers' organizations.
 - (j) Promoting overall economic and social policy coherence and enhanced collaboration within the UN system and with regional organizations and the international finance institutions.
65. The Governing Body noted the report and requested the Office to continue to implement the Declaration taking into consideration the guidance provided during the discussion.¹⁰¹

19.5. The response of the International Labour Office to the COVID-19 pandemic¹⁰²

66. At its 340th Session, the Governing Body discussed and took decisions regarding the response of the International Labour Office to the COVID-19 pandemic. The document submitted to the Governing Body summarized the support the Office provided to its constituents to mitigate the socio-economic impact of the pandemic. It also described how human and financial resources were utilized to accommodate requests for support. It continued by describing policy tools and knowledge products as well as country-level support that were developed under each of the four pillars of the ILO policy framework for tackling the socio-economic impact of the COVID-19 pandemic. It also described the sectoral impact and responses under all four pillars. In addition, it provided a brief account of the institutional and practical arrangements that the Office devised in order to ensure business continuity of its governance structure during the crisis.
67. The Governing Body took note of the information provided in the paper and requested the Director-General to take into account the guidance provided in steering the Office's actions and response to the ongoing COVID-19 crisis. The Governing Body also invited the Director-General to communicate further details regarding the implications of COVID-19 for delivery of the Programme and Budget for 2020–21 at its 341st Session (March 2021).¹⁰³

19.6. Appointment of a Deputy Director-General and an Assistant Director-General¹⁰⁴

68. At its 340th Session, the Governing Body noted that the Director-General, after having duly consulted the Officers of the Governing Body, had appointed Ms Martha Newton as Deputy Director-General for Policy, with effect from 1 September 2020; and Ms Chihoko Asada-Miyakawa as Regional Director of the ILO Office for Asia and the Pacific at the Assistant Director-General level, with effect from 1 August 2020.¹⁰⁵

¹⁰¹ GB.337/INS/PV, para. 513.

¹⁰² GB.340/INS/18/6.

¹⁰³ GB.340/PV, para. 399.

¹⁰⁴ GB.340/INS/18/7.

¹⁰⁵ GB.340/PV, para. 404.

19.7. Follow up to Governing Body decisions ¹⁰⁶

69. As requested by the Governing Body at its 310th Session (March 2011), the Director-General submitted to the Governing Body at its 340th Session his annual report providing an overview of the action taken, or envisaged, by the Office to give effect to the decisions adopted by the Governing Body at its previous sessions of the last two years. The Governing Body, by correspondence, requested the Office to prepare, for its 343rd Session (October–November 2021), a supplementary report on the follow-up to the decisions adopted since November 2019. ¹⁰⁷

20. Composition, agenda and programme of standing bodies and meetings ¹⁰⁸

70. At each of its three meetings since June 2019, the Governing Body took a number of decisions concerning the composition, agenda and programme of meetings, including the dates of the 17th Asia and the Pacific Regional Meeting ¹⁰⁹ and the appointment of Justice Sandile Ngcobo (South Africa) as a new member of the Committee of Experts on the Application of Conventions and Recommendations (CEACR). ¹¹⁰
71. Likewise, at its 340th and 341st Sessions, the Governing Body took a number of decisions, by correspondence, on the composition and agenda of several meetings scheduled for 2021 and 2022. These included the appointments of Dr Bakuza (United Republic of Tanzania) and Dr Howe (Montserrat – United Kingdom of Great Britain and Northern Ireland) as new members of the Committee of Experts on the Application of Conventions and Recommendations (CEACR), and the reappointments of three members of the same Committee, namely Ms Chisholm (South Africa), Professor Vaillant (Uruguay), and Professor Vavrus (United States of America).
72. The Governing Body also approved the tentative programme of meetings for the remainder of 2021 and for 2022, subject to regular review depending on the evolution of the COVID-19 pandemic, and in consultation with tripartite constituents. ¹¹¹

21. Calendar of actions to be taken regarding the election of the Director-General ¹¹²

73. At its 341st Session, the Governing Body examined a proposed calendar of actions to be taken regarding the election of the next Director-General, whose term of office was due to begin on 1 October 2022. Following the discussion of this proposal, the Governing Body approved a number of dates and stages necessary for this process and requested the Office

¹⁰⁶ GB.340/INS/18/3.

¹⁰⁷ GB.340/PV, para. 352.

¹⁰⁸ GB.340/INS/21, GB.340/INS/21(Add.1) and GB.341/INS/16(Rev.1).

¹⁰⁹ Minutes(Rev.5), para. 26 (made by delegation of authority, as the 338th Session was not held).

¹¹⁰ Minutes(Rev.5), para. 354 (made by correspondence, as the 338th Session was not held).

¹¹¹ GB.340/PV, para. 416 and GB.341/INS/PV.

¹¹² GB.341/INS/15.

to prepare for its 342nd Session (June 2021) options to provide for additional opportunities for interaction with candidates before the regular hearings in private sitting.¹¹³

22. Resolution concerning maritime labour issues and the COVID-19 pandemic

74. At its 340th Session, the Governing Body adopted a resolution concerning maritime labour issues and the COVID-19 pandemic.¹¹⁴ The Governing Body expressed deep concern about the significant challenges faced by the global shipping industry to effect crew changes and repatriate seafarers as a result of the measures taken to contain the COVID-19 pandemic, and their subsequent adverse impact on seafarers' rights, including fundamental principles and rights at work. In light of this, the Governing Body urged all Members to adopt a number of measures to ensure the protection of seafarers. It further requested the ILO, in cooperation with other United Nations agencies and relevant stakeholders to continue supporting Members in the implementation of actions aimed at ensuring the integrity of global supply chains, as well as decent working and living conditions for seafarers. The Office submitted a document for information to the 341st Session of the Governing Body¹¹⁵ reporting on the coordinated action taken by UN organizations and the social partners to follow-up on the above-mentioned resolution.

¹¹³ GB.341/INS/PV.

¹¹⁴ ILO, [Resolution concerning maritime labour issues and the COVID-19 pandemic](#), Governing Body, 340th Session, Virtual Setting, October–November 2020.

¹¹⁵ GB.341/INS/INF/7.

► II. Policy Development Section

A. Employment and Social Protection Segment

1. The ILO's response to HIV and AIDS: Accelerating progress for 2030 ¹¹⁶

75. At its 337th Session, the Governing Body discussed the document entitled “The ILO's response to HIV and AIDS: Accelerating progress for 2030”. In the document, the Governing Body was invited to provide guidance on and endorse the proposed ILO strategy to adapt the world of work response to HIV and AIDS in a changing environment. The Governing Body supported the proposal, in particular its focus on young workers, workers at higher risk of HIV exposure and workers at risk of violence and harassment, which was highly relevant to the ILO's areas of expertise. The strategy's multisectoral approach, as well as its focus on prevention and addressing HIV-and tuberculosis co-infection, were also welcomed. Capacity-building for ILO constituents must be strengthened, as tripartism could play a significant role in making the global HIV response more efficient.
76. In line with the rights-based approach set out in the HIV and AIDS Recommendation, 2010 (No. 200), the strategy should also help to promote and protect workers' rights, gender equality, tolerance for diversity at the workplace and non-discrimination. The implementation projects that cut across those areas of work, as well as the findings of the proposed research on employment-related HIV stigma and discrimination, would help to guarantee the full enjoyment of human rights for persons living with HIV.
77. The Governing Body also provided additional recommendations, including the need to:
- address the increased burden that the epidemic places on women and children to engage in care work within households;
 - ensure that people living with HIV have continued access to antiretroviral treatment to have normal working lives;
 - improve access to employment for people living with HIV through economic empowerment, entrepreneurship skills development and business-related services;
 - use social dialogue and the involvement of the ILO tripartite constituents to make the HIV response comprehensive and effective;
 - address HIV in the transition to the formal economy;
 - add a reference to fundamental principles and rights at work;
 - mobilize sustainable funding within and outside the UN system for the implementation of the updated strategy; and

¹¹⁶ GB.337/POL/1.

- regularly review implementation of the strategy and assess whether further adjustments are required.

78. The Governing Body requested the Director-General to take into consideration the strategy for ILO action concerning HIV and AIDS in the world of work, and the guidance given during its discussion, in the implementation of the Programme and Budget for 2020–21, in the preparation of the next strategic framework and future programme and budget proposals and in facilitating extrabudgetary resources.¹¹⁷

2. The role of the ILO in addressing climate change and a just transition for all¹¹⁸

79. The Governing Body discussed and adopted a decision on the role of the ILO in addressing climate change and a just transition for all. Governing Body members took note of the policy developments reported by the Office in relation to climate change, decent work and a just transition for all and the support the Office has provided to the constituents of the ILO. The Governing Body noted the progress made on research to understand better the implications of climate change for the world of work, and invited the Office to promote further discussion, research, knowledge and understanding focusing on all relevant sectors. The Governing Body considered the application of the ILO Guidelines for a just transition towards environmentally sustainable economies and societies for all and invited the Office to advance that support to governments, workers' organizations and employers' organizations, including through the Climate Action for Jobs Initiative. The Governing Body encouraged collaboration with relevant international institutions addressing climate change and related key environmental issues. Finally, the Governing Body considered efforts made to reduce the environmental footprint of the ILO and encouraged the Office to pursue carbon neutrality at the ILO, in line with the United Nations target to reach carbon neutrality by 2020.¹¹⁹

3. Renewing commitment to youth employment by endorsing a follow-up plan of action on youth employment for the period 2020–30¹²⁰

80. The consideration of this item was deferred from the 338th Session (March 2020) to the 340th Session (November 2020) of the Governing Body. The document¹²¹ was updated to reflect the impact of COVID-19.

81. At its 340th Session, the Governing Body endorsed the renewal of the follow-up plan of action on youth employment for the period 2020–30, which is a continuation of the follow-

¹¹⁷ GB.337/POL/PV, para. 26.

¹¹⁸ GB.340/POL/1.

¹¹⁹ GB.340/PV, para. 499.

¹²⁰ GB.340/POL/2.

¹²¹ GB.338/POL/2.

up plan¹²² to implement the ILO 2012 resolution.¹²³ The Governing Body requested the Office to start implementing the plan using existing resources as well as requested the Director General to take full account of the suggested strategy and operational elements underpinned by the five policy areas of the 2012 resolution, the Centenary Declaration's human-centred approach and COVID-19 responses.¹²⁴ Progress on implementing the ten-year work plan, aligned with the 2030 Development Agenda, will be reported to the Governing Body on a biennial basis. Its operational elements include the establishment of an Inter Departmental Action Group on Youth employment (IDAG) that was launched in the beginning of 2021 and comprises ILO specialists at headquarters and in the field. The group, which meets regularly, will base its work on biannual work plans in line with the ten-year follow-up plan of action to increase and intensify the work of the ILO on youth employment; facilitate the adoption of an integrated ILO approach to youth employment; and leverage the work of all technical departments and the field in the process.

4. Follow-up to the Strategy on indigenous peoples' rights for inclusive and sustainable development, including implementation of the strategic plan for engagement with the United Nations system bodies and relevant regional organizations regarding the Indigenous and Tribal Peoples' Convention, 1989 (No. 169)¹²⁵

- 82.** At its 325th Session (October–November 2015), the Governing Body endorsed a strategy to reinforce ILO action concerning indigenous and tribal peoples. The strategy emphasizes the importance of promoting the rights of indigenous and tribal peoples as an integral part of inclusive and sustainable development and, to this end, promotes the ratification and effective implementation of the Indigenous and Tribal Peoples Convention, 1989 (No. 169).¹²⁶
- 83.** At its 341st Session, the Governing Body reviewed the strategy, following the call by the Centenary Declaration for the Future of Work for a human-centred approach to the future of work. In doing so, the Governing Body took into account how the COVID-19 pandemic and its socio-economic impacts had particularly affected indigenous and tribal peoples. The review confirmed the continuing need for ILO action to support the building of institutions for indigenous and tribal peoples' participation and consultation, as well as for promoting their access to productive employment, decent work and social protection. The Governing Body advised the Office with regard to the way forward in implementing the strategy for action concerning indigenous and tribal peoples, and requested the Director-General to take into consideration the strategy and the guidance given in the discussion in the

¹²² GB.316/INS/5/2.

¹²³ ILO, *The Youth employment crisis: A call for action*.

¹²⁴ GB.340/PV, para. 550.

¹²⁵ GB.341/POL/1(Rev.1).

¹²⁶ GB.325/POL/2.

implementation of the programme and budget and in facilitating extrabudgetary resources.¹²⁷

5. Decent work and productivity¹²⁸

84. At its 341st Session, the Governing Body discussed the main drivers of productivity growth and its implications for decent work, employment creation and sustainable enterprise development. The document submitted to the Governing Body took stock of recent trends and experiences related to productivity growth and decent work towards a just transition. It also pointed out that issues relevant to decent work and productivity influenced policy outcomes, including those related to employers' activities, the rural economy, the promotion of sustainable enterprises, the transition to formality, and social protection coverage and adequacy. The Governing Body recognized productivity as an important area of work and interest for the ILO, including the productivity ecosystem model which offered an integrated, holistic approach for the further development of activities. The Governing Body requested the Office to take into account the guidance provided during the discussion on decent work and productivity in the implementation of the ILO's programme and in the follow-up to the ILO Centenary Declaration for the Future of Work.¹²⁹

B. Social Dialogue Segment

6. Sectoral meetings held in 2019 and proposals for sectoral work in 2020¹³⁰

85. At its 337th Session, the Governing Body examined the outputs of sectoral meetings held in the first half of 2019. These included conclusions on the Recruitment and Retention of Seafarers and the Promotion of Opportunities for Women Seafarers,¹³¹ conclusions on Promoting Decent Work and Safety and Health in Forestry,¹³² as well as points of consensus on Decent Work in the Management of Electrical and Electronic Waste (e-waste).¹³³ The Governing Body also noted that the International Maritime Organization (IMO) had authorized the convening of the joint ILO-IMO meeting to produce joint ILO-IMO guidelines for medical examination of fishers in 2021.¹³⁴ Having endorsed a programme of global sectoral meetings for 2020–21 at its 335th Session (March 2019), the Governing Body endorsed, at its 337th Session, the composition, duration and dates of tripartite sectoral meetings envisaged for 2020.

¹²⁷ GB.341/POL/PV.

¹²⁸ GB.341/POL/2.

¹²⁹ GB.341/POL/PV.

¹³⁰ GB.337/POL/2.

¹³¹ Conclusions on the recruitment and retention of seafarers and the promotion of opportunities for women seafarers.

¹³² Conclusions on promoting decent work and safety and health in forestry.

¹³³ Points of consensus of the Global Dialogue Forum on Decent Work in the management of electrical and electronic waste (e-waste), Geneva, 9–11 April 2019.

¹³⁴ GB.337/POL/PV, para. 41.

7. Sectoral meetings held in 2020 and proposals for sectoral work

86. At its 340th Session, the Governing Body discussed and took decisions regarding the follow-up to a sectoral meeting, and on meetings scheduled to be held in the 2020–21 biennium, as well as regarding the selection of the theme for a possible additional meeting under the programme of sectoral meetings for 2020–21.
87. The Governing Body approved the publication of the points of consensus on decent work in the world of sport,¹³⁵ and also decided, should it be agreed to include an additional meeting in the programme of sectoral meetings for 2020–21, that the resources be used for a meeting on the protection of whistleblowers (in the public service) or another sectoral issue. The Governing Body also took note of the support that the Office has provided to assist the tripartite constituents in responding to the impact of the COVID-19 pandemic, and requested the Director-General to continue to support sectors responding to the pandemic and to building back better.¹³⁶

8. Sectoral meetings in 2021 and proposals for sectoral work in 2022–23¹³⁷

88. Having endorsed the programme of sectoral meetings for 2020–21 at its 335th Session,¹³⁸ the Governing Body, at its 341st Session, discussed and decided on arrangements for meetings to be held in 2021. It endorsed, by correspondence, the dates, official title and composition of the global sectoral meetings in 2021. As for the selection of a Chairperson for the remaining meetings for the biennium 2020–21, the Governing decided, for the technical meeting on education, to request the Office to select as Chairperson an independent person with expertise on the matters covered by the agenda and to notify the meeting accordingly; and for the meetings on urban transport services and aquaculture, to appoint one of its members as Chairperson. In addition, the Governing Body authorized the publication of the revised ILO Guidelines for flag State inspections and for port State control officers carrying out inspections under the Maritime Labour Convention, 2006, as amended.¹³⁹ Finally, the Governing Body endorsed the programme of global sectoral meetings and other sectoral work for the biennium 2022–23.¹⁴⁰

¹³⁵ [GDFWS/2020/7](#).

¹³⁶ [GB.340/PV](#), para. 554.

¹³⁷ [GB.341/POL/3\(Rev.1\)](#).

¹³⁸ [GB.335/PV](#), para. 725.

¹³⁹ ILO, [Guidelines for port State control officers carrying out inspections under the MLC, 2006, as amended](#), second revised edition, 2021; ILO, [Guidelines for flag State inspections under the MLC, 2006, as amended](#), second revised edition, 2021.

¹⁴⁰ [GB.341/POL/PV](#), para. 72.

C. Multinational Enterprises Segment

9. Promotional activities concerning the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and related developments outside of the ILO ¹⁴¹

89. At its 337th Session, the Governing Body discussed the promotional activities concerning the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and related developments outside of the ILO. These promotional activities covered:
- awareness-raising and capacity-building activities at the global, regional and country levels;
 - the regional follow-up in the Americas linked to the 19th American Regional Meeting (Panama, 2018) and preparations for the 14th African Regional Meeting (Abidjan, 2019);
 - promotion at the national level/promotion by tripartite appointed national focal points, which had been established in six ILO Member States;
 - country-level assistance and development cooperation including regional projects in Asia (Responsible Supply Chains in Asia) and the Americas (Responsible Business Conduct in Latin America) implemented together with other international organizations such as the Organisation for Economic Co-operation and Development (OECD) and the Office of the High Commissioner for Human Rights (OHCHR);
 - operations of the ILO Helpdesk for Business comprising both the confidential assistance service and the comprehensive website; and
 - four joint company–union requests the Office had received to facilitate ILO dialogue.
90. The Governing Body also discussed developments in relation to responsible business conduct and sustainable investment, as well as the ILO collaboration with relevant international organizations in this area, such as OHCHR, UN Global Compact, United Nations Conference on Trade and Development (UNCTAD), OECD, World Association of Investment Promotion Agencies (WAIPA) and the Tokyo Organising Committee of the Olympic and Paralympic Games. Furthermore, attention was drawn to the increased visibility of the MNE Declaration, including greater references to the instrument in many policy documents of other organizations and Member States.
91. The Governing Body invited the Director-General to take into account its guidance on enhancing the further recognition and implementation of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and assistance to Member States, the social partners, and enterprises on its implementation. ¹⁴²
92. At its 341st Session, the Governing Body had before it an Office paper which provided an update of the activities undertaken to promote the Tripartite Declaration of Principles

¹⁴¹ GB.337/POL/3 and GB.341/POL/5.

¹⁴² GB.337/POL/PV, para. 72.

concerning Multinational Enterprises and Social Policy (MNE Declaration)¹⁴³ during the COVID-19 pandemic, and of the technical assistance and support provided in that regard. The Office paper also highlighted developments in the area of responsible business in other international organizations, and the collaboration of the ILO with these organizations.

- 93.** The Governing Body expressed strong commitment to the further promotion of the MNE Declaration. It welcomed the expanded capacity-building portfolio and noted the positive outcomes of the company–union dialogue facilitation procedure and the number of Member States that had appointed national focal points for the promotion of the MNE Declaration. The Governing Body welcomed the increased collaboration with other international organizations and encouraged the Office to further develop this collaboration. The Governing Body provided guidance on the way forward, more specifically on a proposed forum on business and decent work to facilitate the exchange of experiences, and on formalizing increased collaboration with international organizations through an alliance on business and decent work to maximize synergies at the global and country levels.
- 94.** The Governing Body requested the Director-General to take into account the guidance provided when exploring options to further strengthen the visibility of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and its implementation by ILO Member States, regional and international organizations and enterprises, and to provide an update on these promotional activities at a future session of the Governing Body.¹⁴⁴

D. Development Cooperation Segment

10. Enhanced programme of development cooperation for the occupied Arab territories¹⁴⁵

- 95.** In October 2018, the Governing Body was informed of the progress made during the reporting period and the planned ILO interventions under the development cooperation programme in the occupied Arab territories. The Office reported progress in three priority areas:
- (i) enhancing employment and livelihood opportunities for Palestinian women and men;
 - (ii) strengthening labour governance and realizing fundamental principles and rights at work through, among others, improved social dialogue mechanisms; and
 - (iii) developing a comprehensive social protection system.
- 96.** The Governing Body took note of this progress and the sustained need for promoting good governance and effective institutions in the quest for further promoting the Decent Work Agenda and social justice in the occupied Arab territories. The Governing Body also took

¹⁴³ ILO, *Tripartite declaration of principles concerning multinational enterprises and social policy (MNE Declaration)*, fifth edition, 2017.

¹⁴⁴ GB.341/POL/PV, para. 130.

¹⁴⁵ GB.337/POL/4.

note of the need for expanded, diversified, and strengthened partnerships and resources for the promotion of decent work for Palestinian women and men.¹⁴⁶

11. Update on the costed and time-bound integrated strategy to address decent work deficits in the tobacco sector¹⁴⁷

97. At its 337th Session, the Governing Body was presented with an update on the costed and time-bound integrated strategy to address decent work deficits in the tobacco sector and the mobilization of necessary resources to implement that strategy. Previously, the Governing Body had discussed the ILO's cooperation with the tobacco industry in pursuit of the Organization's social mandate at its 329th¹⁴⁸ and 331st¹⁴⁹ Sessions and had considered the initial draft of the integrated strategy at its 332nd¹⁵⁰ and 334th¹⁵¹ Sessions.
98. Constituents noted that the Technical Meeting to Promote an Exchange of Views on the Further Development and Implementation of the Integrated Strategy to Address Decent Work Deficits in the Tobacco Sector (hereafter, the Technical Meeting) in Kampala in July 2019, as well as a series of country-level consultations, had been instrumental in further developing the strategy.
99. The Governing Body authorized the Director-General to publish the Note on the proceedings of the Technical Meeting and endorsed the time-bound and costed integrated strategy to address decent work deficits in the tobacco sector. It also directed the Office to implement the strategy, which was to be financed by voluntary contributions from multi- and bilateral aid for development cooperation and/or by ILO resources, in order to operationalize the integrated strategy in the four former public-private partnership countries working in close cooperation with governments and social partners, and in line with previous Governing Body decisions on the issue.¹⁵²

12. ILO Development Cooperation Strategy 2020–25¹⁵³

100. In November 2020, the Governing Body discussed the ILO Development Cooperation Strategy for 2020–25. The Strategy followed-up to the resolution adopted at the 107th Session (2018) of the International Labour Conference,¹⁵⁴ and the subsequent discussion by the Governing Body at its 334th Session (October–November 2018) of a plan of action for the preparation of an ILO Development Cooperation Strategy for 2020–25.¹⁵⁵ The Strategy was oriented by the ILO's Strategic Plan and played an integral part in helping

¹⁴⁶ GB.337/POL/PV, para. 103.

¹⁴⁷ GB.337/POL/5.

¹⁴⁸ GB.329/POL/6.

¹⁴⁹ GB.331/POL/5.

¹⁵⁰ GB.332/POL/5.

¹⁵¹ GB.334/POL/5.

¹⁵² GB.337/POL/PV, para. 123.

¹⁵³ GB.340/POL/6.

¹⁵⁴ ILO, *Resolution concerning effective ILO development cooperation in support of the Sustainable Development Goals*, International Labour Conference, 107th Session, Geneva, 2018.

¹⁵⁵ GB.334/INS/3/1.

the associated ILO programmes and budgets to realize their objectives. In so doing, it contributed to the implementation of the ILO Centenary Declaration for the Future of Work, which highlighted the critical role of development cooperation in supporting the efforts of Member States to shape a human-centred future of work. The Strategy took account of some key issues that have emerged in the development cooperation landscape, including the impact of the COVID-19 pandemic on the world of work and the implementation of the UN reform. It operationalized the principles and road map contained in the 2018 resolution on the basis of the four focus areas identified by the Governing Body. These focus areas were: (i) services to constituents; (ii) partnerships for policy coherence; (iii) partnerships for funding; and (iv) efficiency, decent work results and transparency. The Strategy would be implemented in the context of the reform of the UN development system and would seek to capitalize on the opportunities the reform presented. The Governing Body endorsed the proposed Development Cooperation Strategy for the period 2020–25 and requested the Director-General to consider its guidance in implementing the Strategy. The Governing Body also requested the Office to submit for discussion and adoption an accompanying implementation plan to the Governing Body at its 341st Session (March 2021) and a mid-term review of the Strategy and the implementation plan in 2023.¹⁵⁶

13. Update on preparations for the V Global Conference on Child Labour¹⁵⁷

101. Ahead of the 340th Session of the Governing Body, the Office provided an update on the preparations for the upcoming V Global Conference on Child Labour. This followed the expression of interest of the South African Government to host the Conference in 2022, as COVID-19 related travel restrictions would not allow for a face-to-face meeting in 2021, as originally envisaged. The Office also provided information on the risk of COVID-19 reversing years of progress in the global fight against child labour. It positioned the Conference in the context of the [UN International Year for the Elimination of Child Labour \(2021\)](#)¹⁵⁸ and the need for a global call to accelerate action towards the achievement of target 8.7 of the Sustainable Development Goals “to eliminate all forms of child labour by 2025”.
102. The Governing Body acknowledged the universal ratification of the Worst Forms of Child Labour Convention, 1999 (No. 182); the work of the Office in adapting the International Programme on the Elimination of Child and Forced Labour to the challenges posed by the COVID-19 pandemic; and the need to follow up on the pledges from the IV Global Conference in Buenos Aires. The Governing Body also highlighted the crucial role of the ILO and its tripartite constituents to co-organize the V Global Conference with the host country.
103. The Governing Body, by way of a vote by correspondence and based on a consensus decision, requested the Office to undertake consultations with the Government of South Africa, to organize a tripartite consultation in Geneva prior to the 341st Session of the Governing Body and to inform the Governing Body on the progress of those consultations at the 341st Session.¹⁵⁹

¹⁵⁶ GB.340/PV, para. 614.

¹⁵⁷ GB.340/POL/7(Rev.1).

¹⁵⁸ A/RES/73/327.

¹⁵⁹ GB.340/PV, para. 618.

► III. Legal Issues and International Labour Standards Section

A. Legal Issues Segment

1. Comprehensive review of the Standing Orders of the Conference: Draft consolidated text¹⁶⁰

104. The Governing Body was able to conclude its work on the comprehensive review of the Standing Orders of the Conference initiated in November 2017. Through delegation of authority, the Governing Body took note of the last of a series of four progress reports on the intersessional consultations conducted on the subject and requested the Office to organize at least two rounds of tripartite consultations as soon as possible and to prepare a draft consolidated text of amendments for its consideration at a future session.¹⁶¹ The two rounds of consultations, which took place between June 2020 and February 2021, enabled the Office to present a consolidated text of the amended Standing Orders to the 341st Session (March 2021) of the Governing Body.¹⁶² The Governing Body decided, by correspondence, to transmit the text to the Conference for adoption at its 109th Session (2021).¹⁶³

B. International Labour Standards and Human Rights Segment

2. Fifth Meeting of the Standards Review Mechanism Tripartite Working Group (Geneva, 23–27 September 2019)¹⁶⁴

105. At its 337th Session, the Governing Body approved the recommendations of the fifth meeting of the Standards Review Mechanism Tripartite Working Group (SRM TWG).¹⁶⁵ The Governing Body noted the work undertaken by the Office in follow-up to the recommendations of the SRM TWG at its earlier meetings and requested the Office to continue this work as a matter of institutional priority.

106. In light of the SRM TWG's consideration of the eight instruments concerning employment policy, the Governing Body decided that those instruments should be considered to have the classifications recommended by the SRM TWG. In this regard, the Governing Body called upon the ILO and its tripartite constituents to take concerted steps to follow up on all its

¹⁶⁰ GB.341/LILS/1.

¹⁶¹ Minutes(Rev.5), para. 39.

¹⁶² GB.341/LILS/1.

¹⁶³ GB.341/LILS/PV.

¹⁶⁴ GB.337/LILS/1.

¹⁶⁵ GB.337/LILS/PV, para. 35.

recommendations relating to tailored, practical and time-bound packages of follow-up action, as organized by the SRM TWG. The Governing Body requested the Office to commence work on developing tools and a compilation of good practices in relation to public employment services, and guidance on job creation and decent work in sustainable SMEs. It further noted the SRM TWG's recommendations concerning the abrogation and withdrawal of certain instruments, in relation to which it decided to place items on the agenda of future sessions of the Conference.

- 107.** Further to its earlier decisions, the Governing Body also requested the Office to initiate the preparation of proposals for possible standard-setting items on biological hazards, ergonomics and manual handling, chemical hazards and guarding of machinery, for consideration at its 338th Session for inclusion in the agenda of the Conference, at the earliest dates possible and as a matter of institutional priority. In that connection, it requested the Office to be guided by the recommendations of the SRM TWG regarding the thematic integration approach and the process of standard setting.
- 108.** In relation to the preparations for future meetings of the SRM TWG, the Governing Body decided that the SRM TWG would examine ten instruments concerning unemployment benefit, comprehensive standards and medical care and sickness, at its sixth meeting, which would take place from 14 to 18 September 2020.

3. Second evaluation of the functioning of the Standards Review Mechanism Tripartite Working Group¹⁶⁶

- 109.** At its 341st Session, the Governing Body undertook a second evaluation of the functioning of the SRM TWG. Noting the information provided, the Governing Body expressed its gratitude to the SRM TWG for its ongoing work to ensure a clear, robust and up-to-date body of international labour standards; and reiterated the importance of the SRM TWG and accordingly stressed the need for follow-up by Member States, social partners as well as by the Office to its recommendations as adopted by the Governing Body. A further evaluation would be undertaken no later than March 2022.¹⁶⁷

4. Choice of Conventions and Recommendations on which reports should be requested under article 19, paragraphs 5(e) and 6(d) of the ILO Constitution in 2021¹⁶⁸

- 110.** At its 337th Session, the Governing Body was invited to consider the choice of instruments on which governments might be requested to submit reports under article 19 of the ILO Constitution. These instruments would be covered in the General Survey prepared by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) in 2021, for discussion by the Conference Committee on the Application of Standards (CAS) in 2022. The Governing Body determined that, with respect to the strategic objective of fundamental principles and rights at work, the General Survey should focus on gender

¹⁶⁶ GB.341/LILS/5.

¹⁶⁷ GB.341/LILS/PV.

¹⁶⁸ GB.337/LILS/2.

equality of opportunity and treatment. The reports should therefore be requested on the following instruments: the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958; the Workers with Family Responsibilities Convention (No. 156) and Recommendation (No. 165), 1981; and the Maternity Protection Convention (No. 183) and Recommendation (No. 191), 2000. To that end, the Governing Body would consider a draft report form at its next session.¹⁶⁹

5. Proposed form for reports requested under article 19(5)(e) and 19(6)(d) of the Constitution in 2022 on the instruments concerning equality of opportunity and treatment¹⁷⁰

- 111.** At its 341th Session, the Governing Body of the ILO adopted the proposed form for reports to be requested in 2022 on the instruments concerning equality of opportunity and treatment, under articles 19(5)(e) and 19(6)(d) of the ILO Constitution. The report form aims to review the application by Member States of certain instruments relevant to the strategic objective of fundamental principles and rights at work: the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958; the Workers with Family Responsibilities Convention (No. 156) and Recommendation (No. 165), 1981; as well as the Maternity Protection Convention (No. 183) and Recommendation (No. 191), 2000, with a view to the preparation of the General Survey by the Committee of Experts on the Application of Conventions and Recommendations in 2022 and its discussion by the Conference Committee on the Application of Standards in 2023.

6. Proposed form for reports on the application of ratified Conventions (article 22 of the Constitution): The Violence and Harassment Convention, 2019 (No. 190)¹⁷¹

- 112.** At its 341th Session, the Governing Body of the ILO adopted the proposed form for reports on the application of the Violence and Harassment Convention, 2019 (No. 190) according to article 22 of the ILO Constitution. The report form is to be used as a basis for article 22 reports on the application of Convention No. 190, which the governments of ratifying States will be required to submit regularly for the attention of the ILO supervisory bodies. Convention No. 190 was adopted in June 2019. To date, the Convention has been ratified by five countries (Uruguay, Fiji, Namibia, Argentina and Somalia) and will enter into force on 25 June 2021.

¹⁶⁹ GB.337/LILS/PV, para. 65.

¹⁷⁰ GB.341/LILS/2(Rev.1).

¹⁷¹ GB.341/LILS/3(Rev.1).

► IV. Programme, Financial and Administrative Section

A. Programme, Financial and Administrative Segment

1. Programme and Budget for 2020–21: Programme of Work and Results Framework ¹⁷²

113. At its 337th Session, the Governing Body approved the programme of work and results framework for 2020–21. ¹⁷³ This was the last step of the modified process for the preparation of the Programme and Budget for 2020–21. The programme of work was anchored in the ILO Centenary Declaration for the Future of Work and made a decisive contribution to the SDGs. It would be delivered within the strategic budget for 2020–21 approved by the International Labour Conference in June 2019. The eight policy outcomes of the programme incorporated the human-centred approach to the future of work. They aimed to develop the capacities of all people to benefit from the opportunities of a changing world of work, strengthen institutions of work to ensure adequate protection of all workers and promote opportunities for productive employment and decent work for all. The programme also included three enabling outcomes to ensure the optimal functioning of the ILO in terms of knowledge management and partnerships, governance and support services. The new results framework further strengthened the ILO's results-based management system through more clearly defined indicators at the output, outcome and impact levels to assess the results and the impact of ILO action on people's lives.

2. ILO programme implementation 2018–19 ¹⁷⁴

114. At its 340th Session, the Governing Body examined the biennial report on the implementation of the ILO programme concerning the period 2018–19, supplemented by an interactive digital narrative (InfoStory) and the updated version of the ILO Decent Work Results Dashboard, providing detailed performance information by outcome, by region and by country. The report covered the ILO's work during the biennium, including in particular the celebrations to mark the Organization's 100th anniversary and the ILO Centenary Declaration. It described the performance of the Organization against the commitments made in the Programme and Budget for 2018–19, presenting achievements realized with the resources entrusted to the ILO and highlighting areas for further improvement. The Governing Body provided guidance to the Office during the consultation session and through the written comments submitted during the approval by correspondence, and took note by correspondence of the report and of the observations made. ¹⁷⁵

¹⁷² GB.337/PFA/1/1.

¹⁷³ GB.337/PFA/PV, para. 119.

¹⁷⁴ GB.340/PFA/5.

¹⁷⁵ GB.340/PV, para. 773.

3. The ILO's Strategic Plan 2020-25 ¹⁷⁶

115. At its 340th Session, the Governing Body approved the ILO's Strategic Plan for the period 2020–25. The Governing Body overwhelmingly supported the central objective of the Strategic Plan to apply the provisions of the Centenary Declaration for a human-centred recovery from the impact of the COVID-19 pandemic. The Plan sets out a strategic vision of the ILO by 2025 as a leader in the international response to the world of work crisis triggered by COVID-19 and in the delivery of the 2030 Agenda, based on its permanent comparative advantages of international labour standards and tripartism. The Governing Body requested the Director-General to take into account its guidance in the implementation of the Strategic Plan and the development of the Programme and Budget proposals for 2022–23. ¹⁷⁷

4. The Director General's Programme and Budget proposals for 2022-23 ¹⁷⁸

116. After the examination of a preview at its 340th Session, the Governing Body, at its 341st Session, endorsed with consensus the Director-General's Programme and Budget proposals for 2022–23 and decided to recommend them to the International Labour Conference for adoption at its 109th Session (2021). ¹⁷⁹ The Governing Body debate showed an overwhelming support to the balance between continuity and adaptation in the programme, as well as the enhanced emphasis on strengthening the ILO's leadership, influence, governance and operational effectiveness to apply the provisions of the Centenary Declaration in the human-centred response to the crisis generated by the COVID-19 pandemic. The Governing Body recognized the efforts made by the Office to redeploy resources generated by savings to create additional technical positions in a zero-real growth budget. Several Governing Body members expressed reservations about the expected nominal budget increase of 1.63 per cent.

5. Implications of COVID-19 for delivery of the Programme and Budget for 2020-21 ¹⁸⁰

117. At its 341st Session, the Governing Body discussed the financial and programmatic implications of COVID-19 for the delivery of the Programme and Budget for 2020–21. In the first year of the biennium, the ILO registered savings of US\$9.2 million due to the cancellation or postponement of official meetings, plus estimated savings of US\$8.5 million resulting from the reduction in travel expenditures. The Governing Body expressed satisfaction for the redeployment of US\$14.3 million towards the COVID-19 response and for the estimation that results expected by the end of 2021 would reach or exceed the target for 88 per cent of the output indicators of the programme. The Governing Body requested

¹⁷⁶ GB.340/PFA/1(Rev.1).

¹⁷⁷ GB.340/PV, para. 681.

¹⁷⁸ GB.340/PFA/2 and GB.341/PFA/1.

¹⁷⁹ GB.341/PFA/PV.

¹⁸⁰ GB.341/PFA/2.

the Director-General to: (a) take into account its guidance in steering the Office's work and response to the ongoing COVID-19 crisis; and (b) communicate further information on this matter through the programme implementation report for the biennium to be presented at its 344th Session (March 2022).¹⁸¹

6. Update on the headquarters building renovation project¹⁸²

- 118.** In October 2019, the Governing Body received updates on the progress of the headquarters building renovation project. The Governing Body was informed that the renovation of the final third of the building had been completed ahead of the planned date and within budget. The final relocation of staff was also well under way. The Governing Body was pleased to note that a letter of intent had been signed with UNICEF to lease all available space in the building while a formal lease agreement was being negotiated for finalization in 2020. Co-location with a sister UN organization would be beneficial from an administrative and operational standpoint, and reflect the calls for increased joint occupancy as part of the UN Secretary General's reform agenda. With regard to the development of the vacant land, the Governing Body was provided with an update of the tendering process and the evaluation criteria used for the assessment of the offers, resulting in the three most compatible offers for final consideration. The Governing Body authorized the Director-General to finalize contractual terms for the sale of plot 4057. It also decided to recommend that the Conference approve the transfer of the sale proceeds to the Building and Accommodation Fund, and that those proceeds required for the completion of the renovation of the headquarters building, including the security perimeter, be allocated for that purpose.¹⁸³

7. Proceeds from the sale of the ILO Brussels office¹⁸⁴

- 119.** In October 2019, the Governing Body considered a document concerning the decision to sell the ILO-owned property currently occupied by the ILO Office for the European Union and Benelux countries in Brussels, Belgium and to relocate to the United Nations (UN) House. Since the opportunity to relocate to the UN House and the extent of the renovation costs were made known only recently, no additional provision had been foreseen in the 2020–21 budgetary estimates. The Governing Body decided to recommend that the Conference approve the transfer of the proceeds from the sale of the ILO Brussels office to the Building and Accommodation Fund after deducting an amount of US\$155,000 to cover the cost-sharing charge in UN Common Premises for 2020–21.¹⁸⁵

¹⁸¹ GB.341/PFA/PV.

¹⁸² GB.337/PFA/2.

¹⁸³ GB.337/PFA/PV, paras 188–189.

¹⁸⁴ GB.337/PFA/5.

¹⁸⁵ GB.337/PFA/PV, para. 214.

8. Update on building questions: Headquarters building renovation project and ILO-owned premises in Abidjan ¹⁸⁶

- 120.** At its 340th Session, the Office provided the Governing Body with updates on the building questions, including the statuses of the headquarters building renovation project and the ILO-owned premises in Abidjan, as well as the financial matters related to each.
- 121.** With regard to the headquarters building renovation project, the Governing Body took note of the completion of phase 1, the developments related to the sale of the vacant ILO land, the conclusion of the lease agreement with the United Nations Children’s Fund, and measures being put in place to prepare for phase 2, including the security perimeter. It authorized the Director-General to use up to CHF2.7 million from the Building and Accommodation Fund towards the repayment of the Swiss Government’s loan for the renovation of the ILO headquarters building, with reimbursement of this amount being made back into the Fund from future rental income.
- 122.** With regard to the ILO premises in Abidjan, the Governing Body authorized the use of the Building and Accommodation Fund to finance the redevelopment of the ILO premises in Abidjan, at an estimated cost of US\$7.2 million, on the understanding that this amount will be re-credited to the Fund using future savings on the cost of renting ILO accommodation in Abidjan and income from the rental of any surplus space; and requested the Director-General to continue to engage with the Government of Côte d’Ivoire regarding a potential financial contribution to the project. ¹⁸⁷
- 123.** At its 341st Session, the Governing Body received another update on the headquarters building renovation project. It approved the proposed final scope of phase 2 of the project and took note that the estimated budget will be in line with the resources available from the sale of the land, and authorized the Director-General to finalize an agreement with a main contractor for the phase 2 works within the funds available from the sale of the land. It further requested the Office to present the final budget of phase 2 during the next Governing Body session. ¹⁸⁸

9. Programme and Budget for 2018–19: Financial report and audited consolidated financial statements for the year ended 31 December 2019 ¹⁸⁹

- 124.** At its 341st Session, the Governing Body examined the financial report and audited consolidated financial statements for the year ended 31 December 2019. It commended the Office for obtaining an unmodified audit opinion on consolidated financial statements, and took note of the External Auditor’s report thereon. It decided to submit the documents to the International Labour Conference for consideration and adoption at its 109th Session. ¹⁹⁰

¹⁸⁶ GB.340/PFA/3, GB.341/PFA/3(Rev.1) and GB.341/PFA/3(Add.1).

¹⁸⁷ GB.340/PV, para. 760.

¹⁸⁸ GB.341/PFA/PV.

¹⁸⁹ GB.341/PFA/6.

¹⁹⁰ GB.341/PFA/PV.

10. Scale of assessments of contributions to the budget for 2022¹⁹¹

- 125.** At its 341st Session, the Governing Body, in accordance with the established practice of harmonizing the rates of assessment of ILO Member States with their rates of assessment in the United Nations, and on the recommendation of the Government group, decided by correspondence to base the ILO scale of assessment for 2022 on the UN scale for 2019–21 and to propose to the International Labour Conference the adoption of the draft scale of assessment for 2022 as set out in the appendix to document GB.341/PFA/7, subject to such adjustments as might be necessary following any further change in the membership of the Organization before the Conference is called upon to adopt the recommended scale.¹⁹²

B. Audit and Oversight Segment

11. Evaluations

- 126.** In October 2019, the Governing Body considered the annual report¹⁹³ of the ILO Evaluation Office on the evaluation activities undertaken during 2018–19, progress made against its 2018–21 results-based evaluation strategy, as well as an assessment of the ILO's effectiveness based on meta-studies of recent development cooperation project evaluations. The Governing Body took note of the report, endorsed the recommendations to promote the use of strategic and clustered evaluations in a more systematic manner and to consistently integrate the recurrent drivers for success identified in evaluation reports into project design and implementation. The Governing Body also confirmed the priorities for the 2020–23 programme of work for evaluations.¹⁹⁴
- 127.** At the same session, the Governing Body considered a report¹⁹⁵ presenting a summary of the findings of three high-level evaluations of strategies and DWCPs. These included: the independent high-level evaluation of the ILO's programme of work in four selected member countries of the Southern African Development Community (SADC) (Lesotho, Madagascar, South Africa, and the United Republic of Tanzania) 2014–2018;¹⁹⁶ Independent Evaluation of ILO's Public–Private Partnerships 2008–2018;¹⁹⁷ and Independent High-level Evaluation: ILO's Strategy and Actions towards the Formalization of the Informal Economy 2014–2018.¹⁹⁸ The Governing Body requested the Director-General to take into consideration the

¹⁹¹ GB.341/PFA/7.

¹⁹² GB.341/PFA/PV.

¹⁹³ GB.337/PFA/6.

¹⁹⁴ GB.337/PFA/PV, para. 235.

¹⁹⁵ GB.337/PFA/7.

¹⁹⁶ ILO, *Independent high-level evaluation of the ILO's programme of work in four selected member countries of the Southern African Development Community (SADC) (Lesotho, Madagascar, South Africa and the United Republic of Tanzania) 2014–18*.

¹⁹⁷ ILO, *Independent Evaluation of ILO's Public–Private Partnerships, 2008–18, Final Report*.

¹⁹⁸ ILO, *Independent High-level Evaluation: ILO's Strategy and Actions towards the Formalization of the Informal Economy, 2014–18*.

recommendations of the three high-level independent evaluations, and to ensure their appropriate implementation.¹⁹⁹

- 128.** At its 340th Session, the Governing Body considered the annual report of the ILO Evaluation Office covering the reporting year 2019–20, as measured against the indicators and targets in its results-based Evaluation Strategy 2018–21. It took note of the report, endorsed the topics for high-level evaluations in 2021 and 2022 identified in the rolling work plan, including the postponement to 2022 of the five-yearly independent evaluation of the evaluation function, and supported the recommendation to develop an evaluative framework for the ILO strategic response to mitigate the impact of COVID-19.²⁰⁰
- 129.** At the same session, the Governing Body considered a report presenting a summary of the findings and recommendations of three independent high-level evaluations, namely: the ILO's strategy and actions for promoting sustainable enterprises 2014–19; the ILO's research and knowledge management strategies and approaches 2010–19; and the ILO's programme of work in selected Andean countries in Latin America, 2016–19. The Governing Body, by correspondence, requested the Director-General to take into consideration the recommendations of the three high-level independent evaluations, and to ensure their appropriate implementation.²⁰¹

12. Report of the Independent Oversight Advisory Committee²⁰²

- 130.** At its 340th Session, the Governing Body considered the 12th annual report of the Independent Oversight Advisory Committee (IOAC) on its work from May 2019 to January 2020. At its 341st Session, the Governing Body considered the 13th annual report²⁰³ of the Committee on its work from May 2020 to January 2021, as well as the proposed amendments to its terms of reference in order to ensure that the ILO reflects the best practices identified by the Joint Inspection Unit of the United Nations System. The Governing Body, by correspondence, took note of the reports and requested the Office to implement the recommendations made by the Committee. It further approved the proposed amendments to the IOAC's terms of reference.²⁰⁴
- 131.** At its 340th Session, the Governing Body considered the report of the Chief Internal Auditor for the year ended 31 December 2019.²⁰⁵ At its 341st Session, the Governing Body considered the report of the Chief Internal Auditor for the year ended 31 December 2020.²⁰⁶ The two reports contained key findings resulting from internal audit and investigation assignments conducted by the Office of Internal Audit and Oversight (IAO) during 2019 and 2020, respectively. The Governing Body noted with satisfaction that no major weaknesses

¹⁹⁹ GB.337/PFA/PV, para. 267.

²⁰⁰ GB.340/PV, para. 805.

²⁰¹ GB.340/PV, para. 811.

²⁰² [GB.340/PFA/8\(Rev.1\)](#).

²⁰³ [GB.341/PFA/8](#).

²⁰⁴ GB.340/PV, para. 832 and GB.341/PFA/PV.

²⁰⁵ [GB.340/PFA/9\(Rev.1\)](#).

²⁰⁶ [GB.341/PFA/9](#).

had been identified in the ILO's system of internal control and requested the Office to ensure the appropriate implementation of the recommendations made.²⁰⁷

13. Matters relating to the Joint Inspection Unit²⁰⁸

- 132.** In October 2019, the Governing Body reviewed a summary of the Joint Inspection Unit's (JIU) annual report for 2018, its programme of work for 2019 and the seven JIU reports and related recommendations that were directly relevant to the ILO. The Governing Body provided guidance to follow up on specific recommendations made by the JIU and also invited a representative of the JIU to make a statement.²⁰⁹
- 133.** At its 341st Session, the Governing Body reviewed the following items deferred from November 2020: a summary of the JIU's annual report for 2019, its programme of work for 2020 and eight JIU reports and related recommendations that were directly relevant to the ILO. The Governing Body provided guidance to follow up on specific recommendations made by the JIU.²¹⁰

C. Personnel Segment

14. Composition and structure of ILO staff: Action plan for improving the diversity of the ILO workforce²¹¹

- 134.** At its 337th Session, the Governing Body endorsed the action plan as set out in document GB.337/PFA/11 for improving gender parity and geographical diversity within the ILO workforce and for ensuring that the necessary breadth of skills and experience of ILO staff, which include experience relevant to the three constituents, are taken into account to effectively deliver on the mandate of the Organization, taking into account that certain measures might be subject to processes of internal social dialogue.²¹²
- 135.** The Director-General was requested to take into account the guidance provided by the Governing Body in implementing the action plan and to present an update on the Human Resources Strategy 2018–21 for review at its 340th Session (October–November 2020) of the Governing Body. He was also requested to present to the Governing Body at its 338th Session, information regarding gender and geographical distribution of regular staff by category and grade in line with the decision adopted by the Governing Body at its 335th Session concerning document GB.335/PFA/11.
- 136.** In keeping with this decision, the Office prepared a report on the composition and structure of the staff as at 31 December 2019, for the 338th Session of the Governing Body.²¹³

²⁰⁷ GB.340/PV, para. 845 and GB.341/PFA/PV.

²⁰⁸ GB.337/PFA/8(Rev.1).

²⁰⁹ GB.337/PFA/PV, paras 272–274.

²¹⁰ GB.341/PFA/PV, para. 121.

²¹¹ GB.337/PFA/11.

²¹² GB.337/PFA/PV, para. 341.

²¹³ GB.338/PFA/INF/5.

15. Update on the Human Resources Strategy 2018–21 ²¹⁴

- 137.** The Office presented to the Governing Body, at its 340th Session, a paper on the progress made in the implementation of the Human Resources Strategy 2018–21. This paper was further updated and presented to the Governing Body at its 341st Session. It provided a snapshot of the key trends over the first three years of the period covered by the Strategy, the detailed work done under each of its three pillars – agility, engagement and efficiency – as well as lessons learned from the ongoing implementation in respect of achieving the targets and objectives, notably in the context of the changes driven by the COVID-19 pandemic.
- 138.** The Governing Body requested the Office to take into account the guidance provided in the further implementation of the Strategy 2018–21 and in the preparation of the Human Resources Strategy 2022–25, so as to ensure a workforce of the highest standards of competence, efficiency and integrity, with due regard being given to the action plan for improving the diversity of the ILO workforce, ²¹⁵ including in terms of gender, geographical diversity, also addressing under-representation, experience relevant to the three constituent groups, and opportunities for youth and for young professionals. ²¹⁶

16. Judgment of the Administrative Tribunal of the ILO concerning the decisions of the International Civil Service Commission regarding the revised post adjustment index for Geneva ²¹⁷

- 139.** During its 337th Session, the Governing Body was informed that, following the implementation, effective 1 April 2018, of the revised post adjustment multipliers (PAMs) for Geneva as determined by the International Civil Service Commission (ICSC), some 300 affected ILO officials challenged the lawfulness of that decision through the Office's formal conflict resolution system and subsequently before the ILO Administrative Tribunal.
- 140.** On 3 July 2019, the ILO Administrative Tribunal delivered Judgment No. 4134, its final and binding ruling regarding complaints filed by ILO officials, challenging the decision of the Director-General to apply the revised PAMs determined by the ICSC for the duty station Geneva on the basis of the 2016 cost-of-living survey. The Tribunal consequently decided to set aside the Office's decisions to implement the revised PAMs based on the results of the 2016 cost-of-living survey for the duty station Geneva. It ordered the Office to pay all complainants and interveners the equivalent of the difference between the remuneration actually paid to them since April 2018 and the remuneration that would have been paid to them during the same period, had the ICSC decisions not been implemented.
- 141.** The Tribunal also ordered the payment of interest at the rate of 5 per cent per annum from the due dates until the date of final payment. Following the public delivery of the judgment, the Office confirmed its earlier commitment to apply the ruling to all staff affected by the

²¹⁴ GB.340/PFA/12 and GB.341/PFA/16.

²¹⁵ GB.337/PFA/11.

²¹⁶ GB.341/PFA/PV.

²¹⁷ GB.337/PFA/INF/2.

challenged decision, irrespective of whether they had filed a complaint with the Tribunal, in order to ensure equality of treatment and in the interest of maintaining common salary conditions among ILO professional staff members based in Geneva. Accordingly, the relevant retroactive post adjustment payments in respect of the period April 2018–June 2019, plus interest, as per the Tribunal's decision, were made to all concerned ILO officials in August 2019. The Governing Body noted that provision existed in the budget adopted for 2018–19 to cover this expenditure as it was prepared prior to the ICSC decisions to reduce remuneration.

17. Financial implications of the judgment of the Administrative Tribunal of the ILO concerning the decisions of the International Civil Service Commission (ICSC) regarding the revised post adjustment index for Geneva ²¹⁸

142. With respect to the financial implications of the implementation of the Tribunal's judgment during the biennium 2020–21, the Governing Body was informed that the budget estimates for 2020–21 assumed that remuneration for Geneva-based officials would be based on the reduced PAMs resulting from the 2016 cost-of-living survey. Hence, no provision was included in the estimates for a reversal of the lower PAMs. There would be considerable unfunded financial implications for the biennium 2020–21.
143. The Governing Body requested the Director-General to implement, to the extent possible, measures to achieve under Part I of the budget sufficient savings to cover the unbudgeted cost of implementing the revised post adjustment multiplier during 2020–21, estimated at US\$8.8 million, failing that, through the use of the provision for unforeseen expenditure, in Part II. Should this not prove possible, the Director-General would be requested to propose alternative methods of financing at a later stage in the biennium.
144. The Director-General was also requested to propose alternative methods of financing that might arise relating to the closure of the 76th financial period (2018–19) to the Governing Body at its 338th Session. The final position of income and expenditure as at 31 December 2019 and any resulting net premium would be reported to the Governing Body in March 2021, with a view to the submission of the audited financial statements for 2019 to the Conference at its 109th Session.
145. The Governing Body requested the Office to consult with the ILO Staff Union on any proposal having consequences on conditions of work or employment of staff through internal social dialogue, and in keeping with the Staff Regulations. ²¹⁹

²¹⁸ GB.337/PFA/1/2.

²¹⁹ GB.337/PFA/PV, para. 174.

18. Appointment to the ILO Staff Pension Committee (United Nations Joint Staff Pension Board) ²²⁰

- 146.** In accordance with article 6(c) of the Regulations of the United Nations Joint Staff Pension Fund (UNJSPF), as a member organization of the Fund, the ILO has a Staff Pension Committee composed of nine members, three appointed by the Conference, three by the Director-General and three by officials participating in the Fund. Appointments within the “Conference group” reflect tripartite representation. In October 2019, the Governing Body provisionally appointed Mr Fabrice Merle as Employer titular member of the ILO Staff Pension Committee and Mr Ramin Behzad as Government titular member for the term of office from 9 October 2019 to 8 October 2022, on the understanding that those appointments would be confirmed by the Conference at its 109th Session. ²²¹
- 147.** At its 341st Session, the Governing Body considered a paper containing nominations made for the appointments to the ILO Staff Pension Committee and decided, by correspondence, to recommend the Conference to appoint Mr J.C. Pomareda Muñoz (Government), Mr F. Merle (Employers), Mr L. Cirigliano (Workers) as members, and Mr L. Abbé-Decarroux (Employers), Mr C. Pardini (Workers) as alternate members for a term until 8 October 2022. ²²²

19. Report of the Board of the Special Payments Fund ²²³

- 148.** At its 341st Session, the Governing Body considered the report of the Board of the Special Payments Fund covering the payments made in 2019 and 2020 and approved by correspondence the proposed amendments to the terms of reference and rules for administration of the Special Payments Fund, effective 1 April 2021. ²²⁴

20. Matters relating to the Administrative Tribunal of the ILO ²²⁵

- 149.** In October 2019, the Governing Body considered an Office paper on the recognition of the Tribunal’s jurisdiction by two international organizations, the Global Green Growth Institute (GGGI) and the International Cocoa Organization (ICCO), and the decision of the International Fund for Agricultural Development (IFAD) to discontinue its recognition of the Tribunal’s jurisdiction. The Governing Body approved the recognition of the Tribunal’s jurisdiction by the GGGI and ICCO and took note of the withdrawal of IFAD as from 1 April 2020. ²²⁶
- 150.** At the same session, the Governing Body considered a further updated paper on the proposed amendments to the Statute of the Tribunal. ²²⁷ No agreement was reached on the

²²⁰ GB.337/PFA/14/1(Rev.1) and GB.341/PFA/14(Rev.1).

²²¹ GB.337/PFA/PV, para. 384.

²²² GB.341/PFA/PV.

²²³ GB.341/PFA/13.

²²⁴ GB.341/PFA/PV.

²²⁵ GB.337/PFA/13/1.

²²⁶ GB.337/PFA/PV, para. 355.

²²⁷ GB.337/PFA/13/2.

proposed amendments. Taking into account the guidance provided during the discussion, the Governing Body requested the Office to submit draft amendments to the Statute of the Tribunal at the 338th Session of the Governing Body.²²⁸ The updated Office paper has been made available online and will be discussed at a future session.²²⁹

- 151.** At its 340th Session, the Governing Body considered an Office paper²³⁰ on the Recognition of the Tribunal's jurisdiction by the Pacific Community (SPC) with effect from 30 October 2020. The Governing Body approved this recognition by correspondence.²³¹
- 152.** At its 341st Session, the Governing Body considered the proposed amendments to the Statute of the Tribunal.²³² It approved, by correspondence, the draft resolution appended to document GB.341/PFA/15/1 concerning amendments to the Tribunal's Statute and to its Annex, for possible adoption by the International Labour Conference at its 109th Session. It deferred the consideration of the advisability of undertaking an independent review of the functioning of the Tribunal in light of the review of the jurisdictional setup of the United Nations common system undertaken by the UN Secretary-General pursuant to General Assembly resolution 74/255B and welcomed the Office's cooperation in this review.²³³
- 153.** At the same session, the Governing Body considered an Office paper on the Composition of the Tribunal.²³⁴ It conveyed its deep appreciation to Mr Giuseppe Barbagallo (Italy), Ms Fatoumata Diakité (Côte d'Ivoire), Ms Dolores Hansen (Canada) and Mr Yves Kreins (Belgium) for the valuable services. It then decided, by correspondence, to recommend the International Labour Conference to appoint Ms Rosanna De Nictolis (Italy), Mr Clément Gascon (Canada), Mr Jacques Jaumotte (Belgium) and Ms Hongyu Shen (China) as judges of the Tribunal, and to renew the appointments of Mr Michael Moore (Australia) and Sir Hugh Rawlins (Saint Kitts and Nevis). The duration of these new appointments and renewals will depend on the decision on the amendments of the Statute of the Tribunal.

²²⁸ GB.337/PFA/PV, para. 383.

²²⁹ GB.338/PFA/11/1.

²³⁰ GB.340/PFA/13/2.

²³¹ GB.340/PV, para. 858.

²³² GB.341/PFA/15/1.

²³³ GB.341/PFA/PV.

²³⁴ GB.341/PFA/15/2.

► V. High-Level Section

Strategic Policy Segment

COVID-19 and the world of work ²³⁵

- 154.** The Director-General urged the Governing Body to agree to launch a major initiative for human-centred recovery from the COVID-19 crisis, which would include the adoption of an outcome document by the 109th Session (2021) of the International Labour Conference. The world was calling on the ILO to act in response to the devastating economic and social impact of the pandemic and the appalling hardship in the world of work, and the ILO Centenary Declaration for the Future of Work was a valuable instrument on which to base its action. The proposed initiative for human-centred recovery would give the Organization the means to accelerate and scale up its action. It would be a unifying, rallying idea to catalyse action, mobilize resources and political will, promote cooperation, increase the visibility of the key issues identified, and enable the tripartite constituency to play its role effectively. With the overall direction of the substantive work already set, the next step was to proceed with strategic implementation, at scale, with urgency and on the basis of the platform already established.
- 155.** Following extensive discussion, in which it was agreed that the Centenary Declaration must underpin any such undertaking, the Governing Body requested the Director-General the following. Firstly, to develop proposals, taking into account the guidance provided by the Governing Body for a global response for human-centred recovery that is sustainable and resilient from the COVID-19 crisis, through the accelerated and focused implementation of the ILO Centenary Declaration. Secondly, to organize tripartite consultations to identify possible alternatives for consideration by the International Labour Conference at its 109th Session (2021). Both initiatives with a view to presenting to the Governing Body at its 341st Session appropriate proposals on the content and format of such response, as well as on the process to reach a tripartite agreement. ²³⁶
- 156.** At its 341st Session, the Governing Body provided guidance on the building blocks for a potential outcome document on a global response for a human-centred recovery as detailed in the appendix of document GB.341/INS/4. It also requested the Office to prepare a draft outcome document for tripartite consultations in the weeks leading up to the Conference. ²³⁷

²³⁵ GB.340/HL/2 and GB.341/INS/4.

²³⁶ GB.340/PV, para. 937.

²³⁷ GB.341/INS/PV, para. 124.